

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

of 20

Original Application No.

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

O.A. No.205 of 2023

C.D. Tambe

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

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

2. The applicant challenges charge sheet dated 27.5.2021. Ld. Advocate submits that there are two charges of the amount of rupees five thousand and odd which is the subject matter. There are no charges of misappropriation or fraud. The amount mentioned in the charge sheet is deposited in the Government Treasury. The only charge is that the applicant did not follow the due procedure while doing the work which is subject matter of DE.

3. Deputy Secretary is directed to remain present in the Court on the next date.

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

5. Issue notice before admission returnable on 10.3.2023. The respondents are directed to file reply.

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

7. This intimation/notice is ordered under Rule 1 of the Maharashtra Administrative Tribunal (Procedure) Res, 1988, and the questions such as limitation and alternate remedy are kept open.

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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 the 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)
21.2.2023

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
21.2.2023

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.39 of 2019 in O.A. No.216 of 2016</u></p> <p>A.P. Charate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Applicant and Advocate are not present.</p> <p>2. In this matter W.P. No.7879/2019 is fixed on 28.2.2023.</p> <p>3. S.O. to 11.4.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 21.2.2023 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 21.2.2023</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.45 of 2019 in O.A. No.651 of 2018</u></p> <p>R.V. Somane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Presenting Officer for the Respondents. None for the Applicant.</p> <p>2. Ld. CPO submits that W.P. No.9845/2019 is filed in the Hon'ble High Court and stay has been granted by order dated 5.11.2019.</p> <p>3. S.O. to 6.4.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 21.2.2023 21.2.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.02.2023</p> <p>O.A.No.862 of 2016</p> <p>A.J. Telvekar & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicants and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Parties are directed to complete their pleadings.</p> <p>3. Adjourned to 14.03.2023.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.02.2023</p> <p>M.A.No.714/2022 in O.A.No.1064/2022</p> <p>H.T. Mahale & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Ms. Punam Mahajan has filed leave note.</p> <p>3. Adjourned to 28.02.2023.</p> <p>Sd/- / Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. _____ of 20 _____ DISTRICT
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(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 : 21.02.2023
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O.A.No.876/2021

H.A. RedekarApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. To be shown under the caption 'For Dismissal' for want of prosecution.

3. Adjourned to 28.02.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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Original Application No. _____ of 20 _____ DISTRICT
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(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.02.2023</p> <p>O.A.No.740/2022</p> <p>M.V. PatilApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer holding for Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. has submitted that she will file reply during the course of the day.</p> <p>3. Adjourned to 14.03.2023. To be shown under the caption 'Due Admission'.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- <i>ly</i> (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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(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>Tribunal's orders</p>
	<p>Date : 21.02.2023</p> <p>O.A.No.875/2022</p> <p>V.B. Jadhav & Ors.Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. V.K. Jagdale, learned Advocate holding for Mr. K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. for the Respondents tenders affidavit in reply to learned Advocate Ms. Jagdale.</p> <p>3. At the request of learned Advocate Adjourned to 10.03.2023.</p> <p>Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.02.2023</p> <p>O.A.No.1070/2022</p> <p>R.B. PawarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Ganesh Masorkar, learned Advocate holding for Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate adjourned to 10.03.2023 for rejoinder.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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Original Application No. _____ of 20 _____ DISTRICT
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(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	Date : 21.02.2023 Tribunal's orders O.A.No.1075/2022
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A.M. AtramApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate has submitted that reply of Respondent No.2 is filed and reply of Respondents No.1 and 3 is not filed. He submits that rejoinder is already filed.

3. Learned C.P.O. submits that Respondents No.1 and 3 do not wish to file reply.

4. Adjourned to 09.03.2023. HOB.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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	<p align="center"><u>O.A. No.862 of 2016</u></p> <p>A.J. Telvekar & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for Respondents-State.</p> <p>2. Applicants and Advocate are not present. Shri D.B. Khaire, Special Counsel for State is not present. Shri S.R. Pawar, Ld. Advocate for Private Respondents is not present.</p> <p>3. Shri S.S. Dere, learned Advocate files Vakalatnama on behalf of Respondents No.73, 74, 75, 83, 87, 90, 101, 110, 114, 116, 118, 124, 125, 131, 132 & 134. The same is taken on record.</p> <p>4. In this case the applicants seek seniority over the respondents who were earlier appointed in time to the applicants and applicants being the waitlisted candidates in the earlier recruitment process claim they should be treated senior and be promoted before the respondents.</p> <p>5. Kept back.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 21.2.2023 21.2.2023</p> <p>(sgj)</p>

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(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>
	<p>Date : 21.02.2023</p> <p>O.A.No.89/2023</p> <p>S.P. KolteApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents No.1 & 2 and Mr. M.D. Lonkar, learned Advocate for Respondent No.3.</p> <p>2. Learned C.P.O. seeks time to file reply to the amended O.A.</p> <p>3. Learned C.P.O. to file reply within one week and tender copy of reply to the concerned by 28.02.2023. Thereafter, rejoinder, if any, is to be filed by 10.03.2023.</p> <p>4. Matter fixed for hearing on 14.03.2023 under the caption 'Due Admission'.</p> <p>Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>C.A. No.6 of 2020 in O.A. No.1044 of 2017</u></p> <p>H.G. Chopade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Advocate and Applicant are not present.</p> <p>2. Ld. CPO submits that writ petition is filed in the Hon'ble High Court challenging the order of the Tribunal and it is pending.</p> <p>3. S.O. to 17.3.2023.</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)</p> <p>Member (A)</p> <p>21.2.2023</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>21.2.2023</p> </div> </div>

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	<p align="center"><u>CA.73/2022 in OAs.119/2019, 705/2020 & 576/2020</u></p> <p>Ashvini T. Sakore ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Ashvini T. Sakore, Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO submits that the order dated 7.4.2022 passed by this Tribunal in the above OAs is confirmed by the Hon'ble High Court by its order dated 19.1.2023 in W.Ps. No.475/2023 & 476/2023 filed by the MPSC.</p> <p>3. MPSC by order dated 20.2.2023 has recommended name of the applicant for appointment as Assistant Labour Commissioner.</p> <p>4. S.O. to 28.2.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha/Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 21.2.2023 21.2.2023</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.4 of 2020 in O.A. No.1119 of 2015</u></p> <p>Dr. B.M. Lad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Advocate and Applicant are not present.</p> <p>2. Ld. PO submits that W.P. No.9420 of 2019 is pending in the Hon'ble High Court.</p> <p>3. S.O. to 9.3.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 21.2.2023 21.2.2023</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.143 of 2023</u></p> <p>A.H. Bhonkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Ravina Jagtap holding for Shri A.D. Kango, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Ms. Kanchan T. Pawar, Ld. Advocate for Respondent No.5.</p> <p>2. The applicant challenges the order dated 31.1.2023 by which respondent no.5 was appointed as Establishment Officer in High Court Legal Aid Services.</p> <p>3. Ld. CPO and Ld. Advocate for Respondent No.5 raised objection on the point of jurisdiction of the Tribunal as the applicant according to them is in services of Small Causes Court and thereafter was appointed by way of selection committee constituted by the Hon'ble High Court Judges after getting approval of the Hon'ble Chief Justice.</p> <p>4. S.O. to 3.3.2023 under the caption of 'Urgent Admission'.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 21.2.2023 21.2.2023</p> <p>(sgj)</p>

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	<p align="center"><u>C.A. No.59 of 2019 in OAs No.1041/2017 & 1042/2017</u></p> <p>L.B. Kadam ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Applicant and Advocate are not present.</p> <p>2. Ld. CPO submits that W.P. No.1064/2020 has been filed in the Hon'ble High Court and stay has been granted on 5.2.2020.</p> <p>3. S.O. to 17.3.2023.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 21.2.2023 21.2.2023</p> <p>(sgj)</p>

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(Advocate

versus

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(Presenting Officer.....)

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	<p><u>21.02.2023</u></p> <p style="text-align: center;"><u>C.A 69/2022 in O.A 339/2020</u></p> <p>Smt M.V Mohite & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Vaishali Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. This Contempt Application is filed for compliance of the order of the Tribunal dated 23.2.2021. By the said order, the Tribunal has directed the Respondents to update the seniority list and decide the proposal dated 29.7.20129 on its own merit after updating the seniority list of the cadre of Naib Tahsildar and Tahsildar. The Tribunal has directed them to complete the said work within six months from the date of the order i.e., from 23.2.2021.</p> <p>3. Learned counsel for the applicants points out that today two years are complete and still there is no compliance of the order of the Tribunal. She further submitted that the juniors to the applicants who were earlier Naib Tahsildars were given deemed date and they are promoted to the post of Tahsildars. Hence, those persons stand above the applicants as deemed date of promotion is not decided and not given to the present applicants.</p> <p>4. Learned counsel for the applicants pray that further promotion of the post of Tahsildar to Deputy Collector therefore be stayed till the seniority list and the deemed date issue is not finalized and resolved by the Respondent-State pursuant to the order of this Tribunal dated 23.2.2021.</p> <p>5. Learned C.P.O while opposing the order of stay relies on the affidavit in reply dated 13.2.2023 of Dr Nitin Kareer, Additional Chief Secretary, Revenue & Forest Department, wherein in para 6 it is mentioned that the outer limit of 4 months approximately is required for preparing the State level final seniority list of Tahsildar cadre after their regularization in their respective cadres and will also require further more time after such regularization.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Learned C.P.O submits that the post of Deputy Collector are vacant and their services are required for the smooth administration.</p> <p>7. Learned C.P.O on instructions from Mr Veer, Joint Secretary, Revenue & Forest Department, informs that within four months the Respondent-State will comply with the order of this Tribunal.</p> <p>8. Considering the rival submissions and the assurance given by the Respondents that within four months the order of this Tribunal will be complied with, we pass the following order:-</p> <ol style="list-style-type: none"> (1) At the present stage, we do not want to stay the order of promotion from the post of Tahsildar to Deputy Collector. (2) The promotions in future, shall be subject to giving deemed date of promotion to the present applicants (3) We make it clear that if the juniors to the applicants are promoted and if after giving the deemed date of seniority whatever effect, it will be subject to the outcome of this C.A. (4) The Respondent-State is directed to communicate this order to all the concerned officers whosoever is promoted. The promoted persons may be demoted after fixing the final seniority list based on the deemed date. However, we reiterate that the order of this Tribunal is to be complied with by 1st July, 2023. <p>9. S.O to 5.7.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

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	<p>Date : 21.02.2023</p> <p>O.A.No.630 of 2021</p> <p>A. A. Desai & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. Ghate holding for Shri Gunratan Sadavarte, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The perusal of record reveals that O.A. is filed in 2021 but till date no reply is filed.</p> <p>3. On request of learned C.P.O. two week time is granted to file reply as a last chance.</p> <p>Sd/- Sd/- (Bijay Kumar) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</p>