

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 21.04.2023</b></p> <p><b>M.A.No.235/2023 in M.A.No.481/2022 in O.A.No.792/2022</b></p> <p>Dr. D.C. Godse &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. P.R. Tandale, learned Advocate for the Applicants and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. M.A.No.235/2023 is for transfer of O.A. from M.A.T. Mumbai to M.A.T. Bench Aurangabad under Section 25 of the Administrative Tribunals Act. Learned Advocate for the Applicants has submitted that 17 Applicants in the present O.A. as well as applicants in O.A. filed at Nagpur and Aurangabad are from the same Department claiming similar relief stay all over in Maharashtra.</p> <p>3. Learned P.O. submits to the orders of the Court.</p> <p>4. In view of the submissions of learned Advocate O.A. is transferred to M.A.T. Bench Aurangabad. Registry is directed to send the record and proceedings of O.A. to M.A.T. Bench Aurangabad.</p> <p>5. In view of above, M.A. is allowed.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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><b>Date : 21.04.2023</b></p> <p style="text-align: center;"><b>M.A.No.263/2023 in O.A.No.633/2022</b></p> <p>N.U. Patil .....Applicant Vs. The State of Maharashtra &amp; 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. Matter taken up for hearing at the request of learned Advocate.</p> <p>3. M.A.No.263/2023 is filed seeking amendment in O.A.No.633/2022 to bring on record necessary record for determination of the real controversy in the case, with a view to promote the ends of justice.</p> <p>4. Amendment allowed. Amended copy is to be served upon the concerned.</p> <p>5. M.A. is allowed. O.A. stands adjourned to 08.06.2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Medha Gadgil) Member(A) <span style="float: right;">(Mridula Bhatkar, J.) Chairperson</span></p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 21.04.2023</b></p> <p align="center"><b>O.A.No.65 of 2023</b></p> <p><b>I. J. Aswar</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant, Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondent No.1 and Shri A. B. Moon, learned Counsel for Respondent No.2.</p> <p>2. The matter is heard for quite some time.</p> <p>3. In present case, the issue is about legality of action taken by the then Director General (Shri Dhammajyoti Gajbhiye) by issuing order dated 06.01.2023 whereby he relieved the Applicant who was working in BARTI as Registrar. The Applicant was repatriated to his parent department attributing certain lapses which according to the then Director General of BARTI very serious which necessitated him to repatriate the Applicant.</p> <p>4. The Respondent No.2 the then Director General, BARTI filed Affidavit in Reply in support of action taken by him. However, later he was transferred and in his place Shri Sunil Vare is posted as Director General of BARTI.</p> <p>5. During the course of hearing, learned Counsel for the Applicant tried to contend that action taken by Shri Gajbhiye was not approved by his successor Shri Sunil Vare and the explanation given by the Applicant was accepted.</p> <p>6. The Respondent No.1 - Government has filed Affidavit in Reply supporting the action taken by Shri Gajbhiye.</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>7. During the course of hearing, learned C.P.O. submits that Government has issued show cause notice to Shri Sunil Vare for taking different stand (against the institution and reply is awaited.)</p> <p>8. Shri A.B. Moon, learned Advocate for Respondent NO.2 pointed out that Shri Sunil Vare by his letter dated 18.04.2023 informed him that there is no necessity of filing another Affidavit.</p> <p>9. In view of above, it is necessary to know what is the exact stand of the Government in the matter as well as the stand of Shri Sunil Vare who prima-facie seems to have taken contrary stand in the matter.</p> <p>10. In view of above, Respondent No.1- Secretary, Social Justice and Special Assistance Department is directed to file Affidavit as well as Shri Vare present Director, BARTI is also directed to file Affidavit to make his stand <sup>clear</sup> taken.</p> <p>11. Affidavit should be filed by 25.04.2023.</p> <p>12. S.O. to 25.04.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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M.A./R.A./C.A. No. \_\_\_\_\_ of 20\_\_\_\_

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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 : 21.04.2023</p> <p align="center">M.A No.550 of 2019 in O.A.No.989 of 2019 with M.A.No.300 of 2022 in O.A.484 of 2022</p> <p>D. L. Navghane D.D.Kasab <span style="float:right">....Applicants</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri V. V. Joshi and Smt. P. H. Hendre, learned Counsels for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder in M.A.No.550/2019. It is taken on record.</p> <p>3. S.O. to 09.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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M.A./R.A./C.A. No. \_\_\_\_\_ of 20 \_\_\_\_\_

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 21.04.2023</p> <p align="center">O.A. No.621 of 2018</p> <p>V.K. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Rahul Khot, learned Advocate holding for Shri N.Y. Chavan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three days time is granted to file documents as directed by the Tribunal in order dated 13.04.2023.</p> <p>3. S.O. to 25.04.2023.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.04.2023</p> <p>O.A. No.435 of 2022 to O.A. No.441 of 2022 with O.A. No.851 of 2022 with O.A. No.1123 of 2022 with O.A. No.1124 of 2022 with O.A. No.564 of 2022</p> <p>A.H. Keer B.S. Patil V.K. Sarpotdar S.A. Varekar S.A. Keer M.R. Khadpe A.N. Nagvekar D.S. Shinde M.K. Salvi S.M. Salvi R.R. Kawale .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri P. Walimbe, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing, learned CPO sought permission to file Affidavit-in-Reply on behalf of the Collector Ratnagiri in O.A. Nos.435, 440, 441, 1124, 564/2022. Indeed, these O.As. are already proceeded without Reply by order dated 17.02.2023 since Affidavit-in-Reply was not filed during the time granted by the Tribunal. On previous date i.e. 31.03.2023 Affidavit-in-Reply was filed in four matters, in the interest of justice it was taken on record.</p> <p>3. Today again Affidavit-in-Reply is being tendered in these 5 O.As. without there being any such satisfactory explanation. It appears that Respondents are filing Affidavit-in-Reply as per their convenience and not as per order passed by the Tribunal.</p> <p>4. In view of above, reasonable cost needs to be imposed for filing Affidavit-in-Reply belatedly. It will be taken on record in O.A. Nos.435, 440, 441, 1124, 564/2022 subject to payment of cost of Rs.1,000/- (Rupees One Thousand Only) in each O.A. payable in the Tribunal within a week from today. If the cost within a week is deposited, in that event only Affidavit-in-Reply will be considered for hearing.</p> <p>5. S.O to 09.06.2023 Sd/-</p> <p>(A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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M.A./R.A./C.A. No. \_\_\_\_\_ of 20\_\_\_\_

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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 : 21.04.2023</p> <p align="center">O.A.No.1174 of 2022</p> <p>A. Y. Jagtap <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard the Applicant in person and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant in person submits that his Counsel Shri Sandeep Gaikwad is not responding to his calls and he is not attending the matter. He, therefore, wants to engage another Advocate in his place.</p> <p>3. Two weeks' time is granted to engage another Advocate.</p> <p>4. S.O. to 16.06.2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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M.A./R.A./C.A. No. \_\_\_\_\_ of 20 \_\_\_\_\_

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	<p>Date: 21.04.2023</p> <p align="center">O.A. No.604 of 2022</p> <p>S.R. Nalavade .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent Nos.1 to 3. It is taken on record.</p> <p>3. S.O. to 13.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 21.04.2023</b></p> <p align="center"><b>O.A. No.419 of 2023</b></p> <p><b>S.B. Atkale</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged order dated 11.04.2023 whereby he was promoted and posted as Deputy Director (Leprosy), Solapur to the extent of posting. He sought posting at Civil Surgeon Office, District Hospital, Solapur where Government posted Respondent No.3.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 04.05.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> </ol> <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>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>9. S.O. to 04.05.2023.</p> <p style="text-align: right;">^ Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.04.2023</p> <p align="center">M. A. No.250 of 2023 in O.A.No.390 of 2023</p> <p>P. M. Mire &amp; Ors. <span style="float:right">....Applicants</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.</p> <p>5. M. A. No.250 /2023 is allowed. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.04.2023</p> <p>M. A. No.251 of 2023 in M.A. No.252 of 2023 in O.A.No.317 of 2021</p> <p>V. D. Rajigare .....Applicant Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. The Applicant has filed M.A.No.252/2022 for amendment so as to challenge the order of recovery dated 08.10.2021 and since there is a delay, he has filed M.A.No.251/2022 for condonation of delay.</li> <li>3. Indeed, the Applicant has filed O.A.No.317/2021 on 21.05.2021 challenging communication dated 05.03.2021 and 15.03.2021 whereby date for entitlement to Time Bound Promotion was changed. Thereafter, the Respondents have issued order of recovery dated 08.10.2021 which is now challenged by way of amendment.</li> <li>4. In present case, now in view of settled legal position, the service rendered on work charged establishment by the Applicant is not to be counted for the purpose of Time Bound Promotion. Earlier, the benefit was granted <sup>by counting</sup> <del>to consider</del> the service rendered on work charged establishment. Thus, the challenge is restricted to recovery.</li> <li>5. The Applicant is retired Government servant. He stands retired on 31.03.2020. In view of above, I am inclined to condone the delay of six months caused in challenging order dated 08.10.2021 which was issued during the pendency of O.A. so as to decide the claim on merit. Amendment is also allowed considering that the order now impugned by way of amendment has been issued during the pendency of O.A.</li> <li>6. Both Misc. Applications are accordingly allowed with no order as to costs.</li> <li>7. Amendment be carried out within a week. Two weeks time is granted to learned P.O. to file reply to amendment.</li> <li>8. S.O. to 04.05.2023.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

**ORIGINAL APPLICATION NO.960 OF 2019**

A.E. Kerure **...Applicant**  
Versus  
The State of Maharashtra & Ors. ...Respondents.

Applicant in person.

Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents No.1 and 2.

**CORAM** : **Justice Mridula Bhatkar (Chairperson)**  
**Ms. Medha Gadgil (Member) (A)**

**DATE** : **21.04.2023.**

**O R D E R**

1. The Applicant is retiring on 30.04.2023, hence, utmost urgency; so we have taken up this matter for hearing.
2. Applicant was working as Assistant Commissioner (Food) and Designated Officer Group-A as he prays to quash and set aside the memorandum dated 27.09.2018 initiating the Departmental Enquiry against him for the charges mentioned therein. He further prays to quash and set aside the suspension order dated 16.08.2018 issued by the Joint Secretary to the Government.
3. Applicant submits that on 19.03.2018 he suspended the license of M/s. Vaidyanath Sahakari Sakhar Karkhana Maryadit for 10 days. Pursuant to that he was by order dated 16.08.2018 was suspended from

the service on the ground that his action of suspending license of the said Sugar Factory was without having any authority and power and in breach of Rule 23 of the Maharashtra Civil Services (Conduct) Rules 1979.

4. Applicant has submitted that the enquiry is illegal and he challenges the enquiry on the following grounds :

- (a) The Enquiry is illegal.
- (b) In the Affidavit-in-reply of Respondent No.3, it is admitted that Applicant is having powers under Section 32(3) of the Food Safety and Standards Act, 2006.
- (c) Enquiry Officer has long back concluded enquiry on 10.11.2021.

5. We are informed by learned C.P.O. that the file is prepared and now proposal whether to accept the enquiry report or to disagree and proceed further is pending. It is concluded by the enquiry officer holding him charges not proved and till today the Department has not taken any decision. Learned C.P.O. further submitted that the file is pending before the Hon'ble Minister since 09.03.2023.

6. We have perused affidavit-in-reply dated December 2019 filed on behalf of Respondent No.3, the Central Licensing Authority and Food Safety and Standards Authority of India through Mr. V.K. Pancham, Joint Director, Food Safety & Standards Authority of India, Ministry of Health. Paragraphs 9 and 10 of the affidavit reads as below :

"9. That Respondent No.3, vide letter dated 30.09.2019 has reiterated that State Food Safety Authorities are to keep the Central Licensing Authorities informed of the cases of non-compliances and subsequent action by State Food Safety Authorities

10. That it is respectfully submitted that all actions by the Applicant, being the Assistant Commissioner of the Food and Drug Authority (who was working as DO) at that time) Beed were done in accordance with the powers delegated to him under the FSS Act, 2006, read with the Rules and Regulations. That Applicant has not gone beyond the powers delegated under the letters issued by the Respondent No.3 as also mentioned above. The Applicant was fully authorized to act in accordance with the powers delegated under the FSS Act."

(emphasis placed)

7. We have gone through Section 32(3) of the Food Safety and Standards Act, 2006 which reads as below :

"32 (3) If the food business operator still fails to comply with the improvement notice, the Designated Officer may, after giving the licensee an opportunity to show cause, cancel the license granted to him."

In this matter improvement notice was given then the action of suspending license was taken as per the law. We have also gone through Section 16(5) of the Food Safety and Standards Act, 2006 which reads as below :

"16(5)The Food Authority may, from time to time give such directions, on matters relating to food safety and standards, to the Commissioner of Food Safety, who shall be bound by such directions while exercising his powers under this Act."

8. Our attention was drawn to copy of letter dated 10.11.2021 issued by the Enquiry Officer to the Joint Secretary, Medical Education and Drugs Department. He pointed out that the Enquiry Officer has sent the entire file with the report to the concerned Department on 10.11.2021.

9. In view of above, we pass the following order :

It is surprisingly shocking and we fail to understand why the Disciplinary Authority is so indecisive in view of clear legal position. Hence, we give only two days to the Respondents to take decision. It is to be noted that only two days are given as the Applicant is going to retire on 30.04.2023.



10. Adjourned to 25.04.2023 till 2.30. Part Heard

Sd/-

**(Medha Gádgil)**  
**Member (A)**

prk

Sd/-

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

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p>Date : 21.04.2023</p> <p align="center">O. A. No.273 of 2023</p> <p>B. B. Ghadge <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. The Applicant in person and Shri A. J. Chougule, learned Presenting Officer for the Respondents are present.</li> <li>2. Today learned P.O. has filed reply on behalf of Respondent Nos.1 and 3. It is taken on record. No sperate reply is filed on behalf of Respondent No.2.</li> <li>3. Two weeks time is granted to file Rejoinder.</li> <li>4. S.O. to 04.05.2023.</li> </ol> <p align="right">           \            Sd/-            (A.P. Kurhekar)            Member(J)         </p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.04.2023</p> <p>O.A.No.390 of 2023</p> <p>P. M. Mire &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. The Applicants have challenged communication dated 17.10.2022 whereby their claim for regularization in service in terms of G.R. dated 16.10.2012 is rejected.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 09.06.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application 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 Application shall stand dismissed.</li> <li>9. S.O. to 09.06.2023.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</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 : 21.04.2023</p> <p align="center">O.A.No.224 of 2023</p> <p>V. R. Panchal . . . .Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. . . .Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., one week time is granted to file reply by way of last chance with specific directions that no further time will be granted.</p> <p>3. S.O. to 28.04.2022.</p> <p 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. \_\_\_\_\_ 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 : 21.04.2023</p> <p align="center">M. A. No.262 of 2023 in O.A.No.46 of 2019</p> <p>S. R. Nikumbh &amp; Ors. <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Two weeks time is granted to file M.A. since one of the order dated 29.04.2019 is now impugned by way of amendment after the period of limitation is over.</p> <p>3. S.O. to 03.05.2023.</p> <p 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. \_\_\_\_\_ 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 : 21.04.2023</p> <p align="center">M. A. No.264 of 2023 in O.A.No.798 of 2022</p> <p>A. B. Londhe <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. This M.A. is filed for amendment.</li> <li>3. Two weeks time is granted to learned P.O. to file reply.</li> <li>4. S.O. to 03.05.2023.</li> </ol> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.04.2023</p> <p align="center">M. A. No.265 of 2023 in O.A.No.479 of 2020</p> <p>K. P. Salunkhe <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for amendment in O.A.</p> <p>3. Two weeks' time is granted to learned P.O. to file reply to M.A.</p> <p>4. S.O. to 03.05.2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.04.2023</p> <p align="center">M. A. No.81 of 2023 in O.A.85 of 2023 in M.A. No.98 of 2023 in O.A.No.86 of 2023 in M.A. No.99 of 2023 in O.A.No.87 of 2023</p> <p>D. M. Jagtap S. S. Kokane P. D. Pagar <span style="float: right;">....Applicants</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. The Applicants and their Counsel are absent. Shri S. D. Joshi, learned Counsel for the Applicants has sent leave note. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., last chance is granted to file reply in M.A.</p> <p>3. These M.As and O.A.s be kept with connected O.A. No.1253/2022 ahead fixed on 07.06.2023.</p> <p>4. S.O. to 07.06.2023.</p> <p 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. \_\_\_\_\_ 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 : 21.04.2023</p> <p>M. A. No.164 of 2023 in O.A.294 of 2023 with M.A.No.166 of 2023 in O.A. 295 of 2023 with M.A.No.168 of 2023 in O.A.No.296 of 2023</p> <p>D. M. Kote &amp; Ors. P. K. Ingale &amp; Ors. M. B. Jadhav &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicants 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 reply in M.A.</p> <p>3. S.O. to 04.05.2023.</p> <p 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. \_\_\_\_\_ of 20 \_\_\_\_\_

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 21.04.2023</b></p> <p style="text-align: center;"><b>O. A. No.457 of 2023</b></p> <p><b>R. A. Yedage</b> <span style="float: right;"><b>....Applicant</b></span>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Shri S. D. Patil, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the order dated 17.04.2023 whereby Applicant is shown repatriated to Water Resources Department. The order dated 17.04.2023 is issued by Respondent No.1 – Soil and Water Conservation Department.</p> <p>3. The Applicant contends that his parent department is Respondent No.2 – Water Resources Department and it is not a case of deputation so as to repatriate him. That apart, he contends that he is retiring at the end of May, 2023 and, therefore, requested for interim relief.</p> <p>4. Learned P.O. opposes interim relief <i>inter-alia</i> contending that Applicant is rightly repatriated to Respondent No.2 and it is approved by the CSB as well as competent Authority (Hon'ble Chief Minister).</p> <p>5. Leaving aside the issue as to which department is parent department of the Applicant and as to whether he was on deputation, the fact remains that he is retiring at the end of May, 2023. Though, the impugned order is termed as repatriation to parent department it has effect of displacement from present post at Satara. In terms of Section 5(1) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, the tenure of Government servant can be extended where he is due to retire in less than one year period. As such, it has trapping of mid-term and mid-tenure displacement.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. In view of above, I am inclined to grant interim relief to stay implementation of order dated 17.04.2023 qua the Applicant.</p> <p>7. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>8. Issue notice before admission returnable on 09.06.2023</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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 Application 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 Application shall stand dismissed.</p> <p>13. S.O. to 09.06.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.857 of 2022</u></p> <p>P.P. Dahiwade ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri V.E. Gunjal holding for Shri A.S. Nandimath, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 7.7.2023 for final hearing.</p> <p align="center">Sd/- <span style="float: right;">Sd/- <i>ML</i></span></p> <p align="center">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span> 21.4.2023 <span style="float: right;">21.4.2023</span></p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.845 of 2022</u></p> <p>D.D. Pujari ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant and Advocate are not present.</p> <p>3. Admit.</p> <p>4. S.O. to 14.7.2023 for final hearing.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 21.4.2023 21.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.As. No.442, 794, 813 &amp; 815 of 2022</u></p> <p>A.N. Bhutekar N.G. Gaikwad B.E. Karche P.U. Randive &amp; Anr. <span style="float: right;">..Applicants</span> Vs. The State of Maharashtra &amp; Ors. <span style="float: right;">..Respondents</span></p> <p align="center">Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicants and their Advocates are absent.</p> <p>3. Admit.</p> <p>4. S.O. to 21.7.2023 for final hearing.</p> <p align="center">Sd/- <span style="float: right;">Sd/-</span></p> <p align="center">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span> 21.4.2023 <span style="float: right;">21.4.2023</span></p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A. No.876 of 2021</u></p> <p>H.A. Redekar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar holding for Shri A.S. Patil, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 14.7.2023 for final hearing.</p> <p align="center">Sd/- Sd/- (Medha Gajgil) (Mridula Bhatkar, J.) Member (A) Chairperson 21.4.2023 21.4.2023</p> <p>(sgj)</p>


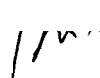
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.403 of 2023</u></p> <p>S.J. Saindane ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Promotions, if any, will be subject to outcome of this OA.</p> <p>3. Ld. CPO to file reply.</p> <p>4. S.O. to 23.6.2023.</p> <p align="right">Sd/-  Sd/- </p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 21.4.2023 21.4.2023</p> <p>(sgj)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.163 of 2023</u></p> <p>Dr. S.A. Panchbhai ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.R. Kori, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO is directed to file reply.</p> <p>3. S.O. to 21.6.2023.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 21.4.2023 21.4.2023</p> <p>(sgj)</p>