

**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>Date: 20.10.2023</b> <b>O.A. No.1353 of 2023</b></p> <p><b>G.H. Kale</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that the Applicant who is a Police Inspector on the establishment of the 'Commissioner of Police, Mumbai' had submitted his Application on 04.01.2023 in response to letter of 'D.I.G., C.B.I., Spl. Unit, Mumbai to the 'Commissioner of Police, Mumbai' dated 09.12.2022 regarding "Induction of Police Inspectors on Deputation Basis'. Subsequently, establishment of the 'Commissioner of Police, Mumbai' also issued 'Notice No.0004' dated 05.01.2023 relating to the 'Induction of Police Inspectors in CBI, SU Mumbai on Deputation Basis'.</p> <p>3. Learned Advocate for the Applicant states that he has been selected for and accordingly it has been conveyed by 'D.I.G., C.B.I., Spl. Unit, Mumbai' to 'D.G.P. - Maharashtra State' by letter dated 14.09.2023. Learned Advocate for the Applicant states that the 'Place of Posting' of the Applicant in this letter of 14.09.2023 of D.I.G., C.B.I., Spl. Unit, Mumbai' has been shown as 'CBI, BSFB, Mumbai, 11<sup>th</sup> Floor, C-35A, G Block, B.K.C, Mumbai - 400 098'.</p> <p>4. Learned Advocate for the Applicant then states that as per 'Office Order' published by 'Police Notice' in 'Part 3' on 18.10.2023 at 'Sr. No.163 mentions that the Applicant was relieved on 13.10.2023 to Join to 'C.B.I. H.Q.' at Delhi and subsequently by modified order dated 18.10.2023 stands relieved to join 'Government of Manipur'.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Learned Advocate for the Applicant further states that the consent of the Applicant was specifically in respect to the contents of letter of D.I.G., C.B.I., Spl. Unit, Mumbai dated 09.12.2022 addressed to the Commissioner of Police, Mumbai and subsequent Notice No.0004/2023 of the Commissioner of Police, Mumbai dated 05.01.2023.</p> <p>6. Learned Advocate for the Applicant also states that though the Applicant had submitted Application for 'Induction of Police Inspectors on Deputation Basis' and he has since been selected by the 'Director, C.B.I.' at the time of him being relieved from the establishment of the Commissioner of Police, Mumbai, he will be subject to the provisions of Rule 36, of Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal), Rules, 1981. Learned Advocate for the Applicant states that thereupon even Applicant has since sought to withdraw his consent by submitting letter dated 26.09.2023 to the office of 'D.G.P. – Maharashtra State'.</p> <p>7. Learned P.O. presents 'Summary of Correspondence' from the Director and Under Secretary in Ministry of Home Affairs, Government of India to the Chief Secretary, Government of Maharashtra dated 16.08.2023, 22.08.2023, 11.09.2023 &amp; 18.09.2023 all of which relate to 'Induction of Police Inspectors on Deputation Basis'.</p> <p>8. The letters of Under Secretary, Ministry of Home Affairs dated 16.08.2023 addressed to the Chief Secretary, Government of Maharashtra mentions that "For the purpose of ensuring the proper investigation of the FIRs which have been transferred to the CBI, the Hon'ble Supreme Court has directed to place the services of 01 Inspector level officer from Maharashtra. The officer shall be on deputation to CBI and shall perform his functions under the overall structure the CBI. He will submit periodic information and reports as may be required by Shri Dattatray Padsalgikar, the officer appointed by the Hon'ble Supreme Court to supervise the investigation. The office shall abide by the direction as may be issued in that regard by him from time to time. In view of the above directions of the Hon'ble Supreme Court, Government of Maharashtra is requested to kindly depute 01 Inspector level Officer, in compliance of the directions of the Hon'ble Supreme Court, for disposal of their services to CBI within 05 days." Hence the string of the correspondence as above from Director and Under</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Secretary from the Ministry of Home Affairs and Government of India to the Chief Secretary, Government of Maharashtra and further communication in this regard from the office of 'D.G.P. – Maharashtra State' dated 18.10.2023 indicating that the Applicant has already stands relieved on 18.10.2023 and directed to report to 'Government of Manipur' for implementation of Hon'ble Supreme Court, leaves no room to consider the prayers of the Applicant.</p> <p>9. The provisions of Section 15(1) of the Administrative Tribunals Act, 1985 restricts the jurisdiction of all State Administrative Tribunals to adjudicate about Service Conditions of employees of the State Government, so long as they are working in organizations owned by the State Government or controlled by the State Government. The provisions of Section 15(1)(b) and Section 15(1)(c) are reproduced below :-</p> <p><i>"15(1)(b) : all service matters concerning a person (not being a person referred to in clause (c) of this sub-section or a member person or civilian referred to in clause (b) of sub-section(1) of Section 14 appointed to any civil service of the State or any civil post under the State and pertaining to the <u>service of such person in connection with the affairs of the State or of any local or other authority under the control of the State Government or of any corporation [or society] owned or controlled by the State Government;</u></i></p> <p><i>15(1)(c) : all service matters pertaining to service in connection with the affairs of the State concerning a person appointed to any service or post referred to in clause (b) being a person whose <u>services have been placed by any such local or other authority or corporation [or society] or other body as is controlled or owned by the State Government at the disposal of the State Government for such appointment."</u></i></p> <p>10. The Original Application No.1353 of 2023 is therefore dismissed on the grounds of jurisdiction under the provisions of Section 15(1) of the Administrative Tribunals Act, 1985. 'No Order as to Costs'.</p> <p style="text-align: right;">Sd/- (<b>Debashish Chakrabarty</b>) Member (A)</p> <p>NMN</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 style="text-align: center;"><b><u>O.A.526/2023</u></b></p> <p><b>D.S. Deulkar</b> ... Applicant  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri P.S. Bhavake, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. Last chance is granted to file Rejoinder.</p> <p>3. S.O. to 3<sup>rd</sup> November, 2023.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____</p> <p style="text-align: center;">(Debashish Chakraborty) (Mridula Bhatkar, J.)  Member-A Chairperson  20.10.2023 20.10.2023</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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 style="text-align: center;"><b><u>O.A.812/2023</u></b></p> <p><b>S.B. Pawar</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <ol style="list-style-type: none"><li>1. Heard Shri B.A. Bandiwadekar, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.</li><li>2. Last chance is granted to file Rejoinder.</li><li>3. S.O. to 24<sup>th</sup> November, 2023.</li></ol> <p style="text-align: center;">Sd/- _____ Sd/- _____ (<b>Debashish Chakrabarty</b>) (<b>Mridula Bhatkar, J.</b>) Member-A Chairperson 20.10.2023 20.10.2023</p> <p>(skw)</p>

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

Tribunal's orders

**O.A.772/2023**

**K.R. Kamble**

**... Applicant**

**Vs.**

**The State of Mah. & Ors.**

**... Respondents**

1. Heard Shri A.A. Desai, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.
2. Issue notice returnable on 24.11.2023.
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 authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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 24<sup>th</sup> November, 2023.

Sd/-

(Debashish Chakrabarty)  
Member-A  
20.10.2023

(skw)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
20.10.2023

**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><b><u>O.A.1162/2023</u></b></p> <p><b>B.R. Behere</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, Learned Advocate for the Applicant, Ms. S.P. Manchekar, Learned CPO for Respondents 1 &amp; 2 and Shri P. Shejal, Learned Advocate for Respondent No.3.</p> <p>2. Learned CPO files Affidavit of Dr. Rajagopal Devara, Additional Chief Secretary (Revenue), Revenue and Forest Department. It is taken on record.</p> <p>3. Learned CPO after consultation informs that the Deputy Secretaries of both the Departments have decided to have a joint meeting and they will try to find out the solution.</p> <p>4. The matter is fixed to 30<sup>th</sup> October, 2023 under 'Urgent Admission' caption.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 20.10.2023 20.10.2023</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><b><u>O.A.899/2023 with M.A.570/2023</u></b></p> <p><b>C.R. Pol</b> <span style="float: right;"><b>... Applicant</b></span> <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> <span style="float: right;"><b>... Respondents</b></span></p> <p>1. Heard Mrs. Punam Mahajan, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad holding for Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. The Learned for the Applicant submits that this O.A.No.899/2023 be tagged with O.A.No.681/2023 and be placed for final hearing (PH) on 30<sup>th</sup> October, 2023.</p> <p>3. S.O. to 30<sup>th</sup> October, 2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A <span style="float: right;">Chairperson</span> 20.10.2023 <span style="float: right;">20.10.2023</span></p> <p>(skw)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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 align="center"><b><u>O.A.906/2023</u></b></p> <p><b>S.B. Avale &amp; Ors. ... Applicants</b> <b>Vs.</b> <b>The State of Mah. &amp; Ors. ... Respondents</b></p> <p>1. Heard Shri S.S. Dere, Learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. The Learned CPO seeks time to file Affidavit- in-Reply. Time granted.</p> <p>3. S.O. to 27<sup>th</sup> October, 2023.</p> <p align="center">Sd/- <span style="float: right;">Sd/-</span></p> <p align="center">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 20.10.2023 20.10.2023</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 style="text-align: center;"><b><u>O.A.716/2023</u></b></p> <p><b>V.R. Awade</b> ... Applicant  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri R.V. Shinde, Learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned PO for Respondents.</p> <p>2. The Learned for the Applicant on instructions from his client informs that he wants to withdraw the OA. He tenders consent letter of Applicant Mr. V.R. Awade for withdrawal of OA. It is taken on record and marked as 'EXb. '1'. Allowed to withdraw the OA.</p> <p>3. OA stands disposed of as withdrawn.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) / (Mridula Bhatkar, J.)  Member-A Chairperson  20.10.2023 20.10.2023</p> <p>(skw)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

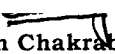

(Advocate .....) )

*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 style="text-align: center;"><b><u>M.A.652/2023 in O.A.1333/2023</u></b></p> <p><b>Smt. A.R. Surve &amp; Ors.                            ... Applicants</b>  <b>        Vs.</b>  <b>The State of Mah. &amp; Ors.                            ... Respondents</b></p> <p>1. Heard Shri U.V. Bhosle, Learned Advocate for the Applicants and Mrs. K.S. Gaikwad, Learned PO for Respondents.</p> <p>2. This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>Sd/-</p>   <p>(Debashish Chakrabarty)  Member-A  20.10.2023</p> </div> <div style="text-align: center;"> <p>Sd/-</p>   <p>(Mridula Bhatkar, J.)  Chairperson  20.10.2023</p> </div> </div> <p>(skw)</p>

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Appearance, Tribunal's orders or  
directions and Registrar's orders

Tribunal's orders

**O.A.1333/2023**

**Smt. A.R. Surve & Ors.**

**... Applicants**

**Vs.**

**The State of Mah. & Ors.**

**... Respondents**

1. Heard Shri U.V. Bhosle, Learned Advocate for the Applicants and Mrs. K.S. Gaikwad, Learned PO for Respondents.
2. Issue notice returnable on 24.11.2023.
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 authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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 24<sup>th</sup> November, 2023.

Sd/-

Sd/-

(Debashish Chakrabarty)

(Mridula Bhatkar, J.)

Member-A

Chairperson

20.10.2023

20.10.2023

(skw)

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><u>O.A.1358/2023</u></b></p> <p><b>J.V. Madane</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri L.S. Deshmukh, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.</li> <li>2. Issue notice returnable on 26.10.2023.</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 O.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. In case notice is not collected within <b>seven</b> days or service report on affidavit is not filed <b>three</b> days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "<b>for Dismissal</b>" and thereafter on the subsequent date the O.A. shall stand dismissed.</li> <li>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.</li> <li>8. S.O. to 26<sup>th</sup> October, 2023.</li> </ol> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Debashish Chakravarty) (Mridula Bhatkar, J.) Member-A Chairperson 20.10.2023 20.10.2023</p> <p>(skw)</p>

**O.A.1360/2023****B.N. Borse****... Applicant****Vs.****The State of Mah. & Ors.****... Respondents**

1. Heard Shri M.A. Jadhav, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.
2. Issue notice returnable on 01.12.2023.
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 authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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 26<sup>th</sup> October, 2023.

Sd/-

Sd/-

(Debashish Chakrabarty) /

(Mridula Bhatkar, J.)

Member-A

Chairperson

20.10.2023

20.10.2023

(skw)

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

Tribunal's orders

**O.A.1349/2023 with O.A.1237/2023**

**K.N. Sangale** ... **Applicant**  
**Vs.**  
**The State of Mah. & Ors.** ... **Respondents**

1. Heard Shri S.S. Dere, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.
2. As the issue involved in these matters is identical, both these O.As are to be tagged together.
3. Issue notice returnable on 06.11.2023.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
7. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
8. The service may be done by Hand Delivery/Speed Post/Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
9. S.O. to 6<sup>th</sup> November, 2023.

Sd/- Sd/-

(Debashish Chakrabarty) (Mridula Bhatkar, J.)  
Member-A Chairperson  
20.10.2023 20.10.2023

(skw)



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

Tribunal's orders

**O.A.249/2023**

**A.A. Kale & Ors.**

**... Applicants**

**Vs.**

**The State of Mah. & Ors.**

**... Respondents**

1. Heard Shri L.S. Deshmukh, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.
2. Issue notice returnable on 24.11.2023.
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 authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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 24<sup>th</sup> November, 2023.

Sd/-

Sd/-

(Debashish Chakrabarty) / (Mridula Bhatkar, J.)  
Member-A / Chairperson  
20.10.2023 / 20.10.2023

(skw)

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

**O.A.1361/2023**

**R.N. Gaikwad** ... **Applicant**  
**Vs.**  
**The State of Mah. & Ors.** ... **Respondents**

1. Heard Shri R.M. Kolge, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.
2. Issue notice returnable on 24.11.2023.
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 authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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 24<sup>th</sup> November, 2023.

Sd/-  
(Debashish Chakrabarty) (Mridula Bhatkar, J.)  
Member-A Chairperson  
20.10.2023 20.10.2023

(skw)

**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 align="center"><b><u>O.A.127/2023</u></b></p> <p><b>R.V. Kokare</b> <span style="float:right"><b>... Applicant</b></span>  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> <span style="float:right"><b>... Respondents</b></span></p> <p>1. Heard Shri C.T. Chandratre, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.</p> <p>2. The Learned Advocate for the Applicant submits that DPC was held on 12.07.2021 and the name of Applicant was recommended. However, his case was kept in Sealed Cover. Therefore, he prays that the Respondents be directed to take review in view of G.R. dated 15.12.2017.</p> <p>3. Respondents are directed to verify the position.</p> <p>4. S.O. to 3<sup>rd</sup> November, 2023.</p> <p align="center">Sd/- <span style="float:right">Sd/-</span></p> <p align="center">(Debashish Chakraborty) <span style="float:right">(Mridula Bhatkar, J.)</span>  Member-A <span style="float:right">Chairperson</span>  20.10.2023 <span style="float:right">20.10.2023</span></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 style="text-align: center;"><b><u>O.A.275/2023</u></b></p> <p><b>S.B. Belunkhe</b> <span style="float: right;"><b>... Applicant</b></span> <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> <span style="float: right;"><b>... Respondents</b></span></p> <p>1. Heard Shri S.K. Hande, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. The Learned Advocate for the Applicant prays for setting aside the Proclamation dated 22.09.2023 and that is pertaining to Reservation. He also prays that the Reservation in Kudne Village in respect of SC candidate is to be reconstructed.</p> <p>3. The Learned Advocate for the Applicant submits that the examination is fixed on 22<sup>nd</sup> October, 2023 and hence, Interim Relief is prayed especially the examination for the post of Village Police Patil is to be stayed. Such relief cannot be granted without hearing the Respondents.</p> <p>4. Notice is served on the Department on 19.10.2023.</p> <p>5. The Learned CPO submits that as per the instructions in 2016 in respect of the post of Police Patil in Kudne Village was reserved for VJ-A (De-notified Tribe). The Learned CPO submits that Applicant has applied at that time, but his candidature was rejected on the ground that his Caste Validity was not found valid. Now, as per 2011 Census, Village Kudne Police Patil goes to SC Reservation, which is correctly followed by the Respondents. The Learned CPO submit that it is not possible as per the census.</p> <p>6. The Learned Advocate for the Applicant submits that the post could not be filled-up in 2016 from VJ-A (De-notified Tribe).</p> <p>7. We need detailed reply on this point. We are of the view that the Applicant should have come to</p>

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

**Tribunal's orders**

Tribunal earlier when this Proclamation was issued by the Respondents on 25.09.2023 and the last date of submitting the Form was 08.10.2023. The Applicant has filed O.A. on 19.10.2023 and has taken Circulation today with full knowledge that on 21<sup>st</sup> and 22<sup>nd</sup> October, 2023, the Tribunal is not working. It is being artificial urgency, no 'Interim Relief' is granted.

8. Issue notice made returnable on 01.12.2023.

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 authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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 1<sup>st</sup> December, 2023.

Sd/-

(Debashish Chakrabarty)  
Member-A  
20.10.2023

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
20.10.2023

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.368 of 2023

Savita @ Bholai R. Kale ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Ms. Pooja Mankoji holding for Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant files letter dated 27.9.2023 written by Dy. Commissioner, Revenue, Pune to the SDO, Haveli, Pune stating that applicant should be reinstated subject to outcome of OA and DE.

3. Ld. PO to take instructions.

4. S.O. to 27.10.2023.

Sd/-

(Medha Gadgil)

Member (A)

20.10.2023

(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.1302 of 2023</u></p> <p>M.A. Tamaneekar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 24.11.2023. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p>(sgj)</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.1000 of 2023</u></p> <p>D.M. Pujari ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that applicant has received the amount of leave encashment.</p> <p>3. Ld. PO seeks time to file reply.</p> <p>4. S.O. to 1.11.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p>(sgj)</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 Cases, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.692 of 2023</u></p> <p>S.A. Jankar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p style="text-align: center;">Heard Applicant in person, and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply of respondents no.1 &amp; 2.</p> <p>3. S.O. to 23.11.2023 for filing rejoinder.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p>(sgj)</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 Ceram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.620 &amp; 621 of 2023</u></p> <p>D.B. Patil S.B. Balwant ..Applicants 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. Admit.</p> <p>3. S.O. to 22.11.2023 for final hearing.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p>(sgj)</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 Ceram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.602 of 2023</u></p> <p>S.S. Valmiki-Chaudhary ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply.</p> <p>3. S.O. to 27.10.2023 for filing rejoinder.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p>(sgj)</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.299 of 2023</u></p> <p>Dr. A.S. Kudale ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <ol style="list-style-type: none"><li>2. Reply is already filed.</li><li>3. Admit.</li><li>4. S.O. to 29.11.2023 for final hearing.</li></ol> <p style="text-align: right;">Sd/- (Medhã Gãgil) Member (A) 20.10.2023</p> <p>(sgj)</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 Caram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.As. No.914, 921, 922, 947 & 956 of 2023

A.E. Kerure  
D.B. Kadge & Ors.  
S.M. Wazarkar  
B.U. Patil  
D.N. Mirajkar ..Applicants  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Pooja Mankoji holding for Shri S.S. Dere,  
learned Advocate for the Applicants and Smt. Archana B.K.,  
learned Presenting Officer for the Respondents.

2. Ld. PO to take instructions.
3. S.O. to 1.11.2023. Interim relief, if any, to continue.

Sd/-  
(Medha Gadgil)  
Member (A)  
20.10.2023

(sgj)

**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>M.A. No.550 of 2023 in O.A. No.1089 of 2023</u></p> <p>P.D. Suryavanshi ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply in MA and OA.</p> <p>3. S.O. to 7.11.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.520 of 2023 in O.A. No.800 of 2023</u></p> <p>The Maharashtra State Food Officers Welfare Association ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 3.11.2023 by way of last chance. If reply is not filed granting of interim relief will be considered.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p>(sgj)</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 Covam, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.505 of 2023 in O.A. No.982 of 2023</u></p> <p>J.D. Bhambure &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Kiran Upasani, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant files rejoinder.</p> <p>3. Ld. PO seeks time.</p> <p>4. S.O. to 2.11.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p>(sgj)</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 Cases, Appearance, Tribunal's orders or directions and Registrar's orders;	Tribunal's orders
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MA.212/2023 in MA.112/2023 in OA.777/2021  
MA.214/2023 in MA.113/2023 in OA.792/2021  
MA.213/2023 in MA.114/2023 in OA.793/2021

Y.B. Akolkar

S.R. Patil

P.B. Bhangare

..Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Applicants and their Advocate are absent.

2. S.O. to 1.11.2023 by way of last chance to the applicants to remain present.

Sd/-

(Medha Gadgil)  
Member (A)  
20.10.2023

(sg)

**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 Cases, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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MA.29/2023 in RA.1/2023 in OA.87/2019

M.M.Y. Daruwala ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

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

2. Ld. PO seeks time to file reply.
3. S.O. to 20.11.2023.

Sd/-  
(Medha Gadgil)  
Member (A)  
20.10.2023

(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.1355 of 2023</u></p> <p>R.M. Naymgonde ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 1.11.2023. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p>(sg)</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.1299 of 2023</u></p> <p>A.P. Andhere ..Applicant  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 28.11.2023. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/-  (Medha Gadgil)  Member (A)  20.10.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.1225 of 2023

D.G. Gawade ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri D.H. Pawar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Ld. PO seeks time to file reply.
3. S.O. to 24.11.2023.

Sd/-  
(Medha Gadgil)  
Member (A)  
20.10.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.1296 of 2023

C.R. Ahinave ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. The applicant was appointed as Constable on 20.8.1983. Thereafter he was posted as Police Constable Writer on 1.6 1993 and promoted as PSI on 1.4.2014. He got first Time Bound Promotion on 20.8.1995 which is sought to be cancelled by impugned order dated 24.7.2023 and consequential recovery order dated 6.9.2023 is issued. The applicant retired on 31.1.2023. Ld. Advocate for the applicant prays for staying the recovery order dated 6.9.2023.

3. Ld. PO seeks time to file reply.

4. In the facts of the above case, the recovery is stayed till filing of the reply. Ld. PO to verify whether the ratio laid down in OA No.783/2018 decided on 19.3.2019 and OA No.1319/2022 decided on 12.7.2023 by this Tribunal is applicable to the present case.

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 24.11.2023. The respondents are directed to file reply.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p>(sgj)</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>Date: 20.10.2023</b></p> <p align="center"><b>O.A. No.1255 of 2023</b></p> <p><b>B.A. Pawar</b> .....Applicant Versus <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks 'Four Weeks' time to file 'Affidavit-in-Reply' on behalf of the Respondent. Time as prayed is granted. Learned P.O. further states that letter dated 19.10.2023 has been received from Public Health Department.</p> <p>3. Learned Advocate for the Applicant states that she would like to forthwith amend the array of Respondent Nos.1 to 3 and add 'Municipal Commissioner of Pune Municipal Corporation' as Respondent No.4.</p> <p>4. 'Interim Relief' to continue till 'Next Date'.</p> <p>5. S.O. to 06.11.2023.</p> <p align="right">Sd/- (<b>Debashish Chakrabarty</b>) Member (A)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.10.2023</p> <p style="text-align: center;"><b>O.A. No.613 of 2023</b></p> <p><b>M.M. Salunke</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri A.G. Jadhav, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that the Applicant has submitted an Application dated 13.10.2023 with the 'Chief Conservator of Forest (Territorial), Nashik' and 'Deputy Conservator of Forest (Territorial), East Division, Nashik' requesting for transfer on the post of 'Forest Guard' in the Social Forestry Division at Kalvan, Devla &amp; Satana and learned Advocate for the Applicant states that this Application of Applicant dated 13.10.2023 be forwarded to the 'Chief Conservator of Forest, Territorial Nashik.'</p> <p>3. Learned P.O. has filed 'Affidavit-in Sur Rejoinder' on behalf of the Respondent Nos.1 to 3. It is taken on record. Learned P.O. submits that there is similar O.A. No.1167/2023 pertaining to the office of 'Chief Conservator of Forest (Territorial), Nashik' &amp; thus this O.A. No.613/2023 be placed along with O.A. No.1167/2023 for next hearing on 27.10.2023.</p> <p>4. The 'Deputy Conservator of Forest, East Division, Nashik' may forward the Application dated 03.10.2023 submitted to him by the Applicant for appropriate consideration of 'Chief Conservator of Forest (Territorial), Nashik.'</p> <p>5. S.O. to 27.10.2023.</p> <p style="text-align: right;">Sd/-  (Debashish Chakrabarty)  Member (A)</p> <p>NMN</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

## FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;">Date: 20.10.2023</p> <p style="text-align: center;"><b>O.A. No.872 of 2023 (FOR SPEAKING TO THE MINUTES)</b></p> <p>A.A. Pawar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Learned Advocate for the Applicant mentions Order dated 18.10.2023 in O.A. No.872/2023 for 'Speaking to the Minutes'.</li> <li>3. Learned Advocate for the Applicant submits that in Order dated <b>18.10.2023</b> 'Para No.4 should be added as <b>'Interim Relief to be continued till Next Date.'</b></li> <li>4. In view of above, Order dated 18.10.2023 in O.A. No.872/2023 be corrected accordingly and 'Speaking to the Minutes' is disposed off in O.A. No. 872/2023.</li> </ol> <p style="text-align: right; margin-top: 20px;">Sd/- (<b>Debashish Chakrabarty</b>) Member (A)</p> <p style="text-align: center; margin-top: 20px;">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.10.2023</p> <p>O.A. No.719 of 2023</p> <p>R.K. Salunke .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt Punam Mahaja, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. 'Interim Relief' to continue till Next Date.</p> <p>3. S.O. to 25.10.2023.</p> <p style="text-align: right;">Sd/- (<u>Debashish Chakrabarty</u>) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 20.10.2023</b></p> <p align="center"><b>O.A. No.466 of 2023</b></p> <p><b>S.A. Rawade</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Smt Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that the Revenue &amp; Forest Department by Order dated 06.10.2023 has allowed the Applicant to continue on the post of 'Tahsildar Karveer, Kolhapur District' and issued formal Order to cancel the 'Stay Order' dated 13.04.2023. She further states that nothing survives in this O.A. No.466/2023 as well as the Applicant has also informed to withdraw the O.A. No.466/2023. O.A. No.466/2023 is permitted to withdraw.'No Order as to Costs.'</p> <p align="right">Sd/-  <b>(Debashish Chakrabarty)</b>  <b>Member (A)</b></p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.10.2023</p> <p>O.A. No.1207 of 2023</p> <p>R.B. Gaikwad .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks Three Weeks time to file 'Affidavit-in-Reply' on behalf of the Respondent. Time as prayed is granted.</p> <p>3. 'Interim Relief' to continue till next date.</p> <p>4. S.O. to 06.11.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

I N

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.10.2023</p> <p>O.A. No.1102 of 2023 with O.A. No.1082 of 2023 with O.A. No.1170 of 2023 with O.A. No.1171 of 2023</p> <p>Dr. S.T. Bandichhode Dr. S.V. Deshpande Dr. R.M. Raval Dr. S.R. Gurav .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K. &amp; Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states that in this O.A. No.1102/2023 &amp; Ors. they would like to adopt 'Affidavit-in-Reply' filed in O.A. No.880/2023. Statement is accepted.</p> <p>3. 'Interim Relief' to continue till next date.</p> <p>4. S.O. to 22.11.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</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><b>Date : 20.10.2023</b></p> <p align="center"><b>M.A.No.278/2023 in M.A.No.436/2023 in O.A.No.744/2016</b></p> <p>U.M. Kashyap .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. G. Palve, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. M.A.No.278/2023 is filed seeking restoration of O.A.No.744/2016 and M.A.No.436/2023 is filed seeking condonation of delay of 755 days in filing M.A.No.278/2023 for restoration</p> <p>3. Learned P.O. seeks time to file reply.</p> <p>4. Time granted. Adjourned to 10.11.2023.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 20.10.2023</b></p> <p style="text-align: center;"><b>C.A.No.53/2023 in O.A.No.472/2021</b></p> <p>P.B. Chaudhari .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. U.V. Bhosle, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. on instructions from Dr. Bhausahab Shivaji Karekar, Education Officer (Primary), office of Zilla Parishad, Thane has submitted that in view of order dated 08.02.2023 passed in O.A.No.472/2021 the payment has been made to the Applicant on 19.10.2023, till September, 2023. Learned P.O. has submitted that though the applicant is asked for pay fixation of Rs.87,000/- per month the Department has calculated and has fixed the Applicant's pay at Rs.84,500/- per month. Learned P.O. has submitted that for justifying the pay fixation by the Department the affidavit of the concerned Officer is filed today. The same is taken on record through Registry. Copy to be served upon learned Advocate Mr. Bhosle.</p> <p>3. It is explained by the Officer, Dr. Karekar who is present that the difference is only in the calculation for the reason that,</p> <p style="padding-left: 40px;">The Applicant was to hold in-service training certificate in the year 2002 and thereafter the period of 12 years is counted for the entry in Government service in Selection Grade. However, the Applicant has obtained</p>



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

**Tribunal's orders**

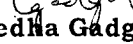
the certificate of in-service training in the year 2003 and thereafter the period of 12 years was counted and so he was given Selection Grade in the year 2015. Thus the Applicant is counting the pay fixation from the year 2002 and the Department has counted from the year 2003 and therefore the period of 12 years for Selection Grade according to the Department is 2015.

4. Applicant was eligible on 23.07.2002 to appear for the Departmental in-service training. However, that training was not conducted in the year 2002 at all, but it was held in June, 2003. It is to be noted that in paragraph 8 of the order dated 08.02.2023 passed in O.A.No.472/2021 it is elaborated that it was not the fault of the Applicant not to participate in the in-service training earlier. It is noted that the Applicant cleared the examination in first attempt. It is also mentioned in the said judgment that the Applicant cannot be blamed for failure or negligence of the Department.

5. In view of above, we direct the Education Department, Mumbai to read paragraph 8 of order dated 08.02.2023 passed in O.A.No.472/2021 and implement and issue proper order in respect of the Applicant.

6. Adjourned to 03.11.2023.

Sd/-

  
(Medha Gadgil)  
Member (A)

prk

Sd/-

/ (Mridula Bhatkar, J.)  
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 20.10.2023</b></p> <p><b>C.A.No.17/2023 in O.A.No.50/2019</b></p> <p>V.T. Jadhav .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Sunil Chavan holding for Mr. S.N. Rathod, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. repeats the same submissions that SLP is to be filed and paper work is going on for the same.</p> <p>3. Adjourned to 24.11.2023.</p> <p>Sd/- (Medha Gargil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 20.10.2023</b></p> <p><b>O.A.No.641/2020</b></p> <p>G.B. Sukenkar .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Adjourned to 22.11.2023. HOB.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 20.10.2023</b></p> <p><b>O.A.No.744/2018</b></p> <p>A.S. Karkar .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has submitted that the rejoinder is filed by the applicant on 24.02.2020. However, instructions are remained to be sought on this rejoinder hence she needs two weeks time.</p> <p>3. Time granted. Adjourned to 03.11.2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 20.10.2023</b></p> <p><b>C.A.No.41/2023 in O.A.No.297/2019</b></p> <p>U.N. Yadav .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has submitted that since the Secretary has changed it is necessary to grant sometime for the new Secretary to go through the matter and file reply.</p> <p>3. Time granted. Adjourned to 24.11.2023.</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p style="text-align: center;">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 Ceram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.401 of 2022</u></p> <p>Anil J. Bavaskar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that the applicant was appointed by order dated 16.6.1999 to the post of Talathi in the reserved category of Scheduled Tribe. His caste certificate was invalidated by order dated 4.3.2020. Therefore he has approached this Tribunal seeking relief that he is to be accommodated in a supernumerary post and the order of termination dated 31.12.2021 is to be quashed and set aside.</p> <p>3. He relies on GRs dated 21.12.2019, 15.6.2020, 27.11.2020 &amp; 28.10.2021. He submits that he has submitted proposal to the Revenue Department before 2013 and department forwarded the same to Caste Scrutiny Committee on 18.5.2013. As per GR dated 21.12.2019 there is mention of prescribed period which is 3 months from the date of appointment.</p> <p>4. Ld. CPO to take instructions in respect of interpretation of clause 1(d) of GR dated 21.12.2019.</p> <p>5. S.O. to 1.11.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 20.10.2023</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 20.10.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 20.10.2023</b></p> <p style="text-align: center;"><b>M.A.No.609/2022 in O.A.No.1044/2021</b></p> <p>P.S. Yadav (M.A.609/2022) R.B. Kolpe (O.A.1044/2021) .....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.C. Mangle, learned Counsel for the Applicant in M.A.No.609/2022, Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant in O.A.No.1044/2021 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel Mr. Mangle has submitted that he has filed M.A. seeking intervention in O.A.No.1044/2021 filed by learned Counsel Mr. Bandiwadekar.</p> <p>3. Applicant challenges the order of removal dated 18.01.2020 from the post of Constable so also the order of Appellate Authority thereby confirming the same on 14.10.2021. Learned Counsel Mr. Mangle has submitted that the Applicant in O.A. has suppressed the fact of his previous prosecution and arrest when he made his application for the post of Constable. Attestation form was filled on 07.07.2017 and he was arrested on 03.07.2017 and he was in custody. He was released on 05.07.2017. Learned Counsel Mr. Mangle has submitted that Applicant in O.A. was facing challenges under Section 376 of IPC, where the intervener (Applicant in M.A.) was the prosecutrix. Therefore she be allowed to assist the Presenting Officer in contesting</p>

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

**Tribunal's orders**

the O.A. Learned Advocate Mr. Mangle has submitted that after quashing of the FIR of the offence under Section 376 of IPC, the Original Applicant has still continued to harass the intervener under various offences.

4. Learned Counsel Mr. Bandiwadekar has submitted that the FIR in the case under Section 376 is quashed by the Hon'ble High Court by order dated 26.11.2018 in Writ Petition No.496/2018. Learned Counsel Mr. Bandiwadekar has submitted that the Applicant in M.A. has no locus to intervene because the relief is sought against the authority who has removed the applicant after the D.E.. Applicant was not a witness in that D.E.

5. In view of the submissions made by both the learned Counsel, we are of the view that charges levelled against the Applicant in D.E. were of misconduct and not pertaining to the Criminal trial as such. Moreover, the main contesting party is a Government who has removed the Applicant as a result of holding him guilty in the D.E.

6. In view of the above, M.A. stands dismissed of. O.A. stands adjourned to 24.11.2023.

Sd/-

(Medha Gadgil)  
Member (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk