

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
ORIGINAL APPLICATION NO.884, 885 & 888 OF 2023**

Dr. J.T. Sankpal)
Dr. V.K. Ambore)
Dr. M.S. Umate)..Applicants

Versus

The State of Maharashtra & Ors.)..Respondents

Shri M.D. Lonkar – Advocate for the Applicants

Shri A.J. Chougule – Presenting Officer for the Respondents

CORAM : Smt. Justice Mridula Bhatkar, Chairperson
DATE : 21st July, 2023

ORDER

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. All these three applicants are working as Associate Professor, Group-A in Grant Medical College, Mumbai. They are due for transfer. These applicants challenge their transfer order dated 13.7.2023 by which they are transferred to Nandurbar, Satara and Kolhapur respectively. All the applicants are relieved from their posts on 14.7.2023. However, nobody has joined on their respective posts.

3. Ld. Advocate for the applicants submits that it is a mid-term transfer. He submits that children of the applicants are studying. Son of

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applicant in OA No.884/2023 is studying in 10th standard and elder son is in last year of PG. Daughter of the applicant in OA No.885/2023 is in 12th standard and son of the applicant in OA No.888/2023 is in 10th standard. He further submits that on account of this mid-term transfer children are going to suffer and they will not get correct admission. Ld. Advocate in support of his submissions rely on the judgment of the Hon'ble Supreme Court in Director of Education, Madras & Ors. Vs. O. Karuppa Theven & Anr. 1994 Supp (2) SCC 666. Ld. Advocate further submits that Section 4 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as the 'Transfer Act') is not followed. Therefore, he prays for interim relief.

4. Ld. PO opposes these OAs and produces minutes of the meeting of Civil Services Board (CSB) dated 17.5.2023. Ld. PO submits that these transfers are general transfers and the applicants were aware that they were due for transfer. Ld. PO further submits that proper procedure is followed while transferring these applicants. These transfers are on administrative ground and as per requirement of the services of these applicants they are posted on the vacancies available.

5. Perused the minutes of CSB meeting dated 17.5.2023. After the minutes, the file was sent to the Hon'ble Minister for Medical Education & Drugs on 18.5.2023. It was pending before him till 28.6.2023. Then it was sent to the Hon'ble Chief Minister and the Hon'ble Chief Minister signed the same on 12.7.2023. Therefore the orders were issued on 13.7.2023.

6. The submission of Ld. PO is that delay is caused on account of administrative grounds. The submission is not acceptable, especially

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when under Section 4 of the Transfer Act the procedure is mentioned in detail which is reproduced below:

"4. (1) No Government servant shall ordinarily be transferred unless he has completed his tenure of posting as provided in section 3.

(2) The competent authority shall prepare every year in the month of January, a list of Government servants due for transfer, in the month of April and May in the year.

(3) Transfer list prepared by the respective competent authority under sub-section (2) for Group A Officers specified in the entries (a) and (b) of the table under section 6 shall be finalized by the Chief Minister or the concerned Minister, as the case may be, in consultation with the Chief Secretary or concerned Secretary of the Department, as the case may be:

Provided that, any dispute in the matter of such transfers shall be decided by the Chief Minister in consultation with the Chief Secretary.

(4) The transfers of Government servants shall ordinarily be made only once in a year in the month of April or May:

Provided that, transfer may be made any time in the year in the circumstances as specified below namely:-

(i) to the newly created post or to the posts which become vacant due to retirement, promotion, resignation, reversion, reinstatement, consequential vacancy on account of transfer or on return from leave;

(ii) where the competent authority is satisfied that the transfer is essential due to exceptional circumstances or special reasons, after recording the same in writing and with the prior approval of the next higher authority."


7. Section 4 specifically mentions that Government servants who are due for transfer, the authority is required to prepare list of the Government servants who are due for transfer much earlier i.e. in the month of January itself to enable to issue transfer orders in the month of April-May in the year. When the Act mentions the time and the period specifically then the Government is duty bound to follow the procedure as it is. There is always a though, lot of deliberation by the law makers, when such time frame is mentioned ^o on the 'Act' itself. If at all Govt. wants to go beyond the period then it will amount of mid-term transfer. It is to be noted that last year on account of COVID-19 Pandemic being global calamity it was not possible to follow the schedule of the transfer contemplated under Section 4 of the Transfer Act. But it is not the case in this year and therefore it is expected that every department should do their paper work of the transfer in the month before April and so that the CSB can be conducted within time to enable to issue the order of transfers in the month of April-May in each year. It is made clear that mere conducting CSB is not fulfilling the procedure when further the approval of the Hon'ble Minsiter or Hon'ble Chief Minister is required. It is the responsibility of the concerned department to complete the procedure within time frame and the department should place the file for orders well within time before the Hon'ble Minister for issuing orders in the month of April-May. If the files are placed in late May and the signatures are not obtained within time limit then orders issued after stipulated time frame are to be considered as mid-term transfers. Thus considering the legal position prima facie I am of the view that the ground that signature could

not be obtained on account of administrative ground and therefore the transfer orders could not be issued within time, is a lame excuse. This is a matter of putting up file efficiently within time before the Hon'ble Ministers.

8. Secondly in these 3 matters the children of the applicants are in 10th and 12th standard. On this point I rely on the judgment of the Hon'ble Supreme Court in *O. Karuppa Thevan & Anr.* (supra), which reads as under:

"1. Leave granted. Heard both counsel.

2. The tribunal has erred in law in holding that the respondent employee ought to have been heard before transfer. No law requires an employee to be heard before his transfer when the authorities make the transfer for the exigencies of administration. However, the learned counsel for the respondent, contended that in view of the fact that respondent's children are studying in school, the transfer should not have been effected during mid-academic term. Although there is no such rule, we are of the view that in effecting transfer, the fact that the children of an employee are studying should be given due weight, if the exigencies of the service are not urgent. The learned counsel appearing for the appellant was unable to point out that there was such urgency in the present case that the employee could not have been accommodated till the end of the current academic year. We, therefore, while setting aside the impugned order of the Tribunal, direct that the appellant should not effect the transfer till the end of the current academic year. The appeal is allowed accordingly with no order as to costs."



9. Thus, though transfer is an incident of service and it is the duty of the government servant to go to the place of transfer and render service, however, it is also mandatory on the part of the administration to follow the rules and especially when there is special enactment in State of Maharashtra i.e. Transfer Act, 2005 which is outcome of the judgment of the Hon'ble Supreme Court in T.S.R. Subramanian & Ors. Vs. Union of India & Ors. Writ Petition (Civil) No.82 of 2011 decided on 31.10.2013.

10. In view of the above, the transfer order dated 13.7.2023 in respect of the applicants are hereby stayed till further orders. The respondents are directed to allow the applicants to continue to work in their respective posts till then.

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

12. Issue notice before admission returnable on 18.8.2023. The respondents are directed to file reply.

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

14. 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.

15. 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.

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

Sd/-

(Mridula Bhatkar, J.)
Chairperson
21.7.2023

Dictation taken by: S.G. Jawalkar.

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 877 OF 2023**

DISTRICT : NASIK

Shri P.S Patil)...**Applicants**

Versus

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

Shri S.S Dere, learned counsel for the applicant.

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

CORAM : Justice Mridula Bhatkar (Chairperson)

DATE : 21.7.2023

ORDER

1. The applicant working as Education Officer (Secondary), Zilla Parishad, Nasik, challenges his transfer order dated 28.7.2023 transferring him from Nasik to Zilla Parishad, Ahmednagar as an Education Officer (Scheme).

2. The matter today is for interim relief. Earlier, ad-interim relief was granted on 19.7.2023 directing the applicant to continue to work on the said post till today, as the learned P.O for the Respondents wanted time to take instructions to argue on interim relief in the matter so the applicant was protected for two days.

3. It is the mid-term transfer. The applicant has taken charge of the post at Nasik by order dated 2.11.2022 and only after 9 months the applicant is transferred. Learned counsel for the applicant has submitted that the applicant is transferred out of

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political pressure and mainly on the ground that he is facing a criminal case under the Prevention of Corruption Act and there are certain complaints against him. Learned counsel for the applicant has further submitted that the applicant was never informed about the complaints against him. No explanation is sought from the applicant in respect of the complaints. The departmental enquiry is initiated against him on 18.7.2019 and it is concluded and the report is submitted to the Disciplinary Authority in the year 2022. Learned counsel has relied on the G.R dated 11.2.2015 on following the procedure at the time of transferring the officer and has submitted that the Applicant has been transferred to non-executive post on account of the pending complaint against him. Learned counsel for the applicant has further submitted that the reasons given for his transfer are mala fide, bad in law. Further, the applicant has been promoted after 2017 and he has been holding always executive post along with the additional charge of the higher post. The Applicant has never been informed or asked for any such complaint. No D.E. was initiated against the Applicant. Learned counsel for the applicant has submitted that nobody is posted in his place. Therefore, learned counsel for the applicant prays for interim relief.

4. Learned P.O for the Respondents while defending the order passed by the competent authority submits that the Respondents have followed the due procedure and the Civil Services Board has taken a conscious decision of transferring the applicant on account of the complaints against him. Learned P.O has further submitted that the case of the applicant was placed before the Civil Services Board and in the meeting held on 28.6.2023, the Civil Services Board has taken decision to transfer the applicant. Learned P.O has further submitted that on the file noting the Hon'ble Education Minister has signed and the approval of the Hon'ble Chief Minister

is taken. Thus, the Respondents have followed the appropriate procedure under Section 4(4)(ii) and 4(5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.

5. Perused the notings and the minutes of the Civil Services Board. It discloses that the applicant is transferred on the basis of the complaint letter written by the Guardian Minister. There is a note from the Hon'ble Minister of Ports and Minerals dated 28.6.2023. It shows that the Hon'ble Minister has proposed the transfer of the applicant on account of complaints received by him from the Teachers and the Teachers Association. In the minutes of the meeting of the Civil Services Board, the reason for his transfer is mentioned in para 3 which states that applicant is transferred on account of complaints received from the Teachers and the Teachers Association, also on account of the case filed against the applicant under the Prevention of Corruption Act and so also for not obeying the administrative orders and also on account of the letter dated 14.6.2022 sent by the Commissioner, Education to the Director, A.C.B to conduct enquiry against the applicant, and therefore, he is transferred.

6. In clause No.8 of the G.R dated 11.2.2015, it is stated that in the event of receiving the complaint against the civil servant, who has not completed three years at a particular post, it is necessary for the competent authority to find out the factual position and also to consider the seriousness and then departmental enquiry should be initiated against the civil servant for those complaints by keeping him on the same post. However, if at all the competent authority comes to the conclusion that it is not proper to keep the said civil servant on the same post, then after recording reasons the said civil servant can be transferred. In the present case, the



noting discloses that the complaints were received from the Teachers and the Teachers Association against the applicant. There is one case pending against the applicant under the Prevention of Corruption Act. However, the case was registered on 21.3.2017. Further, he was promoted and he was also given executive posting with additional charge. Thus, pendency of case against him since 2017 cannot be considered as a ground for mid term transfer in the year 2023 as it is a very remote cause. A strong ground argued by the learned P.O that the complaints were received about his behaviour, conduct and administration by the Teachers and Teachers Association and the Hon'ble Guardian Minister, Nasik after taking a serious note of the complaints have written letter to the Hon'ble Chief Minister and therefore, he was transferred. Thus, there was some information collected by the Respondent to justify his transfer. It is true that owing to reasons of political expediency and the administration, the Hon'ble Minister being representative of the people have to take note of the complaints of the people against the working of a particular civil servant. However, it is necessary for the administration to follow the procedure and in clause 8 of the G.R dated 11.2.2015, it is stated as under:-


“८. एखाद्या प्रकरणात ३ वर्षांपेक्षा कमी कालावधी असलेल्या अधिकारी/कर्मचा-याच्या विरोधात गैरवर्तणूकीच्या तक्रारी प्राप्त झाल्यास केवळ तक्रारीच्या आधारे संबंधीत अधिकारी/ कर्मचा-याची बदली करण्यात येऊ नये. अशा प्रकरणात संबंधीत अधिकारी/ कर्मचा-यांच्या तक्रारीसंबंधातील वस्तुस्थिती जाणून घेऊन (आवश्यक तेथे अहवाल मागवून) तक्रारीमधील गांभीर्य विचारात घेऊन, संबंधीत अधिकारी / कर्मचारी त्याच पदावर ठेवणे आवश्यक आहे किंवा कसे याबाबत बदली प्राधिका-याने ठोस निर्णय घ्यावा.”

Thus, if at all the complaints are received about the Applicant, then it is necessary for the authority to collect the information and verify it and understand real factual situation as expeditiously as possible against the said officer and also that officer is to be informed about such complaints so the independent

verification, seriousness and truthfulness in the complaints can be ascertained by the higher authority. Apart from the G.R dated 11.2.2015, I would like to place reliance on the judgment of the Hon'ble Supreme Court dated 31.10.2013, in the case of T.S.R Subramanian & Ors Vs. Union of India & Ors, Writ Petition (C) No 82/2011, in which the Hon'ble Supreme Court has extensively considered the report of 2004 of Hotha Committee and also 2nd Administrative Reforms Commission (10th report of 2008), wherein it is specifically mentioned that:-

“It would be expedient before an officer is sought to be transferred in the public interest when he has not completed his tenure, that an administrative enquiry of a summary nature is held to ascertain if the transfer is justified as a matter of public policy. The administrative inquiry will be conducted as expeditiously as possible by a designated officer nominated by the Civil Services Board. In appropriate cases, the Civil Services Board may also direct the officer to proceed on leave on full pay and allowances till the administrative inquiry over and a decision is taken regarding the transfer.”

7. It is to be noted that there are complaints against the applicant. There may be complaints. However, the administration is required to look into the said complaints by following the correct procedure. Transferring the officer by way of punishment is not the answer. Moreover, in the file the written complaints made by one or two complainants are placed and it appears that nowhere in the said complaint the name of the applicant is appearing. Thus, when the complaints are made in general, it is all the more expected on the part of the Respondents or the higher administrative authority to probe into the seriousness, correctness and find out prima facie truth in such enquiry. The record does not disclose so.



8. In view of the above, interim relief is granted in terms of prayer clause 11, till final disposal of the Original Application.

9. S.O to 3.11.2023. Hamdast.

Sd/-

/
(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai

Date : 21.07.2023

Dictation taken by : A.K. Nair.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 887 OF 2023**

DISTRICT : Mumbai

Dr Rohit V. Deshpande)...**Applicant**

Versus

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

Shri B.A Bandiwadekar, learned advocate for the Applicant.

Shri A.J Chougule, learned Presenting Officer for the Respondents.

CORAM : Justice Mridula Bhatkar (Chairperson)

DATE : 21.07.2023

ORDER

1. The applicant, working as Assistant Professor, Group-B, at Grant Medical College, Sir J.J Group of Hospitals Mumbai, challenges the order dated 13.7.2023 transferring him to Dr V.M Medical College, Solapur.

2. Learned counsel for the applicant submits that private Respondent no. 2 is not served and the Respondent no. 2 is not relieved from Nagpur. Learned counsel for the applicant challenges the transfer order on the ground that as per the G.R dated 9.4.2018 preference of giving choice posting is not called from the applicant before he is transferred. Learned counsel for the applicant relies on the order of the M.A.T, Aurangabad Bench dated 4.7.2023 in O.A 537/2023 & Ors, Dr. Snehalata T.

Yellambkar Vs. State of Maharashtra & Ors. He submits that the applicant is similarly situated like Dr. Yellambkar and Aurangabad Bench has granted interim relief there. Learned counsel prays for interim order that the applicant be allowed to continue to work at Grant Medical College, Mumbai.

3. Learned P.O defended the order passed by the competent authority and further submitted that today nobody is present to give instructions to him.

4. pursuant to the G.R dated 9.4.2018, it is necessary on the part of the Respondents to call the preference of the postings when the Government servant is due for a transfer. The case of the applicant is covered under order dated 4.7.2023 in O.A 537/2023 & Ors, Dr. Snehalata T. Yellambkar Vs. State of Maharashtra & Ors. passed by M.A.T, Aurangabad Bench, wherein this Tribunal has dealt with specifically section 4 of the Maharashtra Government Servants Regulation Transfer and Prevention of Delay in Discharge of Official Duties Act, 2005. No material is placed before me disclosing the compliance of G.R dated 9.4.2018. Therefore, considering the submissions of the learned counsel and as the Respondent no. 2 is not relieved and not taken charge of the post at Grant Medical College and Hospital, Mumbai, I am of the view. that prima facie case is made out to grant interim relief, which was granted in similar matters by M.A.T, Aurangabad Bench in O.A 537/2023 & Ors.

5. In view of the above, the transfer order dated 13.7.2023 is stayed and the Respondents are directed to allow the applicant to work and perform his duties as Assistant Professor in Grant Medical College and Hospital Mumbai till filing of the reply.

6. Issue notice before admission returnable on 18.8.2023.

7. 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.

8. 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.

9. 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.

10. In case notice is not collected within **seven** days or service report on affidavit in not filed **three** days before returnable date, the Original/Miscellaneous Application shall be placed on board before the concerned Benches under the caption **'for Dismissal'** and thereafter on the subsequent date the Original/Miscellaneous Applications shall stand dismissed."

11. In view of the above, matter stands adjourned to 18.8.2023.
Hamdast.

Sd/-

/
(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 21.06.2023
Dictation taken by : A.K. Nair.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 871 OF 2023**

DISTRICT : PUNE

Dr Mangesh P. Bankar)...**Applicant**

Versus

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

Smt Punam Mahajan, learned advocate for the Applicant.
Smt K.S Gaikwad, learned Presenting Officer for the Respondents.

CORAM : Justice Mridula Bhatkar (Chairperson)

DATE : 21.07.2023

ORDER

1. The applicant working as Associate Professor, in B.J Medical College, Pune is transferred by order dated 13.7.2023 as Associate Professor, Government Medical College, Baramati.
2. Learned counsel for the applicant has submitted that the applicant is transferred mid-term and mid-tenure and the applicant is going to retire on 30.4.2024. Learned counsel for the applicant has further submitted that the applicant is not due for transfer as he was posted at the present place of posting at B.J Medical College, Pune on 30.9.2022. Learned counsel for the applicant further submitted that nobody is posted in place of the applicant and the post is lying vacant.
3. Learned P.O, while defending the order of transfer, relies on the minutes of the meeting of the Civil Services Board dated

17.5.2023 and has submitted that provisions of Section 4(4)(ii) & 4(5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. (hereinafter referred to as the said Act) are complied with. While considering the transfer of the present applicant from Pune to Baramati, the reason given by the Civil Services Board is that a post at Government Medical College, Baramati is vacant and the said post is to be filled in as per the parameters laid down by the National Medical Council and hence the applicant is transferred. Learned P.O on instructions submits that nobody is posted in place of the applicant.

4. It is true that the parameters laid down by the National Medical Council are to be followed and are to be fulfilled by each and every Government Medical College. However, while fulfilling these parameters, it is equally necessary to follow the law laid down by the State. The applicant was transferred 10 months before to B.M Medical College, Pune, and going to retire within 8 months. This fact is not recorded while considering the special reasons or exceptional circumstances as per Rule 4(4)(ii) and 4(5) ROT Act, 2005, qua the applicant. Thus, prima facie case is made out to grant the interim relief.

5. In view of the fact that nobody is posted in the place of the applicant, the transfer order dated 13.7.2023, qua the applicant is stayed until further orders and the applicant is allowed to continue on the said post.

6. Issue notice before admission returnable on 4.8.2023.

7. 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.

8. 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.

9. 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.

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

11. In view of the above, matter stands adjourned to 4.8.2023.
Hamdast.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 21.07.2023
Dictation taken by : A.K. Nair.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO 880 OF 2023

DISTRICT : MUMBAI

Dr P.G Kulkarni)...**Applicant**

Versus

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

Shri M.D Lonkar, learned counsel for the applicant.

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

CORAM : Justice Mridula Bhatkar (Chairperson)

DATE : 21.7.2023

ORDER

1. The applicant working as Associate Professor, challenges the transfer order dated 13.7.2023 transferring him from Grant Medical College, Sir J.J Group of Hospitals, Mumbai to Government Medical College, Miraj.

2. Learned counsel for the applicant has submitted that the applicant was not due for transfer. The applicant was working in Grant Medical College, Mumbai as Associate Professor from 23.12.2005 to 17.5.2021. By order dated 17.5.2021, he was sent on deputation to Alibaug. On 2.9.2022, he was relieved from Alibaug and posted at Grant Medical College, Mumbai afresh, and therefore, he is not due for transfer. This is a mid-term transfer also and therefore, the provisions under Section 4(4)(ii) and 4(5) of

the of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter called ROT Act) are required to be followed. The case of the applicant was placed before the Civil Service Board. Learned counsel for the applicant has submitted that the competent authority is the Minister of Medical Education Department in consultation with the Principal Secretary, Medical Education Department and the approval of the Hon'ble Chief Minister is required as the highest authority and it is not done in the present case. Learned counsel for the applicant relied on the order of the Tribunal, Aurangabad Bench dated 6.7.2023 in O.A 550/2023 & Ors, Dr Surajkumar S. Kuril & Ors. Learned counsel further submitted that the applicant's daughter is pursuing M. Sc, final year and her examination is in the month of March, 2024.

3. Learned P.O while opposing the application has submitted that the reason is specifically mentioned in the minutes of the Civil Services Board meeting that two posts in Government Medical College, Miraj are vacant and as per the criteria laid down by the National Medical Council, the posts are required to be filled up and therefore the applicant is transferred to Miraj. Learned P.O has further submitted that even if it is considered as mid-term transfer, still the reasons given in the minutes of the Civil Services Board meeting fulfills the requirement under Section 4(4)(ii) and 4(5) of the Act, as the approval and signature of the Medical Education Minister and the Hon'ble Chief Minister is there on the file.

4. Considered the submissions. After going through the minutes of the Civil Service Board meeting, it is found that the signatures of the Hon'ble Medical Education Minister and the Hon'ble The Chief Minister are found in the noting of the file. In

the minutes of the meeting of the Civil Services Board, it is specifically mentioned that officers who have completed three years they are due for transfer. The Civil Services Board has not considered that the applicant was transferred on deputation to Alibaug for a period of one year and six months. The posting at Mumbai is shown from 12.7.2006 instead of 2.9.2022. Prima facie, it shows that the applicant as he was sent on deputation which is also a transfer as and when he joined at Mumbai on his present post the period from that is to be counted for 3 years.

5. In view of the above, interim relief is granted in terms of prayer clause 10(b). It is made clear that this order will not come in the way of the Respondents to pass a fresh order by following proper procedure.

6. Learned P.O is granted time to file reply.

7. S.O to 3.8.2023. Hamdast.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 21.07.2023
Dictation taken by : A.K. Nair.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

IN

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.781 of 2020</u></p> <p>Jaihind D. Koli ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that in this matter the applicant has challenged the charge sheet and DE. However, the applicant has faced the DE and he is exonerated. Hence, no DE is pending against him. Ld. Advocate for the applicant produces letter dated 21.3.2023 issued by the respondent no.3 in this regard. The same is taken on record and marked as Court Exhibit '1' for identification.</p> <p>3. In view of the above, nothing remains in this OA and the same is disposed off accordingly.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 21.7.2023</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.574 of 2023</u></p> <p>H.R. Chaudhari & 23 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Tanvi Phatak holding for Shri S.K. Hande, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief 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 25.8.2023. 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. Respondents are put to notice that the case may 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. 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>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson 21.7.2023</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 style="text-align: center;"><u>M.A. No.343 of 2023 in O.A. No.574 of 2023</u></p> <p>H.R. Chaudhari & 23 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Tanvi Phatak holding for Shri S.K. Hande, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 21.7.2023</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.865 of 2023</u></p> <p>S.D. Sutar & 3 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.G. Panchal, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants prays that the applicants be allowed to appear in the interviews which were scheduled up to 20.7.2023. Ld. Advocate has approached this Tribunal on the basis of order passed by this Tribunal on 18.7.2023 directing all the similarly situated candidates from DTS are to be allowed to appear in the interview for the post of Dy. Education Officer as per recruitment process of 2017.</p> <p>3. At the outset we make it clear that when we have passed the order on the basis of cutoff marks for this examination. The applicants no.1 & 2 have secured 148 marks and the cutoff marks is 150. Ld. Advocate is not aware about the marks secured by applicant no.3. So far as applicant no.4 is concerned he has secured 134 marks which is below the cutoff marks for Disabled for Lower Vision i.e. 136 marks.</p> <p>4. It appears that that our order dated 18.7.2023 passed in OA No.861/2023 is misread by the applicants and moreover the interviews are over. It is to be noted that list was published on 1.4.2022 and this OA is filed on 18.7.2023. In view of the above, the OA is dismissed.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 21.7.2023</p> <p>(sgj)</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><u>M.A. No.463 of 2023 in O.A. No.873 of 2023</u></p> <p>Dr. A.P. Jagtap & 5 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 21.7.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.350 of 2023</u></p> <p>N.K. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Tanvi Phatak holding for Shri S.K. Hande, 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. The notices are not issued as the respondents are to be made party by designation and not by their names.</p> <p>4. S.O. to 27.7.2023.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 21.7.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>21.07.2023</u></p> <p style="text-align: center;"><u>O.A 872/2023</u></p> <p>Shri Anil Arunrao Pawar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. The applicant, Food Safety Officer, challenges the order dated 26.5.2023 transferring him from Satara to Dhule.</p> <p>3. Learned counsel for the applicant challenges the order especially on the ground that the G.R dated 9.4.2018 is not followed as the applicant has given 10 place of his choice posting and none of them have been considered by the Respondents. Learned counsel for the applicant further submits that the choice no. 1 at Sangli, given by the applicant is vacant. Learned counsel for the applicant further submitted that the applicant has undergone ligament surgery of the knee and therefore on medical grounds he requested that he should be posted nearby at Satara or Sangli.</p> <p>4. Learned P.O seeks time to take instructions in the matter.</p> <p>5. S.O to 25.7.2023.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>21.07.2023</u></p> <p style="text-align: center;"><u>O.A 733/2023</u></p> <p>Shri V.J Mane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Inadvertently, matter is not shown on Board. Matter taken on Board.</p> <p>3. S.O to 2.8.2023. Interim relief to continue till then.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>21.07.2023</u></p> <p style="text-align: center;"><u>O.A 882/2023</u></p> <p>A.H Meshram ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that he will take instructions in the matter.</p> <p>3. S.O to 25.7.2023. Till then, nobody should be posted in place of the applicant.</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>21.07.2023</u></p> <p><u>O.A 881 & 883/2023</u></p> <p>Dr Shabana Mohd Khizar Borate Dr U.N Khemani ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that he will take instructions in the matter.</p> <p>3. S.O to 25.7.2023.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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 Court, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.874 of 2023</u></p> <p>Avadhut A. Raut ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant is seeking appointment to the post of Junior Engineer pursuant to advertisement dated 22.7.2019 from NT-C category. Ld. Advocate submits that recommendation list was published on 20.6.2023. Applicant passed the examination and secured 154 marks which is also the cutoff marks. Ld. Advocate submits that applicant is eligible for recommendation. However, his name is not recommended because one candidate from NT-C category having lesser marks than the cutoff is recommended.</p> <p>3. In the advertisement the respondents have declared one post Orphan in Open category and there are two posts for Orphan. Ld. Advocate points out GR dated 2.4.2018 wherein Govt. has declared its policy of giving 1% reservation to the Orphans from Open Category. Pursuant to the said GR dated 2.4.2018 the GAD has issued letter dated 28.12.2018 addressed to all the departments. It was specifically mentioned in the said letter in clause 8 of the Table reiterating the policy of keeping 1% post for Orphan in Open category. Therefore on this basis Ld. Advocate challenges shifting of reservation from Orphan in NT-C category. Thereafter the Govt. has issued different GR dated 23.8.2021 by which the Govt. has changed its reservation policy for Orphan wherein it is mentioned in sub clause 5 of clause 2 of the said GR certain conditions and procedure is laid down of giving reservation to Orphans. Sub clause 5 and 9 of clause 2 of the said GR are relevant.</p> <p>4. Ld. Advocate for the applicants submits that result in the present matter was declared on 24.3.2023. As per sub clause 9 of clause 2 of the said GR dated 23.8.2021 it is made applicable prospectively and so also for the results which were declared till 2.4.2018.</p> <p>5. Ld. CPO pointed out sub clause 6 of clause 2 and submits that sub clause 5 & 6 are to be read together as reservation for</p>

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

Tribunal's orders

Orphans is to be occupied on the basis of merit and in which category the said person falls.

6. Ld. Advocate for the applicants pointed out GR dated 6.4.2023 and submits that earlier GR of 23.8.2021 and corrigendum dated 26.11.2021 are superseded. Ld. Advocate submits that if it is so then as the GR is made applicable for the examination which are going to be conducted after 31.10.2022. Hence, the GR dated 2.4.2018 is made applicable and GR dated 23.8.2021 is not applicable.

7. Ld. CPO is directed to file short affidavit only on the point which GR is to be made applicable for reservation of Orphans, the manner in which 1% reservation for Orphans is to be considered as independent or it to be accommodated in vertical reservation. Till then no appointment orders are to be issued in the category of Orphans. The applicant is directed to serve notice to all the respondents immediately.

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

9. Issue notice before admission returnable on 28.7.2023. The respondents are directed to file reply.

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

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

12. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

13. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "**For Dismissal**" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.

Sd/-

(Mridula Bhatkar, J.)
Chairperson
21.7.2023

(sgj)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

IN

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.873 of 2023</u></p> <p>Dr. A.P. Jagtap & 5 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-indent: 40px;">Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants who are working as Associate Professor at different places in the State of Maharashtra have filed this OA seeking relief that respondents be directed to consider the promotion of the applicants to the post of Professor, if found fit and prays that all consequential benefits with deemed date of 22.2.2023 be granted. They also seek declaration that they are illegally superseded by juniors in the cadre of Professor in Biochemistry. By way of interim relief I.d. Advocate prays that respondents be restrained from proceeding with the promotions of all other Professors.</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 11.8.2023. 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. Respondents are put to notice that the case may 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.</p>

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

Tribunal's orders
1988, and the questions such as limitation and alternate
remedy are kept open.

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.

8. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "**For Dismissal**" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.

Sd/-

(Mridula Bhatkar, J.)
Chairperson
21.7.2023

(sgj)

**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 : 21.07.2023</p> <p align="center">O.A.No.424 of 2020 with O.A.398 of 2021 with O.A.172 of 2022 with O.A.80 of 2021 with O.A.81 of 2021 with O.A.632 of 2021 with O.A. No.713 of 2022</p> <p>Dr. K.B. Batte & 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 Applicant in O.A.424/2020, Shri U. V. Bhosale, learned Counsel for the Applicant in O.A.398/2021, Shri K. R. Jagdale, learned Counsel for the Applicants in O.A.172/2022, Shri J. S. Deshmukh, learned Counsel for the Applicants in remaining O.A.s is absent. Smt. Kranti Gaikwad and Shri A. J. Chougule, learned Counsel for the Respondents and Shri A. Misal, learned Counsel for Respondent No.4 are present.</p> <p>2. The perusal of record reveals that these group of Original Applications was adjourned from time to time awaiting the decision of Cabinet about leave encashment and increment to ad-hoc Medical Officers as well as because of pendency of W.P. filed before the Hon'ble High Court which have bearing over the issue involved in this group of O.As .</p> <p>3. Learned P.O. submits that yet no decision is taken by the Cabinet and W.P. is also subjudice. Learned P.O., therefore, requested to adjourn the matter for four weeks.</p> <p>4. S.O. to 18.08.2023.</p> <p align="right">N 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 : 21.07.2023</p> <p>O.A.No.753 of 2023</p> <p>S. S. BawulgaveApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer with Advocate Shri A. P. Jadhav for the Respondents.</p> <p>2. The Applicant was suspended by order dated 14.06.2023 and his Head Quarter is changed from Uran to Mumbai.</p> <p>3. Learned Counsel for the Applicant in reference to Circular dated 19.03.2008 issued by the Government submits that Head Quarter should be placed of posting where a Government servant was posted at the time of suspension.</p> <p>4. Per contra, learned Counsel for the Respondents submits that considering serious charge, the Head Quarter has been changed from Uran to Mumbai.</p> <p>5. The perusal of suspension order reveals that charges levelled against the Applicant is for displaying national flag which was torn and thereby committed offence under Prevention of Insults to National Honour Act, 1971.</p> <p>6. Learned Counsel for the Respondents could not point out any Circular contrary to Circular dated 19.03.2008 which mandated that Head Quarter should be at the place of posting of a Government servant at the time of suspension. As per this Circular, it is only in case of request of Government servant, the Head Quarter can be changed. In present case, there was no request by the Applicant neither any such case is made out for change of Head Quarter.</p> <p>7. In view of Circular dated 19.03.2008, the change of Head Quarter from Uran to Mumbai is totally unsustainable.</p> <p>8. The Head Quarter of the Applicant during suspension shall be at Uran with immediate effect.</p> <p>9. Two weeks' time is granted to file Rejoinder to O.A.</p> <p>10. S.O. to 04.08.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.07.2023</p> <p>M. A. No.85 of 2023 in O.A.No. 1313 of 2022</p> <p>S. K. NaiyaApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Anjali Kolapkar holding for Shri A. S. Gaikwad, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed to condone the delay of 6 months and 24 days caused in filing O.A. challenging communication dated 25.10.2019 denying compassionate appointment.</p> <p>3. O.A. ought to have been filed up to 25.10.2020 but it is filed on 22.12.2022. As per the order of Hon'ble Supreme Court in <i>Suo-Motu W.P. No.3/2020</i> dated 10.01.2022 limitation was extended in Covid period. As per the order of the Hon'ble Supreme Court dated 10.01.2022 in cases where the limitation would have expired during the period between 15.03.2020 till 28.02.2022, notwithstanding the actual balance period of limitation remaining, all persons have a limitation period of 90 days from 01.03.2022.</p> <p>4. In present case, limitation expired in between 15.03.2020 to 28.02.2022 i.e. Covid period and, therefore, O.A. was to be filed on or before 01.06.2022 in terms of order of the Hon'ble Supreme Court but same is filed on 22.12.2022.</p> <p>5. In M.A. though enough time is granted, no reply is filed.</p> <p>6. in view of above, in the interest of justice, I am inclined to condone the delay caused in filing O.A.</p> <p>7. M.A. is accordingly allowed with no order as to costs.</p> <p style="text-align: center;">Sd/- v (A.P. Kurhekar) Member(J)</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
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Date : 21.07.2023

O. A. No.1313 of 2022

S. K. NaiyaApplicant

Versus

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

1. Heard Smt. Anjali Kolapkar holding for Shri A. S. Gaikwad, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. This O.A. has been filed along with M.A. for condonation of delay which is allowed today.
3. O.A. is, therefore, required to be decided on merit.
4. Since the Respondents appeared in M.A. notices of O.A. is dispensed with.
5. Four weeks' time is granted to Respondents to file reply in O.A.
6. S.O. to 18.08.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.07.2023</p> <p>O.A.No.832 of 2023</p> <p>Dr. S. N. WankhadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri P. G. Kathane, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. The Applicant sought relief of condonation of break in service rendered as a Dental Surgeon before his regular appointment through M.P.S.C. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 18.08.2023. 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. 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. 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. 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. 9. S.O. to 18.08.2023. <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(J)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 21.07.2023

M. A. No.466 of 2023 in O.A.134 of 2019 with M.A.467 of
2023 in O.A.1076 of 2019 with O.A.1077 of 2019 with
M.A.468 of 2023 in O.A.1078 of 2019

V. L. Kardile

T. R. Wagh & Ors.

S. S. Nikkam & Ors.

P. K. Jadhav & Ors.

...Applicants

Versus

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

1. Heard Shri M. B. Kadam, learned Counsel for the Applicants and Shri A. J. Chougule & Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. These Misc. Applications are filed in pending O.As for condonation of delay.
3. Two weeks' time is granted to learned P.O. to file reply to M.A.
4. S.O. to 04.08.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.07.2023</p> <p>O.A. No.274 of 2023</p> <p>R.B. DongreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant along with Shri A.V. Bandiwadkar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri Pranil Sonawane, learned Advocate for the Respondent No.2.</p> <p>2. When the matter is taken up for hearing, learned P.O. tendered order dated 16.06.2023 issued by Respondent No.1 whereby the Applicant during the pendency of O.A. is posted as ACP, Crime Branch, Dentition – 2, Thane City as temporarily appointment.</p> <p>3. In O.A. the Applicant has challenged transfer order dated 10.03.2023 whereby he is transferred from ACP, Crime Branch, Dentition – 1, Thane to Human Resources Department, Thane.</p> <p>4. Applicant is also present before the Tribunal.</p> <p>5. In view of above, order dated 16.06.2023 tendered by learned P.O the Applicant sought permission to withdraw O.A. The Applicant also states that he want to withdraw O.A.</p> <p>6. Order dated 16.06.2023 is taken on record and marked by letter 'X'.</p> <p>7. Allowed to withdraw O.A. with no order as to costs.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.07.2023</p> <p>O.A.No.751/2023 (D.B.)</p> <p>I.V. BasleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate along with Mr. S. Sakhare, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Ms. Purva Pradhan, learned Advocate for Respondent No.3 and Mr. K.R. Jagdale, learned Advocate for Respondent No.4.</p> <p>2. Learned C.P.O. Ms. Manchekar seeks time to file reply.</p> <p>3. Learned Advocate Ms. Purva has filed reply for Respondent no.3.</p> <p>4. Learned Advocate Mr. Lonkar seeks time to file rejoinder to the reply filed by learned Advocate Ms. Purva. It be taken on record.</p> <p>5. Time granted. Adjourned to 28.07.2023.</p> <p style="text-align: right;">Sd/- / (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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 21.07.2023</p>
	<p>O.A.No.759/2023 (D.B.) R.N. KaningdhwajApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate Mr. Bhosale adjourned to 28.07.2023 for hearing on interim relief.</p> <p style="text-align: right;">Sd/- _____ (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>Date : 21.07.2023</p> <p>C.A.No.45/2023 in O.A.No.614/2022 (D.B.)</p> <p>N.D. GangurdeApplicant 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 holding for Ms. Archana B.K., learned Presenting Officer for the Respondents</p> <p>2. Learned P.O. has submitted that pursuant to order dated 07.06.2023 Respondent has filed affidavit-in-reply dated 14.06.2023 through Additional Chief Secretary. She has submitted that that the matter be adjourned as the Assembly is going on.</p> <p>3. Adjourned to 02.08.2023.</p> <p style="text-align: right;">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.07.2023</p> <p>O.A.No.211/2023 with O.A.No.19/2023 with O.A.No.20/2023 with O.A.No.21/2023 with O.A.No.88/2023 with O.A.No.223/2023 with M.A.No.39/2023 in O.A.No.66/2023 (D.B.)</p> <p>R.I. Madrap & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants in O.A.No.211/2023 with O.A.No.19/2023 with O.A.No.20/2023 with O.A.No.21/2023, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents in O.A. No.211/2023 with O.A.No.19/2023 with O.A.No.20 /2023 with O.A.No.21/2023 with O.A.No.88/2023 with O.A.No.223/2023 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents in M.A.No.39/2023 in O.A.No.66/2023. Mr. B.U. Deshmukh, learned Advocate for the Applicants in O.A.No.88/2023 with O.A.No.223/2023 & Mr. P.D. Patil, learned Advocate for the Applicant in M.A.No.39/2023 in O.A.No.66/2023 are absent.</p> <p>2. Learned C.P.O. seeks time to file reply. Learned C.P.O. states that is B.C.S.R. and M.C.S.R. matter.</p> <p>3. Adjourned to 28.07.2023</p> <p style="text-align: right;">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.07.2023</p> <p>O.A.No.546/2023 with O.A.No.543/2023 (D.B.)</p> <p>N.R. Takey & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. A.R. Kapadnis, learned Advocate for the Respondents No.6 and 8.</p> <p>2. Learned C.P.O. Ms. Manchekar and learned Advocate for Respondents No.6 & 8 Mr. Kapadnis seeks time to file reply</p> <p>3. Adjourned to 28.07.2023.</p> <p style="text-align: right;">Sd/- _____ (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>Date : 21.07.2023</p> <p>O.A.No.226/2023 (D.B.)</p> <p>N.L. KhairnarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents. Mr. S.S. Gosavi, learned Advocate for the Applicant is absent.</p> <p>2. Learned P.O. has submitted that reply is filed. Appointment orders for eligible candidates are also issued on 30.06.2023. Learned P.O. has submitted that in view that orders are issued O.A. has become infructuous.</p> <p>3. This Tribunal has earlier by order dated 23.11.2022 passed in O.A.No.1159/2022 as dealt with the same issue and the degree holders were also allowed to appear for the examination.</p> <p>4. Admit. Adjourned to 27.07.2023. H.O.B.</p> <p style="text-align: right;">Sd/- _____ (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 Date : 21.07.2023
	<p>M.A.No.131/2023 in O.A.No.226/2023 (D.B.) N.L. KhairnarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents. Mr. S.S. Gosavi, learned Advocate for the Applicant is absent.</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 cases are 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. is allowed.</p> <p style="text-align: right;">Sd/- (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>Date : 21.07.2023</p> <p>O.A.No.11/2023 (D.B.)</p> <p>P.L. PawarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Mr. V. Nirbhavane, learned Advocate for the Applicant is absent.</p> <p>2. Learned C.P.O. has submitted that reply is already filed.</p> <p>3. Admit. Place for Final Hearing with liberty to file rejoinder, if any.</p> <p>4. Adjourned to 25.08.2023</p> <p style="text-align: center;">Sd/- (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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 21.07.2023</p>
	<p>O.A.No.875/2023 (D.B.)</p> <p>S.B. TokeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.B. Kadam, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Applicant seeks specific direction that his representation dated 20.03.2023 is to be decided by the Appellate Authority.</p> <p>3. Learned C.P.O. points out that six months period is prescribed as per the Act to the Appellate Authority to decide representation. Hence, this O.A. is premature.</p> <p>4. Be that as it may. Matter adjourned to 25.09.2023.</p> <p style="text-align: right;">Sd/- _____ (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>Date : 21.07.2023</p> <p>M.A.No.7/2023 in O.A.No.96/2021 (D.B.)</p> <p>Dr. M.M. Mahind & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K. Gidh, learned Advocate holding for Mr. Kranti L.C., learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents</p> <p>2. Adjourned to 01.08.2023. Interim relief, if any, to be continued till next date.</p> <p style="text-align: right;">Sd/- _____ (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>Date : 21.07.2023</p> <p>C.A.No.70/2023 in O.A.No.823/2022 with C.A.No.75/2023 in O.A.No.116/2021 (D.B.)</p> <p>A.T. PatilApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Learned P.O. seeks adjournment as today no officer from the office of Respondent is present to give her instructions.</p> <p>3. Adjourned to 26.07.2023.</p> <p style="text-align: right;">Sd/- _____ (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>Date : 21.07.2023</p> <p>C.A.No.43/2023 in O.A.No.32/2023 with M.A.No.364/2023 in O.A.No.619/2023 (D.B.)</p> <p>A.D. Nargude & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant in C.A.43/2023 in O.A.32/2023, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents in C.A.43/2023 in O.A.32/2023 and for the Org. Respondents in M.A.364/2023 in O.A.619/2023 and Mr. Punam Mahajan, learned Advocate for the Respd (Org. Applicant) in M.A.364/2023 in O.A.619/2023.</p> <p>2. Adjourned to 27.07.2023. Interim relief, if any, to be continued till next date.</p> <p style="text-align: right;">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

Tribunal's orders

Date : 21.07.2023

O.A.No.866/2023 (D.B.)

S.B. Padwal & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Purva Pradhan, learned Advocate holding for Mr. V.S. Kadam, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Suto moto speaking to minutes. In order dated 21.07.2023 passed in O.A.No.866/2023 notice is remained to be issued.

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

4. Issue notice before admission returnable on 01.09.2023.

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.

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.

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.

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

6. Adjourned to 01.09.2023.

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

**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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 21.07.2023</p>
	<p>O.A.No.564/2023 (D.B.) S.D. ShelkeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Learned C.P.O. Ms. Manchekar seeks time to file reply</p> <p>3. Learned Advocate Mr. Dere presses for interim relief.</p> <p>4. Adjourned to 28.07.2023. Last chance granted to learned C.P.O. to file reply.</p> <p style="text-align: center;">Sd/- (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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p style="text-align: center;">Tribunal's orders Date : 21.07.2023</p>
	<p style="text-align: center;">O.A.No.670/2023 (D.B.)</p> <p>R.H. MetkarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Learned C.P.O. has submitted that reply of Respondent No.3 is filed and reply of Respondents No.1 and 2 is not filed yet.</p> <p>3. Adjourned to 03.08.2023 for hearing on interim relief.</p> <p style="text-align: center;">Sd/- (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>Date : 21.07.2023</p> <p>O.A.No.651/2023 (D.B.)</p> <p>Dr. V.P. WahaneApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Learned C.P.O. has filed reply on behalf of Respondent No.2.</p> <p>3. Admit. Place for Final Hearing. H.O.B. Rejoinder will not be taken on record.</p> <p>4. Adjourned to 28.07.2023.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 21.07.2023</p>
	<p>O.A.No.713/2023 (D.B.) K.D. Khandare & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.N. Rajpurohit, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Adjourned to 28.07.2023.</p> <p style="text-align: center;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.07.2023</p> <p>O.A.No.735/2023 (D.B.)</p> <p>K.V. BadaveApplicant 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. Learned P.O. seeks time to file rejoinder.</p> <p>3. Time granted. Adjourned to 25.07.2023.</p> <p style="text-align: right;">Sd/- _____ (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>Date : 21.07.2023</p> <p style="text-align: center;">O.A.No.870/2023</p> <p>S.S. UmapApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents</p> <p>2. Applicant challenges transfer order dated 30.06.2023 by which the Applicant is transferred from post of Talathi Pargaon, Tal. Purandar, Dist. Pune to the post of Talathi Walha, Tal. Purandar, Dist. Pune.</p> <p>3. Learned Advocate has submitted that Applicant was due for transfer. She has submitted that the Applicant has challenged the transfer order mainly on the ground of G.R. dated 09.04.2018 is not been followed. Applicant has given 10 choices. Learned Advocate has further submitted that the Applicant is an ex-serviceman and hence he has preferential claim. Learned Advocate further informs that Applicant's wife work in District Primary School. Learned Advocate has pointed out letter dated 12.07.2023 written by Tahasildar Purandar to the Applicant, which is reply to his letter dated 07.07.2023. In the said letter Tahasildar Purandar has informed that posts of Talathi in villages like Dive, Pandeshwar and Ati Valha are vacant. Learned Advocate has further submitted that the Applicant has given her choice No.1 as Dive</p> <p>4. Learned P.O. to take instructions as to why Applicant cannot be transferred to Dive village.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 25.07.2023.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. 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>8. 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>9. 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>10. 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 Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>11. Adjourned to 25.07.2023.</p> <p style="text-align: center;">Sd/- _____</p> <p style="text-align: center;">(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>Date : 21.07.2023</p> <p align="center">O.A.No.869/2023</p> <p>Dr. P.B. YeotikarApplicant 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. Applicant working as Livestock Development Officer challenges the transfer order dated 15.05.2023 transferring her from Panchayat Samit, Bhor, Tal. Bhor, Dist Pune to the post of Ghodegaon, Tal. Ambegaon, Dist Pune.</p> <p>3. Learned Advocate has submitted that Applicant was due for transfer. She has submitted that the Applicant has challenged the transfer order mainly on the ground that though she has given three choices, however she is not given posting. Learned Advocate relies on the G.R. dated 09.02.2023. She states that this G.R. is pertaining to giving appointment as per specialization possessed by the concerned Government Officer. She states that the Applicant holds Masters in Veterinary Science with Micro-Biology. She submits that there are posts available of MVSC or PhD in Micro Biology. Applicant is MVSC and also she has completed degree in Micro-Biology, so she is eligible for such post wherever these posts are vacant and available in Aundh. She further submits that there are personal reasons for which she seeks appointment in Aundh.</p> <p>4. Learned P.O. has submitted that the transfer order is dated 15.05.2023 and since the Applicant has challenged after two months, she may be granted time to file reply.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 04.08.2023.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. 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>8. 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>9. 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>10. 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 Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>11. Adjourned to 04.08.2023.</p> <p style="text-align: right;">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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 : 21.07.2023</p> <p>R. A. No.05 of 2023 in O.A.No.834 of 2019</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>S. B. Patil ...Respondent (Ori. Applicant)</p> <p>1. Heard Smt. Archana B. K., learned Presenting Officer for the Applicants (Ori. Respondents). The Respondent (Ori. Applicant) and his Counsel are absent.</p> <p>2. This R. A. is filed by the Respondents for review of order passed by the Tribunal on 30.09.2022 in O.A.No.834 of 2019.</p> <p>3. Since today Original Applicant and his Counsel are absent, the matter is adjourned for hearing.</p> <p>4. S.O. to 04.08.2023.</p> <p style="text-align: center;">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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Original Application 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
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Date : 21.07.2023

M. A. No.20 of 2019 in O.A.No.54 of 2019

G. A. Tilekar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad , learned Presenting Officer for the Respondents is present.

2. Since today the Applicant and his Counsel are absent, in the interest of justice, the matter is adjourned for hearing.

3. S.O: to 11.08.2023.

Sd/-
(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application 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 : 21.07.2023</p> <p>M. A. No.154 of 2023 in O.A.No.1329 of 2022</p> <p>Dr. G. A. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & 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. The perusal of record reveals that Applicant and his Counsel are continuously absent. Directions were given to Applicant and his Counsel to serve the notice of M.A. to Respondents but not served. Learned P.O. also submits that there is no service of notice of M.A.</p> <p>3. Thus, the Applicant and his Counsel appear not interested in the matter.</p> <p>4. M.A. is, therefore, dismissed in default with no order as to costs.</p> <p style="text-align: center;">Sd/- v (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
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Date : 21.07.2023

M. A. No.290 of 2023 in O.A.No.1260 of 2022

V .N. Thasale

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant, Smt. Archana B. K. , learned Presenting Officer for the Respondents and Shri Shete, learned Counsel for Respondent No.4.

2. On request of learned P.O., two weeks' time is granted to file reply to M.A.

3. S.O. to 04.08.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application 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 : 21.07.2023</p> <p>O.A.No.307 of 2023</p> <p>G. D. Johar & Anr.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Sushant Khatake holding for Shri Bhavake, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has tendered Affidavit in Reply on behalf of Respondent Nos.1 to 4. It is taken on record.</p> <p>3. O.A. be kept for hearing with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 18.8.2023.</p> <p style="text-align: center;">Sd/- /wv (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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Original Application 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
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Date : 21.07.2023

O.A.No.277 of 2023

K. R. Dhumal

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. Notices were issued to Respondents on 20.03.2023 but till date no reply is filed. Hence, I am not inclined to grant further time.

3. O.A. be kept for hearing at the stage of admission without reply.

4. S.O. to 18.08.2023.

Sd/-

v

(A.P. Kurhekar)
Member(J)

vsm

**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
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Date : 21.07.2023

O.A.No.337 of 2023

With

O.A.338 of 2023

N. R. Shinde

V. C. Padole

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri K. R. Jagdale, learned Counsel for the Applicants, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents and Shri Pranil Sonawane, learned Counsel for Respondent No.3 in O.A.337/2023.

2. On request of learned Counsel for the Respondent No.3, two weeks time is granted to reply as a last chance.

3. S.O. to 04.08.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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
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Date : 21.07.2023

O.A.No.712 of 2023

E. P. Patil

....Applicant

Versus

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

1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. On request of learned P.O., two weeks time is granted to file reply.
3. S.O. to 04.08.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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 : 21.07.2023</p> <p>O. A. No. 637 of 2023</p> <p>R. R. YadavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. G. Panchal, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that reply is under preparation and requests for three days time.</p> <p>3. S.O. to 24.06.2023.</p> <p style="text-align: center;">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 : 21.07.2023</p> <p>O.A.No.517 of 2023</p> <p>R. S. ChendkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and A. J. Chougule , learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is for filing Rejoinder of the Applicant but same is not filed.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 18.08.2023.</p> <p style="text-align: center;">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
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Date : 21.07.2023

O.A.No.492 of 2023

M. G. Mulla

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Notices were issued to the Respondents by order dated 28.04.2023 and since then enough time is availed but no reply is filed. The Tribunal granted interim relief by order dated 28.04.2023 and, therefore, O.A. has to be expedited.
3. Since enough time is granted, I am not inclined to grant further time.
4. O.A. to proceed without reply.
5. S.O. to 21.08.2023 for hearing at the stage of admission.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application 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 : 21.07.2023</p> <p>O.A.No.466 of 2023</p> <p>S. A. RawadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</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. Notices were issued to Respondents on 25.04.2023 and enough time is availed for filing reply but same is not filed.</p> <p>3. The Tribunal has granted interim relief and, therefore, matter needs to be expedited.</p> <p>4. Since enough chances are given, I am not inclined to grant further time.</p> <p>5. O.A. to proceed without reply.</p> <p>6. S.O. to 11.08.2023.</p> <p>Sd/- W (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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Original Application 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 : 21.07.2023</p> <p>O.A.No.738 of 2023</p> <p>P. N. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. B. Kadam, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks' time is granted to file reply.</p> <p>3. S.O. to 04.08.2023.</p> <p>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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Original Application 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 : 21.07.2023</p> <p>O.A.No.245 of 2023</p> <p>S. D. Mohite & Anrs.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing, learned Counsel for the Applicant submits that he wants to file M.A. so as to challenge the order dated 16.03.2022 whereby name of the Applicant No.1 was deleted on attaining the age of 45 years.</p> <p>3. Prayer in O.A. is restricted for directions to Respondents to include the name of Applicant No.2 in the waiting list.</p> <p>4. Two weeks' time is granted to file M.A. for appropriate amendment in O.A.</p> <p>5. S.O. to 04.08.2023.</p> <p style="text-align: right;"><i>A. P. Kurhekar</i> 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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Original Application 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 : 21.07.2023</p> <p>O.A.No.769 of 2023</p> <p>U. S. SuryawanshiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</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. On request of learned P.O., two weeks time is granted to file reply.</p> <p>3. S.O. to 04.08.2023.</p> <p style="text-align: center;">Sd/- vsm (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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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: 21.07.2023</p> <p align="center">O.A. No.98 of 2023 with O.A. No.99 of 2023</p> <p>R.V. Khedekar P.M. TalathiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Junior Advocate, holding for Smt. P. Walimbe, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. As final chance one week time is granted to file Affidavit-in-Reply on behalf of all the Respondents.</p> <p>3. S.O. to 28.07.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</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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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: 21.07.2023</p> <p align="center">O.A. No.148 of 2023</p> <p>A.G. Dhore & Anrs.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Learned Advocate for the Applicant and the Applicant are not present.</p> <p>2. Shri A.J. Chougule, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>3. Learned P.O. seeks three weeks time for filing Affidavit-in-Reply on behalf of all the Respondents.</p> <p>4. S.O. to 04.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="left">NMN</p>

**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 directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.07.2023</p> <p align="center">O.A. No.180 of 2023</p> <p>M.V. SakpalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Learned Advocate for the Applicant and the Applicant are not present.</p> <p>2. Shri A.J. Chougule, learned Presenting Officer holding for Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>3. Learned P.O. seeks one week time for filing Affidavit-in-Reply on behalf of all the Respondents.</p> <p>4. S.O. to 28.07.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

[P.T.O.]

**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 directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 21.07.2023</p> <p align="center">O.A. No.199 of 2023</p> <p>S.A. Shaikh HameedApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri V.K. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. O.A. is admitted and kept for Final hearing with liberty to file Rejoinder on behalf of the Applicant.</p> <p>3. S.O. to 28.07.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

[P.T.O.]

**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">Date: 21.07.2023</p> <p align="center">O.A. No.229 of 2023</p> <p>S.S. Chaudhari Applicant Versus The State of Maharashtra & Ors. Respondents.</p> <p>1. Heard Smt. R.D. Jadhav, learned Advocate holding Shri O.A. Wable, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant one week time is granted for filing Rejoinder, if any.</p> <p>4. S.O. to 28.07.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</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 align="center">Date: 21.07.2023</p> <p align="center">O.A. No.286 of 2023</p> <p>R.R. SarafApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Short Affidavit is already filed but no clarity is seen in the Affidavit-in-Reply relating to the cancellation of 60 days leave granted to the Applicant for the purpose of perusing his P.H.D. and it is also mentioned that there is recovery of Rs.8,01,176/- (Rupees Eight Lakhs One Thousand One Hundred Seventy Six Only) due from the Applicant. This issue needs to be clarified by the Respondent, and therefore Respondents are directed to file Short Affidavit with specific clarification relating to the cancellation of 60 days leave granted to the Applicant and recovery of Rs.8,01,176/-.</p> <p>3. S.O. to 04.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</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: 21.07.2023</p> <p align="center">O.A. No.349 of 2023</p> <p>S.P. KalgutkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Learned Advocate for the Applicant and the Applicant are not present.</p> <p>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. Learned P.O. seeks three weeks time to file Affidavit-in-Reply on behalf of all the Respondents.</p> <p>4. S.O. to 11.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</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: 21.07.2023</p> <p align="center">O.A. No.366 of 2023</p> <p>K.S. WaghApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.B. Rajkar, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer & Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed Affidavit-in-Reply on behalf of the Respondent Nos.1 to 4. It is taken on record.</p> <p>3. Learned Advocate for the Applicant seeks time to inform about filing of Rejoinder.</p> <p>4. S.O. to 28.07.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</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: 21.07.2023</p> <p align="center">O.A. No.352 of 2023</p> <p>N.A. Katti & Ors.,Applicant 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 holding for Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On three occasions Respondents were directed to file Affidavit-in-Reply by way of last chance. However, the Affidavit-in-Reply is still not filed by the Respondents.</p> <p>3. Without Affidavit-in-Reply, matter will proceed for Final Hearing.</p> <p>4. S.O. to 28.07.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

[P.T.O.]