

**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: 20.12.2021</b></p> <p align="center"><b>O.A. No.762 of 2021</b></p> <p><b>K.J. Patki</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri M.D. Lonkar, learned Advocate for the Respondent No.2.</p> <p>2. During the course of hearing, learned Advocate for the Applicant raised issue of Transfer of the Applicant on the interference and recommendation of Ministers as well as Political leaders which is frowned upon by the Hon'ble High Court while deciding Writ Petition No.8987/2018, Balashaeb V. Tidke, decided on 12.12.2018. In that W.P. issue of influence and recommendation by Hon'ble Ministers of other department was considered by Hon'ble High Court and the then Chief Secretary, Dinesh Kumar Jain had filed Affidavit that State will ensure the process of transfer will not be influenced by recommendation of Political leaders or Ministers who are not concerned of Transfer.</p> <p>3. In present case despite of the aforesaid position, recommendations were made by Minister of other departments as well as Political leaders as seen from the file tendered by learned P.O.</p>

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	<p>4. Learned P.O. however submits that decision of transfer is taken independently without considering the recommendations or representations made by the Minister or Political leaders. She submits that the decision of transfer is taken on merit of the case and to explain she sought permission to file the Additional Affidavit of D.F.O. who was head of C.S.B.</p> <p>5. Time granted to file Affidavit till 24.12.2021.</p> <p>6. S.O. to 24.12.2021.</p> <p>7. Connected O.A. No.601/2021 &amp; O.A. No.585/2021 be also kept on 24.12.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.12.2021</p> <p align="center">O.A.No.224 of 2021</p> <p>B.N. Sathe <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. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed affidavit in sur-rejoinder on behalf of the Respondent No.1. It is taken on record.</p> <p>3. S.O.to 19.01.2022.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.12.2021</p> <p align="center">O.A. No.651 of 2021</p> <p>Dr. S.S. Shintre .....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. This O.A. is taken on board seeking order for continuation of interim relief which was granted earlier but remain to be extended on previous date.</p> <p>3. In view of above, interim relief to continue till next date i.e.11.01.2022.</p> <p>4. S.O. to 11.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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
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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.12.2021</p> <p align="center">O.A. No.955 of 2021</p> <p>G.H. Bhusare .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 11.01.2022.</p> <p align="right">             Sd/-              (A.P. Kurhekar)            Member (J)         </p> <p>NMN</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.12.2021</p> <p align="center">M.A. No.138 of 2021 in O.A.No.249 of 2021</p> <p>Megha Sunil Wagh <span style="float:right">...Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Smt. Indrayani M. Koparkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. This is an application for condonation of delay without specifying the period of delay.</li> <li>3. Learned Counsel for the applicant submits that there is delay of two years and three months. However, in M.A. there is absolutely no such mention about the period of delay even in prayer also nothing is stated about the period of delay.</li> <li>4. Indeed, this aspect of incomplete application ought to have been seen and objections ought to have been raised by the office. However no such objection is raised.</li> <li>5. In view of above, M.A. be sent back to the office for scrutiny.</li> <li>6. The Applicant is directed to comply the objections and thereafter only M.A. will be considered.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.12.2021</p> <p>O.A.No.1009 of 2021</p> <p>S. B. Kamble ...Applicant Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. In the second round of litigation, the Applicant has challenged the order passed by the Government dated 12.10.2021 informing him that he is not entitled to retiral benefits because of his failure to pass examination as contemplated in Agriculture Department State Service Officers (Accounts Examination) Rules 1981.</li> <li>3. Issue notice before admission returnable on 25.01.2022.</li> <li>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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.</li> <li>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.</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. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</li> <li>9. S.O. to 25.01.2022.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

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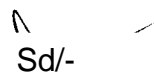

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.12.2021</p> <p align="center">O.A.No.874 of 2021</p> <p>A. J. A. W. Ali <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed additional short affidavit in reply on behalf of the Respondent No.1. It is taken on record. Learned P.O. has also filed separate reply on behalf of the Respondent No.2. It is taken on record.</p> <p>3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 06.01.2022.</p> <p align="right">             Sd/-    <b>(A.P. Kurhekar)</b>  <b>Member(J)</b> </p> <p>vsm</p>



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	<p>Date : 20.12.2021</p> <p align="center">O.A.No.12 of 2021</p> <p>P. M. Auti <span style="float:right">....Applicant</span></p> <p>Versus</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 Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged the suspension order dated 16.12.2020. However, admittedly during the pendency of O.A. the Applicant is reinstated in service by order dated 30.04.2021.</li> <li>3. Learned P.O. has tendered the copy of reinstatement order and it is taken on record and marked by letter 'X'.</li> <li>4. Learned Counsel for the Applicant fairly stated that since the suspension is revoked and Applicant is reinstated in service, O.A. be disposed of.</li> <li>5. Thus, grievance of the Applicant is redressed in view of revocation of suspension.</li> <li>6. O.A. is, therefore, disposed of with no order as to costs.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

[P.T.O.]

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	<p>Date : 20.12.2021</p> <p align="center">O.A.No.704 of 2020</p> <p>K. M. Patole <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. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is retired as ASI and claiming retrospective promotion to the post of PSI. As such, this is not a case of deemed date of promotion where<sup>dx</sup> Government servant is promoted but claiming deemed date of promotion which is in assignment of Single Bench.</p> <p>3. In the present case, the Applicant admittedly retired as ASI and was not at all promoted to PSI. However, his claim is that he was entitled to promotion <del>to PSI</del> before his retirement, and therefore, claiming promotion with retrospective effect though it is worded as 'deemed date of promotion'. In fact, the Applicant is claiming entitlement to the promotion which is the subject pertains to Division Bench.</p> <p>4. Registrar is, therefore, directed to examine the matter and place it before appropriate bench.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

[P.T.O.]

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	<p><b>Date: 20.12.2021</b></p> <p align="center"><b>O.A. No.1027 of 2021</b></p> <p><b>H. B. Shinde</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. 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 Applicant is working as Sr. Administrative Officer on the establishment of Respondent No.2. He was promoted to the post of Sr. Administrative Officer by order dated 01.10.2003. However, he is not granted pay scale in terms of 7<sup>th</sup> Pay Commission, he therefore filed representation dated 22.04.2019, 26.12.2019 and 21.09.2020 however it is not responded, and therefore, the Applicant has approached this Tribunal.</p> <p>3. Since, representations are not decided by Respondent No.1, it would be appropriate to disposed of this O.A. by giving suitable direction.</p> <p>4. O.A. is disposed of with direction to Respondent No.1 to decide representations made by the Applicant and entitlement of the Applicant for pay scale in terms of 7<sup>th</sup> Pay Commission, within two months from today. The decision as the case may be shall be communicated to the Applicant within two weeks thereafter.</p> <p>5. No order as to costs.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p align="center">NMN</p> <p align="right">[PTO.]</p>

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	<p align="center"><b>Date: 20.12.2021</b></p> <p align="center"><b>M.A. No.402 of 2021 in O.A. No.494 of 2021</b></p> <p><b>M.P. Jamadar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. The Applicant is conducting this mater in person but absent today.</p> <p>2. Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present.</p> <p>3. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.2 &amp; 3 in M.A. It is taken on record.</p> <p>4. Adjourned for hearing</p> <p>5. S.O. to 12.01.2022.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>

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	<p>Date: 20.12.2021</p> <p align="center"><b>O.A. No.472 of 2021</b></p> <p><b>P.B. Chaudhari</b> .....Applicant Versus <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Shri S. Sakhare, learned Advocate for the Respondent Nos.5 &amp; 6.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply on behalf of Respondent Nos.1 to 3 is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 14.01.2022.</p> <p align="right">Sd/- <b>(A.P. Kurhekar)</b> Member (J)</p> <p>NMN</p>

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	<p>Date: 20.12.2021</p> <p>O.A. No.644 of 2021</p> <p>A.J. Sayyad .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri S.K. Hande, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 12.01.2022.</p> <p>Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p><b>Date: 20.12.2021</b></p> <p align="center"><b>O.A. No.726 of 2021</b></p> <p><b>S.P. Nalavde</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri C.P. Yadav, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.3 – S.D.O. Karad, District – Satara. It be taken on record.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted for filing Affidavit-in-Rejoinder.</p> <p>4. S.O. to 12.01.2022.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>

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	<p>Date: 20.12.2021</p> <p align="center"><b>R.A. No.13 of 2021 in O.A. No.368 of 2021</b></p> <p><b>S. S. Medsikar</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, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri A.V. Bandiwadekar, learned Advocate for the Respondent (Original Applicant).</p> <p>2. The present Review Application is filed by Original Respondent No.2 – Shri Subodh S. Medsikar in respect of order passed by this Tribunal in O.A. No.368/2021 on 01.12.2021. In O.A., Respondent No.2 was served but absent and on merit O.A. was disposed of by order dated 01.12.2021.</p> <p>3. Learned Advocate for the Applicant sought to contend that there is apparent error on the face of record in impugned order dated 01.12.2021 and sought stay.</p> <p>4. Issue notice to the Respondents before admission returnable on 04.01.2022.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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 Review Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p align="right">[P.T.O.]</p>



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	<p>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.</p> <p>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.</p> <p>9. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Miscellaneous Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>10. S.O. to 04.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<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. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>9. S.O. to 25.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p><b>Date: 20.12.2021</b></p> <p style="text-align: center;"><b>O.A. No.1023 of 2021</b></p> <p><b>A.T. Ingawale</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged communication dated 03.11.2021 whereby he is held not entitled to appointment on compassionate ground for the reasons deceased having 3<sup>rd</sup> child born after cut of date.</li> <li>3. Issue notice before admission returnable on 25.01.2022.</li> <li>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>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.</li> </ol>

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<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. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>9. S.O. to 25.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.12.2021</p> <p align="center">O.A. No.923 of 2021 with O.A. No.924 of 2021 with O.A. No.925 of 2021</p> <p>S.N. Shinde N.P. Patange G.M. Mokal .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. P.R. Bharaswadkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In these O.As Applicants has challenged impugned order dated 01.11.2021 whereby they were transferred out of division under the garb of temporary arrangement without following due process, and therefore, Tribunal by order dated 22.11.2021 granted interim relief.</p> <p>3. Matter is for filing Affidavit-in-Reply.</p> <p>4. However, today learned P.O. has tendered letter dated 14.12.2021 along with letter dated 07.12.2021 which shows that Respondent No.2 – The Commissioner, Ground Water Survey and Development Agency has withdrawn order dated 01.11.2021 and the Applicants were directed to be continued on earlier post.</p> <p>5. As such, Respondent No.2 at his own cancelled the impugned order.</p> <p>6. The grievances of the Applicants are redressed therefore O.A. does not survives.</p> <p align="right">[P.T.O.]</p>

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<p>7. Learned Advocate for the Applicant fairly concedes this position.</p> <p>8. In view of above, O.As are disposed of with no order as to costs.</p> <p>9. Order of interim relief dated 22.11.2021 stands vacated in view of cancellation of order by Respondent No.2.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 20.12.2021</b></p> <p align="center"><b>O.A. No.1003 of 2021</b></p> <p><b>E.A. Pardhi</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged order dated 26.08.2021, whereby Respondent No.3 – Special Inspector General of Police, Kolhapur Range directed that he will not be entitled to pay and allowances for out of duty period i.e. from 19.12.2017 to 25.06.2019 and it will be treated as out of duty period except for pension.</li> <li>3. Issue notice before admission returnable on 25.01.2022.</li> <li>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>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.</li> </ol> <p align="right">[P.T.O.]</p>



<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<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. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>9. S.O. to 25.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

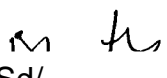
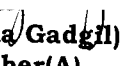

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 20.12.2021</b></p> <p align="center"><b><u>O.A.No.602 of 2021</u></b></p> <p>P.R. Shelke .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. seeks time to file affidavit-in-reply.</p> <p>3. Time granted by way of last chance. Adjourned to 17.01.2022.</p> <p align="right">   Sd/- </p> <p align="center">Sd/-</p> <p align="center">   <b>(Medha Gadgil)</b>  <b>Member(A)</b> </p> <p align="center">   <b>(Mridula Bhatkar, J.)</b>  <b>Chairperson</b> </p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>MA.511/2021 in OA.1103/2017</u></p> <p>Sachin S. Chavan ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files reply in the MA and the same is taken on record.</p> <p>3. S.O. to 31.1.2022.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 20.12.2021 20.12.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.162 of 2020 in O.A. No.258 of 2020</u></p> <p>Ms. C.A. Rane ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>4. The applicant to inform his date of knowledge when the candidate above him did not join.</p> <p>5. S.O. to 31.1.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Mehna Gargil) (Mridula Bhatkar, J.) Member (A) Chairperson 20.12.2021 20.12.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date : 20.12.2021</b></p> <p align="center"><b>O.A.No.399 of 2021</b></p> <p>V.M. Patil .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.B. Kadam, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate tenders affidavit-in-rejoinder to the affidavit-in-reply which was served to him in advance.</p> <p>3. Today during the course of the day learned P.O. to file affidavit-in-reply.</p> <p>4. Admit. Adjourned to 31.01.2022.</p> <p align="right">Sd/- _____</p> <p align="center">Sd/- _____</p> <p align="center"><b>(Medha Gadgil)</b> Member(A)</p> <p align="right"><b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 20.12.2021</b></p> <p><b>O.A.No.154 of 2021</b></p> <p>S.S. Samant .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. D.B. Kale, Mr. Bajirao Shelke and Mr. Pranav Shidaye learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. G.R. dated 12.02.2019 and conditions in respect of 10% reservation for Economically Weaker Section (EWS) wherein at Clause No.2(इ)(४) it is stated as follows :-</p> <p>(४) आर्थिकदृष्ट्या दुर्बल घटकासाठीचे पात्रता प्रमाणपत्र या आदेशाच्या दिनांकापासून किंवा अर्ज सादर करण्याच्या दिनांकापासून ६ महिने यापैकी जो नंतरचा असेल त्या दिनांकापर्यंत सादर करणे आवश्यक राहिल.</p> <p>3. The EWS certificate is to be submitted within 6 months from the date of the G.R. or the date of filing application. This submission is relaxed by letter dated 14.09.2020 issued by the Mr. V.D. Phansekar, Under Secretary, G.A.D. By this letter particularly condition of 6 months is relaxed. Another letter dated 24.09.2020 was reviewed and it is illegally incorrect that G.A.D. cannot relax, add, modify, amend or change in the conditions in G.R. by issuing letters.</p> <p>4. G.R. is delegated legislation under Article 166 of the Constitution and it is also in pursuant to judgment of full Bench of the Bombay High Court in <b>Chandrakant Sakharam Karkhanis Versus State Of Maharashtra And Ors. reported in AIR 1977 Bom 193</b>. Therefore the G.R. can be amended by issuing another G.R..</p> <p>5. Adjourned to 22.12.2021. F.O.B.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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	<p><b><u>20.12.2021</u></b></p> <p><b><u>M.A 451/2021 in O.A 746/2020</u></b></p> <p>Shri S.M Bhagwat ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.V Thorat, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for Respondents</p> <p>2. During course of arguments, learned counsel for the applicant prays for ad-interim relief.</p> <p>3. Learned C.P.O submits that the matter regarding department enquiry has not yet been fixed for hearing by the Secretary and Special Enquiry Officer.</p> <p>4. In view of the above, we direct the Special Enquiry Officer not to proceed with the enquiry till 5.1.2022.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (J) Akn</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>20.12.2021</u></b></p> <p><b><u>O.A 614/2014 with O.A 938/2016</u></b></p> <p>D.E Hirde [ O.A 614/2014] V.V Chavan &amp; Ors [O.A 938/2016]... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri A.A Desai, learned advocate for the applicant in O.A 614/2014, Shri S.S Dere, learned counsel for the applicants in O.A 938/2016 and Smt K.S Gaikwad, learned P.O for Respondents 1 &amp; 2 and Shri C.T Chandratre, learned advocate for Respondent no. 4 in O.A 938/2016</p> <p>2. Initially, learned counsel Mr Dere for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents have raised objection that there was no application seeking amendment filed by the applicant.</p> <p>3. However, amendment is carried out on 29.1.2019 as per order of Court dated 16.1.2019.</p> <p>4. Learned counsel Mr Dere drew our attention to the order dated 7.12.2018 passed by this Tribunal wherein it is mentioned that the applicant in person has submitted "He, therefore, seeks time for making necessary amendment along with application for condonation of delay, if any within one month."</p> <p>5. Learned counsel for the applicants Mr Dere submitted that there was no application for condonation of delay filed by the applicant in O.A 614/2014. As these facts are pointed out and we also came across the amendment carried out by the applicant himself, after going through the record there is M.A 10/2019 in the record. This application is for amendment. Our predecessor on 17.1.2018 has allowed the amendment application and pursuant to this order, the amendment is carried out. After perusal of the record, the Shirestedar has informed that there is no application seeking condonation of delay.</p> <p>6. Thus, we understand that our predecessor has allowed the amendment and pursuant to the order, the amendment is carried out on 29.1.2019. However, thereafter, there is no order for filing additional affidavit in reply to the amended Original Application. Similarly, there is no request on the part of the Respondent-State to file additional affidavit in reply to the amended Original Application.</p> <p>7. Though the matter appeared on Board for more than 25 times, under the caption 'Final Hearing', today, learned P.O submitted that she wants to file additional affidavit in reply to the amended O.A.</p> <p>8. Time granted to file additional affidavit in reply to the amended Original Application on or before 12.1.2022 and copy be served on the other side.</p> <p>9. Matter is treated as Part Heard and is to be placed on Board to 19.1.2022 at 2.30 pm.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (J) Chairperson</p> <p>Akn</p>



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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>MA.574/2021 in MA.43/2018 in OA.1103/2017 with MA.511/2021</u></p> <p>Manish M. Baradkar ..Intervener And Sachin S. Chavan ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Intervener, Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Intervener has filed this MA for adding him as party respondent no.3 in the OA and praying to modify para 5 of the interim order dated 1.12.2021 passed by this Tribunal in MA No.43 of 2018.</p> <p>3. Ld. CPO supports the contention of the Ld. Advocate for the Intervener to modify the order.</p> <p>4. Hence, the interim order dated 1.12.2021 to the extent of para 5 is modified. Para 5 of the order reads as under:</p> <p>“5. Be that as it may. We have considered the submissions of the learned counsel for both the sides. In view of the order passed by this Tribunal, which is in force, the Respondent-State may issue the orders of promotion of five Executive Engineers, and keep one post of Executive Engineer vacant till the decision in the Original Application.”</p> <p>5. Para 5 of the order after modification be read as under:</p>

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	<p data-bbox="796 420 1495 677">"5. Be that as it may. We have considered the submissions of the learned counsel for both the sides. In view of the order passed by this Tribunal, which is in force, the Respondent-State may issue the orders of promotion of <u>all eligible</u> Executive Engineers, and keep one post of Executive Engineer vacant till the decision in the Original Application."</p> <p data-bbox="702 715 1495 784">6. In the light of this order, I.d. Advocate for the intervener does not want to press MA No.574 of 2021.</p> <p data-bbox="702 823 1397 861">7. MA No.574 of 2021 disposed off accordingly.</p> <div data-bbox="796 879 1365 1116" style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p data-bbox="859 950 921 988">Sd/-</p> <p data-bbox="801 1009 1005 1116">(Medha Gadgil) Member (A) 20.12.2021</p> </div> <div style="text-align: center;"> <p data-bbox="1204 912 1266 950">Sd/-</p> <p data-bbox="1083 1009 1361 1116">(Mridula Bhatkar, J.) Chairperson 20.12.2021</p> </div> </div> <p data-bbox="702 1123 769 1161">(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p><b><u>20.12.2021</u></b></p> <p align="center"><b><u>O.A 919/2015</u></b></p> <p>Shri S.T Khade ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for Respondents no 1 &amp; 2 and Shri B.A Bandiwadekar, learned advocate for Respondent no. 3.</p> <p>2. Learned counsel for Respondent no. 3 files additional affidavit in reply today. Same it taken on record. Copy of the same is served on the other side.</p> <p>3. S.O to 23.12.2021.</p> <p>Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (J) Chairperson</p> <p>Akt</p>

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	<p><b>Date : 20.12.2021</b></p> <p align="center"><b>M.A.No.159 of 2021 in O.A.No.114 of 2020</b></p> <p>R.S. Jikare .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.K. Hande, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned Advocate for the Applicant is directed to serve Respondents No.4 and file affidavit of service which is important part as he has already been working for the last 7 to 8 years.</p> <p>3. Adjourned to 31.01.2022.</p> <p align="center">Sd/- <span style="float: right;">Sd/-</span></p> <p align="center">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member(A) <span style="float: right;">Chairperson</span></p> <p>prk</p>

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	<p><b><u>20.12.2021</u></b></p> <p align="center"><b><u>O.A 612/2013</u></b></p> <p>Shri V.V Shinde &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for Respondents</p> <p>2. Learned P.O states that affidavit in reply explaining the seniority of Sales Tax Department will be filed during the course of the day.</p> <p>3. Learned counsel for the applicants seek time to take instructions in the matter.</p> <p>4. S.O to 21.12.2021 at 2.30 pm.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center"><b>(Medha Gadgil)</b> <b>(Mridula Bhatkar, J.)</b> <b>Member (J)</b> <b>Chairperson</b></p> <p>Akn</p>

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>20.12.2021</u></b></p> <p align="center"><b><u>O.A 325/2018 with O.A 13/2020</u></b></p> <p>Shri A.M Jadhao [O.A 325/2018] Shri R.S Pawar [O.A 13/2020] ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned advocate for the applicant, Shri S.S Dere, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondent no. 2, Shri A.A Desai, learned Special Counsel for Respondent no. 1, Shri K.R Jagdale lerned counsel for Respondent no. 3 in O.A 325/2018 and Shri C.T Chandratre, learned counsel for Respondent no. 3 in O.A 13/2020.</p> <p>2. Learned C.P.O submit that by way of last chance time may be granted for filing additional documents on affidavit.</p> <p>3. Learned advocate Mr Lonkar, Mr Chandratre, Mr Dere and Mr Jagdale, submit that they also want to file additional documents.</p> <p>4. Hence time granted for filing additional documents.</p> <p>5. S.O to 3.1.2022.</p> <p>Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (J) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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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.380 of 2021 in O.A. No.427 of 2021</u></p> <p>P.B. Patil ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p align="center">Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <ol style="list-style-type: none"> <li>2. Applicant and his advocate both are absent.</li> <li>3. Ld. PO states that copy of MA is not served.</li> <li>4. Applicant to serve copy of MA in the office of Ld. CPO.</li> <li>5. S.O. to 31.1.2022.</li> </ol> <p align="center"> <table border="0"> <tr> <td align="center">Sd/-</td> <td align="center">Sd/-</td> </tr> <tr> <td align="center">(Medha Gadgil)</td> <td align="center">(Mridula Bhatkar, J.)</td> </tr> <tr> <td align="center">Member (A)</td> <td align="center">Chairperson</td> </tr> <tr> <td align="center">20.12.2021</td> <td align="center">20.12.2021</td> </tr> </table> </p> <p>(sgj)</p>	Sd/-	Sd/-	(Medha Gadgil)	(Mridula Bhatkar, J.)	Member (A)	Chairperson	20.12.2021	20.12.2021
Sd/-	Sd/-								
(Medha Gadgil)	(Mridula Bhatkar, J.)								
Member (A)	Chairperson								
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.30 of 2021 in O.A. No.970 of 2014</u></p> <p>V.D. Shinde ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, 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 seeks time to file rejoinder.</p> <p>3. S.O. to 17.1.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gajgil) (Mridula Bhatkar, J.) Member (A) Chairperson 20.12.2021 20.12.2021</p> <p>(sgj)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1007 of 2021</u></p> <p>A.S. Pujari ..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. 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 17.1.2022. 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 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>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. 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.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 20.12.2021 20.12.2021</p> <p>(sgi)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.481 of 2021 in O.A. No.1355 of 2009</u></p> <p>The Dy. Director of Health Services, Pune ..Applicant Vs. Mehmud K. Subhedar &amp; Ors. ..Respondents</p> <p align="center">Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicant-original Respondent No.2.</p> <p>2. Ld. PO submits that Government needs time up to 31.1.2022 to implement the order of the Tribunal.</p> <p>3. Advocate for the respondent no.1-original applicant is absent. Affidavit of service has been filed.</p> <p>4. Time to implement the order is extended up to 31.1.2022.</p> <p>5. MA disposed off accordingly.</p> <p align="center"> Sd/-  (Medha Gadgil)  Member (A)  20.12.2021  (sgj) </p> <p align="center"> Sd/-  (Mridula Bhatkar, J.)  Chairperson  20.12.2021 </p>