

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI**

**ORIGINAL APPLICATION NO.1280 OF 2022**

Shri Pradeep Shivaji Kale, ).. **Applicant**

**Versus**

State of Maharashtra & Ors. ) ..**Respondents**

Shri M.D. Lonkar, learned Advocate for the Applicant.

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

**CORAM : A.P. KURHEKAR, MEMBER(J)**

**DATE : 20.12.2022.**

**ORDER**

1) Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondent.

2) The Applicant who is serving as Police Inspector has challenged his transfer order dated 15.12.2022 whereby he is transferred from Kolhapur range to Mumbai City.

3) Shri M.D. Lonkar, learned Advocate for the Applicant sought interim relief to stay transfer order dated 15.12.2022 qua the Applicant *inter-alia* contending that the Applicant is transferred in contravention of provision of Maharashtra Police Act and impugned order is attempt to circumvent the provision of Transfer Act, 2005.

4) Per contra, learned P.O. opposed the interim relief stating that P.E.B.-2 invoked the power u/s 22N(2) of Maharashtra Police Act and has pointed out that the Applicant was due for transfer having completed 8 years tenure in Kolhapur range.

5) Needles to mention that the transfer of Police Patil are now governed by the provision of Maharashtra Police Act which *inter-alia*

provides complete procedure for general as well as mid-tenure transfer. It is in the pursuance of the direction given by the Hon'ble Supreme Court in **Prakash Singh and others Vs. Union of India and others (2006) 8 SCC Page 1**, several important amendments were carried out in the Act so as to ensure fixed<sup>✓</sup> tenure of Police Personnel and to regulate the Transfer. As per Section 2 (6A) "General Transfer" means posting of a Police Personnel in the Police Force from one post, office or Department to another post, office or Department in the month of April and May of every year. Whereas, as per Section (6B) "Mid-term Transfer" means transfer of a Police Personnel in the Police Force other than the General Transfer. Section 22N(1) provides normal tenure of Police Personnel cadre wise. Here relevant provision is Section 22N1(c) which provides that Police Officer of the rank of P.S.I., A.P.I. & P.I. for normal tenure shall be of two years at a Police Station or Branch, four years in a District and eight years in a range, however, for the local Crime Branch and Special Branch in a District and the Crime Branch and Special Branch in a Commissionerate, a normal tenure shall of three years.

6) In present case admittedly the Applicant has completed 8 years tenure in Kolhapur range at the time of general transfer which were to be effected in the month of April and May as mandated by Section 2 (6A) of Maharashtra Police Act. However, that time he was not transferred. Later, Respondent No.1 - Home Department, Government of Maharashtra issued G.R. dated 01.06.2022 that there should not be general transfer of Police Personnel upto 30.06.2022 and only in exceptional case Transfer could be made with the prior approval of Hon'ble Chief Minister if so required for administrative exigencies.

7) Thus, though the Applicant has completed 8 years in Kolhapur range and was due for transfer he was not transferred and continued in Kolhapur range on the same post. It is now by order dated 15.12.2022 he is transferred along with 225 other Police Personnel.

8) Learned P.O. has tendered minutes of P.E.B. for the perusal of Tribunal and reference to it submits that this is not a case of single transfer but transfer of 225 Police Personnel who have admittedly completed normal tenure. As such, transfer could be said mid-term but it is not mid-tenure. Minutes of P.E.B. further shows that P.E.B. could not effect the transfer of any Police Personnel in general transfer of 2022 but now having found that 225 Police Personnel have already completed their tenure are required to be transferred from the point of administrative exigencies and for efficiency. P.E.B. found that the continuation of such Police Personnel on the same post after completion of 10 years is adverse to the administration and accordingly resolved to effect the transfer of 225 Police Personnel. In minutes of P.E.B. it is further mentioned that because of various festivals, law and order situation and Election etc. P.E.B. was not in position to effect general transfer for the period from July 2022 to December 2022. Near about 50 Police Personnel have already joined in pursuance of transfer order dated 15.12.2022.

9) Thus, *prima-facie* P.E.B. has invoked Section 22N2 for effecting this transfer from the point of administrative exigencies and transferred 225 Police Personnel who have admittedly completed normal tenure. In such situation it would be not appropriate to grant interim relief since it would seriously effect entire transfers as well as administration throughout Maharashtra. *Prima-facie* P.E.B.-2 is empowered to effect such transfers as contemplated under Section 22N(2) of Maharashtra Police Act. Interim relief is therefore declined.

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

11) Issue notice before admission returnable on 17.01.2023.

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

13) 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.

14) 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.

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

16) S.O. to 17.01.2023.

17) The Applicant is at liberty to make representation since he was not given posting as per the option given by him. If any such representation is made, it be decided appropriately.

Sd/-

**(A.P. KURHEKAR)**  
**MEMBER (J)**

Place: Mumbai  
Date: 20.12.2022  
Dictation taken by: N.M. Naik.

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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

## FARAD CONTINUATION SHEET No. \_\_\_\_\_

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 20.12.2022</b></p> <p style="text-align: center;"><b>O.A.No.895, 939, 975, 984 with 1163 of 2022</b></p> <p><b>D. L. Wasnik &amp; Ors. ....Applicants</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri Om M. Lonkar and Shri S. S. Dere, learned Counsels for the Applicants and Smt. Kranti Gaikwad and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. In all these Original Applications, the Applicants who are serving as Police Constables on the establishment of C.P. Mumbai are seeking transfer to other districts in terms of regulation dated 26.10.2017.</p> <p>3. In O.A.No.895/2022, the Applicant is seeking transfer on the establishment of SP, Gondiya. In O.A.939/2022, the Applicant is seeking transfer on the establishment of SP, Ahmednagar. In O.A.No.975/2022, the Applicant is seeking transfer on the establishment of SP, Ahmednagar. In O.A.No.984/2022, the Applicant is seeking transfer on the establishment of SP, Buldhana and in O.A.1163/2022, the Applicant is seeking transfer on the establishment of SP, Yavatmal.</p> <p>4. Indeed, all these Original Applications were taken together for hearing with connected 24 Original Applications yesterday (O.A.774/2022 &amp; Others) but these O.A.s were kept back for confirmation of vacancy position at the respective districts. Other 24 O.A.s are allowed by reasoned order.</p> <p>5. Today, learned P.O. on instructions made a statement that there are still vacancies at respective district places in respect of which NOC was issued by the said districts.</p>

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

**Tribunal's orders**

6. Presently, the Applicants are serving on the establishment of C.P. Mumbai who resisted these O.A.s as well as those 24 O.A.s on the ground of shortage of manpower which is found unacceptable and reasons are recorded in detail in O.A.774/2022 & 23 others, dated 19.12.2022 were allowed having found that Applicants fulfil the eligibility criteria for Inter District Transfer and resistance of C.P. Mumbai is without substance in view of availability of police force at his disposal. Suffice to say, for the reasons recorded in those 24 O.A.s decided on 19.12.2022, these O.A.s are also required to be disposed of on similar line.

7. In view of above, the following order is passed :-

**ORDER**

- (A) All these Original Applications are allowed.
- (B) The C.P. Mumbai is directed to relieve the Applicants within two months from today so that they can join at their respective places.
- (C) The concerned Head of the District where Applicants are seeking transfer as shown in the chart are also directed to get the Applicants joined on their establishment after they are relieved from the C.P. Mumbai.
- (D) No order as to costs.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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



of 20

IN

Original Application No.

of 20

## FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.741 of 2022 in O.A. No.1281 of 2022</u></p> <p>R.D. Agarwal &amp; Ors. <span style="float: right;">..Applicants</span> Vs. The State of Maharashtra &amp; Ors. <span style="float: right;">..Respondents</span></p> <p>Heard Shri A.V. Sakolkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- </p> <p>(Medha Gadgil) Member (A) 20.12.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula Bhatkar, J.) Chairperson 20.12.2022</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

**Date : 20.12.2022**

**C.A.No.77/2022 in O.A.No.759/2022**

S.D. Kulkarni .....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicant and Ms Archana B.K., learned Presenting Officer for the Respondents.

2. Learned P.O. submits that the office of Accountant General has issued order on dated 14.12.2022 regarding 50% pension in respect of the Applicant.

3. Adjourned to 10.01.2023.

Sd/-

Sd/-

(Medha Gadgil)  
Member(A)

(Mridula Bhatkar, J.)  
Chairperson

prk



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders				
	<p style="text-align: center;">O.A. No.1281 of 2022</p> <p>R.D. Agarwal &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.V. Sakolkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. S.O. to 22.12.2022 under the caption 'Urgent Admission'.</p> <table style="width: 100%; margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;">Sd/-</td> <td style="text-align: center;">Sd/-</td> </tr> <tr> <td style="text-align: center;">(Medha Gadgil) Member (A) 20.12.2022</td> <td style="text-align: center;">(Mridula Bhatkar, J.) Chairperson 20.12.2022</td> </tr> </table> <p>(sgj)</p>	Sd/-	Sd/-	(Medha Gadgil) Member (A) 20.12.2022	(Mridula Bhatkar, J.) Chairperson 20.12.2022
Sd/-	Sd/-				
(Medha Gadgil) Member (A) 20.12.2022	(Mridula Bhatkar, J.) Chairperson 20.12.2022				

**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: 20.12.2022</p> <p align="center">M.A. No.228 of 2021 in O.A. No.433 of 2021</p> <p>M.G. Kamble .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>Applicant and his Advocate both are absent.</li> <li>Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</li> <li>The perusal of record reveals that M.A. No.228/2021 is filed along with O.A. No.433/2021 on 01.07.2021 and since then it was pending before Registrar for removal of office objections. As per office objections, service report is not filed by learned Advocate for the Applicant. Perusal of record reveals that the matter was before the Registrar for more than a year and was adjourned from time to time for removal of objections. Indeed, Registrar should not have kept the matter pending for such a long time.</li> <li>I/C. Registrar is directed to take note that the matter should not be kept pending for removal of objections for more than a month. After expiry of one year it be listed before the Tribunal for appropriate order.</li> <li>Thus the Applicant and his Advocate does not seem interested in the matter. Office objections are not removed for more than one year.</li> <li>M.A. and O.A. is therefore dismissed in default.</li> </ol> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p> <p align="center">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: 20.12.2022</p> <p align="center">O.A. No.213 of 2021</p> <p>S.S. Desai .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>Applicant and his Advocate both are absent.</li> <li>Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</li> <li>The perusal of record reveals that today O.A. is listed for the first time before the Tribunal.</li> <li>O.A. was filed on 12.03.2021 for grant of increment but the office has raised objections for which matter was on registrar board for more than one year. Ultimately, office listed the matter before the Tribunal with the endorsement that the objections are not removed.</li> <li>Indeed, the O.A. could not have been kept lingering by the Registrar for such a long period for removal of objections. I/C. Registrar is directed to take note of it and to ensure that if objections are not removed within a month then O.A. to be listed before the Tribunal for appropriate order.</li> <li>In view of above, Applicant and his Advocate both seem not interested in the matter and objections are also not removed. Hence, O.A. is dismissed in default.</li> </ol> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</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><b>Date: 20.12.2022</b></p> <p><b>M.A. No.740 of 2022 in O.A. No.337 of 2022</b></p> <p><b>The State of Maharashtra &amp; Ors. (Org. Resps.)....Appl. Versus D.W. Pande &amp; Ors. (Org. Appl.) .....Resps.</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri A.J. Chougule, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Applicants (Org. Respondents) and Shri A.V. Bandiwadekar, learned Advocate for the Respondent (Org. Applicant).</li> <li>2. This O.A. is filed seeking relief 8 a) which is as under:-       <ol style="list-style-type: none"> <li>8 a) this Hon'ble Tribunal be pleased to grant an additional period of 2 months to approach the Hon'ble Bombay High Court challenging orders dtd. 20.10.2022 in O.A. No.337/2022.</li> </ol> </li> <li>3. Tribunal allowed the O.A. by order dated 20.10.2022 directing Respondent Nos.1,2,3 &amp; 5 to take necessary steps to ensure grant of retiral benefits of the Applicant within two months from the date of order. As such, two months time was granted for the compliance of the order.</li> <li>4. The Applicant stand retired on 31.03.2019 but because of hyper technical approach and non coordination between the Departments, the Applicant has been deprived of retiral benefits. The Government found shirking responsibilities to pay retiral benefits of the Applicant. If Government felt aggrieved by the order passed by the Tribunal they are at liberty to do so but this Tribunal can't grant additional two months time for availing other legal remedies since the Applicant is deprived of retiral benefits for long time.</li> <li>5. Hence, I am not inclined to grant further time.</li> <li>6. M.A. is therefore dismissed with no order as to costs.</li> </ol> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> <b>Member (J)</b></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: 20.12.2022</p> <p align="center"><b>M.A. No.701 of 2022 in O.A. No.763 of 2021</b></p> <p>Y.R. Hansekar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Sonali Humane, learned Advocate holding for Smt. Ranjana Todankar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for restoration of O.A. dismissed on 21.10.2022. M.A. ought to have been filed within one month but not filed within period of limitation of one month. Now application for condonation of delay is filed. Office has already raised objection but not complied with.</p> <p>3. In view of above, two weeks time is granted to learned Advocate for the Applicant to file M.A. for condonation of delay. If any such M.A. is filed then matter be listed before the Tribunal failing to which this M.A. would stand dismissed without reference to the Tribunal.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date: 20.12.2022

M.A. No.663 of 2022 in O.A. No.1157 of 2022

D.V. Suradkar .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

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

2. This M.A. is filed for condonation of delay of eight months caused in filling O.A. wherein challenge is to the order dated 11.04.2019.

3. The Applicant is serving as Police Constable and challenged order dated 11.04.2019 whereby 50% pay and allowance is granted for out of service period. Limitation of one year expired on 11.04.2020. However, that time it was COVID-19 Pandemic situation. As per the order of Hon'ble Supreme Court dated 10.01.2022 passed in Suo Moto Writ Petition (Civil) No.03/2020 directed that where limitation would have expired during the period between 15.03.2020 till 28.02.2022, notwithstanding the actual balance period of limitation remaining, all person shall have a limitation period of 90 days from 01.03.2022. <sup>D.V.S</sup> This O.A. ought to have been filed on or before 01.06.2022 but it is filed on 18.11.2022.

3. Respondents have not filed Reply to M.A.

4. In view of above, in the interest of justice, I am inclined to condone delay so as to decide the matter on merit subject to cost of Rs.5,000/- (Rupees Five Thousand Only) as the condition <sup>Receipt</sup> ~~president~~. It be deposited in the Tribunal within two weeks from today. If cost is paid as stated above, O.A. be listed for admission.

5. M.A. is accordingly disposed of with no order as to costs.

^  
Sd/-

(A.P. Kurhekar)  
Member (J)

**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 : 20.12.2022</p> <p align="center">O.A.No.390 of 2022</p> <p>M. K. Waghela &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. The Applicant No.1 is present in person. Heard Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant No.1 present in person sought time to engage another Counsel stating that his Counsel on record is not attending the matter.</li> <li>3. Two weeks time is granted to do the needful.</li> <li>4. O.A. be kept for hearing at the stage of admission.</li> <li>5. S.O. to 13.01.2023.</li> </ol> <p align="right">           Sd/-            (A.P. Kurhekar)            Member(J)         </p> <p>vsm</p>

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

**Tribunal's orders**

Date : 20.12.2022

O. A. No. 1251 of 2022

V. E. Bhagat

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant is seeking deemed date of promotion for the post of Assistant Regional Transport Officer w.e.f. 30.07.2011. He is promoted to the said post on 29.06.2020 thereafter he made representation claiming deemed date of promotion.
3. The perusal of record reveals that the Respondent No.2 – Commissioner of Transport has already submitted the proposal to the Government on 01.12.2020 (page 43 to 49) for the decision about deemed date of promotion as claimed by the Applicant. However, the decision is awaited.
4. In 1<sup>st</sup> place, it is for the competent authority/Government to decide the claim for deemed date of promotion and if the Government servant is aggrieved then he can approach the Tribunal.
5. Here, no such decision is yet taken by the Government. The O.A. is, therefore, liable to be disposed of with suitable directions.
6. The O.A. is disposed of with direction to Respondent No.1 to take decision in the matter of Applicant for deemed date of promotion in the light of proposal dated 01.12.2020 forwarded by Respondent No.2 in accordance to law within six weeks from today and the decision as the case may be, shall be communicated to the Applicant.
7. If the Applicant felt aggrieved by the decision, he may avail further legal remedy.
8. No order as to costs.

Sd/-

W  
(A.P. Kurhekar)  
Member(J)



**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: 20.12.2022</p> <p align="center">O.A. No.474 of 2022</p> <p>D.G. More .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has tendered short Affidavit-in-Reply on behalf of Respondent No.1 along with copy of enquiry record. It is taken on record.</p> <p>3. O.A. be kept for Final Hearing.</p> <p>4. S.O. to 18.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 20.12.2022</p> <p align="center">O.A. No.492 of 2022</p> <p>D.M. Chavan .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has tendered short Affidavit-in-Reply on behalf of Respondent No.1 along with copy of enquiry record. It is taken on record.</p> <p>3. O.A. be kept for Final Hearing.</p> <p>4. S.O. to 18.01.2023.</p> <p align="right">             Sd/-            (A.P. Kurhekar)            Member (J)         </p> <p align="center">NMN</p>

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

**Tribunal's orders**

**Date: 20.12.2022**

**O.A. No.561 of 2021 with O.A. No.899 of 2022**

**K.A. Salunke .....Applicant**  
**Versus**  
**The State of Maharashtra & Ors. ....Respondents.**

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

2. The Applicant has challenged posting order dated 31.03.2021 whereby by she was given posting at Sub District Hospital, Shirpur, District-Dhule.

3. During the course of hearing learned Advocate for the Applicant made submission to explore possibility of giving posting to the Applicant at some other places. Learned P.O. was therefore directed to take instructions about the vacant post. On instruction she submits that there are vacancies at Niphad, Kalwan and Peth in District Nashik. However, learned P.O. pointed out that since impugned posting order dated 31.03.2021, the Applicant has not joined at Shirpur and D.E. is already initiated. She therefore raised difficulty for accommodating the Applicant at other places.

4. At this juncture, learned Advocate for the Applicant on instruction from the Applicant who is present before the Tribunal submits that she is ready to join at Shirpur within three day without prejudice to her contention raised in O.A. He submits that the Applicant would make application / representation for posting at Niphad, Kalwan and Peth. According to him, Niphad would be more convenient since her husband is staying at Nashik.

5. In view of above, the Applicant is allowed to join with liberty to continue D.E. in accordance to law.

6. S.O. to 10.01.2023.

Sd/-

(A.P. Kurhekar)  
Member (J)

**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 : 20.12.2022</p> <p align="center">O.A.No.1289 of 2022</p> <p>S. S. Savrikar <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 M. R. Kulkarni, learned Counsel for the Applicant and Smt.Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant who stands retired in 2017 is subjected to recovery by order dated 07.12.2022 whereby amount of Rs.9,20,865/- is sought to be recovered on the ground that he was paid three non-compoundable increments from 2008 to September, 2017. Now, it is sought to recover from pension arrears of 7<sup>th</sup> Pay Commission.</p> <p>3. Learned Counsel for the Applicant sought stay <i>inter-alia</i> contending that the impugned recovery order is passed without giving opportunity of hearing or notice and it is in breach of principle of natural justice as well as in contravention of Rule 134 of Maharashtra Civil Services (Pension) Rules, 1982.</p> <p>4. Per contra, learned P.O. opposed the application <i>inter-alia</i> contending that notices be issued for taking instructions from the department.</p> <p>5. The Applicant stands retired in 2017 and after five years, the recovery is sought from his retiral benefits. Impugned order does not reflect issuance of prior notice to the Applicant before passing impugned order. Therefore, it would be appropriate to grant interim relief to recovery till filing of reply.</p> <p>6. In view of above, interim relief to recovery is granted till filing of reply. <span style="float: right;">[P.T.O.]</span></p>

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

Tribunal's orders

7. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
8. Issue notice before admission returnable on 10.01.2023.
9. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
11. 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.
12. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.
13. S.O. to 10.01.2023 with O.A.No.1239/2022.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

# 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 : 20.12.2022</p> <p style="text-align: center;">O.A.No.1279 of 2022</p> <p>K. T. Ghorpade <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. Bandiwadeakr, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged the order of repatriation dated 13.12.2022 whereby the Applicant is sent to his parent division, Nagpur. He is serving in the cadre of Naib Tahsildar.</li> <li>3. The perusal of order dated 11.09.2017 reveals that considering the Applicant's family difficulties, he was given temporary deputation in Konkan Division and was posted at Ulhasnagar, Dist. Thane. The period of more than five years is over. It is on this background, he is repatriated at Nagpur Division by order dated 13.12.2022. As such, <i>prima-facie</i>, I see no case to grant interim relief.</li> <li>4. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>5. Issue notice before admission returnable on 12.01.2023.</li> <li>6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> </ol>

[P.T.O.]

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

Tribunal's orders

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

8. 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.

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

10. S.O. to 12.01.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

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

Tribunal's orders

Date: 20.12.2022

O.A. No.1248 of 2022

A.R. Gaikwad .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. O.A. is filed for direction to the Respondents to revised pension in terms of 6<sup>th</sup> Pay Commission recommendation. The Applicant was serving on the establishment of Respondent No.2 – Dean, Government Dental College and Hospital, St. George Hospital Compound, Fort, Mumbai and stands retired on 31.05.2006. He was granted Pension in terms of 5<sup>th</sup> Pay Commission. The recommendation of 6<sup>th</sup> Pay Commission came into force from 01.01.2006 and was obviously applicable to the Applicant who stands retired on 31.05.2006. Interestingly the Applicant seems to be not aware about the entitlement to the revised pension in terms of 6<sup>th</sup> Pay Commission and it was revealed by the Treasury Office, Nashik only. The Applicant after retirement is settled at Nashik and his getting Pension from Treasury Office, Nashik. ~~He~~ Treasury Office, Nashik by letter dated 09.04.2018 informed Respondent No.2 to send proposal to Accountant General for revising Pension in terms of 6<sup>th</sup> Pay Commission. However, Respondent No.2 did not take any steps.
3. In view of above, learned P.O. is directed to take instruction from Respondent No.2 as to why proposal is not sent to Accountant General for revision of pension and other retiral benefits.
4. O.A be kept at 02.30 p.m.

Sd/-

*WV*  
(A.P. Kurhekar)  
Member (J)



**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 : 20.12.2022</p> <p align="center">O.A.No.1248 of 2022</p> <p>A. R. Gaikwad .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri Om M. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In the afternoon session, learned P.O. submits that since the Applicant retired in 2006 now the record needs to be searched for further action and sought time.</p> <p>3. Indeed, since the Applicant stands retired on 31.05.2006 from the establishment of Respondent No.2, it was incumbent on his part to ensure that pension is revised in terms of 6<sup>th</sup> Pay Commission which came in force w.e.f. 01.01.2006. However, the Respondent No.2 did not take any steps. There is no dispute about entitlement of the Applicant to revise the retiral benefits in terms of 6<sup>th</sup> Pay Commission recommendation. The O.A., therefore, deserves to be disposed of with suitable directions.</p> <p>4. The O.A. is disposed of with direction to Respondent No.2 to send proposal to A.G. about revision of pension and other retiral benefits within a month from today and ensure that monetary benefits are released within two weeks thereafter.</p> <p>5. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm <span style="float: right;">[P.T.O.]</span></p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.12.2022</p> <p>O.A. No.269 of 2021</p> <p>P.G. Sali .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Balraj Kulkarni, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. While in service the Applicant was granted two advance increments by order dated 28.01.2009. However, monetary benefits were not given to him. He stands retired on 31.10.2019. The Applicant has therefore filed the present O.A. for releasing monetary benefits of advance increments as well as to revise the pension.</p> <p>3. It appears from the record that the Government by G.R. dated 24.08.2017 decided not to extend the benefits of advance increments. The said decision was challenged before the Hon'ble High Court wherein G.R. dated 24.08.2017 was held prospective in operation.</p> <p>4. Today, learned Advocate for the Applicant has tendered recent G.R. dated 15.12.2022 issued by Government taking note of the decision of Hon'ble High Court in which G.R. dated 24.08.2017 is held prospective in operation by G.R. dated 15.12.2022. Government has taken decision to extent monetary benefits were increments are already granted by the competent authority.</p> <p>5. Learned Advocate for the Applicant therefore submits that O.A. to disposed with suitable direction.</p> <p>6. O.A. is disposed of with direction to the Respondents to release monetary benefits of advance increments, order dated 28.01.2009 and also to take necessary steps for revision of Pension and to ensure its compliance within two months from today.</p> <p>7. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: right;">→ P.T.O.</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>LATER ON</b></p> <p>8. In afternoon session, learned Advocate for the Applicant again appeared and submitted that in the morning session he made wrong statement that his client is beneficiary of G.R. dated 24.08.2017. According to him G.R. dated 24.08.2017 is not helpful to the Applicant fully. He therefore sought to withdraw his statement of disposal of O.A. and expresses his regret.</p> <p>9. He therefore prayed to recall the order of disposal of O.A. and to give opportunity to decide on hearing.</p> <p>10. In view of above, order of disposal of O.A. is recalled. On request of learned Advocate for the Applicant short time is granted for Final Hearing.</p> <p>11. S.O. to 16.01.2023</p> <p align="right">Sd/- W (A.P. Kurhekar) Member (J)</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 style="text-align: center;"><u>O.As. No.775 to 779 of 2022,</u> <u>OAs. No.790, 791, 793, 796 &amp; 830 of 2022</u></p> <p>V.R. Sarole S.K. Rathod K.N. Damre S.B. Survase S.L. Takle V.L. Ghumare &amp; Ors. G. Pawar &amp; Ors. M.D. Patil V.A. Bhowad A.B. Pakhare &amp; Ors. <span style="float: right;">..Applicants</span> Vs. The State of Maharashtra &amp; Ors. <span style="float: right;">..Respondents</span></p> <p>Heard Shri Akash Reddy i/b. M/s. Talekar &amp; Associates, learned Advocate for the Applicants, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents, Shri B.A. Bandiwadekar and Shri S.S. Dere, learned Advocate for Private Respondents.</p> <p>2. Ld. CPO is directed to talk to Director General of Police (Training) and procure copies of question papers of the examination for the post of Police Constable Driver in pursuance to advertisement dated 30.11.2019. We also direct to point out if there are some common questions in the question papers of different units.</p> <p>3. S.O. to 21.12.2022 at 10.30 a.m.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member (A) 20.12.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson 20.12.2022</p> </div> </div>

**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: 20.12.2022</p> <p align="center">M.A. No.616 of 2022 in O.A. No.1032 of 2022</p> <p>S.D. Chavan .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Reply to M.A.</p> <p>3. S.O. to 10.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 20.12.2022</p> <p align="center">O.A. No.931 of 2021</p> <p>B.G. Sagare .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply along with Annexure 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. Adjourned for hearing.</p> <p>4. S.O. to 03.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 20.12.2022</p> <p align="center">O.A. No.1067 of 2022</p> <p>R.C. Deshmukh .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G. Solanke, 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 to file Affidavit in Reply.</p> <p>3. S.O. to 11.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>



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

Tribunal's orders

O.A. No.979 of 2022

R.N. Bhosale ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard P. Padmanabh & Associates, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 31.1.2023. The respondents are directed to file reply. Applicant is directed to serve copy of OA in the office of Ld. CPO.

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

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

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

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

Sd/-

(Medha Gadgil)  
Member (A)  
20.12.2022

(sgj)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
20.12.2022

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.772 of 2022</u></p> <p>V.R. Ghumbare ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for the Applicant.</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 31.1.2023. 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: center;">Sd/- / Sd/-</p> <p style="text-align: center;">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) / Chairperson 20.12.2022 / 20.12.2022</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

---

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.1198 of 2022</u></p> <p>G.M. Chaudhari ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri G.B. Solanke, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate prays for interim relief in the matter of DE. He states that department has taken decision to start de novo enquiry as they have rejected earlier report of the enquiry. We cannot decide on the prayer for interim relief without hearing.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 17.1.2023. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <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. 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>9. 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: center;">Sd/- (Medha Gadgil) Member (A) 20.12.2022 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 20.12.2022</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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p><b>Tribunal's orders</b> <b>Date : 20.12.2022</b></p>
	<p><b>O.A.No.213/2018 with O.A.No.214/2018</b></p> <p>A.A. Walvekar &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.D. Patil, learned Advocate for the Applicants and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate produces chart of marks obtained by the Applicants and similarly situated candidates. Taken on record and marked as Exhibit-A.</p> <p>3. Learned C.P.O. is directed to file short affidavit on the basis of chart on next date.</p> <p>4. Adjourned to 10.01.2023.</p> <p>Sd/- _____ <b>(Medha Gadgil)</b> <b>Member(A)</b></p> <p>Sd/- _____ <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.14 of 2022 in O.A. No.343 of 2021</u></p> <p>S.G. Rajput &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO submits that in this matter all the 16 applicants have been promoted. However, Ld. Advocate submits that the name of applicant no.16 Smt. Suyasha S. Patil does not figure in the list. Ld. CPO to verify the position.</p> <p>3. S.O. to 22.12.2022.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member (A) 20.12.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 20.12.2022</p> </div> </div>

**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: 20.12.2022</p> <p>O.A. No.1224 of 2022</p> <p>V.D. Kamane .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri U.V. Bhosle, 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. one day time is granted to file Affidavit in Reply.</p> <p>3. S.O. to 21.12.2022.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</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: 20.12.2022</p> <p>O.A. No.554 of 2022</p> <p>Dr. P.P. Gaikwad .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"><li>1. Applicant and his Advocate both are absent.</li><li>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</li><li>3. On request of learned P.O. two weeks time is granted to file Affidavit in Reply.</li><li>4. S.O. to 10.01.2023.</li></ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</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>Date: 20.12.2022</p> <p>O.A. No.1140 of 2022</p> <p>R.B. Sathe .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G. Solanke, 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 to file Affidavit in Reply.</p> <p>3. S.O. to 11.01.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.12.2022</p> <p>O.A. No.1260 of 2022</p> <p>V.N. Thasale .....Applicant Versus .....Respondents. The State of Maharashtra &amp; Ors.</p> <ol style="list-style-type: none"> <li>1. Heard Shri Ganesh Masurkar, learned Advocate holding for Shri C.T. Chandratre, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Smt. Sayali Apte, learned Advocate holding for Shri P.G. Lad, learned Advocate for the Respondent No.4.</li> <li>2. The Applicant has challenged communication dated 26.02.2015 and 21.03.2022 whereby her claim for continuity of service and for the benefit of the earlier service rendered with MAHDA is rejected.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 17.01.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</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. 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.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</li> <li>9. S.O. to 17.01.2023.</li> </ol> <p style="text-align: right;">Sd/- ✓ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.12.2022</p> <p>O.A. No.1275 of 2022</p> <p>C.K. More .....Applicant Versus .....Respondents. The State of Maharashtra &amp; Ors.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged communication dated 04.05.2022 whereby his claim for compassionate appointment is rejected.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 17.01.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</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. 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.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</li> <li>9. S.O. to 17.01.2023.</li> </ol> <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member (J)</p>