

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

Tribunal's orders

Date : 21.03.2022

O.A.No.487 of 2021

P.N. PatilApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned P.O. for the Respondents.

2. The Applicant has challenged transfer order dated 19.07.2021 inter-alia contending that he has been transferred in contravention of G.R. dated 09.07.2021 whereby directions were given by the Government to effect only 15% transfer considering seniority. The Applicant contends that though he is junior, he is pick-up for transfer without disturbing so many seniors.

3. Interim relief was granted by order dated 23.07.2021.

4. On previous dates, when the matter was taken up for hearing, it was noticed that meeting of CSB was held on 15.07.2021 as reflected in impugned transfer order. However, along with Affidavit-in-Reply, the Minutes of CSB filed on record is of 05.08.2021. Therefore, on request of learned P.O., the matter was adjourned to file correct Minutes of CSB. However, no such remedial measure is taken by filing correct Minutes of CSB.

5. Now, the general transfers of 2022 are due within next two months. The Applicant has already completed his normal tenure in general transfer of 2021 and because of interim relief, he is continued on the same post for another one year.

6. Since now in general transfer of 2022 is ensuing, the Applicant is already overdue for transfer, this O.A. deserves to be disposed of by giving suitable directions.

7. Original Application is, therefore, disposed of with direction to the Respondents to consider the transfer of the Applicant in ensuing general transfer of May, 2022 and to take necessary steps in accordance to rules.

8. Interim relief to continue till issuance of general transfer of May, 2022.

9. No order as to cost.

Sd/-

(A.P. Kurhekar)
Member(J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.03.2022</p> <p style="text-align: center;">M.A. No.16 of 2022 in O.A. No.384 of 2021 with M.A. No.17 of 2022 in O.A. No.435 of 2021 with M.A. No.18 of 2022 in M.A. No.231 of 2021 in O.A. No.442 of 2021 with M.A. No.19 of 2022 in M.A. No.233 of 2021 in O.A. No.443 of 2021 with M.A. No.20 of 2022 in M.A. No.234 of 2021 in O.A. No.444 of 2021</p> <p>S.S. More S.S. Raorane Mrs.S.V. Kelkar & Ors Smt.S.S. Nilwan & Ors Smt. S.M. Khedkar & Ors. Applicants</p> <p style="text-align: center;">Versus</p> <p>The State of Maharashtra & Ors. Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit in Reply filed in M.A.No.518/2021 (another O.A. on today's board) is adopted as Affidavit in Reply in these Misc. Applications and no separate reply is filed.</p> <p>3. S.O. to 12.04.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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
	<p>Date : 21.03.2022</p> <p>M.A. No.513 of 2021 in O.A. No.383 of 2021 with M.A. No.514 of 2021 in O.A. No.385 of 2021 with M.A. No.515 of 2021 in M.A. No.207 of 2021 in O.A. No.393 of 2021 with M.A. No.516 of 2021 in O.A. No.434 of 2021 with M.A. No.517 of 2021 in M.A. No.229 of 2021 in O.A. No.440 of 2021 with M.A. No.518 of 2021 in M.A. No.230 of 2021 in O.A. No.441 of 2021 with M.A. No.519 of 2021 in M.A. No.235 of 2021 in O.A. No.445 of 2021 with M.A. No.520 of 2021 in M.A. No.236 of 2021 in O.A. No.446 of 2021 with M.A. No.545 of 2021 in M.A. No.205 of 2021 in O.A. No.391 of 2021 with M.A. No.546 of 2021 in O.A. No.386 of 2021 with M.A. No.497 of 2021 in O.A. No.388 of 2021 with M.A. No.498 of 2021 in O.A. No.389 of 2021 with M.A. No.499 of 2021 in O.A. No.390 of 2021</p> <p>G.J. Mhatre & Ors.Applicants</p> <p style="text-align: center;">Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R. M. Kolge, learned Counsel for the Applicants and Shri A. J. Chougule holding for Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply in M.A.Nos.516, 518, 544 and 498/2021. It is taken on record. 3. Learned P.O. submits that replies filed in M.A.Nos.516, 518, 545 & 498/2021 are adopted as reply on behalf of the Government in remaining M.As and no separate replies are filed. 4. The matters be kept for hearing of M.As. 5. S.O. to 12.04.2022. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p style="text-align: right;">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p align="center">Tribunal's orders Date : 21.03.2022</p>
	<p align="center">O.A.No.581 of 2021</p> <p>A. S. RegeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged transfer order dated 09.08.2021 whereby she was transferred as Food Safety Officer, Brihanmumbai- 30 to Food Safety Officer, Raigad-118 <i>inter-alia</i> contending that her options were not considered in terms of G.R. dated 09.04.2018. 3. The Applicant was serving as Food Safety Officer, Brihanmumbai-30 and was due for general transfer in 2021. She had given options of Thane and Brihanmumbai where there are various posts of Food Safety Officer. She contends that her daughter is in 10th standard, her 84 years old mother in law is suffering from breast cancer and bed ridden and because of death of sole brother, she has responsibility to maintain old mother. However, her options were not considered and she was transferred to Raigad which was not in her options. 4. The Applicant has also produced medical certificate as well as certificate issued by the school in respect of education of her daughter and illness of mother in law. 5. Learned Counsel for the Applicant has pointed out that the Applicant is subjected to discrimination since the options given by near about 22 Government servants were considered in terms of G.R. dated 09.04.2018 but she is deprived of benefit of G.R. dated 09.04.2018 which <i>inter alia</i> provides for convenient option as per choice in case of such serious illness of parents or in laws.

Notes, Office Memoranda of Certain,
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6. Now, the general transfers of 2022 are due in next two months. Learned P.O. submits that the department may consider the representation made by the Applicant on 25.08.2021 in general transfers of 2022.
7. In view of above, O.A. is disposed of with directions to Respondents to consider the representation made by the Applicant dated 25.08.2021 in general transfer of 2022 in terms of G.R. dated 09.04.2018 and where general transfers are postponed for one or other reason, in that event, the decision on representation dated 25.08.2021 should not be postponed and appropriate decision be taken by the end of May, 2022.
8. The decision as the case may be, shall be communicated to the Applicant.
9. No order as to cost.
10. Steno copy granted.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 21.03.2022</p> <p align="center">O.A.No.1000 of 2018 with O.A.No.1231 of 2019</p> <p>Ms L. G. Lonkar & Ors. P. R. Vanjari & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is adjourned from time to time to facilitate learned P.O. to file reply on behalf of the Respondent No.1- Government and to apprise the Tribunal about the decision of Government on the proposal made by the department in the matter of regularization of the Applicants.</p> <p>3. Today, again learned P.O. submits that the issue was discussed recently in the meeting at the level of Secretary and now file is pending with the Chief Secretary and thereafter it will go to the Minister. She submits that she is not aware about the decision taken in the meeting and secondly it is not yet final. She, therefore, requested for one week time.</p> <p>4. In the interest of justice, one week time is granted as a most last chance to file reply on behalf of the Respondent No.1 and also to apprise the Tribunal about the decision, if any, in the matter at the level of Government. No further time will be given.</p> <p>5. S.O. to 28.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p><u>21.03.2022</u></p> <p><u>O.A 755/2020</u></p> <p>State of Maharashtra & Ors ... Applicants Vs. M.R Sawant & Ors ... Respondents</p> <p>1. None present for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The subject matter of this Original Application is regularization of services of the applicants and it pertains to Single Bench and hence the matter be placed before the Single Bench.</p> <p>3. Matter be placed before the Single Bench on 1.4.2022.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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<p><u>21.03.2022</u></p> <p align="center"><u>M.A 147/2022 in O.A 756/2020</u></p> <p>State of Maharashtra & Ors ... Applicants Vs. M.R Sawant & Ors ... Respondents</p> <p>1. Heard Ms Swati Manchekar, learned C.P.O for the applicants (Ori Respondents). Dr. Gunratana Sadavarte, learned counsel for the Respondents (Ori Applicants) absent.</p> <p>2. Learned C.P.O submits that the Respondent-State wants to challenge the judgment and order passed by this Tribunal dated 14.2.2022 before the Hon'ble High Court and they require time for preparation of appeal. Hence, three months' time is sought.</p> <p>3. Time granted upto 15.6.2022. Misc Application accordingly stands disposed of.</p> <p align="right">Sd/- /' (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>	

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	<p style="text-align: center;"><u>21.03.2022</u></p> <p style="text-align: center;"><u>O.A 253, 254, 255, 256, 257 and 258/2022</u></p> <p>Sanjay L. Salunkhe & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Mrs Punam Mahajan, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Issue notice before admission Issue notice made returnable on 1.4.2022.</p> <p>3. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>4. 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>5. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>6. Learned C.P.O is directed to take instructions in the matter.</p> <p>7. S.O to 1.4.2022.</p> <p style="text-align: right;">Sd/- Sd/-</p> <p style="text-align: center;">Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p style="text-align: left; font-size: small;">Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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	<p>Date : 21.03.2022</p> <p style="text-align: center;">O.A.No.171 of 2022</p> <p>S.R. GoudApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. During the course of arguments on interim relief it is found that the two representations made by the Applicant,</p> <p style="padding-left: 40px;">First is made to the Hon'ble Home Minister, dated 12.10.2021 and second is made to the Director General of Police on 08.10.2021.</p> <p>3. The learned P.O. to take instructions in respect of these representations and also the reasons why the report in respect of representation dated 12.10.2014 has not been send by the office of Director General of Police to the office of Home Department.</p> <p>4. Concerned officers to remain present tomorrow at 11.00 a.m.</p> <p>5. Adjourned to 22.03.2022.</p> <p style="text-align: right; margin-right: 20px;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p style="margin-top: 20px;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p style="text-align: center;"><u>O.A. No.848 of 2021</u></p> <p>M.D. Chopde & 4 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Shri S.S. Dere, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. We have gone through the affidavit in reply dated 25.2.2022 filed by Arvind Ganesh Jadhav, Deputy Assistant (Establishment-II) to the Director General of Police, Mumbai; on the point whether the applicants were sent for training or not in para (vi) of the Preliminary submissions. In the said para the State has mentioned that the applicants were sent for training in the batch of 162 candidates from LDCE for selection of PSI.</p> <p>3. However, Ld. Advocate for the applicants submits that applicants were not sent for training.</p> <p>4. Ld. PO is directed to verify this disparity in the submissions and also officer well conversant from respondents no.1 and 4 shall remain present in the Court on the next date.</p> <p>5. S.O. to 22.3.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A) 21.3.2022 (sgj)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson 21.3.2022</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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O.As. No.213 of 2018 with O.A. No.214 of 2018

A.A. Walvekar
V.s. Suryawanshi ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.S. Pawar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicants submits that applicants are similarly situated as with the Petitioner Sarla D/o Madhukar Dhoke @ Mrs. Sarala w/o Anil Farkade, W.P. No.5721 of 2019 decided on 25.8.2021 by the Hon'ble Bombay High Court, Bench at Nagpur.

3. Ld. PO to verify whether the applicants are similarly situated.

4. S.O. to 11.4.2022.

Sd/-

(Medha Gadgil)
Member (A)
21.3.2022

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
21.3.2022

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.794 of 2020</u></p> <p>N.N. Chavan & 2 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.S. Pawar, learned Advocate for the Applicants and Ms. S.P. Manchekar; learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is already filed.</p> <p>3. Admit.</p> <p>4. S.O. to 2.5.2022 for final hearing with liberty to file rejoinder, if any.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 21.3.2022 21.3.2022</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.252 of 2022</u></p> <p>S.I. Kampli ..Applicant Vs. The State of Maharashtra & Ors. . .Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that they will be providing copy of minutes of DPC meeting of order 29.9.2021 along with affidavit in reply.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 11.4.2022. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">Sd/- Sd/- </p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.)</p> <p style="text-align: center;">Member (A) Chairperson</p> <p style="text-align: center;">21.3.2022 21.3.2022</p> <p>(sgj)</p>

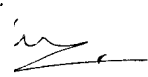
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center"><u>O.A. No.208 of 2022</u></p> <p>J.G. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 2.5.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center">Sd/- Sd/- </p> <p align="center">(Medha Gadgi) / (Mridula Bhatkar, J.) Member (A) / Chairperson 21.3.2022 / 21.3.2022</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.03.2022</p> <p style="text-align: center;">O.A. No.209 of 2022</p> <p>S.R. MisalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. the Applicant has challenged order dated 05.01.2022 whereby the Applicant's representation was rejected on the ground that he was already given posting in Mumbai Suburban to facilitate treatment of cancer and secondly period of general transfer 2021 had already come to an end.</p> <p>3. The Applicant contends that he has served in Adivasi area, and therefore entitled to choice posting in terms of Government policy particularly circular dated 11.07.2000.</p> <p>4. Now, general transfer of 2022 are ensuing within two months.</p> <p>5. In view of above, learned Advocate for the Applicant submits that liberty be given to make representation for choice posting in terms of circular dated 11.07.2000 and G.R. dated 09.04.2018 and Respondents be directed to consider the same.</p> <p>6. In view of above, O.A. is disposed of with liberty to the Applicant to make representation afresh within two weeks from today and if any such representation is made, Respondents shall consider the same as per Rules and Circulars in general Transfer of 2022 and the decision be communicated to the Applicant.</p> <p>7. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 21.03.2022</p> <p align="center">O.A. No.194 of 2022</p> <p>S.A. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent. It is taken on record. 3. O.A. be kept for hearing at the stage of admission with liberty to file Rejoinder, if any. 4. Matter being for retrial benefits, it is expedited. 5. S.O. to 19.04.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 21.03.2022</p> <p align="center">O.A. No.162 of 2022</p> <p>M.A. InamdarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. On previous date matter was adjourned to file M.A. to bring heirs of deceased Applicant on record who died after filing of this O.A. O.A. was filed on 15.02.2022 and when the matter was taken up for admission it was noticed in the mean time the Applicant passed away. Therefore on the request of learned Advocate for the Applicant two weeks time was granted to take necessary steps. However, till date no steps are taken and the Applicant's Counsel is also absent. In view of above, in the interest of justice two weeks time is granted to file M.A. to bring heirs of deceased Applicant on record and if M.A. is filed within two weeks it be listed before the Tribunal for further order, if no M.A. is filed within stipulated period O.A. will stand disposed of for want of necessary steps without reference to the Tribunal. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.03.2022</p> <p align="center">O.A. No.1003 of 2021</p> <p>E.A. PardhiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. submits that Affidavit-in-Reply is under preparation and the same will be filed within two days. Statement is accepted. It be taken on record and copy be served to other side by learned P.O. 3. O.A. be kept for hearing at the stage of admission. 4. S.O. to 19.04.2022. <p align="right">Sd/- vv (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.03.2022</p> <p align="center">O.A. No.931 of 2021</p> <p>B.G. SagareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 05.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.03.2022</p> <p style="text-align: center;">O.A. No.251 of 2022</p> <p>R.S. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged transfer order dated 21.08.2014 in the present O.A. 3. On perusal of record reveals that the Applicant was suspended by order dated 21.08.2014 invoking Rule 4(1)(a) of M.C.S. (Discipline and Appeal) Rules, 1979. It further appears from record that offence of 304(A) under I.P.C. was registered against the Applicant for negligence in discharging duties and causing death of a child of Ashram School. However, as per cause of death he seems too died due to "Autopsy and clinical findings suggestive of death due to cerebropulmonary edema due to encephalitis" (Natural). 4. Thus apparently the Applicant was subjected to prolong suspension for more than 7 years. 5. Learned P.O. on instruction stated that charge-sheet is filed and it is subjudice in the court of law. As regard, D.E. he submits that by order dated 28.01.2022 D.E. is closed and the Applicant is exonerated. He further submits that recently by order dated 16.03.2022 the Applicant is reinstated in service. However, learned Advocate for the Applicant submits that his client is not served with the order of reinstatement in service.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Learned P.O. has tendered order dated 16.03.2022 whereby the Applicant is reinstated in service and posted at Ashram School, Kote, Tal. Radhanagari, Dist. Kolhapur.</p> <p>7. In view of above, reinstatement order dated 16.03.2022 referred to above, learned Advocate for the Applicant sought one day time to take instructions from the client.</p> <p>8. S.O. to 22.03.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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: 21.03.2022</p> <p align="center">O.A. No.147 of 2022</p> <p>A.J. ShaikhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.B. Rajkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant was suspended by order dated 03.06.2020 in view of his arrest under Section 7 of Prevention of Corruption Act, 1988. Thereafter, by order dated 13.07.2021 he is reinstated in service and posted at Nashik. The Applicant claims to be 30% physically disabled person, and therefore contends that he is entitled to nearer place of posting in view of circular dated 15.12.2004.</p> <p>3. Insofar as circular dated 15.12.2004 is concerned all that it provides that in case of transfer, posting be given to physically disabled person as per their convenience nearer to their place of residence. Whereas, present case it is not a matter of transfer, he is reinstated in service after revocation of suspension, this being the position the Applicant cannot claim benefit of circular dated 15.12.2004 as his right.</p> <p>4. Learned P.O. has pointed out that the Applicant was required to be reposted in other district on non executive post in view of circular dated 20.04.2013.</p> <p>5. Learned P.O. has tendered order dated 17.02.2022 issued by Respondent No.3 – Deputy Director of Land Records, Nashik Region whereby request of the Applicant for nearer posting is rejected on the basis of circular dated 20.04.2013 referred to above.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Thus, the representation made by the Applicant for nearer posting is already rejected by order dated 17.02.2022.</p> <p>7. Learned Advocate for the Applicant in view of above, prayed to withdraw O.A. with liberty to challenge the order dated 17.02.2022.</p> <p>8. Allowed to withdraw as prayed for.</p> <p>9. No order in the matter.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>