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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

Date: 21.02.2024

O.A. No.1130 of 2023

S.G. More

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri Shekhar Jagtap a/w. Ms. Sairuchita Chowdhary, learned Advocate for the Respondent No. 2.
- 2. Learned Advocate for Respondent No. 2 submitted copy of Order dated 29.01.2024 passed in Writ Petition No. 15453 of 2023 by Hon'ble Bombay High Court where in directions have been given to hold 'Final Hearing' of this O.A. No. 1130 of 2023 and decide issues of 'Maintainability of O.A.' and vacation of 'Interim Relief' granted on 31.08.2023.
- 3. Learned Advocate for Respondent No.2 contended that continuation of Applicant on post of 'C.E.O.', of Smart City, Development Corporation Limited (SCDCL), Nashik' on account of 'Interim Relief' granted on 31.08.2023 as well as on account of proposal for appointment of Respondent No. 2 by Ministry of Housing Urban Affairs of India being still pending; due to efflux of time the 'Deputation Period' of Applicant has got extended much beyond the Original Period of 'One Year'.
- 4. The Learned Advocate for Respondent No.2 further Contended that this has allowed improprieties to happen in 'Public Tenders' and also produced copy of Hon'ble Bombay High Court of Order dated 03.01.2024 in Writ Petition No. 67/24 which relates to particular

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

#### Tribunal's orders

<u>'Public Tender' issued by Nashik, Smart city</u> Development Corporation Limited (SCDCL).

- 5. Learned Advocate for Respondent No.2 also produced copy of 'Advisory No. 3' dated 04.07.2016 of 'Small Cities Mission' under 'Ministry of Urban Development Government of India' about 'Engagement of Key Management Posts & Human Resource in SPV's' as well as 'Urban Development Department', GAD GR dated 15.06.2016 and 03.11.2018 which elucidate the roles & responsibilities of 'Municipal Commissioners' and C.E.O. of SPV's such as 'Smart City, Development Corporation Limited (SCDCL), Nashik'.
- 6. The 'Ministry of Housing and Urban Affairs, Government of India' has taken unduly long time to to consider the proposal of 'Urban Development Department' to grant 'ex post facto' approval to proposal for appointment of Respondent No.2 to post of 'C.E.O., of Smart City, Development Corporation Limited (SCDCL), Nashik'. Further, the 'Urban Development Department' seems to have no specific information about the present status of the proposal sent by them to 'Ministry of Housing and Urban Affairs, Government of India'. Hence against the backdrop of the Order dated 29.01.2024 in Writ Petition No. 15453 of 2023, of Hon'ble Bombay High Court; this O.A. No. 1130 of 2023 would now be finally heard on 06.03.2024.
- 7. 'Interim Relief' to continue till 'Next Date'.
- 8. S.O. to 06.03.2024

Sd/-

(Debashish Chakrabarty) Member (A) (O.C.P.) J 2200(B) (50,000-2.2015)

ISpl - MAT-F-2 E.

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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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

Date: 21.02.2024

#### O.A. No.128 of 2024

A.M. Soundane ......Applicant

Versus

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

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent No. 1, Shri Ganesh Masurkar along with Shri C.T. Chandratre, learned Advocate for Respondent No.2.
- 2. Learned Advocate Shri C.T. Chandratre has filed 'Vakalatnama' on behalf of Respondent No.2.
- 3. Learned Advocate for Applicant states that Applicant has been permitted to join back for the post of 'Assistant Registrar Co-operative Societies, Igatpuri, District Nashik'.
- 4. Learned PO presents copy of 'Co-operation, Marketing and Textile Department' Government Orders dated 24.02.2024 by which the earlier 'Co-operation, Marketing and Textile Department', 'Government Orders' dated 31.01.2024 about transfers of both Applicant and Respondent No.2 have been cancelled and they have been allowed to continue on their earlier posts of (i) 'Assistant Registrar Co-operative Society, Igatpuri, District Nashik' and (ii) 'Assistant Registrar Co-operative Society, Sindkheda District Dhule'.
- 5. S.O. to 18.03.2024

Sd/-

(Debashish Chakkabarty) Member (A)

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

#### Tribunal's orders

Date: 21.02.2024

O.A. No.784 of 2023 (Speaking to Minutes)

Shri. Rajeev T. Shinde ......Applicant
Versus
The State of Maharashtra & Ors. .....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. The learned Advocate for Applicant has filed Application dated 21.02.2024 for 'Speaking to Minutes' in Judgment dated 15.02.2024 passed in O.A. No. 784 of 2023.
- 3. The learned Advocate for Applicant submitted that in 'Line 1' of 'Para 2', of the Judgment dated 15.02.2024 of O.A. No. 784 of 2023 the "Name of Advocate" on behalf of Applicant is to be corrected as "Shri. A.V. Bandiwadekar" in place of "Shri. C.T. Chandratre". Further in 'Line 3', after the last word, "Respondent" the words "No.1 and learned Advocate Shri. Harish Bali, represented 'Respondent No. 2" are to be added in 'Para 2'.
- 4. The 'Para 2' of the Judgment dated 15.02.2024 of O.A. No. 784 of 2023 is thus to be read as "The Applicant was represented by Shri A.V. Bandiwadekar, learned Advocate and Shri A.J. Chougule, learned Presenting Officer represented Respondent No.1 and learned Advocate, Shri Harish Bali represented Respondent No.2".
- 5. The Application for 'Speaking to Minutes' filed by learned Advocate for Applicant is thus allowed and corrections as above be carried out accordingly in 'Para 2' of the Judgment dated 15.02.2024 of O.A. No. 784 of 2023.

Sd/(Debashish Chakrabarty)

Member (A)

ISpl.- MAT-F-2 E.

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Tribunal's orders

Date: 21.02.2024

O.A. No.222 of 2024 with M.A. 113 of 2024

Y.J. Nikam & Ors.

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Ms. Sonali Pawar, holding for Shri S. S. Dere & Assoc., learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned Advocate for Applicant states that Applicants are now serving in establishment of 'Commissioner of Police, Greater Mumbai' and seeking 'Inter District Transfer' to establishment of 'S.P., Kolhapur'.
- 3. Learned Advocate for Applicants states that 'SP, Kolhapur' vide letter dated 02.12.2023 had informed the 'Commissioner of Police, Greater Mumbai' that some 'Vacant Posts' were available for 'Inter District Transfer' of 'Police Constable' and they be therefore relieved by 15.12.2923, so as to enable them to join as per principle of 'First Cum First Serve'.
- 4. Learned Advocate for Applicants states that as it is likely to take some time for 'Commissioner of Police, Greater Mumbai' to relieve Applicants on 'Inter District Transfer' to join establishment of 'SP, Kolhapur'; Hence the time granted upto 15.12.2023 be extended till

the Applicants are relieved from establishment of 'Commissioner of Police, Greater Mumbai'.

5. Learned PO states that appropriate directions may be given to 'SP, Kolhapur' in this regard; as there are large number of pending cases relating to 'Inter District Transfer' of 'Police Constables' who are now

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

#### Tribunal's orders

serving in establishment of 'Commissioner of Police, Greater Mumbai'

- 6. The 'SP, Kolhapur' is accordingly informed to extend time granted for 'Inter District Transfer' of Applicant beyond 15.12.2023 and keep adequate 'Vacant Posts' available till such time as Applicants are relieved from establishment of 'Commissioner of Police, Greater Mumbai'.
- 7. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
- 8. Issue notice before admission returnable on 18.03.2024.
- 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 <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.
- 13. S.O. to 18.03.2024.

Sd/-

(Debashish Chakrabarty) Member (A)

	MUMBAI		
Original Application No.	of 20	District	r
(A.1.			Applicant/
(Advocate	)		
	versus		
The State	e of Maharashtra	and others	
(Presenting Officer		)	Respondent/s
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Date: 21.02.2	Tribunal's orders 024	
	O.A. No.03 of 2024		
	S.D. Lande Versus	laharashtra & Ors.	ApplicantRespondents.
	<ol> <li>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>Learned PO states that she will within 'One Week' file 'Affidavit-in-Reply' on behalf of 'Director General of Police, Maharashtra State'.</li> <li>Learned Advocate states that he would like to</li> </ol>		
	have been filed  General of P	n-Rejoinder' after 'Af on behalf of both (i)'Ac olice, Anti-Terrorist ate' and (ii)'Director Go te'.	ffidavits-in-Reply' Iditional Director
		sd	/-
		(Debashish	Chakrabarty)

Member (A)

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Tribunal's orders

Date: 21.02.2024

O.A. No.877 of 2023 with O.A. No. 1617 of 2023

P.S. Patil

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Ms. Sonali Pawar, holding for Shri S. S. Dere & Assoc., learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri Pankaj Deokar holding for Shri P.P.Deokar, learned Advocate for the Respondent No.2 in O.A. No. 1617 of 2023.
- 2. Learned PO has filed 'Affidavit-in-Reply' on behalf of Respondent No. 1 in respect as O.A. No. 1617 of 2023. It is taken on record.
- 3. Learned P.O. seeks 'One Week' time to file 'Affidavit-in-Reply' in O.A. No. 877 of 2023. Time as prayed for is granted to learned P.O.
- 4. S.O. to 28.02.2024.

sd/-

(Debashish Chakrabarty) Member (A)

AGR

|Spl.- MAT-F-2 E.

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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### FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders Date: 21.02.2024 O.A. No.1062 of 2023 S.B. Koli .....Applicant Versus The State of Maharashtra & Ors. .....Respondents. 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. Learned PO seeks further 'Two Weeks' time to file 'Affidavit-in-Reply' on behalf of 'DGP, Maharashtra State'. Time as prayed for is granted to learned PO. 3. S.O. to 06.03,2024.

sd/-

(Debashish Charrabarty) Member (A)

AGR

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

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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

Date: 21.02.2024

O.A. No.1173 of 2023

P.S. Renushe

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.J. Chougule, learned Presenting Officer on behalf of the Respondent. Applicant and his Advocate are both Not Present.
- 2. Learned PO wants to file 'Affidavit-in-Sur Rejoinder' on behalf of Respondent No. 1 to 3. Time of 'Two Weeks' is granted to learned PO.
- 3. 'Interim Relief' to continue till 'Next Date'.
- 4. S.O.to 06.03.2024

sd/-

(Debashish Chakrabarty) Member (A)

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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

Date: 21.02.2024

#### O.A. No.1056 of 2023

N.P. Tummevar ......Applicant
Versus
The State of Maharashtra & Ors. .....Respondents.

- 1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned PO states that they want to file 'Affidavit-in-Sur-Rejoinder' on behalf of the Respondents. 'One Week' is accordingly granted to learned PO.
- 3. 'Interim Relief' to continue till 'Next Date'.
- 4. S.O. to 29.02.2024.

sd/-

(Debashish Chakrabarty) Member (A)

#### ORIGINAL APPLICATION NO.650 OF 2023

Rahul Raju Gire

..Applicant

Versus

The State of Maharashtra & Ors.

..Respondents

Shri B.A. Bandiwadekar - Advocate for the Applicant

Smt. K.S. Gaikwad – Presenting Officer for the Respondents

CORAM

Smt. Justice Mridula Bhatkar, Chairperson

Smt. Medha Gadgil, Member (A)

DATE

21st February, 2024

#### ORDER

- 1. By this OA the applicant prays for directions to the respondent to operate the waiting list dated 20.5.2022 for the post of Sweeper and consequently to issue appointment order in favour of the applicant for the post of Sweeper in Open category vacancy.
- 2. Ld. Advocate for the applicant relies on the GR dated 28.8.2017 issued by the GAD. This GR is in respect of assessment of the character of the candidate. Clauses 4 and 5 of the said GR dated 28.8.2017 reads as under:



"४. उमेद्वाराने सादर केलेली माहिती असत्य आल्याचे आढळून आल्यास तात्पुरते नियुक्तीपत्र रद्दबादल करून भारतीय दंडसंहितेनुसार फौजदारी कारवाई तसेच शासन सेवेत कायमस्वरूपी अपात्र टरविण्यात येईल, अशी अट नियुक्ती प्राधिकाऱ्यांने तात्पुरत्या नियुक्तीपत्रात विहित करणे आवश्यक राहील.

- ५. उमेद्वाराची नियुक्तीपश्चचात चारित्र्य पडताळणीबाबतची कार्यवाही सहा महिन्याचे आत करणे आवश्यक आहे. चारित्र्य व पूर्वचारित्र्य पडताळणी अहवाल समाधानकारक असल्यास तात्पुरते नियुक्तीपत्र कायमस्वरुपी नियुक्तीस पात्र ठरेल.
- 3. Ld. Advocate for the applicant pointed out clause 10 in the application form of Shri Lucky Rajesh Kudiya and submits that as he has suppressed the true information and made a false statement, he is to be disqualified.
- 4. On 28.4.2023 a report was submitted by the Respondent Principal, SRPF Training Centre, Nanvij, Taluka Daund, District Pune. On 20.5.2022 the waiting list was published and till December, 2022 the assessment of the documents of Shri Lucky Rajesh Kudiya should have been verified.
- 5. Ld. Advocate for the applicant then relies on GR dated 13.6.2018. In clause 13(2) of the GR dated 13.6.2018 all the possibilities in respect of the candidate joining or not joining and the reasons for the same are mentioned. On 14.8.2017 the applicant was acquitted. On 18.5.2023 in the second case Shri L.R. Kudiya was acquitted and the High Power Committee (HPC) was constituted and considered the case of Shri L.R. Kudiya on 18.8.2023.
- 6. Ld. PO pointed out that on 30.5.2022 immediately after one week the report was sent to the Principal, SRPF Training Centre, Daund, Pune and informed that one case CR No.126/2022 is pending and in other case CR No.229/2016 the applicant is acquitted. Ld. PO refers to judgment of the Hon'ble Supreme Court in Civil Appeal No.3574 of 2022 Pawan Kumar Vs. Union of India & Anr. decided on 2.5.2022.

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- 7. Ld. Advocate for the applicant submits that he has approached this Tribunal for the relief and so it can be decided by taking into account the abovementioned two GRs. dated 28.8.2017 and 13.6.2018.
- 8. We have considered the submissions made by both the parties. We have also considered both the clauses of the said GR dated 28.8.2017. As per clause 4 if there is suppression of information then that candidate will be held disqualified. Clause 5 gives time limit to the State for assessment and verification of the character of the candidate and as per time limit it is to be done within six months. As per clause 9 if it is not examined within six months, then one month can be extended with the permission of the senior officer and that it is entire responsibility of the appointing authority.
- 9. In the case of *Pawan Kumar* (supra) he was prosecuted for the offences punishable under Sections 148, 149, 323, 506 and 356 of IPC and he was acquitted on 12.8.2011 and he filled up the form on 27.5.2014. It was a case of suppression of criminal case. However, in the present case Shri L.R. Kudiya though was acquitted before he filled up the form, another case was pending against him and he suppressed that fact. It appears that respondent-State has not promptly considered the case of Shri L.R.Kudiya as per the GRs dated 28.8.2017 and 13.6.2018. In case of *Pawan Kumar* (supra) the Hon'ble Supreme Court relied on the ratio of the Hon'ble Supreme Court in **Avtar Singh Vs. Union of India & Ors.** (2016) 8 SCC 471, and laid down the guidelines which are reproduced in the case of *Pawan Kumar* (supra).
- 10. We have perused the report of HPC and surprisingly we found that the HPC was expected to consider not only the previous pendency of the case or previous prosecution of Shri Lucky R. Kudiya but was also required to deal with the fact of suppression of information regarding

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previous prosecution and pendency of one criminal case against him by the said committee.

- 11. The issue in entire matter is of prosecution and not acquittal of the candidate but character is examined on the basis of suppression of fact of the prosecution and that is not at all taken into account by the HPC. In view of this we find that it is necessary to pass the following order.
- 12. We direct to constitute the High Power Committee to consider the fact of suppression in view of the judgment of the Hon'ble Supreme Court in Avtar Singh Vs. Union of India & Ors. (2016) 8 SCC 471 and also the GRs. dated 28.8.2017 and 13.6.2018. The decision is to be taken by the High Power Committee within three weeks i.e. on or before 15.3.2024.
- 13. S.O. to 20.3.2024.

sd/-

sd/-

(Medha Gadgil) Member (A) 21.2.2024

(Mridula Bhatkar, J.) Chairperson 21.2.2024

Dictation taken by: S.G. Jawalkar.

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

Tribunal's orders

Date: 21.**26**.2023

O.A. No.1475 of 2023

R.A. Patil

......Applicant -

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri M.D. Lonkar, learned 'Special Counsel' for the Respondent No.1 and Shri U.V. Bhosale, learned Advocate for the Respondent No. 2.
- 2. 'Interim Relief' to continue till 'Next Date'.
- 3. S.O. to 05.03.2024

sd/-

(Debashish Chakrabarty) Member (A)

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Tribunal's orders

M.A.82/2024 O.A.1118/2023 in with O.A.1117/2023

N.M. Baraskar S.T. Aher

... Applicants

Vs. The State of Mah. & Ors.

... Respondents

- Heard Shri D.B. Khaire, learned Advocate for Applicants and Shri A.J. Chougule, learned PO holding for Ms. S.P. Manchekar, learned CPO for Respondents.
- S.O. to 22<sup>nd</sup> February, 2024.

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(Debashish Chakrabarty) (Mridula Bhatkar, J) Member-A 21.02.2024

Chairperson 21.02.2024

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Tribunal's orders

### O.A.36/2024

R.S. Nagpure Vs.

... Applicant

The State of Mah. & Ors.

... Respondents

- Shri R.K. Mendadkar, learned Advocate for Applicant Absent. Smt. K.S. Gaikwad, learned PO for Respondents.
- S.O. to 20th March, 2024.

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31/-

(Debashish Chakrabarty) (Mridula Bhatkar, J) Member-A 21.02.2024

Chairperson 21.02.2024

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

Tribunal's orders

#### O.A.16/2024

Smt. B.P. Giri

... Applicant

Vs.

... Respondents

The State of Mah. & Ors.

- Shri S. Raktate, learned Advocate for Applicant Absent. Shri A.J. Chougule, learned PO for Respondents.
- S.O. to 20th March, 2024. 2.

(Debashish Chakrabarty) (Mridula Bhatkar, J) Member-A 21.02.2024

Chairperson 21.02.2024

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## FARAD CONTINUATION SHEET NO.

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

Tribuagl's orders

#### O.A.09/2024

L.M. Khalane

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

- Heard Smt. Sonali Pawar, learned Advocate holding for Shri S.S. Dere, learned Advocate for Applicant and Shri A.J. Chougule, learned PO holding for Ms. S.P. Manchekar, learned CPO for Respondents.
- S.O. to 28th February, 2024.

(Debashish Chakrabarty) (Mridula Bhatkar, J) Member-A 21.02.2024

Chairperson 21.02.2024

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

Tribuasi's orders

#### O.A.118/2023

M.B. Raut (Anarse) Vs.

... Applicant

The State of Mah. & Ors.

... Respondents

- Heard Shri A.A. Kupade, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO holding for Ms. S.P. Manchekar, learned CPO for Respondents.
- The Applicant is Administrative Education Officer in Primary Education School Board, Pune Municipal Corporation since 2013 challenges GR dated 09.12.2021 and prays that he be given promotion to the post of Deputy Director of Education, Education and Sports Department, State of Maharashtra.
- 3. learned Advocate for Applicant submits that he is not pressing the Prayer of quashing and setting aside GR of 09.12.2021 on his first part and maintains the later portion of Prayer Clause (b) seeking direction to grant him promotion.
- 4. learned Advocate for Applicant submits that he be allowed to amend or modify the relevant portion in the Prayer. Allowed to amend forthwith.
- S.O. to 7th March, 2024. 5.

(Debashish Chakrabarty) (Mridula Bhatkar, J) Member-A 21.02.2024

Chairperson 21.02.2024

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

Tribuggi's orders O.A.237/2024

S.M. Kale Vs.

The State of Mah. & Ors.

... Applicant

... Respondents

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.
- 2. The Applicant working as Regional Water Conservation Officer seeks order of posting with promotion in the post of Chief Engineer based on recommendation dated 29.12.2023 made by Establishment Board No.2 and prays for consequential service benefits.
- 3. On 15th January, 2024, file was sent to Minister.
- 4. We direct Principal Secretary to personally follow-up about expeditious approval to the promotion of Applicant to the post of Chief Engineer as it has already been recommended by Establishment Board No.2 and so also recommended by GAD.
- 5. Issue notice returnable on 23.02.2024.
- 6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the

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

#### Tribunal's orders

such as limitation and questions remedy are kept open.

- In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the O.A. shall stand dismissed.
- 10. The service may be done by Hand Post/Courier Delivery/Speed 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.
- S.O. to 23rd February, 2024 under the caption of 'Urgent Admission'.

(Debashish Chakrabarty) (Mridula Bhatkar, J) Member-A 21.02.2024

54/-Chairperson 21.02.2024

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#### 21.02.2024

# M.A 337/2023 in O.A 971/2019 with M.a 338/2023 in O.A 973/2019 with M.A 339/2023 in O.A 1022/2019

R.P Gaikwad M.V Sontakke D.N Lone

Vs.

... Applicants

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri K.R Jagdale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time.
- 3. S.O to 6.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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#### 21.02.2024

### M.A 278/2023 in M.A 436/2023 in O.A 744/2016

U.M Kashyap

... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. Applicant present in person. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O request for time.
- 3. S.O to 6.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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21.02.2024

#### M.A 676/2023 in O.A 1311/2023

R.M Jadhav

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Smt Punam Mahajan has filed leave note. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time.
- 3. S.O to 13.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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#### 21.02.2024

### M.A 704/2023 in M.A 340/2023 in O.A 1072/2022

S.G Ramgude

... Applicant

The State of Maharashtra & Ors ... Respondents

- None present for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time to file reply.
- S.O to 20.3.2024.

Sd/-

(Medha Gadgil) Member (A)

Sd/-

(Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

#### 21.02.2024

### M.A 760/2023 in O.A 1521/2023

S.D Rajguru

... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. Smt Punam Mahajan, learned counsel for the applicant has filed leave note. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- Learned P.O seeks time to file reply.
- 3. S.O to 20.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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#### 21.02.2024

### M.A 772/2023 in O.A 1553/2023

V.S Kalekar

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Ms Sonali Pawar holding for Shri S.S Dere, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- Learned P.O seeks time to file reply.
- 3. S.O to 13.3.2024.

· Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

#### 21.02.2024

#### O.A 1186/2023

Dr S.P Mirgunde

... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. None present for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents No 1 to 3 and Shri B.A Bandiwadekar, learned counsel for Respondent No. 4.
- 2. Learned counsel Shri Bandiwadekar submits that copy of Original Application is served last week and he seeks time to file reply.
- 3. S.O to 13.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

#### 21.02.2024

#### O.A 103/2023

S.G Chavan & Ors

... Applicant

Vs. The State of Maharashtra & Ors

... Respondents

- None present for the applicants. Heard Smt K.SGaikwad, learned P.O for the Respondents.
- Learned P.O seeks time to file reply.
- S.O to 13.3.2024.

Sd/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

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#### 21.02.2024

#### O.A 1001/2023

S.D Davbhat & Ors Vs.

... Applicants

The State of Maharashtra & Ors

... Respondents

- None present for the applicants. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- Learned P.O request for time to file reply.
- S.O to 20.3.2024.

Sd/-

(Medha Gadgil) Member (A)

Sd/-

(Mridula Bhatkar, J.) Chairperson

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#### 21.02.2024

#### O.A 1074/2023

S.B Kamble

... Applicant

Vs. The State of Maharashtra & Ors

... Respondents

- 1. None present for the applicant. Heard Smt K.S Gaikwd, learned P.O for the Respondents.
- 2. Learned P.O request for time to file reply.
- 3. S.O to 20.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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21.02.2024

#### O.A 1085/2023

Dr K.A Yadav

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- None present for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- Learned P.O seeks time to file reply.
- S.O to 6.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

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21.02.2024

#### O.A 1185/2023

G.D Jadhav

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri K.R Jagdale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time file reply. Time granted to the Respondents to file reply by way of last chance.
- 3. S.O to 13.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.)
Chairperson

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21.02.2024

#### O.A 1233/2023

M.V Kadam

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Ms Sonali Pawar i/b Shri S.S Dere, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.
- 2. Learned P.O request for time.
- 3. S.O to 6.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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21.02.2024

#### O.A 1252/2023

M.R Batule

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri P.B Kamble, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O submits that affidavit in reply is filed.
- 3. Time is granted to the learned counsel for the applicant to file rejoinder.
- 4. S.O to 28.2.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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21.02.2024

#### O.A 1253/2023

M.G Nikam

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Ms Purva Pradhan i/b Shri M.V Rawool, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time to file reply.
- 3. S.O to 20.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.)
Chairperson

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#### 21.02.2024

#### O.A 1280/2023

M.M Khadtare

... Applicant

Vs

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Krishna Tarde holding for Shri Talekar & Associates, learned advocate for the applicant, Smt K.S Gaikwad, learned P.O for the Respondents No 1 & 2 and Shri Nikhil Adkine learned counsel for Respondent No. 3.
- 2. Learned P.O submits that reply is already filed.
- 3. Learned counsel for Respondent No. 3 seeks time to file reply.
- 4. S.O to 13.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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#### 21.02.2024

#### O.A 1288/2023

L.G Gavande & Ors Vs.

... Applicants

The State of Maharashtra & Ors

... Respondents

- 1. None present for the applicants. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- Learned P.O request for time to file reply.
- 3. S.O to 28.2.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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#### 21.02.2024

#### O.A 1381/2023

N.V Patangrao

... Applicant

The State of Maharashtra & Ors

... Respondents

- Heard Ms Sonali Humane holding for Ms Ranjana Todankar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- Learned counsel submits that reply is not filed till today.
- Time is granted to the Respondents to file reply by way of last chance.
- S.O to 13.3.2024.

Sd/-

(Medha Gadgil) Member (A)

Sd/-

(Mridula Bhatkar, J.) Chairperson

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#### 21.02.2024

#### O.A 1390/2023

S.V Varne

... Applicant

The State of Maharashtra & Ors

... Respondents

- None present for the applicant. Heard Smt K.SGaikwad, learned P.O for the Respondents.
- Learned P.O request for time to file reply. 2.
- 3. S.O to 13.3.2024.

Sd/-

(Medha Gadgil) Member (A)

Sd/-

(Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

### 21.02.2024

#### O.A 1470/2023

Dr A.A Anmadwar & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. None present for the applicants. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time to file reply.
- 3. S.O to 20.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

### 21.02.2024

#### O.A 1471/2023

Dr A.R Jhawar

... Applicant

Vs

The State of Maharashtra & Ors

... Respondents

- 1. None present for the applicants. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- Learned P.O seeks time to file reply.
- 3. S.O to 20.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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#### 21.02.2024

#### O.A 1484/2023

K.N Tadvi

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Ms Sonali Pawar i/b Shri S.S Dere, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time to file reply.
- 3. S.O to 6.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

#### 21.02.2024

#### O.A 1526/2023

Dr N.N Ambadekar & Ors

... Applicants

Vs. The State of Maharashtra & Ors

... Respondents

- 1. None present for the applicants. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time to file reply.
- 3. S.O to 28.2.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

### 21.02.2024

#### O.A 1602/2023

A.R Lohar

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Ms Purva Pradhan i/b Shri D.B Khaire, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O request for time to file reply.
- 3. S.O to 20.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

#### 21.02.2024

### O.A 1619/2023

R.S Takate

... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

- 1. Heard Ms Sonali Pawar i/b Shri S.S Dere, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time to file reply.
- 3. S.O to 20.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

Office Notes Office Memoranda of Coram, Appearance. Informal's orders or diffections and Registrar's orders

Tribunar's orders

Date: 21.02.2024

#### O.A.No.25/2017

S.N. Khade ....Applicant Vs.

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

- 1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.
- 2. Learned P.O. states that during the course of the day she will file reply to the amended O.A.
- 3. Private Respondent No.4 is present. He states that will be also file reply to the amended O.A.
- 4. Both replies be taken on record. Copy be served upon the concern.
- 5. At the request of learned Counsel adjourned to 06.03.2024.

Sd/-(Medha Gadgil) Member (A) Sd/-(Mridula Bhatkar, J.) Chairperson

prk

Office Notes Office Memoranda of Corum, Appendence Tribunal's orders or directions and Registrar's orders

Date: 21.02.2024 mails orders

### O.A.No.267/2016

Dr. S.M. Nilange & Ors. ....Applicants Vs.

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

- 1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant, Mr. Anshuman Deshmukh, learned Counsel for the Respondents No.1 to 5 & 14 and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Registry is directed to correct the name of the learned Counsel for the Applicant in the Board, as it is wrongly typed as 'P. Mahajan' instead of "Bhushan A. Bandiwadekar'.
- 3. Learned Counsel Mr. Deshmukh seeks liberty to file compilation of the judgments.
- 4. Allowed to file.
- 5. Learned P.O. on instructions seeks time to file reply on behalf of State.
- 6. Time granted by way of last chance. Learned P.O. is directed to file reply also on behalf of G.A.D. and Finance Department.
- 7. Adjourned to 06.03.2024.

SD/-

SD/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

prk

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Tribunal's orders

Date: 21.02.2024

O.A.No.35/2023

K.R. Patil

....Applicant

Vs.

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

- 1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Ms. S.T. Yaseen, learned Counsel for the Applicant and Mr. L.S. Deshmukh, learned Counsel for Private Respondent No.4 are absent.
- 3. Adjourned to 28.02.2024.

Sd/-(Medha Gadgil) Member (A)

Sd/-

(Mridula Bhatkar, J.) Chairperson

prk

Date: 21.02.2024

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Date: 21.02.2024

#### O.A.No.589/2017

V.Y. Khandebharad

....Applicant

Vs

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

- 1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Ms. Punam Mahajan, learned Counsel for the Applicant has filed leave note.
- 3. Adjourned to 06.03.2024.

Sd/-(Medha Gadgil) Member (A)

Sd/-(Mridula Bhatkar, J.) Chairperson

prk

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	O.As. No.325 of 2018 with O.A  A.M. Jadhao R.S. Pawar Vs. The State of Maharashtra & Ors.  Heard Shri M.D. Lonkar, I applicant in OA No.325/2017, Ms. So Shri S.S. Dere, Ld. Advocate for No.13/2020 and Smt. K.S. Gaikwa Officer for Respondent No.1 & 2 and	ApplicantsRespondents .d. Advocate for the nali Pawar holding for the applicant in O.d. learned Presentin

S.O. to 23.2.2024.

Sd/-(Medha Gadgil)

Member (A) 21.2.2024

(Mridula Bhatkar, J.) Chairperson 21.2.2024

(sgj)

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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	
	OAs No.108, OAs No. OAs No. L.K. Shinde & Ors. Vs. The State of Maharashtra Heard Shri S.S. Applicants through Vi Gaikwad, learned Present	362, 505, 506 of 2022, 109, 468, 469 of 2020, 0.569, 570 of 2022 Applicants  & OrsRespondents  Dere, learned Advocate for the ideoconferencing and Smt. K.S. ting Officer for the Respondents.  or the applicant is not audible on
	3. S.O. to 22.2.2024.	
	(Medha Gadgil) Member (A) 21.2.2024 (sgj)	(Mridula Bhatkar, J.) Chairperson 21.2.2024