

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

Tribunal's orders

**20.10.2020**

**O.A.No.409 of 2020 with O.A.No.410 of 2020**

D.S. Aswale (O.A.409/2020)

A.S. Sali (O.A.410/2020) ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

**SPEAKING TO MINUTES**

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Today the matter is taken on board for Speaking to minutes for correction of typographical error in order dated 15.10.2020 -

(i) In paragraph 3, "The Applicants are transferred as they were due for transfer."  
*Instead it should be*

"The Applicants are **not transferred even though** they were due for transfer."

(ii) In Paragraph No.5, "In view of these submissions, the Respondent No.1 is directed to consider the case of the Applicant in O.A.No.409/2020 for his transfer to Kolhapur and in case of Applicant in O.A.No.410/2020 for her transfer to Satara as both are due for transfer since they have completed normal tenure of 3 years at respective places. Order be communicated to Respondents forthwith."

*Instead it should be*

"In view of these submissions, the Respondent No.1 is directed to consider the case of the Applicant in O.A.No.409/2020 for his transfer to **Pune from Kolhapur** and in case of Applicant in O.A.No.410/2020 for her transfer to **Pune from Satara** as both are due for transfer since they have completed normal tenure of 3 years at respective places. Order be communicated to Respondents forthwith."

3. Necessary corrections be carried out.

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><b><u>20.10.2020</u></b></p> <p><b>O.A.No.409 of 2020 with O.A.No.410 of 2020 (CORRECTED ORDER)</b></p> <p>D.S. Aswale (O.A.409/2020) A.S. Sali (O.A.410/2020) ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. files affidavit-in-reply in both the Original Applications. The same are taken on record.</p> <p>3. The Applicants are not transferred even though they were due for transfer</p> <p>4. The learned C.P.O. submits that as per the G.R. dated 07.07.2020, the Government laid down the policy of partial transfer of only 15% employees who are due. Out of 15%, 7.5% transfers are made at Divisional level and remaining 7.5% of the Government servants will be made by the Government.</p> <p>5. In view of these submissions, the Respondent No.1 is directed to consider the case of the Applicant in O.A.No.409/2020 for his transfer to Pune from Kolhapur and in case of Applicant in O.A.No.410/2020 for her transfer to Pune from Satara as both are due for transfer since they have completed normal tenure of 3 years at respective places. Order be communicated to Respondents forthwith.</p> <p>6. In view of above, Original Applications are disposed off.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

Tribunal's orders

**20.10.2020**

**O.A.No.457 of 2020 with O.A.No.387 of 2020 with  
O.A.No.436 of 2020 with O.A.No.448 of 2020 with  
O.A.No.352 of 2020**

A.S. Shaikh (O.A.457/2020)  
K.U. Patil (O.A.387/2020)  
S.T. Ohal (O.A.436/2020)  
S.D. Bhokare (O.A.448/2020)  
M.P. Shelke (O.A.352/2020) ... Applicants  
Vs.

The State of Maharashtra & Ors ... Respondents

SPEAKING TO MINUTES

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants in O.A.No.457/2020, O.A.No.387/2020, O.A.No.436/2020 and O.A.No.448/2020, Shri K.R. Jagdale, learned Advocate for the Applicant in O.A.No.352/2020 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Today the matter is taken on board for Speaking to minutes for correction of typographical error in order dated 15.10.2020 -

(i) In paragraph 3, "Interim relief granted to continue in O.A.No.387/2020 and 436/2020 till next date"

*Instead it should be*

"Interim relief granted to continue in O.A.No.387/2020 and **448/2020** till next date."

3. Necessary correction be carried out.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk


**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><b>20.10.2020</b></p> <p align="center"><b><u>O.A.No. 457, 387, 436, 448/2020 &amp; 352/2020</u></b> <b>[Corrected copy]</b></p> <p>A.S Shaikh [O.A 457/2020] K.U Patil [O.A 387/2020] S.T Ohal [O.A 436/2020] S.D Bhokare [O.A 448/2020] M.P Shelke [O.A 352/2020]... Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned Advocate for the Applicants in O.A 457, 387, 436 and 448, Shri K.R Jagdale, learned advocate for the applicant in O.A 352/2020 and Ms Swati Manchekar, learned C.P.O, Smt K.S Gaikwad &amp; Shri A.J Chougule, learned Presenting Officer for the Respondents. Shri S.S Dere, learned advocate files Vakalatnama on behalf of Respondent no. 4 in O.A 457/2020.</p> <p>2. Affidavit in reply is filed in O.A 352/2020. In other matters para wise remarks are received by the office of learned C.P.O, so time is sought to file reply. Time granted.</p> <p>3. Interim relief granted to continue in O.A 387/2020 and 448/2020 till next date.</p> <p>4. All matters are to be placed on 29.10.2020.</p> <p align="right">   Sd/-  <b>(Mridula Bhatkar, J.)</b>  <b>Chairperson</b> </p> <p>akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b>M.A.217/2020 in O.A.1229/2019</b></p> <p><b>Shri M.R. Majeed</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <ol style="list-style-type: none"><li>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li><li>2. By proposed amendment, the Applicant wants to clarify the pleadings about entitlement to interest on delayed payment of retiral benefits.</li><li>3. The proposed amendment will not change the nature of O.A.</li><li>4. In view of above, allowed to amend the O.A.</li><li>5. Amendment be carried out within one week.</li><li>6. Respondents are at liberty to file reply to the amended O.A. within two weeks.</li><li>7. S.O. to 3<sup>rd</sup> November, 2020.</li></ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 20.10.2020</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><b>O.A.1117/2019</b></u></p> <p><b>Smt. V.Y. Bhalerao &amp; Ors.</b>                                      <b>... Applicants</b>  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b>                                      <b>... Respondents</b></p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. When the matter is taken up for hearing, the learned P.O. at the very outset pointed out that during the pendency of O.A, the Applicant No.1 is appointed on compassionate ground as Peon by order dated 28<sup>th</sup> June, 2020 and she has accordingly joined the post. She, therefore, submits that the O.A. has become infructuous.</li> <li>3. Whereas, the leaned Advocate for the Applicant seeks two days' time to take instructions from the Applicant and to take necessary steps.</li> <li>4. Adjourned to 22<sup>nd</sup> October, 2020.</li> </ol> <p style="text-align: right;">Sd/-  (A.P. Kurhekar)  Member-J  20.10.2020</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 align="center"><u>O.A.No.412/2019</u></p> <p><b>Shri S.R. Kadam</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Respondents opposed the entitlement of the Applicant to the pay scale of Rs.8000-275-13500 on the ground that, in view of Notification of the Department dated 24.09.1975 and 03.05.1985, the Applicant was required to obtain requisite qualification from anyone of the four Institutes mentioned therein and having not done so, he is not entitled to pay scale of 8000-13500, as seen from clarification issued by the Department at Page No.41 of P.B.</p> <p>3. The learned Advocate for the Applicant has pointed out that Applicant's contemporary though not have requisite qualification from the Institutes mentioned in Page No.41 of Paper Book, they were given pay scale of Rs.8000-13500.</p> <p>4. In view of above, it is necessary to see the contents of Notifications dated 24.09.1975 and 13.05.1985 relied by the Respondents.</p> <p>5. The learned P.O. is directed to place on record these Notifications on next date.</p> <p>6. S.O. to 27<sup>th</sup> October, 2020.</p> <p align="right">Sd/- (A.P. Kurhekar) Member-J 20.10.2020</p> <p>(skw)</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 : 20.10.2020</p> <p style="text-align: center;">O.A.No.515 of 2019</p> <p>N. T. Nehete <span style="float: right;">....Applicant</span></p> <p><b>Versus</b></p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. In present O.A., challenge is to the impugned order dated 24.01.2019 imposing punishment of 85% permanent deduction in pension.</li> <li>3. The issue is as to whether the punishment of reduction in pension pertains to Single Bench or Division Bench was also raised before this Tribunal in O.A.No.64/2018. In that O.A., this Tribunal gave directions to Registrar to look into the matter and place it before appropriate bench.</li> <li>4. It appears that Registrar made submission before the Hon'ble Chairperson in O.A.No.64/2018 and the said O.A. was ordered to be placed before the Division Bench as per order passed by the Hon'ble Chairperson on 25.09.2020, on the submission made by the Registrar.</li> <li>5. In view of above, Registrar is directed to look into this matter and place it before appropriate bench.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p style="text-align: left; margin-top: 20px;">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 : 20.10.2020</p> <p>O.A.No.138 of 2017</p> <p>H. B. Suryawanshi .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. Today, learned P.O. has filed Affidavit in Sur-Rejoinder on behalf of the Respondents. It is taken on record.</li> <li>3. On request of learned Counsel for the Applicant, two weeks time is granted for hearing.</li> <li>4. S.O. to 05.11.2020.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) 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 : 20.10.2020</p> <p align="center">O.A.No. 868 of 2019</p> <p>G. N. Raut .....Applicant Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Today, learned P.O. has filed Affidavit of Shri Anoop Kumar, Principal Secretary, Animal Husbandry, Dairy Development &amp; Fisheries Dept., Mumbai in terms of order passed by this Tribunal on 13.10.2020 whereby notice was issued to show cause why action for contempt of court should not be initiated against him.</li> <li>3. In Affidavit, it is stated that the order dated 10.08.2020 is already stayed by the Government by order dated 28.09.2020. However, it seems to be stay order and not the order of cancellation of transfer from Mumbai to Gadchiroli which is contempt of the order dated 04.09.2019.</li> <li>4. As such, only stay order could not suffice and the Principal Secretary is required to cancel the subsequent order of transfer from Mumbai to Gadchiroli, If he wants to come out of proposed contempt proceeding.</li> <li>5. In view of above, on request of learned P.O., one week's time is granted for necessary steps.</li> <li>6. S.O. to 27.10.2020.</li> </ol> <p align="right">Sd/- _____ (A.P. Kurhekar) Member(J) [P.T.O.]</p> <p>vsm</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.No.83/2020</u></p> <p>Shri M.C. Lilani &amp; Ors. ... Applicants Vs. The State of Mah. &amp; Ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is fixed for hearing at the stage of admission since the Respondents upheld to file reply within time granted by the Tribunal.</p> <p>3. However, Shri A.J. Chougule, learned P.O. seeks permission to file Affidavit-in-reply on the ground that due to Covid-19 pandemic situation, there was delay on the part of concerned for providing instructions.</p> <p>4. In the interest of <sup>Justice</sup> <del>this stage</del>, allowed to file Affidavit-in-reply. It is taken on record.</p> <p>5. On the request of learned Advocate for the Applicant, time is granted for filing Rejoinder, if any.</p> <p>6. S.O. to 29<sup>th</sup> October, 2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 20.10.2020</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.No.1172/2019</u></p> <p>Dr. S.K. Walinjkar ... Applicant  Vs.  The State of Mah. &amp; Ors. ... Respondents</p> <ol style="list-style-type: none"> <li>Applicant and his Advocate absent. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</li> <li>The matter is for hearing at the stage of admission.</li> <li>On previous date i.e. on 01.10.2020s also, the Applicant and his Advocate were absent and the matter was adjourned to give an opportunity to the Applicant and his Advocate.</li> <li>However, today also, the Applicant and his Advocate are absent. It appears that they are not interested in the matter and on hearing on merit.</li> <li>C.A. is dismissed in default. No order as to costs.</li> </ol> <p style="text-align: right;">Sd/-  (A.P. Kurhekar)  Member-J  20.10.2020</p> <p>(skw)</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 : 20.10.2020</p> <p align="center">O. A. No.200 of 2020</p> <p>M. P. Jamadar <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. The Applicants and their Counsel are absent. Heard Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted as a last chance for filing reply.</p> <p>3. S.O. to 03.11.2020.</p> <p align="right">Sd/- _____ w (A.P. Kurhekar) 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 : 20.10.2020</p> <p>O.A.No.1058/16, 471/17, 472/17, 473/17, 474/17, 475/17 with 538/17, 540/17, 541/17, 542/17, with 544/2017 with 1154/17, 1155/17, 1156/17, 1157/17 with 1158/17</p> <p>B. B. Pote .....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicants submits that Misc. Applications for amendment is being filed in the office today and requested to adjourn all these Ori. Applications so as to keep it along with Misc. Applications for necessary orders.</p> <p>3. S.O. to 27.10.2020.</p> <p style="text-align: right;">Sd/- _____ (A.P. Kurhekar) 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 : 20.10.2020</p> <p align="center">O.A.No.173 of 2020 with O.A.No.174 of 2020</p> <p>M. L. Bagal &amp; Anr. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants. None present for the Respondents.</li> <li>2. Today, these two Original Applications are taken on record by circulation for withdrawal of Original Applications.</li> <li>3. In O.A. No.174/2020, the learned Counsel for the Applicant has tendered zerox copy of letter of the Applicant addressed to him seeking withdrawal of O.A. It is taken on record and marked by letter 'X'.</li> <li>4. Learned Counsel for the Applicants submits that Applicants do not want to proceed with the O.A.s and sought permission to withdraw the matter.</li> <li>5. Allowed to withdraw O.A.</li> <li>6. O.A. is disposed of with no order as to costs.</li> </ol> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

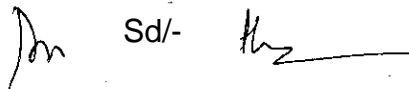
of 20

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>20.10.2020</u></p> <p><b>O.A.No.305 of 2020</b></p> <p>M.B. Borkar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.V. Thorat, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant informs that he has instructions to withdraw the matter with liberty to file afresh, as certain developments took place i.e. the applicant's representation is decided after filing of the O.A. Hence the applicant wants to withdraw the present O.A. with liberty to file afresh.</p> <p>3. O.A. is disposed off as withdraw with no order as to costs.</p> <p> Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>prk</p>



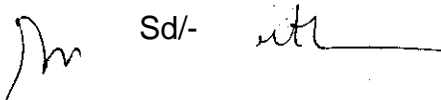
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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><u>20.10.2020</u></p> <p align="center"><u>O.A.No.302 of 2020</u></p> <p>B.M. Shivdasani ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. for the Respondents has filed affidavit-in-reply on behalf of Respondents No.1, 2 and 3. The same is taken on record.</p> <p>3. Adjourned to 15.12.2020. Interim relief to continue till next date.</p> <p align="right">             Sd/- _____            (Mridula Bhatkar, J.)            Chairperson         </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

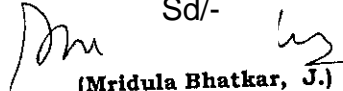
of 20

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><b><u>20.10.2020</u></b></p> <p><b><u>O.A.No.287 of 2020</u></b></p> <p>Dr. P.N. Kakade ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri N.Y. Ukey, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned C.P.O. two weeks time is granted to file affidavit-in-reply.</p> <p>3. By way of last chance adjourned to 03.11.2020. Interim relief to continue till next date.</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.

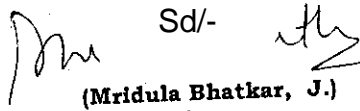
of 20

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
	<p><b><u>20.10.2020</u></b></p> <p><b><u>O.A.No.281 of 2020</u></b></p> <p>S.S. Hake ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. produces copy of circular dated 19.03.2008 issued by General Administration Department which states that in respect of change of Headquarter during the suspension period the powers are bestowed upon the competent of superior authority.</p> <p>3. Adjourned to 15.12.2020 by way of last chance to learned P.O. to file reply.</p> <p> Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

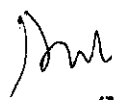

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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><b><u>20.10.2020</u></b></p> <p><b><u>O.A.No.164 of 2020</u></b></p> <p>A.D. Khandare ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"><li>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li><li>2. At the request of learned P.O. adjournment granted by way of last chance to file affidavit-in-reply.</li><li>3. S.O. to 15.12.2020.</li></ol> <p> Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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


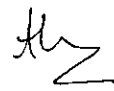
of 20

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><u>20.10.2020</u></p> <p><u>O.A.No.276 of 2020</u></p> <p>T.B. Gadekar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. for the Respondents has filed affidavit-in-reply. The same is taken on record.</p> <p>3. Adjourned to 15.12.2020 for final hearing.</p> <p> Sd/- </p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

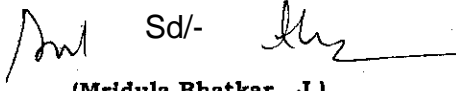
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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><b><u>20.10.2020</u></b></p> <p align="center"><b>O.A.No.280 of 2020</b></p> <p>R.T. More ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. for the Respondents seeks time to file affidavit-in-reply.</p> <p>3. Time granted by way of last chance to file reply. Reply be filed till 19.11.2020.</p> <p>4. Parties to take note that on next date matter will be heard finally.</p> <p>5. Adjourned to 26.11.2020.</p> <p align="right">             Sd/-  <b>(Mridula Bhatkar, J.)</b>  <b>Chairperson</b> </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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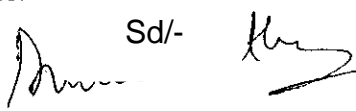
of 20

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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><b><u>20.10.2020</u></b></p> <p align="center"><b><u>O.A 567/2020</u></b></p> <p>S.P Jadhav ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant, who is working as Assistant Commissioner of Police, challenges order dated 9.10.2020, transferring him from the post of A.C.P, Wakad Division, Pimpri Chinchwad as Sub Divisional Officer to Akkalkua, Dist-Nandurbar</p> <p>3. Learned counsel submits that she has given notice to proposed Respondent no. 4, as it is a subsequent development that the said officer had joined and taken charge of the earlier post of the applicant at Wakad Division.</p> <p>4. Shri Vaibhav V. Ugle, learned counsel submits that telephonically he has been instructed by proposed Respondent no. 4 to appear in the matter and he will file his Vakalatnam. Learned counsel for the applicant submits that proposed Respondent no. 4, Shri Ganesh Biradar, took charge of the post on 14.10.2020.</p> <p>4. Learned counsel for the applicant seeks to amend the O.A by adding Respondent no. 4 as party. Leave to amend forthwith by adding Respondent no. 4 is granted.</p> <p>4. Learned P.O seeks time to file reply.</p> <p>5. S.O to 29.10.2020.</p> <p align="right">Sd/-  <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

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

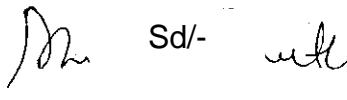
of 20

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><b><u>20.10.2020</u></b></p> <p align="center"><b><u>O.A 581/2020</u></b></p> <p>G.A Jagtap ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. The applicant, Head Constable challenges transfer order dated 12.10.2020, by which he is sent from Special Branch to Bund Garden Police Station, Pune.</p> <p>3. Learned counsel for the applicant submits that as per Sec 22 N (1)(a) of the Maharashtra Police Act, the tenure for the post of the applicant is 5 years. The applicant was posted at the present post in January, 2020 and hence it is a mid- term without any special reason.</p> <p>4. Learned P.O produces minutes of Police Establishment Board, wherein it is mentioned that some Police Officers are transferred because adverse reports against them is received by the Department. One of the members of the Establishment Board, Mr Mitesh Ghate, Dy.C.P, Pune, has given a letter that the Department has received complaint of misconduct against the applicant and therefore, he is transferred.</p> <p>5. Learned P.O seeks time to file reply. No interim relief is granted.</p> <p>6. S.O to 24.11.2020.</p> <p align="right">             Sd/-  <b>(Mridula Bhatkar, J.)</b>  <b>Chairperson</b> </p> <p>Akn</p>



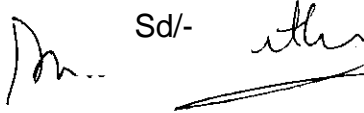
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>20.10.2020</u></b></p> <p align="center"><b><u>O.A 557/2020</u></b></p> <p>V.T Kadam ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant, Under Secretary in Agriculture, Animal Husbandry, Dairy Development &amp; Fisheries Department, challenges suspension order dated 5.2.2020 and prays by way of interim relief that the said order be stayed and he be allowed to work.</p> <p>3. Learned C.P.O seeks time to file reply and states that Respondents have already filed charge sheet on 13.2.2020. Learned C.P.O states that Enquiry Officer is appointed on 10.9.2020. Respondents are directed to take review of suspension of the applicant.</p> <p>4. S.O to 8.12.2020.</p> <p align="right">Sd/-  <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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


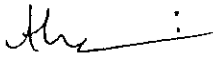
of 20

I N

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>20.10.2020</u></b></p> <p><b><u>O.A 456/2020</u></b></p> <p>Dipak K. Shinde &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Shri Anil D. Chavare, applicant present in person. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O files reply. Learned C.P.O submits that there is urgency in the matter as the interim order is running against the Respondents as two posts are kept vacant.</p> <p>3. Parties to take note that matter will be heard on 29.10.2020 at 2.00 pm</p> <p style="text-align: right;"> Sd/-  <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

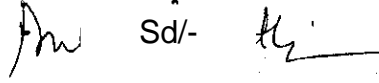
of 20

I N

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>20.10.2020</u></b></p> <p align="center"><b><u>O.A 554/2020</u></b></p> <p>Smt Shaila.S Kamble ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.D Sarode, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. The applicant, working as a Matron in Police Hospital, Nagpada, challenges her transfer order dated 19.6.2020 by which she is posted to Nursing Training Centre, Thane.</p> <p>3. The applicant challenges order of transfer on following grounds:-</p> <p>(a) It is a mid-tenure transfer, because applicant falls in Group-C and hence she has not completed two tenures of 3 years each. She has completed only four years at Nagpada.</p> <p>(b) The transfer order is illegal.</p> <p>(c) The applicant is suffering from Cardiac problem, Diabetes, Knee Joint Pain and due to Pandemic situation she is not able to work at Nursing Training Centre, Thane</p> <p>(e) Earlier she was working as Matron and now she is appointed as a Tutor and according to her Matron is below in rank to Tutor.</p> <p>4. Learned C.P.O seeks time to file reply.</p> <p>5. S.O to 1.12.2020.</p> <p align="right">   <b>(Mridula Bhatkar, J.)</b>  <b>Chairperson</b> </p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

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

Tribunal's orders

20.10.2020

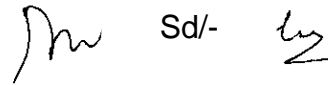
O.A 306, 307 & 337/2020

Shri Ankush B. Gurav & Others ... Applicants  
Vs.  
The State of Maharashtra & Ors ... Respondents

**SPEAKING TO THE MINUTES**

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. In speaking to the minutes, learned counsel for the applicant has suggested to add paragraph in the operative part. The observations and reasoning is covered in later part portion of paragraph 10.

 Sd/-

(Mridula Bhatkar, J.)  
Chairperson

Akn

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

Tribunal's orders

O.A. No.955 of 2019

Dr. S.S. Rajderkar ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Gaurav Sharma, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. A detailed reply is already filed by the respondents to OA however subsequently the OA was amended on 25.2.2020. However, no additional reply is filed to the amended OA. Ld. CPO submits that since March, 2020 the respondents are dealing with COVID-19 Pandemic and therefore could not file additional reply to the amended OA. Ld. CPO seeks time.

3. Ld. Advocate for the applicant submits that applicant was 62 years when he filed the OA and is likely to retire in one and half years approximately and the list dated 6.11.2018 selecting him published by MPSC will expire on 5.11.2020.

4. In view of these submissions by way of last chance we keep this matter on 27.10.2020 for filing additional reply to amended OA. If additional reply is not filed when the matter will be proceeded with the understanding that the respondents did not want to file additional reply to the amended OA.

5. Ld. Advocate for the applicant submits that his juniors who are ad hoc have superseded him and appointed to the post of Dean and he is still kept on waiting list. In support of his submissions he relies on (para 20, 26, 30, 32 & 33 of the judgment in Secretary, State of Karnataka & Ors. Vs. Umadevi & Ors., MANU/SC/1918/2006) AIR 2006 SC 1806.

6. S.O. to 27.10.2020.

Sd/-  
(P.N. Dixit)  
Vice-Chairman  
20.10.2020

Sd/-  
(Mridula R. Bhatkar, J.)  
Chairperson  
20.10.2020

(sgj)

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.541 of 2020</u></p> <p>J.C. Kamble ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant who is a Police Naik, submits that he is dismissed from service without enquiry and therefore he challenges the order of dismissal dated 28.8.2020. The matter falls under Article 311(2) of the Constitution of India.</p> <p>3. Issue notice returnable on 22.12.2020. Ld. CPO waives service of notice.</p> <p>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 20.10.2020</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 20.10.2020</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.508 of 2020</u></p> <p>V.S. Gaikwad ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant who is a Police Naik, submits that he is dismissed from service without enquiry and therefore he challenges the order of dismissal dated 2.9.2020. The matter falls under Article 311(2) of the Constitution of India.</p> <p>3. Issue notice returnable on 22.12.2020. Ld. CPO waives service of notice.</p> <p>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 20.10.2020 (sgj).</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 20.10.2020</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.222 of 2020 in O.A. No.487 of 2020</u></p> <p>Dr. R. Raut &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Akshay Kapadia, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="center">Sd/-  Sd/-  (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 20.10.2020 20.10.2020</p> <p>(sg)</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. No.142 of 2020</u></p> <p>A.A. Kulkarni ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Datta Mane, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files affidavit in reply and the same is taken on record and copy is given to the Ld. Advocate for the applicant.</p> <p>3. Admit. Place the above matter for final hearing on 26.11.2020.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 20.10.2020 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 20.10.2020</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.487 of 2020</u></p> <p>Dr. R. Raut &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Akshay Kapadia, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The five applicants in the above OA, who are working on ad hoc basis in various universities in Maharashtra have applied that the Career Advance Scheme (CAS) is to be made applicable to them as it is made applicable to other ad hoc employees in the universities pursuant to the order dated 23.3.3016 of the Hon'ble High Court in Writ Petition No.2708 of 2015.</p> <p>3. Copy of OA is not served to the office of Ld. CPO. It is to be served today itself. Ld. CPO to take necessary instructions and go through the said order of Hon'ble High Court and verify whether the case of the applicants stand on the same footing like the petitioner in writ petition.</p> <p>4. Issue notice returnable on 24.11.2020. Ld. CPO waives service of notice.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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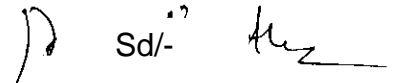
notice that the case would be taken up for final disposal at the stage of admission hearing.

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. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

9. Respondents to file reply well in advance, at least one week before the returnable date and it is to be served on the applicants.

Sd/-  
(P.N. Dixit)  
Vice-Chairman  
20.10.2020

Sd/-   
(Mridula R. Bhatkar, J.)  
Chairperson  
20.10.2020

(sgj)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.10.2020</p> <p>M.A. No.124 of 2020 in O.A. No.194 of 2020 with M.A.No.125 of 2020 in O.A.No.195 of 2020 with M.A. No.126 of 2020 in O.A.No.196 of 2020 with M.A. No.120 of 2020 in O.A. No.197 of 2020</p> <p>K. K. Joshi &amp; 3 Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri V. V. Pai, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. All the Applicants are also present in person.</p> <p>2. Learned Counsel for the Applicants submits that the Applicants do not want to proceed with the matters as their grievance has been redressed in view of G.R. dated 07.08.2020.</p> <p>3. It seems that grievance of the Applicants for regularisation of services has been redressed in terms of G.R. dated 07.08.2020. The Applicants also admit that their grievances redressed and they do not want to proceed with the matters.</p> <p>4. In view of above, allowed to withdraw the Original Applications as grievance stands redressed.</p> <p>5. Accordingly, all these Misc. Applications as well as Original Applications are disposed of with no order as to costs.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) 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 : 20.10.2020</p> <p>O.A.No.213 of 2017</p> <p>A. S. Gitay .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit of Shri Manoj Lohiya the then Superintendent of Police, Aurangabad (Rural) in terms of order passed by this Tribunal on 29.09.2020.</p> <p>3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder, if any.</p> <p>4. S.O. to 03.11.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.10.2020</p> <p>R.A. No.10 of 2020 in O.A.No.837 of 2019</p> <p>D. K. Pajal .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Issue notice before admission returnable on 24.11.2020.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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 R.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>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..</li> <li>6. 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.</li> <li>7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Review Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</li> <li>8. S.O. to 24.11.2020.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) 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 : 20.10.2020</p> <p>O.A.No.47 of 2020</p> <p>S. S. Panindre .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri M. B. Kadam, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. In the present matter, notices were issued to Respondents on 02.03. 2020 and since then more than seven months is availed for filing reply but not filed.</li> <li>3. On previous date, two weeks time was lastly granted but in vain.</li> <li>4. The matter pertains to interest on delayed payment of retiral benefits.</li> <li>5. The Respondents seem not interested in filing reply.</li> <li>6. In view of above, the matter is adjourned for hearing at the stage of admission without reply.</li> <li>7. S.O. to 05.11.2020.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) 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 : 20.10.2020</p> <p>O.A.No. 225 of 2020</p> <p>P. M. Teli .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Today, learned P.O. has filed reply on behalf of the Respondent. It is taken on record.</li> <li>3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</li> <li>4. S.O. to 03.11.2020.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) 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 : 20.10.2020</p> <p align="center">O.A.No.129 of 2020</p> <p>D. T. Chavan &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this matter, notices were issued on 24.02.2020 and since then near about eight months is availed by the Respondents for filing reply.</p> <p>3. The Respondents seem not interested in filing reply though enough time is granted.</p> <p>4. The matter pertains to pension scheme.</p> <p>5. Original Application is adjourned for hearing at the stage of admission without reply.</p> <p>6. S.O. to 05.11.2020.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

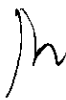

*versus*

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 Date : 20.10.2020
	<p style="text-align: center;">O.A.No.1184 of 2019</p> <p>D. J. Sonawane .....Applicant</p> <p><b>Versus</b></p> <p>The State of Maharashtra &amp; Drs. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. The Applicant and his Counsel both are absent. Heard Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. In this matter, notices were issued by order dated 18.03.2020 and thereafter more than seven months period is availed for filing reply but not filed.</li> <li>3. On previous date, two weeks time was granted as a last chance but in vain.</li> <li>4. The Respondents thus not interested in filing reply.</li> <li>5. The challenge is to the punishment of withholding of two increments with cumulative effect.</li> <li>6. The matter be kept for final hearing on 05.11.2020.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>20.10.2020</u></b></p> <p><b><u>O.A.No 499/2020</u></b></p> <p>S.M Pawar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri Anant Vadgaonkar, learned advocate for the applicant and Shri A.J Chougule learned P.O for the Respondents.</li> <li>2. The applicant prays that the select list pursuant to advertisement dated 26.5.2018 of the year 2018 for the post of Supply Inspector (Group-C) under 10% reservation for Part Time Graduates be quashed and set aside and so also the selection of Respondents no. 4 and 5 is also to be quashed and set aside.</li> <li>3. Respondents no 4 &amp; 5 who are private parties are not served. Learned counsel for the applicant is directed to serve copy of the O.A to Respondents no 4 &amp; 5.</li> <li>4. Applicant is directed to show his eligibility on the next date.</li> <li>5. The office objections if any, are to be removed and court fees to be paid if not already paid.</li> <li>6. Issue notice returnable on 5.1.2021.</li> <li>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</li> <li>8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>10. The service may be done by hand delivery/speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</li> <li>11. S.O to 5.1.2021.</li> </ol> <p>Sd/-  Sd/- </p> <p>(P.N Dixit) Vice-Chairman (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 568 OF 2020**

**DISTRICT : PUNE**

Shri S.V Pawar )...**Applicant**

**Versus**

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

Smt Punam Mahajan, learned advocate for the Applicant.

Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

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

**DATE** : **20.10.2020**

**ORDER**

1. Heard Smt Punam Mahajan, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.
2. The applicant, who is working as Assistant Commissioner of Police, challenges the order dated 9.10.2020, by which his transfer order dated 30.9.2020 is cancelled and he also challenges the further order dated 10.10.2020, by which Respondent no. 4 is given posting in place of the applicant.
3. Learned counsel for the applicant submits that Respondent no. 4 is served. However, none is present on behalf of Respondent no. 4. Learned counsel files service report of Respondent no. 4. Same is taken on record. Learned counsel for the applicant is permitted to take inspection of the record.




4. Learned counsel for the applicant submits that the applicant was transferred to Buldhana on 20.8.2019. However, the applicant has requested for his transfer to Pune on the ground that his wife is suffering from Cancer and therefore, he is required to stay at Pune along with his wife. She submits that on perusal of the transfer file and the noting of the Police Establishment Board, no special reason for transfer of the applicant is found. She submits that the applicant is transferred mid-tenure only to accommodate Respondent no. 4 and other Police Officers.

5. Learned P.O while opposing submission of learned counsel for the applicant for grant of interim relief, relied on the record of the transfer file of the applicant. She submits that in para 8 of file noting, it is mentioned that in PIL no. 154/2016, which was decided on 28.3.2017 by Bombay High Court, Aurangabad Bench, specific directions of filling all the vacant posts of the Members of the Caste Scrutiny Committee in State of Maharashtra were given and the applicant is transferred pursuant to the said order in the PIL.

6. On perusal of the said noting it is found that this was not the specific reason for cancellation of his transfer order dated 9.10.2020. There is no specific direction given by the Bombay High Court, Aurangabad Bench, qua this applicant. It was a PIL. Surprisingly, though the Hon. Bombay High Court, Aurangabad Bench, has given time span of six months from the date of judgment for filling up such posts, Home Department, remembered this order after long three years to transfer the applicant. The reason given is not sustainable. Similarly the medical ground of his wife is also another consideration for his transfer from Buldhana to Pune.

7. Learned P.O seeks time to file reply.



8. Under such circumstances, prima face, case is made to grant interim relief. Respondent no. 4, though served has not appeared before the Tribunal. On query, I am informed that Respondent no. 4 is transferred from Pharaskhana Division, Pune to Security Branch, Pune No. 1. Therefore, as there is no change of City, Respondent no. 4 to be



sent back to Pharaskhana Division, Pune, temporarily during the period of interim stay.

9. The order dated 9.10.2020 passed by Respondent no. 1, qua the applicant is hereby stayed until further orders.

10. S.O to 3.11.2020.

 Sd/- 

**(Mridula Bhatkar, J.)**  
**Chairperson**

**Place : Mumbai**

**Date : 20.10.2020**

**Dictation taken by : A.K. Nair.**

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20.10.2020.doc