

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 20.12.2024</b></p> <p align="center"><b>O.A. No.1375 of 2024</b></p> <p><b>G.P. Pawar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Smt. Punam Mahajan, learned Advocate for Applicant through 'Video Conference' and Shri A.J. Chougule, learned Presenting Officer for Respondents.</li> <li>2. Learned Advocate for Applicant states that Applicant who was working as post of 'ASI' in office of 'Additional SP Upper Baramati, District Pune' has been transferred to 'Head Quarters' by 'Order' dated 09.10.2024 of 'SP Pune (Rural)'.</li> <li>3. Learned Advocate for Applicant emphasizes that Applicant was granted 'Interim Relief' on 29.10.2024 and permitted continue on post of 'ASI' in office of 'Additional SP Upper Baramati, District Pune'. However now 'SP, Pune (Rural)' has now issued notice to relieve Applicant from post of 'ASI' in office of 'Additional SP Upper Baramati, District Pune'.</li> <li>4. Learned PO on other hand states that action taken by 'SP, Pune (Rural)' to issue notice to relieve Applicant from post of 'API' in office of 'Additional SP Upper Baramati, District Pune' is justified based on directions given by way of 'Office Circular' dated 31.07.2024 issued by 'DGP, Maharashtra State Mumbai'.</li> <li>5. The directions given by way 'Office Circular' dated 31.07.2024 issued by 'DGP, Maharashtra State, Mumbai' were not be implemented when 'Order' dated 29.10.2024 of 'Interim Relief' granted to Applicant under 'Section 24' of 'The Administrative Tribunals Act</li> </ol>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>1985' was still in force&amp;, its vacation had not been sought by 'SP, Pune (Rural)'. Hence act of 'SP Pune (Rural)' to issue notice to relieve Applicant from post of 'API' in office of 'Additional SP Upper Baramati, District Pune' by acting 'suo-moto' on basis of directions given by 'Office Circular' dated 31.07.2024 issued by 'DGP Maharashtra State, Mumbai' is deemed to be contemptuous in nature under 'Section 17' of 'The Administrative Tribunals Act 1985'.</p> <p>6. The 'Interim Relief' granted on 09.10.2024 to Applicant permitting him continue on post of 'ASI' in office of 'Additional SP Upper Baramati, District Pune' is to be implemented by 'SP, Pune (Rural)' till 'Next Date' by when approved 'Staffing Pattern' of office 'Additional SP Upper Baramati, District Pune' should be submitted so as to establish whether or not there are any 'Sanctioned Posts' of 'ASI' in office of 'Additional SP Upper Baramati, District Pune'.</p> <p>7. 'Interim Relief', if any continue till 'Next Date'.</p> <p>8. S.O. to 07.01.2025.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</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: 20.12.2024</b></p> <p align="center"><b>O.A. No.1170 of 2024</b></p> <p><b>A.V. Patil</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Shri A.V. Bandiwadekar, learned Advocate for Applicant and Shri A.J. Chougule, learned Presenting Officer for Respondents and Shri S.S. Dere, learned Advocate for Respondent No.4 is 'Not Present' and sent 'Leave Note'.</p> <p>2. Learned PO states that 'Affidavit-in-Reply' dated 23.10.2024 has been filed on behalf of Respondent No.2 and 'Affidavit-in-Reply' dated 22.11.2024 has also been filed on behalf of 'Respondent No.4'.</p> <p>3. Learned Advocate for Applicant thereupon states that this O.A. No. 1170/2023 deserves to be heard expeditiously as Applicant is due to retire on 31.08.2025. Hence; this O.A. No. 1170 of 2024 be placed for 'Final Hearing' under caption 'HOB'.</p> <p>4. S.O. to 06.01.2025 under caption of 'H.O.B'.</p> <p align="right">Sd/-  <b>(Debashish Chakrabarty)</b>  <b>Member (A)</b></p> <p align="center">AGR</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 20.12.2024</b></p> <p><b>O.A. No.1097 of 2024</b></p> <p><b>S.G. Waghe .....Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO presents copy of letter of 'District Collector, Thane' dated 19.12.2024 submitted to 'Divisional Commissioner, Konkan Division, Navi Mumbai' which suggests that transfer of Applicant has now been proposed to post 'Talathi', at 'Dohle, Taluka Bhiwandi, District Thane' as per 'Section 4(4)(2)' and 'Section 4(4)(5)' of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'; instead to post of 'Talathi', at 'Maal, Taluka Murbad, District Thane' vide 'District Collector, Thane Order dated 14.08.2024'.</p> <p>3. The proposal of 'District Collector, Thane' submitted to 'Divisional Commissioner, Konkan Division, Navi Mumbai' on 19.12.2024 is rather ambiguously worded and therefore it is not possible to ascertain exactly what proposal regarding transfer of Applicant came to be recommended by 'CSB' in meeting held on 13.12.2024. The phrase incorporated reads as "वरील वस्तुस्थितीप्रमाणे मा. महाराष्ट्र प्रशासकीय न्याधिकरण यांचेकडील दि. २९.११.२०२४ अन्वये दिलेल्या आदेशान्वये श्री. सुदाम वाघे, तलाठी साझा माळ, तहसील कार्यालय, मुर्बाड यांचे बदली संदर्भात प्रस्ताव सादर करण्यात येत आहे". Hence 'Divisional Commissioner, Konkan Division Navi Mumbai' is informed to obtain from 'District Collector, Thane' copy of 'Minutes of Meeting' of 'CSB' held on 13.12.2024 and thereafter take appropriate decision about transfer Applicant as per observations in 'Para 4' of 'Interim Order' dated 29.11.2024.</p> <p>4. The 'Interim Relief' granted on 30.08.2.024 therefore to continue till 'Next Date'.</p> <p>5. S.O. to 10.01.2025.</p> <p style="text-align: right;">Sd/-  <b>(Debashish Chakrabarty)</b>  <b>Member (A)</b></p> <p>AGR</p>



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	<p><b>Date: 20.12.2024</b></p> <p><b>O.A. No.1058 of 2024</b></p> <p><b>R.K. Jamdare .....Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO presents copy of letter of 'District Collector, Thane' dated 09.12.2024 submitted to 'Divisional Commissioner, Konkan Division, Navi Mumbai' which suggests that transfer of Applicant has now been proposed to post 'Circle Officer, at Thakurli, Tahsil Kalyan, District Thane' as per 'Section 4(4)(ii)' and 'Section 4(4)(5)' of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005;' instead of post of 'Awal Karkoon' in 'Tahsil Office Kalyan; District Thane' vide District Collector, Thane Order dated 14.08.2024.</p> <p>3. The proposal of 'District Collector, Thane' and submitted to 'Divisional Commissioner, Konkan Division, Navi Mumbai' on 09.12.2024 is rather ambiguously worded and therefore it is not possible to ascertain exactly what proposal regarding transfer of Applicant came to be recommended by 'CSB' in its meeting held on 05.09.2024. The phrase incorporated is "वरील वस्तुस्थितीप्रमाणे मा. महाराष्ट्र प्रशासकीय न्याधिकरण यांचेकडील दि. ३०.०८.२०२४ अन्वये दिलेल्या आदेशान्वये श्री. रविंद्र जमदरे, अ.का. तहसील कार्यालय, मुखाड यांचे बदली संदर्भात प्रस्ताव सादर करण्यात येत आहे." Hence; 'Divisional Commissioner, Konkan Division Navi Mumbai' is hereby informed to forthwith obtain from 'District Collector, Thane' the copy of 'Minutes of Meeting' of 'CSB' held on 05.09.2024 and thereupon take appropriate decision about transfer of Applicant as per observations in 'Para 4' of 'Interim Order' dated 30.08.2024.</p> <p>4. The 'Interim Relief' granted on 27.08.2024 to continue till Next Date.</p> <p>5. S.O. to 10.01.2025</p> <p style="text-align: right;">Sd/-  <b>(Debashish Chakrabarty)</b>  <b>Member (A)</b></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>Date: 20.12.2024</p> <p>O.A. No.1261 of 2024</p> <p>I.D. Shelkande .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Shri A.R. Kapadnis, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents, Shri A. Misal, learned Advocate for Respondent No.2.</p> <p>2. 'Interim Relief', if any, to continue till 'Next Date'.</p> <p>3. S.O. to 15.01.2025.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 1118 OF 2024**

**DISTRICT : SOLAPUR**

Shri Samadhan D. Patil & Ors )...**Applicants**

**Versus**

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

Shri Sachin Ambulkar, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

**CORAM** : **Justice Mridula Bhatkar (Chairperson)**  
**Shri Debashish Chakrabarty (Member) (A)**

**DATE** : **20.12.2024**

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

**ORDER**

1. The applicants pray that the Respondent No. 1 be directed to prepare a fresh list of qualified candidates for the post of Police Sub-Inspector in the ratio of 1:4 and after taking preference remove the already selected candidates as per clause 11.2. Further the applicants pray that Respondent No. 1, MPSC be directed to follow the recruitment process as per the procedure prescribed in Clause 11 of the Main Advertisement dated 15.9.2023 of Maharashtra Non-Gazetted Group-B Main Examination.



2. Learned counsel for the applicants submitted that opportunities were denied to the applicants as MPSC has not followed the procedure mentioned in Clause 11.1.2 and 11.2 of the said Advertisement. Learned counsel further submitted that while maintaining the ratio, they have failed to observe the procedure of preparing the General Merit List of all the candidates appearing for the post of Assistant Section Officer, State Tax Inspector, Sub-Registrar and P.S.I. Learned counsel further submitted that as per clause 11.2 of the Advertisement, it was necessary for the Respondent, MPSC to call for the preference within seven days from all the candidates, who have cleared the Main Examination. Learned counsel submitted that as MPSC has failed to do so, the opportunity of the applicants to get called for the interview is denied.

3. Learned counsel submitted that on 17.12.2024, out of 51 candidates present for physical test, 29 qualified. On 18.12.2024, out of 61 candidates, 29 qualified, on 19.12.2024, out of 65 candidates, 37 qualified and on 20.12.2024, out of 54 candidates 32 qualified. In all 127 candidates qualified.

4. Learned C.P.O on instructions submitted that 374 posts of P.S.I were advertised for which 1558 candidates were called. The candidates called are four times the number of posts advertised as per the procedure laid down by MPSC. Ms Manisha Khade, from MPSC informed that on 17.12.2024, 170 candidates were called and out of that 119 candidates were absent and 51 appeared for physical test. On 18.12.2024, 200 candidates were called and out of that 139 were absent and 61 appeared for physical test. On 19.11.2024 again 200 candidates were called and out of that 131 were absent and 69 were present. (Some were absent on account of medical extension). On 20.12.2024, out of 200 persons, 143

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candidates were absent and 54 were present. Learned CPO submitted that thereafter 487 Women candidates are called for physical test.

5. Learned C.P.O further submitted that at the outset the applicants are not meritorious as they have got less marks than the cut-off marks in the Main Examination.

6. We have made query to the learned counsel for the applicants whether the applicants have given one choice, i.e., for PSI or they have given the choice for the post of Assistant Section Officer, Sub-Registrar, State Tax Inspector or P.S.I. Learned counsel for the applicants relied on the decision of this Tribunal dated 10.5.2024 in O.A 569/2024, R.B Zendage & Ors Vs. The State of Maharashtra & Ors.

7. On query, learned counsel for the applicants submitted that Applicant No. 1, S.D Patil from EWS category got 256.5 marks out of 400 marks and cut-off is 257 marks. Applicant No. 2, D.D Gunjal, from DT (Male) got 236 out of 400 marks and cut-off is 259 marks. Applicant No. 3, S.D Patil, from EWS (Male) got 254 out of 400 marks and cut-off is 257 marks. Applicant No. 4, D.N Jadhav from Open Male got 258 out of 400 marks, cut-off marks 266.5 marks.

8. In the order dated 10.5.2024 of this Tribunal in O.A 569/2024, we have laid down the procedure which is required to be followed under Rule 11.1 & 11.2. However, that procedure was laid down especially in respect of the posts of Sub-Registrar and State Tax Inspectors where the candidates were recommended for the said posts and out of that the candidate was yet to be recommended for the post of Assistant Section Officer and thus by

following these observations MPSC has given the option and revised the Merit List.

9. In the present case, the names of the candidates for the post of PSI are not recommended and their physical tests are yet to be conducted. We are of the view that once common Entrance Test is conducted, we cannot disallow anybody to appear in any examination or test, if he clears the criteria of merit. In the present case the applicants have secured less marks.

10. We direct Respondent, MPSC to give the data of the candidates who have cleared the physical test and who are going to be called for interview.

11. S.O to 14.1.2025.

Sd/-

**(Debashish Chakrabarty)**  
**Member (A)**

Sd/-

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

**Place : Mumbai**

**Date : 20.12.2024**

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



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	<p style="text-align: center;"><b><u>M.A.No.770/2024 in O.A.No.168/2021</u></b></p> <p><b>S.R. Nikam &amp; Ors.   ...Applicants</b>  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.   ...Respondents</b></p> <ol style="list-style-type: none"> <li>1. Shri U.V. Bhosle, learned Advocate for Applicants and Smt. K.S. Gaikwad, learned PO for Respondents.</li> <li>2. Learned PO filed Affidavit-in-Sur-Rejoinder on behalf of Respondent Nos. 1 to 3. It is taken on record.</li> <li>3. The Learned Advocate for the Applicants states that Applicants those who are all serving in 'Group D' in (a) Islam Yusuf College, Mumbai (b) Government Law College, Mumbai (c). Elphistone College, Mumbai.</li> <li>4. Learned Advocate for Applicants states that Applicants seek promotion to post of 'Clerk-Typist' which is 'Group C'.</li> <li>5. Learned Advocate for the Applicant further states based on information received that all the Applicants are now likely to be considered for promotion from 'Group D' to 'Group C' by the respective Respondents. However they apprehends that their cases is in O.A. No. 168/2021 is still pending so they may not be considered in the next 'DPC' due to pendency of this O.A.No.168/2021.</li> <li>6. The Respondent No.3 who is 'Joint Director Higher Education, Mumbai' is therefore informed that there is no impediment to consider all the applicant for promotion for the post of from 'Group D' to 'Group C' which is of 'Clerk-Typist' if they are otherwise eligible based on per relevant service rules and to issue Orders for Promotion to 'Group C' subject to the final outcome of this O.A.No.168/2021.</li> <li>7. S.O. to 27.01.2025.</li> </ol> <p style="text-align: center;"> <span style="display: inline-block; text-align: center; width: 150px;"> <i>Sdt</i>  <b>(A.N. Karmarkar)</b>  Member-J  20.12.2024 </span> <span style="display: inline-block; text-align: center; width: 150px; margin-left: 100px;"> <i>Sdt</i>  <b>(Debashish Chakrabarty)</b>  Member-A  20.12.2024 </span> </p> <p>(rsm)</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 style="text-align: center;"><u><b>C.A.No.118/2024 in M.A.No.701/2023 in O.A.No.870/2021</b></u></p> <p><b>A.R. Ishware &amp; Ors</b> ...Applicants  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> ...Respondents</p> <ol style="list-style-type: none"> <li>Shri S.V. Waghmare, learned Advocate for Applicant and Smt., K.S. Gaikwad, learned PO for Respondents.</li> <li>Issue notice returnable on 15.01.2025.</li> <li>Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly by Registry, along with complete paper book of C.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>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>In case notice is not collected within <b>seven</b> days or service report on affidavit is not filed <b>three</b> days before returnable date, the C.A. shall be placed on board before the concerned Benches under the caption "<b>for Dismissal</b>" and thereafter on the subsequent date the C.A. shall stand dismissed.</li> <li>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>S.O. to 15.01.2025.</li> </ol> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>Sdl-</i>  <b>(A.N. Karmarkar)</b>  Member-J  20.12.2024</p> </div> <div style="text-align: center;"> <p><i>Sdl-</i>  <b>(Debashish Chakrabarty)</b>  Member-A  20.12.2024</p> </div> </div> <p>(rsm)</p>



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	<p style="text-align: center;"><u>O.A.No.591/2024</u></p> <p><b>J.S. Toke</b> <span style="float: right;"><b>...Applicant</b></span>  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> <span style="float: right;"><b>...Respondents</b></span></p> <p>1. Shri S.S. Raktate, learned Advocate for Applicant is not present. Smt. S.P. Manchekar, learned CPO for Respondents is present.</p> <p>2. Learned CPO files 'Affidavit-in-Reply' dated 29.08.2024 on behalf of Respondent Nos. 1 to 4. It is taken on record.'</p> <p>3. S.O. to 17.01.2025.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>Sdlr</i></p> <p>(A.N. Karmarkar) Member-J 20.12.2024</p> </div> <div style="text-align: center;"> <p><i>Sdlr</i></p> <p>(Debashish Chakrabarty) Member-A 20.12.2024</p> </div> </div> <p>(rsm)</p>





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	<p style="text-align: center;"><b><u>O.A.No.1275/2024</u></b></p> <p><b>Dr. S.S. Kanase</b> <span style="float: right;"><b>...Applicant</b></span> <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> <span style="float: right;"><b>...Respondents</b></span></p> <p>1. Shri V.P. Sangvikar, learned Advocate for Applicant and Shri A.D. Gugale, learned PO for Respondents and Shri Sameer Khavekar, learned Advocate for Respondent No. 3.</p> <p>2. S.O. to 03.01.2025.</p> <p style="text-align: center;"><i>Sd/-</i> <b>(A.N. Karmarkar)</b> <b>Member-J</b> <b>20.12.2024</b></p> <p style="text-align: center;"><i>Sd/-</i> <b>(Debashish Chakrabarty)</b> <b>Member-A</b> <b>20.12.2024</b></p> <p>(rsm)</p>



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	<p style="text-align: center;"><b><u>O.A.No.845/2024</u></b></p> <p><b>R.C. Poredi</b> <span style="float: right;"><b>...Applicant</b></span>  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> <span style="float: right;"><b>...Respondents</b></span></p> <p>1. Shri K.R. Jagdale, learned Advocate for Applicant and Shri D.R. Patil, learned PO for Respondents.</p> <p>2. Learned PO seeks more time to file 'Affidavit-in-Reply'. Time as prayed for is granted by way of last chance.</p> <p>3. S.O. to 16.01.2025.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>Sdr</i></p> <p>(A.N. Karmarkar) Member-J 20.12.2024</p> </div> <div style="text-align: center;"> <p><i>Sdr</i></p> <p>(Debashish Chakrabarty) Member-A 20.12.2024</p> </div> </div> <p>(rsm)</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"><u>C.A.No.50/2024 in O.A.No.162/2024</u></p> <p><b>M.S. Radye</b> <span style="float: right;"><b>...Applicant</b></span>  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> <span style="float: right;"><b>...Respondents</b></span></p> <p>1. Shri R.G. Panchal, learned Advocate for Applicant and Smt., S.P. Manchekar, learned CPO for Respondents.</p> <p>2. Learned CPO produces copy of the letter address by 'Deputy Secretary, Home Department' to 'DGP Maharashtra State, Pune' wherein it is mentioned that as per 'Interim Order' passed on 07.03.2024 in O.A.No.162/2024 the Applicant has now been now permitted to attend the training of 'Police Sub Inspector at Maharashtra Police Academy, Nashik' beginning from 23.12.2024 subject to the Hon'ble Supreme Court in SLP No. 28306/2017 Vijay Ghogre and Ors. Vs. Maharashtra Government and Ors and 10185/2024 Dnyaneshwar Jagannath Ghadge and Ors Vs. Maharashtra Government and Ors. The grievance of Applicant is thus completely redressed and hence C.A.No.50/2024 is disposed off. No Order as to Costs.</p> <p align="center"> <span style="margin-right: 100px;"><i>Sd/-</i></span> <span><i>Sd/-</i></span> </p> <p align="center"> <span>(A.N. Karmarkar) Member-J 20.12.2024</span> <span>(Debashish Chakrabarty) Member-A 20.12.2024</span> </p> <p>(rsm)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b><u>O.A.No.1186/2024</u></b></p> <p><b>K.V. Bagekari</b> <span style="float: right;"><b>...Applicant</b></span>  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> <span style="float: right;"><b>...Respondents</b></span></p> <p>1. Shri U.V. Bhosle, learned Advocate for Applicant and Smt. S.P. Manchekar, learned CPO for Respondents and Shri K. Pawar, learned Advocate for Respondent No. 4.</p> <p>2. Learned Advocate for the Respondent No. 4 seeks time to file 'Affidavit-in-Reply'. Time as prayed for is granted.</p> <p>3. S.O. to 16.01.2025.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>Sdk</i></p> <p>(A.N. Karmarkar) Member-J 20.12.2024</p> </div> <div style="text-align: center;"> <p><i>Sdk</i></p> <p>(Debashish Chakrabarty) Member-A 20.12.2024</p> </div> </div> <p style="margin-top: 20px;">(rsm)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>O.A.No.1091/2024 with O.A.No.1150/2024 with O.A.No.1098/2024</u></b></p> <p><b>S.S. Ghukse</b> <b>P.D. Balkhande</b> <b>S.R. Shinde</b> <span style="float: right;">...Applicant</span></p> <p align="center">Vs.</p> <p><b>The State of Mah. &amp; Ors.</b> <span style="float: right;">...Respondents</span></p> <p>1. Shri M.N. Kolhe, learned Advocate for Applicant O.A.No.1091/2024 and O.A.No. 1150/2024 and Shri M.A. Jadhav, learned Advocate for Applicant in O.A.No. 1098/2024 are not present. Smt. S.P. Manchekar, along with Smt Archana B.K. and Smt. K.S. Gaikwad, learned CPO and PO for Respondents are present.</p> <p>2. Learned PO files 'Affidavit-in-Reply' on 10.09.2024 on behalf of Respondent Nos. 1 to 4 However, learned Advocate for Applicant nor Applicant in person has come to collect the Affidavit-in-Reply filed 10.09.2024.</p> <p>3. S.O. to 15.01.2025.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>Sd/-</i> <b>(A.N. Karmarkar)</b> Member-J 20.12.2024</p> </div> <div style="text-align: center;"> <p><i>Sd/-</i> <b>(Debashish Chakrabarty)</b> Member-A 20.12.2024</p> </div> </div> <p align="left">(rsm)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>Q.A.No.1509/2024</u></b></p> <p><b>Dr. Y.R. Vidhate &amp; Ors                      ...Applicant</b>  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.                      ...Respondents</b></p> <p>1. Shri S.B. Bhosale, learned Advocate for Applicant through 'Video Conference' and Smt., S.P. Manchekar, learned CPO for Respondents.</p> <p>2. Learned CPO seeks time to file 'Affidavit-in-Reply' on behalf of Respondents. Time as prayed for is granted.</p> <p>3. S.O. to 13.01.2025</p> <p align="center">   <b>(A.N. Karmarkar)</b>  <b>Member-J</b>  <b>20.12.2024</b> </p> <p align="center">   <b>(Debashish Chakrabarty)</b>  <b>Member-A</b>  <b>20.12.2024</b> </p> <p>(rsm)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO.1620 OF 2024 WITH  
ORIGINAL APPLICATION NO.1622 OF 2024**

V.B. Kalambe (O.A.1620/2024)

R.M. Sankhe & Anr. (O.A.No.1622/2024)

**..Applicants**

**Versus**

The State of Maharashtra & Ors.

**...Respondents**

Mr. R. Joshi with Mr. T.S. Dandagaval, learned Counsel for the Applicant in O.A.No.1620/2024.

Mr. K.R. Jagdale, learned Counsel for the Applicants in O.A.No.1622/2024

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

**CORAM** : **Justice Mridula Bhatkar, Chairperson**  
**Mr. A.M. Kulkarni, Member(A)**

**DATE** : **20.12.2024**

**O R D E R**

1. The issue involved in both the O.As is one and the same. Applicants, pursuant to the Advertisement No.24/2022 issued by the Respondent No.2 for the post of Administrative Officer challenge list dated 18.12.2024 for not including the name of the Applicants. Applicants pray that the Respondents be directed to hold and declare that the Applicants are eligible for the post of Administrative Officer, Group B (Public Health Department). Applicants further pray that Respondent No.1 be directed to allow the Applicants to appear for the interview which is scheduled on 26<sup>th</sup> and 27<sup>th</sup> December, 2024 for the post of Administrative Officer, Group B (Public Health Department) forthwith with all other consequential service benefits or stay the said process.

2. It is the case of the applicants that all the three of them possess experience of Supervisory work as mentioned in Clause 8.2 of the Advertisement. They have Supervisory experience comparable to the post of Superintendent or Head Clerk in the under Government or under Local



Authority or Commercial Establishment or Corporation or Board Established by Government. However, by the impugned communication their names are mentioned in the list of ineligible candidates. The candidature of all the three candidates is rejected on the ground that they do not possess requisite experience or comparable experience of Supervisory work. Applicant in O.A.No.1620/2024 has been working as Supervisor in Agricultural Produce Market Committee (APMC) having experience of more than seven years and six months. He has produced the list of the functions of his work and also list of the work of the post of Superintendent in Public Health Department and has submitted that these functions are same and therefore Applicant is to be declared as having equivalent experience. Similar is the case of the Applicants in O.A.No.1622/2024. Both the Applicants in O.A.No.1622/2024 are working as Accountant-cum Head Clerk in the office of Public Health Department in the pay scale of S-13 and they should not have been considered as ineligible.

3. Learned Counsel press for interim relief. It is pointed out by learned Counsel that the pay scale of the applicants and as mentioned in the Advertisement is one and the same i.e. S-15 (Rs.41800-132300). Learned Counsel for the Applicant in O.A.No.1620/2024 has relied on Clause 8.2 of the Advertisement and has submitted that the applicants satisfy the criteria mentioned in the said Clause.

4. Learned Counsel for the Applicant in O.A.No.1620/2024 has submitted that some of the candidates who were shown as eligible are given time to produce their certificates showing Supervisory Experience and it is pleaded that if, those candidates are allowed to appear for the interview on condition of producing eligibility certificate and same opportunity is denied to the applicant, then it is against the Articles 14 and 16 of the Constitution of India. Therefore the Applicant by way of parity is to be allowed to appear for the interview. Applicants have placed on record the documents which are *pari materia* to the duties and the functions carried out by the Superintendent, Public Health Department. It is pointed out by learned Counsel that the pay scale of the applicants and as mentioned in the Advertisement is one and the same i.e. S-13 (Rs.35400-112400).

5. Learned P.O. has submitted that Respondent, M.P.S.C. has made query on the point of experience on Supervisory Post and how it can be compared



with others. The Under Secretary, State of Maharashtra, Public Health Department by letter dated 31.01.2024 has informed M.P.S.C. that the Pay Scale of S-14 (GP Rs.4300/-) and Pay Scale of S-13 (GP Rs.4200/- is to be considered as valid and comparable and not others as the post of Administrative Officer falls in the Pay Scale of S-15 (Rs.41800-132300). Learned P.O. has submitted that while considering the suitability and eligibility the experts have taken into account the nature of duties of each candidate which is previously held by them and if the nature of duties is found similar then only those candidates are called for interview which is going to be conducted on 26<sup>th</sup> or 27<sup>th</sup> December, 2024. Learned P.O. has produced the report of the Committee in respect of Applicant No.1, Applicant No.1, Mr. Pranay Mohan Sankhe in O.A.No.1622/2024 (copy is taken on record and marked as Exhibit-I). In respect of Applicant No.2, Ms. Sujata Shrikant Gaikwad in O.A.No.1622/2024 (copy is taken on record and marked as Exhibit-II). It is found that Applicants No.1 and 2 in O.A.No.1622/2024 are not found eligible. In respect of Applicant in O.A.No.1620/2024, learned P.O. has submitted that the work of Supervisor in APMC is Supervisory work and it is contemplated for the post of Administrative Officer in Public Health Department. The duty performed by the Applicant in O.A.No.1620/2024 is totally different that of Administrative Officer.

6. Clause 8.2 which is relied by learned Counsel for the Applicant in O.A.No.1620/2024 reads as below :

“8.2 : Possess degree of statutory University or a qualification recognized by Government as equivalent thereto, AND should be in a supervisory capacity in a post comparable to that of Superintendent or Head Clerk under Government or under Local Authority or Commercial Establishment or Corporation or Board Established by Government.”

These are the reports submitted by the M.P.S.C. We call upon M.P.S.C. to produce the reports from the experts along with their affidavits from the Public Health Department to find out the suitability of the person for the post of Administrative Officer. Learned P.O. on instructions from Respondent M.P.S.C. has submitted that total 365 candidates have cleared the scrutiny process for 73 posts. Out of them M.P.S.C. has declared 246 candidates as not eligible. Thus, only 122 candidates are found eligible.

7. We make it clear that as we are sitting in the judicial review we cannot look into the facts of the matters. At this stage, we cannot grant any interim relief as within the powers of judicial review we cannot look into the facts and go on comparing the Supervisory duties of Superintendent or Head Clerk and Supervisory duties performed by the Applicants. The eligibility list which is produced before us does show some of the candidates are given time to produce their certificates showing the Supervisory Experience. We are not experts to know the abilities required for the post of Administrative Officer in Agricultural Produce Market Committee or Public Health Department.

8. No injunction order can be passed at his stage. The duties which are shown as performed by applicant in O.A.No.1620/2024 are list of duties on a piece of paper. We call upon Respondent, M.P.S.C. to submit their say on the next date. However, we are, prima facie, of view that if they do not fulfill the criteria of the experience then they cannot be given time. If, at all M.P.S.C. has committed wrong calling some eligible candidates for interview on conditional basis then it may be incorrectly, however, there cannot be a parity for wrong. There can be parity for legal and correct things. At present considering the submissions of both the parties, no case is made out to grant interim relief.

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

10. Issue notice before admission returnable on 13.01.2025.

11. 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.

12. 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.

13. 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.





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

15. Adjourned to 13.01.2025.

Sd/-

**(A.M. Kulkarni)**  
**Member (A)**

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

prk

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

Tribunal's orders

Date : 20.12.2024

M.A.No.776/2024 in O.A.No.1615/2024 with  
M.A.No.777/2024 in O.A.No.1616/2024 with  
M.A.No.778/2024 in O.A.No.1617/2024

C.B. Jagtap  
Z.P. Hanmantrao & Ors.  
A.A. Chaudhari & Ors. ....Applicants  
Vs.

The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicants and Mr. A.D. Gugale, learned Presenting Officer in M.A.No.776/2024 in O.A.No.1615/2024 and Ms. S.P. Manchekar, learned Chief Presenting Officer in M.A.No.777/2024 in O.A.No.1616/2024 with M.A.No.778/2024 in O.A.No.1617/2024 for the Respondents.

2. M.As.No.776, 777 & 778/2024 are filed seeking leave to sue jointly.

3. Learned C.P.O. objects on the ground that the some of the applicants does not belong to the territorial jurisdiction of this Tribunal.

4. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately or at different Benches.

5. In this view of the matter, the present Misc. Applications are allowed subject to Applicants paying requisite court fees, if not already paid.

6. M.As.No.776, 777 & 778/2024 are allowed.

*sd/-*

(A.M. Kulkarni)  
Member (A)

*sd/-*

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

Date : 20.12.2024

O.A.No.1615/2024 with O.A.No.1616/2024 with  
O.A.No.1617/2024

C.B. Jagtap  
Z.P. Hanmantrao & Ors.  
A.A. Chaudhari & Ors. ....Applicants  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicants and Mr. A.D. Gugale, learned Presenting Officer in O.A.No.1615/2024 and Ms. S.P. Manchekar, learned Chief Presenting Officer in O.A.No.1616/2024 with O.A.No.1617/2024 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 31.01.2025.

4. 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.

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 Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.

8. Adjourned to 31.01.2025.

Sd/-

Sd/-

(A.M. Kulkarni)  
Member (A)

(Mridula Bhatkar, J.)  
Chairperson

prk



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

Tribunal's orders

Date : 20.12.2024

O.A.No. <sup>160+</sup> 1615/2024

S.R. Ilag .....Applicant  
Vs.

The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant and Mr. A.D. Gugale, learned 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 31.01.2025.
4. 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.
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 Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.
8. Adjourned to 31.01.2025.

*Sd/-*  
(A.M. Kulkarni)  
Member (A)

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

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1605 of 2024</u></p> <p>Dr. A.L. Upadhyay ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant by way of interim relief prays for staying the implementation of the impugned order dated 23.10.2024 passed by respondent no.1 by which the financial and administrative powers of the applicant are withdrawn.</p> <p>3. Ld. Advocate for the applicant submits that Government has no power to issue such orders withdrawing the financial and administrative powers of the applicant. Further it is a drastic and stigmatic order totally vague issued without giving show cause notice.</p> <p>4. The impugned order is dated 23.10.2024 issued by the respondent no.1 to respondent no.2. On the same day the respondent no.2 issued office order based on the above order. On 23.10.2024 there is memo issued by Dy. Director, Technical Education, Pune to the applicant. This memo was replied by the applicant vide his email dated 30.10.2024. Meanwhile on 29.10.2024 the applicant has made representation against the impugned order addressed to the Hon'ble Governor, Chief Secretary, Principal Secretary, Government of Maharashtra, Hon'ble Chief Minister and Hon'ble Minister, Higher &amp; Technical Education and copy of the same is marked for information and necessary action to Dy. Director, Technical Education.</p> <p>5. Ld. Advocate for the applicant submits that whatever are the contents of the impugned order they need to be substantiated by the departmental proceedings etc. He submits that since he is supposed to undertake teaching duties only for six hours per week, he will be sitting without any work if the financial and administrative powers are withdrawn. Hence, he prays for interim relief.</p> <p>6. Ld. PO submits that the impugned order has already been executed and it is more than one and half months after which the</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>applicant has filed this OA on 17.12.2024. At this stage there is no requirement of granting interim relief. If any interim relief is granted at this stage, it would amount to granting final order. Ld. PO contends that the impugned order is not by way of punishment but only certain powers have been withdrawn. Ld. PO states that department is going to initiate DE against the applicant. Since the applicant was acting in an arbitrary manner harming the interest of number of subordinates the Government thought it fit to withdraw his powers and initiate DE. Ld. PO submits that proper procedure has been followed while issuing the impugned order. Ld. PO further submits that notice may be issued and she may be granted time to file reply.</p> <p>7. Ld. PO is directed to procure letter dated 21.10.2024 under reference in the impugned order. Further Ld. PO is directed to seek clear time line about the DE etc.</p> <p>8. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>9. Issue notice before admission returnable on 8.1.2025. The respondents are directed to file reply.</p> <p>10. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. 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>11. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>12. 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>13. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (A.M. Kulkarni) Member (A) 20.12.2024</p> <p>(sgj)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1609 of 2024</u></p> <p>Rupali A. Patil ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri M.D. Lonkar, Special Counsel with Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Shri M.D. Lonkar, Ld. Special Counsel for the respondents has raised preliminary objection at the outset questioning the maintainability of the OA since remedies available to the applicant have not been exhausted before approaching this Tribunal. He submits that this objection will be met by the respondents in their reply after which the Court may decide about the maintainability of the OA.</p> <p>3. Ld. Advocate for the applicant tenders a copy of judgment and order dated 21.11.2023 passed by this Tribunal in OA No.989/2023 Smt. Vinaya D. Badami Vs. The State of Maharashtra &amp; Ors. on the point of maintainability or otherwise of the OA. Ld. Advocate for the applicant prays for interim relief in respect of suspension order dated 11.12.2024. He states that the applicant had earlier filed OA No.1475/2023 by which transfer order dated 22.11.2023 of the applicant was challenged. This Tribunal by its order dated 23.11.2023 has stayed the transfer order and the said OA is pending. The applicant came to be posted at Panvel on 29.7.2021 and has been continued till suspension order came up as transfer order was stayed by this Tribunal.</p> <p>4. Ld. Advocate for the applicant states that para 1 of the impugned order speaks about Govt. memo dated 4.3.2024 about DE in progress under Rule 8 of MCS (Discipline &amp; Appeal) Rules, 1979. If the Govt. desire to suspend the applicant on this ground then the applicant should have been suspended at that time only.</p> <p>5. Ld. Advocate for the applicant states that impugned order of suspension is issued without competence and the order is non-est. The charges mentioned in para 2 of the impugned order is also utter falsity, baseless and devoid of any documentary</p>

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

**Tribunal's orders**

evidence. However, even if it is considered for the sake of argument that there was irregularity on the part of the applicant in spending money in excess, the applicant's explanation has not been called. So the charges of alleged misconduct in para 2 of the impugned order is not a misconduct at all. Hence, Ld. Advocate for the applicant submits that the order of suspension is malafide, irrational leading to misuse of powers. Moreover, the impugned order is actually to settle scores with the applicant who had approached this Tribunal against her transfer order and got stay to the same earlier.

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

7. Issue notice before admission returnable on 9.1.2025. The respondents are directed to file reply.

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

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

10. 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.

11. 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/-

(A.M. Kulkarni)  
Member (A)  
20.12.2024

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**20.12.2024**

**M.A 779/2024 in O.A 1622/2024**

P.M Sankhe & Ors ... Applicants  
 Vs.  
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.

2. Misc Application seeking to sue jointly is allowed, subject to payment of court fees, if not allowed.

Sd/-  
**(A.M Kulkarni)**  
**Member (A)**

Akn

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



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

**IN**

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 20.12.2024</b></p> <p><b>O. A. No.810 of 2024</b></p> <p><b>S. K. Marsale</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp;Ors. ...Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Perused the records. Parties were heard.</li> <li>2. The Applicant had referred some documents during argument. Considering the facts of the matter, parties to be heard to ascertain exact contents in document page 45 so as to pass the order effectually.</li> <li>3. The Applicant to place on record the <sup>clear</sup> fair copy of documents at page 45 and page 54.</li> <li>4. Matter be kept for hearing.</li> <li>5. S.O. to 09.01.2025.</li> </ol> <p style="text-align: center;">Sd/- <b>( A. N. Karmarkar ) Member (J)</b></p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.12.2024</p> <p>M. A. No.308 of 2024 in O.A.No.647 of 2024</p> <p>G. D. Kurane ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp;Ors. ...Respondents.</p> <p>1. There is no specific reply from Respondents in respect of the judgment referred by Applicant in case of (2008) 8 SCC 648 (Union of India &amp; Ors. V/s Tarsem Singh).</p> <p>2. Considering the issue involved, it is necessary to hear the parties in respect of above referred citation and particularly Para No.5, so as to decide the matter effectually.</p> <p>3. The matter be treated as De-Part Heard and kept for hearing.</p> <p>4. S.O. to 08.01.2025.</p> <p>Sd/- ( A. N. Karmarkar) Member (J)</p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET No.**

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date : 20.12.2024 Tribunal's orders</p>
	<p>O.A.No.1312 of 2023</p> <p>R. S. Kelkar ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp;Ors. ...Respondents.</p> <p>1. Matter be treated as De -Part Heard and be kept for hearing.</p> <p>2. S.O. to 06.01.2025.</p> <p>Sd/- ( A. N. Karmarkar ) Member (J)</p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.12.2024</p> <p>O.A.No.782 of 2023</p> <p>S. T. Salunkhe ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp;Ors. ...Respondents.</p> <p>1. Matter be treated as De -Part Heard and be kept for hearing.</p> <p><del>2.</del> S.O. to 07.01.2025.</p> <p>Sd/- _____ ( A. N. Karmarkar ) Member (J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.12.2024</p> <p>O.A.No.980 of 2023</p> <p>A. G. Jagtap ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp;Ors. ...Respondents.</p> <p>1. Matter be treated as De -Part Heard and be kept for hearing.</p> <p>2. S.O. to 13.01.2025.</p> <p>Sd/-</p> <p>( A. N. Karmarkar ) Member (J)</p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET No.**

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 20.12.2024</p>
	<p>O.A.No.03 of 2023</p> <p>P. B. Zende .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp;Ors. ...Respondents.</p> <p>1. The matter be treated as De-Part Heard and be kept for hearing.</p> <p>2. S.O. to 14.01.2025.</p> <p>Sd/- ( A. N. Karmarkar) Member (J)</p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.12.2024</p> <p>O.A.No.1313 of 2023</p> <p>S. P. Khajone ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp;Ors. ...Respondents.</p> <p>1. Matter be treated as De -Part Heard and be kept for hearing.</p> <p>2. S.O. to 07.01.2025.</p> <p>Sd/- ( A. N. Karmarkar) Member (J)</p> <p>vsm</p>