

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 22.01.2021

O.A.No.1120 of 2018

S.N. Salve ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.B. Kadam, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri Bhushan V. Bandiwadekar, learned Advocate for the Respondent No.4
2. The learned Counsel Shri M.B. Kadam submits that the learned Counsel Dr. Sadavarte is not appearing in this matter. The matter is now, therefore, taken up by the Division Bench.
3. The learned Counsel Shri Bandiwadekar submits that the earlier learned Counsel Mr. Hanmukh Danewala, has given no objection to learned Counsel Mr. G.A. Bandiwadekar or Mr. B.A. Bandiwadekar to appear on behalf of Respondent no.4. This letter dated 21/01.2021 is taken on record and marked as 'X'.
4. The learned Counsel Shri Bhushan V. Bandiwadekar seeks time for some preparation.
5. The applicant challenges the selection of Respondent no.4. The Applicant claims that she should have been taken in place of Respondent no.4 as an eligible candidate.
6. The learned C.P.O. submits that the enquiry was conducted against Respondent no.4 on account of making false affidavit that she was having 2 children when she applied with M.P.S.C for the Government job. However, the affidavit turned false because at that time she was having 3 children.
7. The learned C.P.O. further submits that after holding an enquiry a punishment is proposed and now file is with the M.P.S.C.
8. Adjourned to 12.02.2021 with hope that till then the M.P.S.C. and the Government, both will come up with the decision.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar J.)
Chairperson

**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>O.A. No.594 of 2015</u></p> <p>M.V. Gawas ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. Advocate for the applicant adjourned to 29.1.2021 for final hearing.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman 22.1.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-  (Mridula R. Bhatkar, J.) Chairperson 22.1.2021</p> </div> </div>

**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
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Date : 22.01.2021

M.A.No.94 of 2020 in O.A.No.131 of 2020

S.S. Tawde ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Kranti L.C., learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned Counsel requests that time to be extended by two weeks to carry out the amendments in the amendment application.

3. Time granted. S.O. to 04.02.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar J.)
Chairperson

prk



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>22.01.2021</u></p> <p align="center"><u>O.A 1103/2020</u></p> <p>Shri Prabhakar T. Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms G. Deshpande, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The applicant who retired as a lecturer from J.J School of Arts on 31.1.2013, prays for pay fixation and further fixation of his pension and other benefits.</p> <p>3. It is the case of the Respondents that the Government had issued G.R dated 27.2.2017, to resolve the issue of pay scale and pensionary benefits of all the Lecturers & Professors from all other Arts Schools including J.J School of Arts. The Respondents have fixed the pay scale of the applicant on the basis of grade pay of Rs. 8000/- which he was getting at the time of retirement as per 6th Pay Commission. The only dispute the applicant claims is that his last pay salary was Rs. 37,100/- and the Respondents on the basis of G.R dated 27.2.2017, has fixed the pay of the applicant at Rs. 31,280/-. However, it is the case of the Respondents that the pay fixation of the applicant at Rs. 31,280/- is on the basis of Grade Pay of Rs. 8000/-.</p> <p>4. After hearing both the sides, and also after considering the judgment of the Bombay High Court, Aurangabad bench in W.P 4977/2004 State of Maharashtra & Ors Vs. Arvind S/o Sumant Engineering & another with W.P 4978/2004, in State of Maharashtra & ors Vs. Nilkanth. V. Kumbar, decided on 23rd August, 2018 and so also the judgment of M.A.T, Aurangabad bench dated 2.5.2002, in T.A 2183/1991 and O.A 521/1995, we direct both the parties to sit together and to resolve the issue.</p> <p>5. It is informed by learned counsel for the applicant that applicant stays at Nagpur. We, therefore, direct the applicant to attend the office of Respondent, Directorate of Arts on 2.2.2021 at 12.00</p> <p>6. S.O to 5.2.2021. Part Heard. Steno copy granted.</p> <p align="center">  Sd/- (P.N Dixit) Vice-Chairman (A) </p> <p align="center">  Sd/- (Mridula Bhatkar, J.) Chairperson </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 22.01.2021

O.A.No.921 of 2015

A.V. Disale ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned Advocate Shri S.D. Patil is not present though he has taken the circulation. Hence matter is fixed under the caption 'For Dismissal' on next date.

3. Adjourned to 29.01.2021.

Sd/-

**(P.N. Dixit)
Vice-Chairman**

Sd/-

**(Mridula Bhatkar J.)
Chairperson**

prk

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

Tribunal's orders

Date : 22.01.2021

O.A.No.523 of 2020 with M.A.No.40 of 2021

S.A. Govekar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri Amol B. Jagtap, learned Advocate holding for Shri A.A. Desai, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

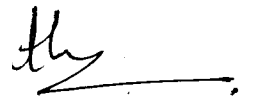
2. The learned Counsel submits that the application for amendment is moved in the O.A. The applicant in O.A.No.523/2020 has challenged his suspension order dated 28.09.2020. The learned Counsel submits that the applicant by way of amendment wants to challenge the show cause notice given after the suspension along with the charge-sheet dated 18.12.2020.

3. The learned C.P.O. while opposing this M.A. submits that the challenge to charge sheet and show cause notice are different causes. Moreover these reliefs cannot be triable before the Single Bench.

4. In view of the submission of learned Counsel and learned C.P.O. the M.A. for amendment is allowed. The amendment is to be carried out within a week from today. The copy of the amended O.A to be served on learned C.P.O. afresh forthwith. After amendment the O.A. will become a subject matter before the Division Bench. The Registry is directed to keep this matter before Division Bench after amendment.

5. M.A.No.40/2021 is hereby allowed. O.A. be placed before Division Bench on next date.

6. Adjourned to 08.03.2021.

Sd/- 
(Mridula Bhatkar J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 22.01.2021

O.A.No.349 of 2020

V.A. Lalbige ... Applicant

Vs.

The State of Maharashtra & Ors Respondents



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

2. Smt. Punam Mahajan, learned Advocate for the Applicant is absent. Leave note is on record.

3. The learned P.O. submits that the copy of the application is not served to the office of Social Justice Department, Respondent No.1. The learned P.O. submits that however now the copy is handed over to the officer who is present on behalf of Social Justice Department.

4. It is made clear to the Respondent to specifically mention with the support of relevant provision in G.R. or Lad Page Committee Report that the legal heirs of the Government employee who is compulsorily retired by way of disciplinary action is entitled to appointment on compassionate ground and be given the benefit of Lad Page Committee Report

5. S.O. to 08.02.2021.


 Sd/- 

**(Mridula Bhatkar J.)
Chairperson**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

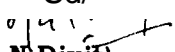
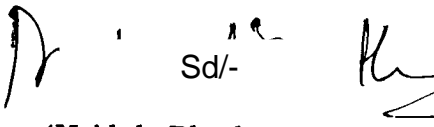
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>22.01.2021</u></p> <p style="text-align: center;"><u>O.A 829/2019 with M.A 331/2020</u></p> <p>A.P Ghadge & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Mangal Bhandari Special Counsel along with Shri Mangesh Deshmukh, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents no 1 to 4. Shri P.A Kulkarni, learned advocate for Respondents no 5 to 10 absent.</p> <p>2. In this matter, learned counsel Mr Bhandri for the applicants so also Smt Kranti Gaikwad, learned P.O for the Respondents have completed their arguments on 4.12.2020. Mr Pramod Kulkarni, who is appearing for Respondents 5 to 10 has submitted that five O.As are to be clubbed along with present O.A and the submissions were accepted and all these O.As were clubbed.</p> <p>3. It is to be noted further that the order dated 4.12.2020 regarding bringing five O.As from the custody of Registrar, M.A.T, Aurangabad to Mumbai as permitted to Mr. Kulkarni is also not complied with. Further as per para 7 of the order dated 4.12.2020, Mr. Kulkarni has not sent the copies of those five Original Applications to Mr. Bhandari or the learned P.O, through email, till today.</p> <p>4. Thereafter, matter was fixed on 16.12.2020. On that day, Mr Kulkarni was not present because there was some family problem and at his request matter was fixed on 24.12.2020 and Mr Kulkarni had telephonically informed Mr. Bhandri, that his junior would reach with written notes. However, his junior did not appear before the Court. Then Mr. Kulkarni after contacting Mr. Bhandari informed that matter be kept on 22.1.2021 and therefore as per his request the matter is fixed today. Today till 1.00 pm Mr. Kulkarni did not come from Aurangabad and therefore Mr. Bhandari was requested to contact Mr. Kulkarni on phone and find out his whereabouts and whether he is on the way. Learned counsel Mr Bhandari, informs this Court that Mr. Kulkarni is in Aurangabad and he is unable to attend this Tribunal today as the Hon'ble The Chief Justice, Bombay High Court is in Aurangabad.</p> <p>5. Mr Bhandari produces a notice issued by Bombay High Court, bench at Aurangabad on 21.1.2021 wherein it was mentioned that today the Court will hold Full Court reference to late Shri P.M Shah, Senior Counsel at 10.30 am and it was only for the invitees. Learned counsel Mr.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Bhandari has produced a print of the Board of the Hon'ble The Chief Justice, Bombay High Court, bench at Aurangabad. It shows Full Bench taking only two matters on criminal side. The same is taken on record.</p> <p>6. Learned counsel Mr. Bhandrari informs that his junior Mr. Deshmukh had contacted Mr Pramod Kulkarni, advocate for Respondent last night. Mr Pramod Kulkarni, informed that he would be coming today or his junior would attend the Court.</p> <p>7. The reason given by Mr Pramod Kulkarni, learned advocate cannot be accepted for adjournment. We endorse our disapproval for his behavior as a Advocate.</p> <p>8. By way of last chance the matter is fixed on 29.1.2021. If Mr. Pramod Kulkarni is absent we will proceed with the matter and close for judgment.</p> <p>9. S.O to 29.1.2021.</p>
<p>Sd/-  (P.N. Dixit) Vice-Chairman (A)</p>	<p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p>
<p>Alm</p>	

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Date : 22.01.2021

O.A.No.305 of 2018

S. S. Jatti

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri V. P. Potbhare holding for Shri J. N. Kamble, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Learned Counsel for the Applicant submits Advocate Shri J. N. Kamble is hospitalized and requested for adjournment.
3. S.O. to 18.02.2021 for final hearing.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 22.01.2021

O.A.No.353 of 2020

P. D. Kokare

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri R.M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Learned Counsel for the Applicant submits that Sur-Sur-Rejoinder will be filed during the course of the day. Statement is accepted. It be taken on record.
3. The matter is adjourned for hearing at the stage of admission.
4. S.O. to 28.1.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.01.2021</p> <p>O.A.No.1190 of 2019</p> <p>C. V. NairApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri M. D. Lonkar, learned Counsel for the Applicant is on leave note. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Perusal of record reveals that this O.A. remains unlisted for long time in lockdown period and today for the first time it is listed for regular hearing. It is, therefore, necessary to give one opportunity of hearing to the parties.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 09.02.2021.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 22.01.2021</p> <p align="center">O.A.No.851 of 2019</p> <p>R. D. HirveApplicant</p> <p align="center">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Counsel both are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present . 2. Perusal of record reveals that this O.A. remains unlisted for long time in lockdown period and today for the first time it is listed for regular hearing. It is, therefore, necessary to give one opportunity of hearing to the parties. 3. The matter is adjourned for hearing at the stage of admission. 4. S.O. to 09.02.2021. <p align="right">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

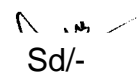
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.01.2021</p> <p align="center">O.A.No.785 of 2019</p> <p>G. K. SanapApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri M. D. Lonkar, learned Counsel for the Applicant is on leave note. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Perusal of record reveals that this O.A. remains unlisted for long time in lockdown period and today for the first time it is listed for regular hearing. It is, therefore, necessary to give one opportunity of hearing to the parties.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 09.02.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 22.01.2021

O.A.No.200 of 2020

M. P. Jamadar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri V. P. Potbhare holding for Shri J. N. Kamble, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Learned Counsel for the Applicant submits Advocate Shri J. N. Kamble is hospitalized and requested for adjournment.

3. S.O. to 18.02.2021 for final hearing.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p>Date : 22.01.2021</p> <p align="center">O.A.No.749 of 2019</p> <p>V. G. DavariApplicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondent No.1 and Shri M. V. Thorat, learned Counsel for the Respondent No.2.</p> <p>2. Today, Shri A. J. Chougule, learned P.O. for the Respondents has filed Affidavit-in-Sur-Rejoinder on behalf of the Respondent No.1. It is taken on record.</p> <p>3. Shri Thorat, learned Counsel for the Respondent No.2 seeks short time to file Sur-Rejoinder.</p> <p>4. In so far as Respondent Nos.3 and 4 are concerned, the office is directed to verify the service and shall make necessary endorsement on farad.</p> <p>5. S.O. to 15.02.2021.</p> <p align="right">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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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.01.2021</p> <p>O.A.No.344 of 2019</p> <p>R. S. RathodApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Perusal of record reveals that this matter was unlisted during the period of Covid-19 Pandemic situation and lockdown.</p> <p>3. Today, for the first time, it is taken on board in view of starting of regular hearing.</p> <p>4. The matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 15.02.2021.</p> <p style="text-align: right;">Sd/- vsm (A.P. Kurhekar) Member(J)</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p align="center">Date : 22.01.2021</p> <p align="center">O.A.No.638 of 2020</p> <p>D. U. RathodApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has tendered the order dated 21.01.2021 whereby the Applicant is shown posted on transfer at Amravati who was in waiting in view of posting of the Respondent No.2 in his place by order dated 28.10.2020.</p> <p>3. Shri K. R. Jagdale, learned Counsel for the Applicant submits that he wants to take instructions from his client in respect of transfer order dated 21.01.2021 and sought one week time to take necessary steps.</p> <p>4. S.O. to 29.01.2021.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p>Date : 22.01.2021</p> <p>O.A.No.50 of 2019</p> <p>V. T. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Perusal of Original Application reveals that it was lying unattended due to Covid-19 Pandemic situation and lockdown.</p> <p>3. Today, for the first time it is listed for hearing, and therefore, the Applicant seems to have no knowledge of listing of the matter.</p> <p>4. In view of above, the matter is adjourned to 08.02.2021 for hearing with other connected matters already fixed on 08.02.2021.</p> <p>5. S.O. to 08.02.2021.</p> <p style="text-align: right;">^ Sd/- /w (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 22.01.2021

O.A.No.102 of 2020

S. H. Shaikh

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents submits that reply will be filed during the course of the day. Statement is accepted. It be taken on record.

3. The matter is adjourned for hearing at the stage of admission.

4. S.O. to 05.02.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

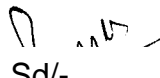

M.A./R.A./C.A. No. _____ of 20 _____

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 : 22.01.2021</p> <p align="center">R.A. No.12 of 2020 in O.A.No.525 of 2019</p> <p>R. B. NirmaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submits that the matter is handled by Smt. Kranti Gaikwad, learned P.O. but due to hospitalization of her father, she is unable to attend the Tribunal today. He, therefore, requested for adjournment.</p> <p>3. S.O. to 29.01.2021.</p> <p align="right"> Sd/- V (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 : 22.01.2021</p> <p style="text-align: center;">O.A.No. 154 of 2019</p> <p>S. N. PingaleApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B. S. Shinde, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Perusal of record reveals that there is no service of notice on Respondent No.2. He was served only with the notice of M.A.No.82/2019 for condonation of delay which was allowed on 22.07.2019. However, no steps were taken to serve the Respondent No.2. 3. Learned Counsel for the Applicant is directed to take necessary steps for issuance of notice to Respondent No.2. 4. Issue notice before admission returnable on 16.02.2021 to Respondent No.2 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 7. 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. 8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 9. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 10. S.O. to 16.02.2021. <p style="text-align: right;">  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 : 22.01.2021

M.A.No.574 of 2019 in O.A.No. 1032 of 2019

R. S. KambleApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri S. B. Rohile, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Initially, M.A.No.574/2019 was dismissed in default by order dated 08.01.2020 and accordingly O.A. was also disposed of.
3. However, in view of order passed in M.A. No.74/2020, the matter was restored and M.A.No.574/2019 as well as O.A.1032/2019 were restored to file.
4. However, after restoration of the matter, there is no service of notice on Respondent Nos.2 and 3. Therefore, it is necessary to issue notice to Respondent Nos.2 and 3.
5. Issue notice before admission returnable on 15.02.2021 to Respondent Nos.2 and 3.
6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
9. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
10. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

11. S.O. to 15.02.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 22.01.2021

O.A.No.454 of 2020

Shri Sunil A. GolokarApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

Speaking to Minutes

1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. This O.A. has been disposed of on 19.01.2021 in view of the statement made by the learned P.O. that the Applicant will be accommodated at Akola in vacant post on 19.01.2021. During the course of hearing, learned P.O. was asked to take instructions from the Respondent No.2 about vacancy position and accordingly he took instructions from Assistant Commissioner and made statement. It is on that basis in Para No.4 it is stated as follows:-

"4. At this juncture, Shri A. J. Chougule, learned P.O. was asked to take instructions from the Respondent No.2 as to whether post is vacant at Akola and the Applicant can be accommodated there. Accordingly, he took instructions from Shri Atul Ghusale, Asstt. Commissioner in the office of Sales Tax, Mumbai and stated that the Respondent No.2 is ready to accommodate the Applicant on vacant post at Akola. He has further clarified that the post at Akola had fallen vacant recently on 23.07.2020. "
3. Shri A. J. Chougule, Learned P.O. stated that the competent authority is Commissioner of Sales Tax and not the Respondent No.2 from whom he has taken instructions and on that basis made a statement. He therefore submitted that Para No.4 needs to be modified by giving suitable directions
4. In view of above, Para No.4 is replaced and it should read as under :-

" 4. At this juncture, Shri A. J. Chougule, learned P.O. was asked to take instructions from the Respondent No.2 as to whether the post is vacant at Akola and the Applicant can be accommodated there. Accordingly, he took instructions from Shri Atul Ghusale, Asstt. Commissioner in the office of Sales Tax, Mumbai and stated that the post is vacant. Respondent No.2 is, therefore, directed to consider the transfer of the Applicant on vacant post at Akola".
5. The period of one week granted by order dated 19.01.2021 is extended for another one week from today.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 22.01.2021</p> <p align="center">O.A.No.465 of 2019</p> <p>S. K. MukherjeeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Archana , learned Presenting Officer for the Respondents. 2. Perusal of O.A. reveals that the Applicant has claimed several reliefs including deemed date of promotion in the cadre of Secretary w.e.f. 23.07.2009 as well as also claimed promotion on the post of Principal Secretary w.e.f. 23.07.2014. 3. Admittedly, the Applicant stands retired as Secretary, P.W.D. He did not get promotion to the post of Principal Secretary. 4. Shri D. B. Khaire, learned Counsel for the Applicant sought to contend that if the Applicant gets deemed date of promotion in the cadre of Secretary w.e.f. 23.07.2009 then he will be eligible for further promotion to the post of Principal Secretary w.e.f. 23.07.2014 (after completion of five years tenure in the cadre of Secretary). 5. Thus, this O.A. does not pertain to deemed date of promotion only but the Applicant is seeking promotion to next post of Principal Secretary, P.W.D. 6. As per office order, the subject of deemed date of promotion only pertains to Single Bench whereas subject of promotion pertains to Division Bench. 7. In view of above, Registrar is directed to examine the matter and place it before appropriate bench. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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
	<u>O.A. No.27 of 2021</u>
	<p>Y.G. Lawande ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant who is working as Assistant Supervisor (Composing) in Government Printing, Stationary and Publication Directorate, Government of Maharashtra challenges the order dated 30.1.2019 thereby denying promotion to the applicant on the ground that he does not hold requisite educational qualification i.e. Diploma in Printing as per Rule 27(b)(3) of Government Printing and Stationary (Recruitment) Rules, 1990 (pg.45 of OA).</p> <p>3. Ld. Advocate for the applicant relies on the judgment and order dated 8.2.2019 passed by this Tribunal in OA No.384/2019 in the matter of Shri Ananda Khandu Bangar Vs. The State of Maharashtra & Anr and also relies on the judgment and order dated 4.1.2012 passed by this Tribunal in OA No.1294 of 2010 in the matter of Shri Tanaji Lobha Sonavane Vs. The State of Maharashtra & Ors.</p> <p>4. Ld. CPO seeks time to take instructions and file reply.</p> <p>5. Issue notice before admission returnable on 25.2.2021.</p> <p>6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly</p>

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

Tribunal's orders

authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. 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.

8. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-
(P.N. Dixit)
Vice-Chairman
22.1.2021

(sgj)

Sd/-
(Mridula R. Bhatkar, J.)
Chairperson
22.1.2021

**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
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M.A. No.11 of 2021 in O.A. No.27 of 2021

Y.G. Lawande ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicant challenges the order dated 30.1.2019. Thus, the time to file the application was upto 29.1.2020. The OA is filed on 5.1.2021 with MA for condonation of delay.

3. In view of the order dated 23.3.2020 passed by the Hon'ble Supreme Court in Suo Motu Writ Petition (Civil) No.3 of 2020, the delay is condoned after 15.3.2020. In view of this there is a delay of two months approximately. Hence it is condoned. MA disposed off accordingly.

Sd/-

(P.N. Dixit)
Vice-Chairman
22.1.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
22.1.2021