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	
	Date: 22.03.2022	
	O.A. No.980 of 2	021
	Dr. Usha Yadav	Applicant
	Versus The State of Maharashtra & Ors.	Respondents.
	 Heard Mr. Suryakant Lavte the Applicant and Shri A.J. Chougu Officer for the Respondents. 	e, learned Advocate for ule, learned Presenting
	 Today learned Advocate filed Affidavit-in-Rejoinder on bel is taken on record. 	for the Applicant has
	3. S.O. to 07.04.2022.	
		Sd/-
	i ·	.P. Kurhekar) Member (J)

|Spl.- MAT-F-2 E.

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

Date: 22.03.2022

O.A. No.221 of 2020

S.V. More

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Applicant and his Advocate both are absent.
- 2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.
- 3. The perusal of record reveals that the Applicant and his Advocate are not attending the matter frequently and are absent on various date. O.A. was therefore dismissed twice but again restored. However, today again the Applicant and his Advocate is absent, thus they appear not interested in the matter.
- 4. In view of above, O.A. is dismissed in default with no order as to costs.

Sd/-

(A.P. Kurhekar) Member (J)

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

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders Date: 22.03.2022 O.A. No.21 of 2020 D.G. HingeApplicant **Versus** The State of Maharashtra & Ors.Respondents.

- Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- Shri A.J. Chougule, learned P.O. submits that matter is being conducted by Smt. Archana B.K., learned P.O. but she is on leave and requested for adjournment.
- 3. S.O. to 05.04.2022.

Sd/-

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(A.P. Kurhekar) Member (J)

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

of 20

I N

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date: 22.03.2022	
	O.A. No.31 of 2	020
	D.K. Zote	Applicant
	Versus The State of Maharashtra & Ors.	Respondents.
	1. Heard Shri A.V. Bandiwade for the Applicant and Shri A.J. Presenting Officer for the Respond	I. Chougule, learned
	 Today learned Advocate f filed Affidavit-in-Rejoinder on bel lt is taken on record. 	
	3. On request of learned P.C Hearing along with connected CO.A. No.765/2020.	
	4. S.O. to 13.04.2022.	
		Sd/-
	(A.Ď.	Kurhekar)

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Member (J)

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 22.03.2022
	O.A. No.928 of 2019 with O.A. No.937 of 2019
	S.A. DhamaleApplicant Versus
	The State of Maharashtra & OrsRespondents.
	 Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
	2. Shri A.J. Chougule, learned P.O. submits that matter is being conducted by Smt. Archana B.K., learned P.O. but she is on leave and requested for adjournment.
	3. S.O. to 13.04.2022.
	<i>\</i> Sd/-
	(A.P. Kurhekar) Member (J)
	NMN

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 22.03.2022
	O.A. No.194 of 2021 with O.A. No.287 of 2020
	Dr. A.S. Bendre Dr. P.N. KakadeApplicant Versus The State of Maharashtra & OrsRespondents.
	 Heard Shri N.Y.Ukey, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
	 On request of learned Advocate for the Applicant two weeks time is granted for Final Hearing.
	3. S.O. to 05.04.2022.
	∿ Sd/-
	(A.P. Kurhekar) Member (J)
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M.A./R.A./C.A. No.

of 20

ΙN

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 o	rders
	22.03.2022	
	O.A 171/20	022
	Shri S.R Goud	Applicant
	Vs. The State of Maharashtra & Ors	Respondents
	1. Heard Mrs Punam Mah for the applicant and Smt K.S G the Respondents.	
	2. The Respondent no. 1, February decide the representation of 12.10.2021 on or before 30.3.202	the applicant dated
	3. S.O to 31.3.2022.	
	Sd/-	Sd/- 2
	(Medha Gadgil) (Member (A)	Mridula Bhatkar, J.) Chairperson

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

of 20

IN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	22.03.2022
	O.A 432/2016
	P.P Lokhande Applicant Vs.
	The State of Maharashtra & Ors Respondents
	1. Heard Shri R.M Kolge, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
	2. Learned counsel for the applicant submits that the order is passed in favour of the applicant or 4.2.2022 and the grievance of the applicant is redressed.
	3. In view of the above, learned counsel for the applicant seeks permission to withdraw the Original Application.
	4. Permission granted. Original Application is allowed to be withdrawn and disposed of.
	Sd/- Sd/-
	(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson

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

of 20

I N

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders			
		<u>O.A.</u> N	No.421 of 2021	
		Kotwal Vs.		Applicant
	The S	tate of Maharashtra &	& Ors.	Respondents
		Heard Smt. Punan applicant and Smt. For the Respondent	C.S. Gaikwad,	learned Presenting
	stated medic 2022.	Ld. PO produces co fice of respondent no I that applicant will local examination, in The said letter is ta or identification.	.2 to respondent be sent for train the next batch	ning, subject to his which is in June,
	3.	Ld. PO to file reply	√.	
	4.	S.O. to 31.3.2022.		
	(sgj)	Sd/- (Medh# Gadgil) Member (A) 22.3.2022	(Mridula B Chairp 22.3.	person

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

22.03.2022

M.A 127/2022 in O.A 495/2019

Smt T.K Tayade

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned counsel for the applicant states that the applicant has shifted her residence to Jalgaon after the COVID-19 Pandemic, and therefore, the record and proceedings in O.A 495/2019 be transferred to M.A.T, Aurangabad Bench.
- B. Learned P.O has no objection in transferring the record and proceedings in the said matter to M.A.T, Aurangabad.
- Registry is directed to transfer the record and proceeding in O.A 495/2019 to M.A.T, Aurangabad. The original record and proceedings be handed over to the applicant and the applicant is directed to submit the same to the Registrar, M.A.T, Aurangabad Bench omorrow, i.e. on 23.3.2022.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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.....Respondents.

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	
<u> </u>	Date: 22.03.2022	
	O.A. No.232 of 2022	with O.A. No.233 of 2022
	D.D. Harale N.J. Vedpathak	Applicant

Versus

1. Heard Shri A.V. Bandiwdekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

The State of Maharashtra & Ors.

- 2. These two O.As are filed for direction to release withheld retiral benefits.
- 3. In O.A. No.232/22 the Applicant stand retired on 30.04.2020 as Agricultural Assistant. Whereas, the Applicant in O.A. No.233/22 stand retired on 31.05.2014 from the post of Tracer. Joint enquiry of 14 delinquent was initiated and the Applicants were amongst them. Enquiry officer submitted report on 19.09.2019 holding delinquent guilty but thereafter no final decision was taken and therefore the Applicants were constrained to file this O.A.
- 4. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1 in both the O.As. In Affidavit all that it is stated that the matter is in process and Respondents will decide D.E. at the earliest.
- 5. Learned P.O. sought to contend that due to COVID-19 Pandemic situation and it being joint enquiry of total 14 delinquent, it is delayed and now final order will be passed at the earliest.
- 6. Indeed, the Affidavit filed by Shri Amol N. Sakharkar, Under Secretary is silent about the steps taken in the matter from time to time to show diligence. The enquiry officer has submitted report on 19.09.2019 and now period of more than 2 years and 6 months is over but astonishingly till date no final decision is taken and matter seems pending without substantial

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

Tribunal's orders

progress. In Affidavit it is stated that reminders were sent to the Respondent No.2 – The Commissioner for Agriculture and the report of Director (Horticulture) was received on 21.03.2022. Indeed, it was for Disciplinary Authority to examine report and to pass final order in accordance to law within reasonable time.

- 7. Indeed, as per provision of Departmental Enquiry Manual and circular dated 07.04.2008, enquiry was required to be completed maximum within one year and where enquiry is not completed within one year specific order for extension of time is required to be obtained from the Heard of the Department. In the present matter admittedly no such extension was sought. Suffice to say Respondents acted in derogation of circular dated 07.04.2008. As per the said circular if enquiry remains pending for five years or more, Government is under obligation to fix responsibility and to take Departmental action against the concerned for such inordinate delay. But there is complete defiance of circular dated 07.04.2008.
- 8. Had Respondent No.1 acted diligently and monitored enquiry the matter would have attended finality much earlier. Suffice to say there is inordinate and huge delay in completion of D.E. as well as for passing final order in D.E. This inordinate delay has deprived the Applicants from getting their remaining retiral benefits. Negligence and laxity on the part of concerned is obvious.
- 9. In view of above, Principal Secretary, Agriculture is directed to file Affidavit to explain the delay caused in finalizing D.E. and also to explain the steps taken by him after receipt of D.E. Affidavit should be filed within seven days.
- 10. S.O. to 29.03.2022.

Sd/-

(A.P. Kurhekar) Member (J)

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

22.03.2022

M.A 127/2022 in O.A 495/2019

Smt T.K Tayade

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned counsel for the applicant states that the applicant has shifted her residence to Jalgaon after the COVID-19 Pandemic, and therefore, the record and proceedings in O.A 495/2019 be transferred to M.A.T, Aurangabad Bench.
- B. Learned P.O has no objection in transferring the record and proceedings in the said matter to M.A.T, Aurangabad.
- Registry is directed to transfer the record and proceeding in O.A 495/2019 to M.A.T, Aurangabad. The original record and proceedings be handed over to the applicant and the applicant is directed to submit the same to the Registrar, M.A.T, Aurangabad Bench tomorrow, i.e. on 23.3.2022.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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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

Date: 22.03.2022

M.A. No.117 of 2022 in R.A. No.04 of 2022 in O.A.No.774 of 2018

N.N. Kulkarni

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri H.N. Kulkarni, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
- 2. O.A.No.774/2018 was filed challenging transfer order dated 13.07.2018. Original Application was allowed on 09.05.2019 and directions were given to the Respondents to reinstate the Applicant on the post he was transferred from within two weeks from the date of order.
- 3. Now, the R.A. is filed along with M.A. for condonation of delay. In R.A., prayer is for direction to Respondents to pay back wages from 19.07.2018 to 22.05.2019 with interest. Since R.A. is not filed within limitation of one month from the date of order, M.A. is filed for condonation of delay of 1020 days.
- 4. When specific query was raised to learned Counsel for the Applicant as to how R.A. is maintainable since totally different relief is claimed in R.A., he sought permission to withdraw M.A. as well as R.A. with liberty to file fresh O.A.
- 5. Allowed to withdraw M.A. and R.A. with liberty to file fresh O.A., if permissible in law and subject to law of limitation.
- 6. M.A. and R.A. are accordingly disposed of with no order as to cost.

Sd/-

(A.P. Kurhekar) Member(J)

[*P.T.O.*

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

of 20

ΙN

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

Date: 22.03.2022

O.A.No.424 of 2020

Dr. K. B. Batte

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
- 2. Despite enough chances, no reply is filed to the amendment made in O.A. Hence, I am not inclined to grant further time.
- O.A. be kept for final hearing.
- 4. S.O. to 06.04.2022.

Sd/-

(A.P. Kurhekar) Member(J)

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 22.03.2022
	O.A.No.199 of 2020
	A. L. A. MujawarApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	 Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
	2. On request of learned P.O., one week time is granted
	to comply the order dated 14.03.2022 and for filing Affidavit
	in Reply of Respondent No.2.
	3. S.O. to 30.03.2022.
	Sd/-
	(A.P. Kurhekar) Member(J)

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

Date: 22.03.2022

O.A. No.251 of 2022

R.S. Shinde
Versus
The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant submits that though belatedly the Applicant is reinstated in service by order dated 16.03.2022, this is a case of prolong suspension for 7 years, and therefore the Applicant is entitled to the relief of pay and allowances of suspension period as claimed in para 9(b) of O.A.
- 3. As such, even if the Applicant is reinstated in service belatedly by order dated 16.03.2022. O.A. needs to be adjudicated on its own merit.
- 4. Issue notice before admission returnable on 19.04.2022.
- 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 Original Application. 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.

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

Tribunal's orders

- 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 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 10. S.O. to 19.04.2022.

Sd/-

(A.P. Kurhekar) Member (J)

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

of 20

IN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	i
	<u>O.A. No.122 of</u>	2022
	R.P. Satpute	Applicant
	Vs. The State of Maharashtra & Ors.	Respondents
	Heard Smt. Punam Mahaja the Applicant and Smt. K.S. Gai Officer for the Respondents.	an, learned Advocate for kwad, learned Presenting
	2. Ld. PO seeks time to file re	ply.
	3. S.O. to 5.4.2022. Interim re	elief to continue.
	Sd/-	Sd/- >
	(Medha Gadgil) (Mri Member (A) 22.3.2022 (sgj)	dula Bhatkar, J.) Chairperson 22.3.2022

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, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders 22.03.2022 O.A 845/2021 ... Applicant Shri V.T Bandri The State of Maharashtra & Ors ... Respondents Heard Shri U.V Bhosle, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. Learned P.O seeks time to take instructions in the matter. S.O to 29.3.2022. 3. Sd/-Sd/-(Mridula Bhatkar, J.) (Medha Gadgil) Chairperson Member (A)

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

Tribunal's orders

Date: 22.03.2022

O.A.No.173 of 2021 with O.A.No.174 of 2021

M.A. Tapase (O.A.173/2021) R.M. Kalaskar (O.A.174/2021)Applicants Vs.

The State of Maharashtra & Ors.Respondents.

- Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- In these matters the issue in respect of applicability of interpretation about Rule 1(B)(IV) of Recruitment Rule for the post of Assistant Commissioner of Police/ Deputy Superintendent of Police, Motor Transport Section, Maharashtra State post of Deputy the to appointment Superintendent of Police/ Assistant Commissioner of Police (Motor Transport) is involved which is argued on the experience and abilities. In view of the conditions mentioned we found it necessary to verify the previous record of the present Officers who are working as Deputy Superintendent of Police / Assistant Commissioner of Police, Motor Transport Section, Maharashtra who were selected on earlier two examinations.
- 3. We direct the Additional Chief Secretary, Home (Transport) to appoint well conversant officer/person who can answer the queries made by the Tribunal and he should come with all the previous files of those examinations and it is to be supported by the affidavit-in-reply of the Additional Chief Secretary, Home (Transport). We also direct him to specify in the affidavit whether this Rule was interpreted by the Department earlier in last two examinations while appointing the officers on the said posts.

4. Adjourned to 31.03.2022.

Sd/
Sd/
(Medha Gadgil)

Member(A)

(Mridula Bhatkar, J.)

Chairperson

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	O.A. No.876 of 2021	
	H.A. Redekar Vs. The State of Maharashtra & Ors. Heard Shri A.S. Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Ld. CPO files sur-rejoinder and the same is taken or record. Copy of the same is also given to Ld. Advocate for the applicant. Additional affidavit is to be filed by Deputy Secretary, Agriculture Department, Mantralaya stating whether National Backward Krushi Vidyapith, Solapur is recognized. 4. S.O. to 29.3.2022.	
	Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 22.3.2022 22.3.2022 (sgj)	

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	O.A. No.618 of 20	No.618 of 2021	
	J.S. Sonawane Vs.	Applicant	
	The State of Maharashtra & OrsRespondents Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Shri K.R. Jagdale, learned Advocate for the Applicant has filed Leave Note.		
	3. Reply is already filed.		
	4. Admit.		
	5. S.O. to 26.4.2022 for final hearing with liberty to file rejoinder, if any.		
	Sd/-	Sd/-	
	Member (A) Cl 22.3.2022 2	la Bhatkar, J.) hairperson 22.3.2022	
	(sgj)		

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date: 22.03.2022	
	O.A. No.101 of 2022	
	S.T. Ghawali	Applicant
	Versus The State of Maharashtra & Ors.	Respondents.
	 Heard Shri A.V. Bandiwdekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 	
	On request of learned Applicant one week time is granted	Advocate for the I to file Rejoinder.
	3. S.O. to 29.03.2022.	
		Sd/-
	· ·	. Kurhekar) ember (J)
	NMN	

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

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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 orde	ers
	Date: 22.03.2022 O.A. No.26 of 2022	
	A.K. Pawar & Ors.	Applicant
	Versus The State of Maharashtra & Or	sRespondents.
	 Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Today learned P.O. has filed Affidavit-in-Reply or behalf of Respondent No.2. It is taken on record Earlier Respondent No.2 had filed short Affidavit Affidavit-in-Reply on behalf of Respondent No.3 – The Commissioner of Police, Nashik is already filed. No Affidavit-in-Reply is filed on behalf of Respondent No.3 – The Government. 	
	3. O.A. be kept for he admission with liberty to file R	earing at the stage o ejoinder, if any.
	4. S.O. to 11.04.2022.	
		Sd/-
		(A.P. Kurhekar) Member (J)

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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 Date: 22.03.2022 M.A. No.446 of 2021 in O.A. No.821 of 2021	
	P.J. JadhavApplicant	
	Versus The State of Maharashtra & OrsRespondents.	
	1. Heard Ms Asawari Ghate, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.	
	2. Today, learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.2 & 3. It is taken on record. No separate Reply is filed on behalf of Respondent No.1.	
	3. This O.A. is filed along with M.A. in which no Reply is filed despite enough chances to the Respondents.	
	4. O.A. and M.A. be kept for hearing at the stage of admission along with O.A. No.46/2022.	
	5. S.O. to 19.04.2022.	
	Sd/-	

Sd/-

(A.P. Kurhekar) Member (J)