

**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 : 20.09.2024</p> <p>M. A. No.546 of 2024 In O.A.No.112 of 2024</p> <p>R. M. DevkuleApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri M. B. Kadam, learned Advocate for the Applicants through Video Conference and <i>Shri A.J.Chougale</i>, learned Presenting Officer for the Respondents</p> <p>2. Learned Advocate for Applicant submits that connected M.A.547/2024 in O.A.68/2024 is kept for hearing on 03.10.2024, therefore, this M.A.546/2023 be also kept on the same day.</p> <p>3. S.O. to 03.10.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

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

Tribunal's orders

Date : 20.09.2024

O.A.No.986/2024

J.G. Mulay

....Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present

2. Learned Counsel Mr. Bandiwadekar seeks time to file rejoinder.

3. Time granted. Adjourned to 03.10.2024.

Sd/-

/ (Mridula Bhatkar, J.)
Chairperson

prk


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>OA No.654/2024</u></p> <p>J.S. Nagaonkar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Shri A.A. Kupade, learned Advocate for Applicant and Smt. Archana B.K, learned PO for Respondents. 2. Issue notice returnable on 25.10.2024. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly 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. 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. 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. 7. The service may be done by Hand Delivery/Speed Post/Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. S.O. to 25th October, 2024. <p style="text-align: center;"> <i>Sd/-</i> (Debashish Chakrabarty) Member-A 20.09.2024 <i>Sd/-</i> (Mrudula Bhatkar, J.) Chairperson 20.09.2024 </p> <p>(skw)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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OA No.912/2024

S.M. Pawar ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Shri S.M. Pawar, learned Advocate for Applicant and Smt. Archana B.K, learned PO for Respondents.
2. Issue notice returnable on 11.10.2024.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly 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.
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. 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.
7. The service may be done by Hand Delivery/Speed Post/Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. S.O. to 11th October, 2024.


(Debashish Chakrabarty) (Mrudula Bhatkar, J.)
Member-A **Chairperson**
20.09.2024 **20.09.2024**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

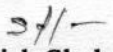
FARAD CONTINUATION SHEET No.

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OA No.1166/2024

T.S. Kumkar & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

1. Shri A.S. Gaikwad, learned Advocate for Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
2. Learned Advocate for Applicants wants to argue on 'Interim Relief' subject to outcome of this OA. But due to paucity of time and it will take time to clear the understanding, we reject his prayer of 'Interim Relief'.
3. S.O. to 27th September, 2024.


(Debashish Chakrabarty) (Mrudula Bhatkar, J.)
Member-A Chairperson
20.09.2024 20.09.2024

(skw)

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

Tribunal's orders

OA No.1176/2024

V.M. Patil ... **Applicant**
Vs.
The State of Mah. & Ors. ... **Respondents**

1. Shri R.M. Kolge, learned Advocate for Applicant and Smt. Archana B.K., learned PO for Respondents.
2. The Applicant challenges the 'Notification' dated 26.08.2024 and also challenges inclusion of name of Respondent No.3.
3. Issue notice returnable on 25.09.2024.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
7. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
8. The service may be done by Hand Delivery/Speed Post/Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
9. S.O. to 25th September, 2024 under the caption of 'Urgent Admission'.

SH/
(Debashish Chakrabarty) (Mrudula Bhatkar, J.)
Member-A **Chairperson**
20.09.2024 **20.09.2024**

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

OA No.1192/2024

B.M. Bandgar ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Shri D.B. Shinde, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.
2. The Applicant is In-service Candidate and has participated in the process for the post of 'Blood Bank Scientific Officer' pursuant to 'Advertisement' dated 28.08.2023. He challenges the 'Final Select List' dated 12.09.2024 published by Respondent No.3 especially qua the quota of 'Nomadic Tribe Caste (NT-C)' as he has applied in the said category.
3. Issue notice returnable on 27.09.2024.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
7. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
8. The service may be done by Hand Delivery/Speed Post/Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
9. S.O. to 27th September, 2024 under the caption of 'Urgent Admission'.

Sd/-
(Debashish Chakrabarty) (Mrudula Bhatkar, J.)
Member-A Chairperson
20.09.2024 20.09.2024

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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
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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>OA No.1198/2024</u></p> <p>S.P. Patil ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri A.S. Raktate, learned Advocate for Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. The Applicant seeks direction that Respondent Nos.1 and 3 be directed to appoint the Applicant on an alternative similar post of 'Laboratory Scientific Officer' as per letter dated 17.07.2024 addressed by Applicant to Respondent No.2 and 3.</p> <p>3. S.O. to 23rd September, 2024 under the caption of 'Urgent Admission'.</p> <p align="center">  (Debashish Chakrabarty) (Mrudula Bhatkar, J.) Member-A Chairperson 20.09.2024 20.09.2024 </p>

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. _____ of 20 _____

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	<p align="center"><u>20.09.2024</u></p> <p align="center"><u>C.A 30/2024 in O.A 111/2022 with M.A 528/2024 in R.A 11/2024 in O.A 111/2022</u></p> <p>D.D Satpute ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks time to file reply to the Review Application.</p> <p>3. Matter is kept on 8.10.2024 for filing of reply and thereafter the matter is kept on 16.10.2024 for hearing.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>20.09.2024</u></p> <p align="center"><u>O.A Nos 213 & 214/2018</u></p> <p>A.A Walvekar V.S Suryawnshi ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.D Patil a/w Shri A.S Pawar learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondent No 1 & 2 and Shri K.K Khamare, learned counsel for Respondent No. 3.</p> <p>2. Due to paucity of time, matter adjourned to 1.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>20.09.2024</u></p> <p><u>M.A 450/2024 in O.A 828/2024 Mumbai [O.A 328/2023-Nagpur]</u></p> <p>S.V Kakade & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Madhvi Ayyappan, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks one weeks' time to file reply.</p> <p>3. S.O to 27.9.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>20.09.2024</u></p> <p align="center"><u>O.A 267/2016</u></p> <p>Dr S.M Nilange & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Tejas Deshmukh a/w Shri Anshuman Deshmukh, learned advocate for the applicants No 1 to 5 & 14, Shri B.A Bandiwadekar, learned counsel for Applicants No 6 to 11, 15 and 21 and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. In these Original Applications the applicants working as Medical Officers on ad hoc basis pray that benefits of the Old Pension Scheme be made applicable to them as they were appointed prior to 2005, but subsequently absorbed in the year 2009, 2015 and 2019.</p> <p>3. The present Original Application is of the year 2016 and similar Original Application Nos 424/202, 80/2021, 81/2021, 632/2021, 713/2022, 267/2016, 1470/2023 & 1471/2023 having same issue are tagged together and will be heard finally on 11.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center"><u>20.09.2024</u></p> <p align="center"><u>O.A Nos 440 to 455/2023</u></p> <p>A.V Kanake & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.D Patil a/w Shri V.A Nagrani, through V.C learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time. The Respondents are directed to take final decision in the matter by way of last chance before the next date.</p> <p>3. S.O to 11.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>20.09.2024</u></p> <p align="center"><u>M.A 569/2024 in O.A 1125/2023</u></p> <p>S.S Wanve ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks permission to amend the Original Application by replacing the Schedule.</p> <p>3. Permission granted to amend the Original Application. Amendment to be carried out within 10 days and copy be served on the Respondents.</p> <p>4. Misc Application is disposed of.</p> <p>5. O.A No. 1125/2023 to be placed on Board on 15.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>20.09.2024</u></p> <p align="center"><u>C.A 23/2024 in O.A 632/2016</u></p> <p>S.D Malwade & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Sandesh Katke a/w Deepak Pote i/b A.P Avhad, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel submits that order dated 14.12.2018 of this Tribunal is not yet completed.</p> <p>3. Learned P.O submitted that the order of this Tribunal was challenged before the Hon'ble High Court and the same was dismissed on 18.7.2023. Learned P.O further submitted that the proposal is pending with Skill Development Department.</p> <p>4. We direct Shri Vijay Waghmare, Principal Secretary, Tribal Development Department and Shri Ganesh Patil, Principal Secretary, Skill Development to remain present on the next date.</p> <p>5. S.O to 27.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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	<p style="text-align: center;"><u>20.09.2024</u></p> <p style="text-align: center;"><u>C.A 05/2024 in O.A 1016/2018</u></p> <p>C.S Atkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.G Ranjane, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that Writ Petition is filed before the Hon'ble High Court challenging order of this Tribunal and the same is pending.</p> <p>3. S.O to 30.9.2024.</p> <p style="text-align: center;">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p style="text-align: left; margin-left: 20px;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p><u>20.09.2024</u></p> <p align="center"><u>C.A 108/2023 in O.A 623/2017</u></p> <p>S.G Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Mrs Pooja Mankoji i/b Shri S.S Dere, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned counsel seeks time to file reply.</p> <p>3. S.O to 18.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>20.09.2024</u></p> <p align="center"><u>C.A 40/2022 in O.A 733/2021</u></p> <p>S.P Kolte ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Mrs Pooja Mankoji i/b Shri S.S Dere, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondent No. 1 and none present for Respondent No. 2.</p> <p>2. S.O to 14.11.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center"><u>OA No.1193/2024</u></p> <p>P.H. Raut ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri Anil Mardikar, learned Advocate holding for Shri Piyush Pande, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. The Applicant challenges the orders dated 10.09.2024 and 12.09.2024 passed by Respondent No.1 and Respondent No.2 respectively.</p> <p>3. The learned Advocate for Applicant submits that Applicant is In-service Candidate since 2012 as 'Drugs Inspector' and working in the said field for 3 years. He submits that Applicant has received Show Cause Notice on 12th June, 2024. He replied to the Show Cause Notice on 24.06.2024. Thereafter, Applicant came to be terminated by order dated 10.09.2024.</p> <p>4. In this matter, the objection in respect of appointment of Applicant was taken on the ground that he does not have sufficient and requisite experience of 3 years in the field of 'Food & Drugs Administration' at the time of his initial appointment.</p> <p>5. The learned Advocate for Applicant relied Para 14 of the Judgment of MAT, Nagpur Bench in OA No.689/2015 filed by the Applicant dated 13.07.2018. He also relied on the Judgment of Hon'ble Supreme Court in State of Punjab Vs. Amar Singh Harika (AIR 1966 SC 1313) on the point that notice of termination is to be communicated to the Government servant. In the present case, the Applicant is not served with the notice of termination.</p> <p>6. The learned PO points out that pursuant to order dated 18.02.2022 of Hon'ble Bombay High Court Bench at Aurangabd in Writ Petition No.1218/2013 [Amol K. Lekurwale Vs. State of Maharashtra & Ors.], Experience Certificates were re-verified and as per Verification Report</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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dated 31.05.2023, it was reported that Applicant has no experience in Production and Testing of Drugs and Cosmetics. He has experience under State Pharmacy Act.

7. Issue notice returnable on 09.10.2024.

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


9. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly 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.

10. 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.

11. 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.

12. 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.

13. S.O. to 9th October, 2024.


 (Debashish Chakrabarty) (Mrudula Bhatkar, J.)
 Member-A Chairperson
 20.09.2024 20.09.2024

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>OA No.1186/2024</u></p> <p>K.V. Bagekari ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> Shri U.V. Bhosle, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents. The Applicant who is working as 'Scientific Officer' has participated in the selection process for the post of Assistant Director, Cyber Crime, Tape Authentication and Speaker Identification, General State Service, Group-A. The learned Advocate for Applicant submits that Applicant had applied in OBC Category and since he was qualified, his name was appeared in the Merit List dated 24.03.2023. On the same day i.e. on 24.03.2023, Select List was published but the name of Applicant was not appeared in that Select List and the name of Respondent No.4 was appeared. The learned Advocate for Applicant submits that he seeks 'Status Quo' to be granted to the process, particularly appointment of Respondent No.4. The learned Advocate for Applicant further submits that Applicant was given to understand that Respondent No.4 has not submitted his 'NCL Certificate'. The Applicant was aware that his name was not included in Select List dated 24.03.2023 and therefore he rushed to the Tribunal and seeks 'Interim Relief'. The Applicant was fully aware on 24.03.2023 that his name was excluded from Select List. He could have approached the Tribunal at that time. However, at this stage, the prayer of 'Interim Relief' cannot be considered before giving

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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sufficient opportunity to the State to file their 'Affidavit-in-Reply', as Applicant is also challenging the 'Select List' which was published on 24.03.2023.

8. Issue notice returnable on 18.10.2024.

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


10. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly 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.

11. 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.

12. 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.

13. 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.

14. S.O. to 18th October, 2024.


 (Debashish Chakrabarty) (Mrudula Bhatkar, J.)
 Member-A Chairperson
 20.09.2024 20.09.2024

(skw)

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

Tribunal's orders

Date : 20.09.2024

O.A.No.600 of 2024

Dr. A.S. KulkarniApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Mr. S. Patil, learned Counsel for the Applicant (through video conference), Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents, Mr. K.R. Jagdale, learned Counsel for Respondent No.2 and Mr. Bhushan A. Bandiwadekar, learned Counsel for Respondents No.5 to 10 are present.

2. At the request of learned C.P.O. adjourned to 26.09.2024 for filing affidavit-in-reply.

Sd/-
(Debashish Chakrabarty)
Member (A)

Sd/-
(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 : 20.09.2024

O.A.No.245 of 2021

J.S. SatheApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents are present.

2. Concern officers from P.W.D. are directed to remain present with requisite data of vacancies of the post of Junior Engineer which are going to fall vacant till 31.10.2024.

3. Matter is adjourned to 23.09.2024 at 2.30 p.m.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(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 : 20.09.2024

O.A.No.1093 of 2024

A.J. Talwadkar & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Mr. A.W. Waghmare, learned Counsel for the Applicant (through video conference) and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.

2. Learned C.P.O. has submitted that during the course of the day she will file affidavit-in-reply.

3. It be taken on record and copy be served upon the concern. Adjourned to 23.09.2024

Sd/-
(**Debashish Chakrabarty**)
Member (A)

Sd/-
(**Mridula Bhatkar, J.**)
Chairperson

prk

**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 : 20.09.2024</p> <p>O.A.No.1059 of 2024</p> <p>Balasaheb K. RaksheApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Madhavi Ayyapan holding for Shri Talekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Learned CPO submits that she is trying to file reply today before office hour. 3. Learned Advocate for Applicant has filed copy of order of the Hon'ble High Court in W.P. No.12212/2024, dated 13.09.2024. It is taken on record. 4. S.O. to 24.09.2024 for filing rejoinder, if any. <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

P.T.O. →

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

Tribunal's orders

L.O.

5. Learned CPO has filed Affidavit in Reply on behalf of Respondent Nos.1 to 4. It is taken on record.

Sd/-

(A. N. Karmarkar)
Member (J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p align="center">O.A.No.1065/2024</p> <p>G.R. RathodApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondent are present.</p> <p>2. Learned Counsel on query has submitted that the Applicant has not joined her new posting, however, in the previous order the Applicant was directed to join.</p> <p>3. At the request of learned P.O. adjourned to 30.09.2024 for filing affidavit-in-reply.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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 : 20.09.2024</p> <p style="text-align: center;">O.A.No.1170/2024</p> <p>A.V. PatilApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Ms. Punam Mahajan, learned Counsel for the Applicant (through video conference), Mr. A.J. Chougule, learned Presenting Officer for the Respondents and Ms. Pooja Mankoji hodling for Mr. S.S. Dere, learned Counsel for the Respondent No.4 are present.</p> <p>2. Learned Counsel Ms. Mahajan has submitted that the Applicant is working as Chief Officer in the office of Pune Housing and Area Development Board, Pune (PHADB), Pune and is without posting since 10.09.2024. The Parent Department of the Applicant is Revenue Department.</p> <p>3. At the request of learned P.O. adjourned to 26.09.2024 only for filing affidavit-in-reply.</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p align="center">O.A.No.1148/2024</p> <p>C.D. MundheApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Ms. Punam Mahajan, learned Counsel for the Applicant (through video conference) and Ms. Archana B.K., learned Presenting Officer for the Respondents are present</p> <p>2. At the request of learned P.O. adjourned to 04.10.2024.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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 : 20.09.2024</p> <p style="text-align: center;">O.A.No.1135/2024</p> <p>S.G. PatilApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Ms. Punam Mahajan, learned Counsel for the Applicant (through video conference) and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. At the request of learned P.O. adjourned to 04.10.2024.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/ (Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left; margin-top: 20px;">prk</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.

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date : 20.09.2024 Tribunal's orders O.A.No.1103/2024</p>
	<p>H.B. VisputeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. K.R. Jagdale, learned Counsel for the Applicant, Mr. A.J. Chougule, learned Presenting Officer for the Respondents and Ms. Pooja Mankoji holding for Mr. S.S. Dere, learned Counsel for the Respondent No.2 are present.</p> <p>2. Learned Counsel Ms. Pooja has submitted that during the course of the day she will file affidavit-in-reply. She has submitted that Respondent No.2 has joined as Deputy Director, Finance and Accounts, Charni Road on 02.09.2024.</p> <p>3. Learned Counsel Mr. Jagdale has pointed out that applicant has submitted the representation dated 08.07.2024 addressed to the Principal Secretary, Accounts and Treasury Department, Mumbai and Respondents have not bothered to consider the said representation.</p> <p>4. Learned P.O. has submitted that the post of Deputy Director, Finance and Accounts has fallen vacant on 30.06.2024 and Respondent No.2 therefore was brought on that post.</p> <p>5. Adjourned to 03.10.2024.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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 : 20.09.2024</p> <p>O.A.No.859/2024</p> <p>M.N. ShaikhApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Ms. Pooja Mankoji holding for Mr. S.S. Dere, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondent are present.</p> <p>2. Learned P.O. has submitted that affidavit-in-reply is filed.</p> <p>3. Admit. Place for Final Hearing.</p> <p>4. Adjourned to 30.09.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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

**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 : 20.09.2024</p> <p>O.A.No.1060/2024</p> <p>G.U. RathodApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. K.R. Jagdale, learned Counsel for the Applicant and Mr. D.B. Patil, learned Presenting Officer for the Respondent are present.</p> <p>2. At the request learned P.O. adjourned to 11.10.2024 for filing affidavit-in-reply.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p style="text-align: center;">O.A.No.1187/2024</p> <p>R.V. VaradeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. A.R. Deshpande, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondent are present.</p> <p>2. Learned Counsel Mr. Bhushan A. Bandiwadekar has submitted that he has instructions to appear on behalf of Respondent No.2 and during the course of the day he will file vakalatnama. Learned Counsel Mr. Bandiwadekar waives notice.</p> <p>3. Applicant challenges transfer order dated 13.09.2024 passed by the Respondent No.1 by which the applicant has been transferred from the post of Naib Tahsildar (Sangayo) Sinner to Naib Tahsildar (Election) Niphad and the Respondent No.2 has been transferred from Naib Tahsildar (Sangayo) Bhusaval to Naib Tahsildar (Sangayo) Sinner wherein the Applicant is presently posted.</p> <p>4. Learned Counsel has submitted that applicant challenges the transfer order dated 13.09.2024 on the following grounds:</p> <p>(a) Applicant was transferred to Sinner, Nashik on 08.03.2024. Thus the applicant has completed only 1 ½ years on the said post at Sinner, Nashik and the requisite tenure of three years is not completed.</p> <p>(b) Transfer order is passed in contravention of G.R. dated 23.06.2016 as the transfer order being mid-term and mid-term the approval of Hon'ble Chief Minister was required to be taken as per G.R. dated 23.06.2016. However, the same is not taken.</p> <p>(c) Applicant challenges the transfer of Private Respondent No.2 on his post as Naib Tahsildar (Sangayo), Sinner. He states that Private Respondent No.2 was appointed at Naib Tahsildar (Sangayo) Bhusaval on 24.07.2024 and thereafter within two months he is transferred as Naib Tahsildar (Sangayo), Sinner. He states that Private Respondent No.2 was relieved on 13.09.2024 and on the same day he joined the new posting which was the earlier post of Applicant i.e. as Naib Tahsildar (Sangayo), Sinner. Thus, there is violation of G.R. dated 31.07.2024. [P.T.O.]</p>

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

Tribunal's orders

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

6. Issue notice before admission returnable on 26.09.2024. Applicant is directed to serve hard copy of O.A. to the concern. Respondents are directed to file affidavit-in-reply.

7. 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.

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

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

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

11. Applicant is directed to join the transferred place as Naib Tahsildar (Election) Niphad under protest and without prejudice.

12. Adjourned to 26.09.2024. To be shown under the caption 'For Urgent Admission'.

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 : 20.09.2024</p> <p align="center">O.A.No.903 of 2023</p> <p>S. B. KumawatApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Madhavi Ayyapan holding for Shri Talekar, learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondents and Shri Upasani holding for Shri N. K. Rajpurohit, learned Advocate for Respondent Nos.1 to 3. 2. One of the officers from Public Health Department has submitted about non receipt of copy of petition. 3. Learned Advocate for Applicant submits that 'Affidavit of Service' is already placed on record. 4. Learned PO requested for short adjournment. 5. The matter is filed in July, 2023. In order to give one opportunity, the matter is adjourned to 30.09.2024. On failure to file reply on next date, necessary order will be passed. 6. S.O. to 30.9.2024. <p align="center">Sd/-</p> <p align="center">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.344 of 2024</p> <p>D. S. ManeApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. The Applicant and his Advocate are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Learned PO has submitted that copy of OA is not served with the Respondents by the Applicant in spite of directions given by the Tribunal by order dated 16.07.2024 and 30.08.2024. It is also submitted that record also does not show existence of service affidavit.</p> <p>3. The Applicant to take necessary steps as per order dated 16.07.2024 and 30.08.2024 regarding service of copy of application to Respondents. On failure to do so, necessary order will be passed.</p> <p>4. S.O. to 09.10.2024.</p> <p style="text-align: center;">^ Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.1185 of 2024</p> <p>B. S. JagtapApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri M. B. Kadam, learned Advocate for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents</p> <p>2. Learned Advocate for Applicant submitted that necessary parties need to be arrayed as Respondent No.3 and 4 in title of the O.A. and even the date of impugned order is erroneously mentioned. He has also submitted that one of the impugned orders is not placed on record, therefore, he seeks permission to withdraw the Original Application with liberty to file afresh.</p> <p>3. The Original Application is disposed of as withdrawn with liberty to file fresh O.A. which will be decided on its own merit.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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 : 20.09.2024</p> <p>O.A.No.815 of 2024</p> <p>K. S. BhaleraoApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Madhavi Ayyapan holding for Shri Talekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Learned Advocate for Applicant requested for preponing the matter as per directions given by this Tribunal in earlier order dated 19.08.2024. 3. It be kept on 11.10.2024. 4. Meantime, learned CPO would be in a position to collect necessary information in this regard. 5. S.O. to 11.10.2024. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>M. A. No.352 of 2024 In O.A.No.499 of 2024</p> <p>K. K. MakwanaApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri A. Pawar, learned Advocate for the Applicant and Shri A. D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that reply will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. S.O. to 11.10.2024.</p> <p style="text-align: center;">^ Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

Vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**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 : 20.09.2024</p> <p>O.A.No.1182 of 2024</p> <p>A. J. SayyadApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri S. K. Hande, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents</p> <p>2. Learned Advocate for Applicant submits that there was harassment to Applicant at work place by other employees and he is placed under suspension on the basis of several complaints. It is submitted that substantial number of complaints are already disposed off.</p> <p>3. Learned PO submits that grant of stay at this stage would amount to grant of final relief.</p> <p>4. It would be appropriate to hear the Respondents so as to decide the matter in respect of relief claimed.</p> <p>5. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 04.10.2024.</p>

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

Tribunal's orders

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

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

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

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

11. S.O. to 04.10.2024.

Sd/-

(A. N. Karmarkar)
Member (J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.1552 of 2023</p> <p>A. D. MahakalApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri L. S. Deshmukh, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The matter is admitted and kept for final hearing.</p> <p>3. S.O. to 11.10.2024.</p> <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.1314, 1313, 1315 & 1316 of 2022</p> <p>P. Chinpayan & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors....Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. S. Gaikwad, learned Advocate for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Learned Advocate for Applicants seeks time to file Rejoinder. 3. S.O. to 04.10.2024. <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.733 of 2024</p> <p>P. S. UjgareApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant seeks time to file Rejoinder. Time granted.</p> <p>3. S.O.to 25.09.2024.</p> <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.734 of 2024</p> <p>D. A. GaikwadApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri P. B Kamble, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant seeks time to file application for condonation of delay. Time granted.</p> <p>3. S.O. to 27.09.2024.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.864 of 2024</p> <p>P. R. KumbharkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri P. M. Bhome, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents 2. Learned PO seeks time to file reply. 3. S.O. to 04.10.2024. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O. A. No. 770 of 2024</p> <p>A. R. Nikalje & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Shri A. D. Gugale, learned Presenting Officer for the Respondents 2. Today, Shri Amol Bawane, Police Constable from the office PMO Pune is present before the Court. The learned PO submits that parawise remarks are ready but the responsible officer yet to sign it. He submits that he will file reply positively within two weeks . 3. Learned Advocate for Applicant has objected the same. 4. S.O. to 07.10.2024. <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p style="text-align: center;">Tribunal's orders</p> <hr/> <p>Date : 20.09.2024</p> <p style="text-align: center;">O.A.No.870 of 2024</p> <p>M. S. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Nikhil Adkire holding for Shri R. Thode, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents and Shri Aditya Sawant holding for Shri Balasaheb Deshmukh, learned Advocate for Respondent No.4. 2. Shri Aditya Sawant, learned Advocate submits that he has received instruction to appear for Respondent No.4 in the matter. 3. Learned PO seeks time to file reply. 4. S.O. to 11.10.2024. <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>
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vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.726 of 2024</p> <p>H. G. SawantApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. B. Kadam, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Perused the order dated 05.09.2024. 3. Learned PO submits that he has some technical difficulty for preparing reply and seeks one week time. 4. Time granted as preyed for. On failure to file reply on next date, necessary order will be passed and the Respondents will have to face consequences. 5. S.O. to 27.09.2024. <p style="text-align: center;">^ Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.685 of 2024</p> <p>U. B. PardheApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors....Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Advocate for Applicant has filed rejoinder. It is taken on record.</p> <p>3. The matter is admitted and kept for final hearing on 14.10.2024.</p> <p>4. S.O. to 14.10.2024 for filing Sur-Rejoinder, if any.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.637 of 2024</p> <p>A. D. MohareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that parawise remarks are received and seeks time to file reply.</p> <p>3. S.O. to 27.09.2024.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p> <p>vsm</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 : 20.09.2024</p> <p>O.A.No.636 of 2024</p> <p>K. V. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors.....Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents</p> <p>2. The matter is admitted and kept for final hearing with liberty to file Rejoinder.</p> <p>3. S.O. to 04.10.2024.</p> <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.217 of 2024</p> <p>S. R. ThaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors...Respondents.</p> <ol style="list-style-type: none"> The Applicant in person is absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present. Affidavit in Reply on behalf of Respondent No.2 has already filed. The Respondent No.1 has not filed reply in the matter. Affidavit in Rejoinder to reply of Respondent No.2 is also not filed by learned Advocate. The matter is admitted and kept for final hearing. S.O. to 11.10.2024. <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.189 of 2024</p> <p>Dr. N. S. Saindane Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. .Respondents.</p> <p>1. Heard Shri J. S. Deshmukh, learned Counsel for the Applicant through video conference and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that proposal is pending before the office of concerned department and seeks two weeks time.</p> <p>3. S.O. to 08.10.2024.</p> <p style="text-align: center;">^ Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.533 of 2024</p> <p>S. V. SurveApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. .Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents</p> <p>2. Learned PO seeks time to file reply on behalf of Respondent No.2. Time granted.</p> <p>3. S.O. to 07.10.2024.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.633 of 2024</p> <p>M. J. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. .Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K. R. Upasani, learned Counsel for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents. 2. The learned Advocate for Applicant has submitted that relief as claimed in prayer clause 9 of the O.A. may be allowed as the representation is already submitted in April, 2024. 3. Learned PO has sought time of two week for filing reply and ready to take instructions in respect of prayer clause 9(a) of OA. 4. S.O. to 10.10.2024. <p style="text-align: center;">^ Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.31 of 2024</p> <p>R. H. TamboliApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. .Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Instead of detailed order passed on 28.08.2024, the Respondents failed to file Affidavit in Reply.</p> <p>3. The matter is admitted and kept for final hearing. It be proceeded without reply.</p> <p>4. — S.O. to 14.10.2024.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.09.2024</p> <p>O.A.No.10 of 2024</p> <p>Sevanivrutti Engineers Aashwashit Samajik SansthaApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Smt. V. Pradeep, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that preparation of reply is under process and will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. S.O. to 11.10.2024 for filing Rejoinder, if any.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 20.09.2024</p>
<p>vsm</p>	<p>O.A.No.400 of 2024</p> <p>A. N. DevadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri V. R. Katariya, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. As per earlier order dated 21.06.2024, the learned PO to verify the position. 3. S.O. to 09.10.2024. <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO.1184 OF 2024 (S.B.)

Dr. S.D. Sadawarte

...**Applicant**

Versus

The State of Maharashtra & Ors.

...**Respondents**

Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant.
Mr. A.J. Chougule, learned Presenting Officer for the Respondents

CORAM : **Justice Mridula Bhatkar (Chairperson)**

DATE : **20.09.2024**

O R D E R

1. Pursuant to the order dated 19.09.2024 passed by this Tribunal wherein it was directed to learned P.O. to make responsible statement in respect of the representation dated 13.09.2024 made by the Applicant and also it was expected that somebody from the office of Respondent to remain present and make statement about giving choice posting to the Applicant with regard to his representation dated 13.09.2024.

2. However, today learned P.O. Mr. Chougule has submitted as follows :

(a) Submissions of learned P.O. : Applicant did not give representation with his choice when he was transferred by order dated 31.08.2024.

Findings of the Tribunal : These submissions are baseless as to how the applicant would be aware that he was going to be transferred.

(b) Submissions of learned P.O. : How the Department will come to know the difficulties of the Government servants.

Findings of the Tribunal : It is difficult to understand the expectation of the Department that when the applicant was not transferred for seven years from the Tribal area where he was working, how the Government

servant will know the mind of the Government as to why by which order or in which year he is going to be transferred. I highlight Clause 2(क) of G.R. dated 11.08.2000 and it is reproduced for ready reference

“क) वरीलप्रमाणे पसंतीच्या जिल्हयांत बदली मिळण्यासाठी, आदिवासी क्षेत्रात काम करणा-या अधिकारी/कर्मचारी यांनी उपरोक्त विहित कार्यकाळ संपण्यापूर्वी किमान ३ महिने आधी त्यांच्या पसंतीच्या जिल्हयांची तीन नावे सक्षम प्राधिका-यांना कळवावीत व त्याची प्रत तो कार्यरत असलेल्या क्षेत्राच्या जिल्हाधिकारी / विभागीय आयुक्त यांना देण्यात यावी.”

(c) Submissions of learned P.O. : There is on special provision in the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties, Act, 2005 (hereinafter referred as 'ROTA 2005' for brevity) to consider the difficulties of disabled persons.

Findings of the Tribunal : The attention of Additional Chief Secretary of Public Health Department is drawn on Government Circular dated 15.04.2004 issued by the G.A.D. of reiterating that the Departments are not implementing the provisions of 'the Rights of Persons with Disabilities Act, 2016' (hereinafter referred as 'Disabilities Act, 2016' for brevity), though time to time instructions were given while passed in transfer orders. The relevant portion of Government Circular dated 15.04.2004 is quoted below :

“शासकीय सेवेतील अपंग कर्मचाऱ्यांच्या बदल्या सहानुभूतीचा दृष्टीकोन ठेऊन त्यांच्या राहत्या ठिकाणाजवळ करण्याबाबत संदर्भाधीन परिपत्रकान्वये सूचना देण्यात आल्या होत्या. तथापि या सूचनांची व्यवस्थित अंमलबजावणी होत नाही असे निदर्शनास आल्यामुळे या परिपत्रकान्वये मंत्रालयीन विभाग व त्यांच्या नियंत्रणाखालील विभाग प्रमुख / कार्यालय प्रमुख यांना पुन्हा सूचना देण्यात येत आहेत की, शासकीय कर्मचाऱ्यांच्या बदल्यांचे विनियमन करण्यासाठी शासनाने दिनांक १६ जानेवारी २००४ रोजी प्रख्यापित केलेल्या अध्यादेशास अधीन राहून शासकीय सेवेतील अपंग कर्मचाऱ्यांच्या बदल्या प्रशासकीय सोयीनुसार शक्य असल्यास त्यांच्या राहत्या ठिकाणाजवळ कराव्यात.”

(d) Submissions of learned P.O. : While pointing out the G.R. dated 14.07.2021 and on instructions from Mr. Vasant Gaikwad, Under Secretary who is present learned P.O. has submitted that only at the time of direct recruits and promotions the difficulties of the disabled persons can be considered. He has further submitted that there are no provisions to give any concessions to disabled persons at the time of transfer. He has submitted that now the Applicant's representation

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dated 13.09.2024 is received by the Department and after considering the vacancy position the Department will consider the case of the Applicant.

Findings of the Tribunal : The submissions made by learned P.O. are shocking as it displace the insensitivity of the State towards disabled persons, especially, on the background of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and amended Act of the Rights of Persons with Disabilities, Act, 2016. It appears that the provisions and directions given in the Act and G.Rs. and so also Government Circulars are not understood by the concern Department.

3. In view of above, I direct the Additional Chief Secretary, Mr. Milind Mhaiskar to look into this matter and pass order after going through this order dated 20.09.2024 and yesterday's order dated 19.09.2024.

4. Learned Counsel Mr. Bandiwadekar wants to correct his earlier submissions which he made in order dated 19.09.2024 ^{that} ~~and~~ Applicant is suffering from 76% disability in his left leg and not right leg.

5. Adjourned to 24.09.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk