

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Akn

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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22.06.2021

M.A 215/2021 in O.A 403/2021

Urmila J. Khot & ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Misc Application to sue jointly is allowed, subject to payment of court fees, if not already paid.

Sd/-

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

Akn

Sd/-

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

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

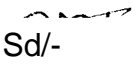
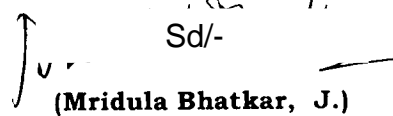
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	<p style="text-align: center;"><u>22.06.2021</u></p> <p style="text-align: center;"><u>O.A 403/2021</u></p> <p>Urmila J. Khot & ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicants submits that the applicants have cleared the Limited Departmental Competitive Examination, 2011 for promotion to the post of P.S.I. The applicants seek direction that they be sent for training as they are affected due to the reservation policy earlier adopted by the Respondents pursuant to the G.R dated 25.5.2004, as the rights of the applicants are crystallized by order dated 4.8.2017 passed by the Hon'ble Bombay High Court in W.P 2797/2015.</p> <p>3. Learned counsel for the applicants submits that the Petitioners in W.P 12319/2019 had earlier approached this Tribunal in O.A 353/2018. The said Petitioners are also similarly situated, who had appeared in the Limited Departmental Competitive Examination, 2011. Learned counsel for the applicants submits that the said O.A 353/2018 was dismissed by this Tribunal and so the said W.P 12319/2019 was filed. In the said Writ Petition, the Division Bench of the Hon'ble Bombay High Court by order dated 21.5.2021 has observed as under:-</p> <p style="padding-left: 40px;">“2. The learned advocate for the Petitioners states that the Petitioners are similarly placed and are at par with the Petitioner in Writ Petition (ST) No. 97384 of 2021. Therefore, the Petitioners be included in the training session for the post of Police Sub Inspector in Batch No. 119.</p> <p style="padding-left: 40px;">3. The above Writ Petition was before us on 19th May 2021, when the learned AGP sought time on the ground that he has to confirm whether the Petitioners are similarly placed with the Petitioner in Writ Petition (ST) No. 97384/2021. Today, the learned AGP once again seeks time on the same ground. We are not inclined to accede to his request and proceed to pass the following order:-</p> <p>(i) Respondent no. 1 shall within a period of one week from today ascertain whether the Petitioner are similarly placed with the Petitioner in Writ Petition (ST) No. 97384 of</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><i>2021, and if they are found to be similarly placed, they shall be included in the training session for the post of Police Sub Inspector in Batch No. 119, which training is scheduled to commence on and from 21st June, 2021. It is clarified that all rights and contentions of the parties are kept open, in case they are required to be addressed at the time of hearing of the above Writ Petition."</i></p> <p>4. However, the order of the Hon'ble High Court dated 21.5.2021 in the above Writ Petition could not be complied with till 15.6.2021 and learned A.G.P sought time of one week. We reproduce the statement made by learned A.G.P on 15.6.2021 before the Hon'ble Bombay High Court in W.P 12319/2019.</p> <p><i>"4. At this stage, learned A.G.P submits that he received instructions from the concerned Officer that even if the training beings on 21st June, 2021, they will accommodate the Petitioner in that Batch subsequently. Statement is accepted."</i></p> <p>5. Learned counsel for the applicants submits that the applicants are similarly situated and therefore they are also to be sent for training.</p> <p>6. As the batch of candidates is already sent for training on 21.6.2021 and there is order of the Hon'ble High Court dated 21.5.2021 in W.P 12319/2019 referred to above, we pass the following order.</p> <p>7. In view of the above, the Respondents are directed to verify whether the applicants are similarly situated at par with the candidates selected vide order dated 5.3.2018 and if the applicants are found similarly placed at par with candidates selected vide order dated 5.3.2018, the Respondents shall send the applicants to undergo the training by including them in the list of candidates for training in Batch 119.</p> <p>8. S.O to 10.8.2021. Hamdast.</p> <p style="text-align: center;">  Sd/- (P.N Dixit) Vice-Chairman (A) </p> <p style="text-align: center;">  Sd/- (Mridula Bhatkar, J.) Chairperson </p> <p>Akn</p>

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	<p>Date: 22.06.2021</p> <p align="center">O.A. No.190 of 2021</p> <p>R.K. ShimpiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 16.02.2021 whereby, they were shifted purportedly temporarily from the establishment of Superintendent of Police, Thane Rural to the establishment of Mira Bhayander, Vasai Virar Police Commissionerate (newly created).</p> <p>3. The Applicant has challenged the impugned order <i>inter-alia</i> contending that it is in blatant violation of Maharashtra Police Act.</p> <p>4. Whereas, learned P.O. submits that it is only temporary arrangement for the functioning of newly created Mira Bhayander, Vasai Virar Police Commissionerate.</p> <p>5. In Reply also Respondents comes with defence that it is temporarily deployment and the process for sending Police Personnel to the newly created Police Commissionerate as per seniority is in progress.</p> <p>6. As such it is temporary shifting for which period of more than four months is over. If Police Personnel is shifted in the grab of temporary employment for a long period, it would be considered transfer in eye of law which must be in consonance of provision of Maharashtra Police Act.</p> <p align="right">[P.T.O.]</p>

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	<p>7. At this juncture learned P.O. requested for two days time to take instructions from the Respondents about the continuity or revocation of impugned order dated 16.02.2021 by the Respondent.</p> <p>8. S.O. to 24.06.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 22.06.2021</p> <p align="center">O.A. No.187 of 2020</p> <p>V.D. GujarApplicant 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 for the Respondents.</p> <p>2. In this O.A. the Applicant has challenged order dated 28.02.2020 whereby, Respondent No.3 – Chief Executive Officer, S.R.A. relieved the Applicant unilaterally without assigning any reason or having any reference of his next post. The Applicant seems to have been deputed in S.R.A. by the Government in terms of order dated 11.02.2019 without specifying any period of deputation. Indeed, in terms of G.R. dated 16.02.2021 deputation should be three years. Deputation can be cancelled on the ground of serious mis-conduct.</p> <p>3. However, in present case Respondent No.3 simply relieved the Applicant by impugned order dated 28.02.2020.</p> <p>4. Learned P.O. on instruction from Respondent No.3 states that Respondent No.3 proposed to invoke impugned order dated 28.02.2020 and he will be continued on the same post. He further referred to pg. 41 of O.A. wherein it is stated by S.R.A. that there are no complaint against the Applicant and order dated 28.02.2020 is liable to be revoked.</p>

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	<p>5. True, no formal letter of revocation of order dated 28.02.2020 is passed by S.R.A., however S.R.A. has taken decision to revoke the order and to continue the Applicant on same post on deputation.</p> <p>6. In view of above, and particularly statement may by learned P.O. on instruction of Shri Reddy (Law Officer, S.R.A.). O.A. deserves to be disposed of, since no grievances survives, accordingly O.A. is disposed of.</p> <p>7. Respondent No.3 is at liberty to pass formal order of revocation of order dated 28.02.2020 for the sake of record.</p> <p>8. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 22.06.2021</p> <p align="center">O.A. No.451 of 2020 with O.A. No.453 of 2020</p> <p>A.G. GoteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents No.1 to 3 in O.A. No.451/2020, Shri Lad, learned Advocate for the Respondents No.4 & 5 (MHADA), Shri A.J. Chougule, learned Presenting Officer for the Respondents No.1 to 5 in O.A. No.453/2020 and Smt. Punam Mahajan, learned Advocate for the Respondents No.6 is absent.</p> <p>2. Smt. Punam Mahajan, learned Advocate has sent her leave note.</p> <p>3. On request of learned Advocate for MHADA adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 15.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p><u>22.06.2021</u></p> <p align="center"><u>O.A 94/2021</u></p> <p>Shri A.R Sakunde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. Pursuant to our order dated 31.3.2021, learned counsel for the applicant, has produced letter dated 22.6.2021, wherein he has stated that he has not filed any FIR against the administration and if any complaint is lodged by him he would withdraw the same. Further, he has also given apology letter dated 8.4.2021 and that has to be accepted by the administration. The letter dated 22.6.2021 which is also signed by learned counsel for the applicant Mr R.M Kolge is taken on record and marked as Exh. A.</p> <p>3. Similarly, Respondent no. 3, Manager, Mr. Milind S. Shinde, Manager, Government Printing Press, Wai, has submitted letter dated 16.4.2021 wherein undertaking is given by the Respondent that pursuant to the letter dated 8.4.2021 given by the applicant the Respondents have accepted the said apology and Respondents assure that the Respondents shall not punish the applicant and would not proceed with the Departmental Enquiry. The said letter is taken on record and marked as Exh. B.</p> <p>4. Thus, in view of the above, we observe that the Respondents to withdraw the proceedings against the applicant Mr A.R Sakunde, and we put an end to the conflict and dispute between the Respondents and the applicant with a hope that there will be smooth working by the applicant in the administration and no vindictive attitude will be expressed in any manner by the Respondents towards the applicant.</p> <p>5. We appreciate the act on behalf of both the parties as the matter is settled amicably and so also we appreciate the efforts taken by learned counsel for the applicant Mr Kolge and learned Presenting Officer Ms Neelima Gohad.</p> <p>6. In view of the above, Original Application stands disposed off.</p> <p align="center">Sd/- _____ (P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p align="left">Akn</p>

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	<p>Date: 22.06.2021</p> <p align="center">O.A. No.121 of 2019 with O.A. No.240 of 2019</p> <p>S.K. ChormaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. In this O.A. challenge is to the punishment imposed upon the Applicant after conducting D.E. 3. Perusal of O.A. reveals that particularly report of Enquiry Officer he referred and relied upon the statement of the witness already recorded earlier during the preliminary enquiry. However opportunity of cross-examination was given. 4. Thus the statement recorded during the preliminary enquiry also seems to have been relied as evidence but this statements are not forthcoming on record. 5. In view of above, learned P.O. is directed to produce statements of witnesses recorded during the preliminary enquiry and referred by Enquiry Officer in his report. 6. It would be better if entire record of D.E. is produced. 7. S.O. to 06.07.2021. <p align="right">Sd/- W (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p>

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	<p>Date: 22.06.2021</p> <p align="center">M.A. No.341 of 2019 in O.A. No.603 of 2019</p> <p>R.S. Kadam & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Smt. Archana B.K., learned P.O. for the Respondent is present. 3. The perusal of record reveals that the Applicant and his Advocate both are continuously absent when the matter was taken up for admission. However, matter was adjourned to give sufficient opportunity to the Applicant but in vain. 4. Thus, it appears that the Applicant and his Advocate both are not interested in the matter. 5. Hence M.A. No.341/19 and O.A. No.603/19 are dismissed in default. 6. No order as to costs. <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 22.06.2021</p> <p align="center">O.A. No.554 of 2020</p> <p>S.S. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Y.S. Palve, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. Applicant has challenged transfer order dated 19.06.2021 whereby, she was transferred from the post of Matron in Police Hospital, Nagpada to the Nursing Training Centre, Thane. Indeed the Applicant stands retired on 31.05.2021 and therefore O.A. itself has become infructuous.</p> <p>3. Learned Advocate for the Applicant therefore seeks permission to withdraw the O.A.</p> <p>4. Allowed to withdraw the O.A.</p> <p>5. In view of above, O.A. is disposed of with no order as to costs.</p> <p align="right">Sd/- '' (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 22.06.2021</p> <p align="center">O.A. No.289 of 2021</p> <p>S.R. GavandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.L. Kulkarni, learned Advocate for the Applicant and Smt. K.S Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted for filing Affidavit-in-Reply as last chance.</p> <p>3. S.O. to 02.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 22.06.2021</p> <p align="center">O.A. No.275 of 2021</p> <p>B.M. KakadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and 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. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to. 15.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Date : 22.06.2021

O.A.No.509 of 2015

P. G. KolapteApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Ms N.G Gohad, learned Presenting Officer for the Respondents.
2. In the present O.A., the Applicant has challenged the order of demotion. Earlier, he was working as Receptionist in the office of Maharashtra Sadan, New Delhi. In 2009, he was promoted to the post of Assistant Manager from the category for the post reserved for Scheduled Tribe, though the Applicant was NT (C) since the candidate belonging to ST category was not available. Later, DPC in its meeting 2015 found that the promotion was incorrect and demoted him to his earlier position as Receptionist.
3. ~~Though~~^{Thus} in the present O.A., the issue of promotion on the basis of reservation is involved. G.R. issued by Government on 25.05.2004 which was pertaining to promotion on the basis of reservation has been set aside by Tribunal and the said judgment has been confirmed by the Hon'ble High Court known as Ghogare's judgment. Now, it is under subjudice before the Hon'ble Supreme Court.
4. In view of above, it is necessary to know the exact stand of G.A.D. about the issue of promotion on the basis of reservation as on today.
5. The Secretary, G.A.D. is therefore, directed to file affidavit.
6. S.O. to 13.07.2021.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(A.P. Kurhekar)
Member(J)

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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 : 22.06.2021</p> <p align="center">O.A.No. 301 of 2016</p> <p>J.A. M. H. Momin & 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 and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant as well as learned P.O., the matter is adjourned for final hearing.</p> <p>3. Learned Counsel for the Applicant is directed to take all necessary steps in respect of brining on record the final seniority list, if he desires by next date.</p> <p>4. S.O. to 06.07.2021.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">(A.P. Kurhekar) Member(J)</p>

vsm

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..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p>Date : 22.06.2021</p> <p align="center">O.A.No.289 of 2016</p> <p>S. L. PawarApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. This O.A. was filed through Advocate Shr N. P. Dalvi who is no more. On 28.05.2021, the matter was adjourned in view of the statement made by Shri K.R. Jagdale that he would take instructions from the Applicant and may appear on next date since he is appearing in other matters filed by late Shri N.P. Dalvi.</p> <p>3. Shri K.R. Jagdale, learned Counsel for the Applicant however today submits that he had spoken with Applicant. The Applicant informed him that he had already engaged another Advocate and he will take care of his matter. Shri Jagdale, learned Counsel had also informed the Applicant that matter is for final hearing today.</p> <p>4. Thus, the Applicant is aware that his matter is fixed today for final hearing. However, he and his Counsel who he claims to be appointed after the death of Shri Dalvi are absent. He thus, appears not interested in the matter.</p> <p>5. In view of above, Original Application is dismissed in default with no order as to costs.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medhā Gaḍgil) (A.P. Kurhekar) Member (A) Member(J)</p>

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DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p>Date : 22.06.2021</p> <p>O.A.No.617 of 2015</p> <p>P. M. Mulay & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The matter pertains to promotion on the post of Town Planner. The Applicant seems to be excluded from promotion which the department carried out on the basis of provisional seniority list.</p> <p>3. Learned Counsel for the Applicant submits that after filing of O.A., the department has finalized the seniority list and intends to amend O.A. so as to challenge the final seniority list.</p> <p>4. The Respondents have also not placed on record the final seniority list.</p> <p>5. In view of above, two weeks time is granted to learned Counsel to take necessary steps.</p> <p>6. S.O. to 06.07.2021.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (A.P. Kurhekar)</p> <p style="text-align: center;">Member (A) Member(J)</p> <p style="text-align: center;">ysm</p>

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..... Applicant/s

(Advocate

versus

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.06.2021</p> <p style="text-align: center;">O.A.No.640 of 2015</p> <p>S. M. JadhavApplicant</p> <p>Versus</p> <p>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, learned Presenting Officer for the Respondents. 2. This O.A. pertains to the selection process for the post of Deputy Director, Public Health Department by nomination. The Applicant did not succeed in the process. 3. Learned Counsel for the Applicant seeks permission to withdraw the O.A. 4. Allowed to withdraw the O.A. 5. Original Application is disposed of accordingly with no order as to costs. <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member (A)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p> </div> </div> <p style="margin-top: 20px;">vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.06.2021</p> <p align="center">O.A.No.794 of 2016</p> <p>Dr. S. R. ChinchkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present. 2. The Applicant's Counsel Shri S.B. Gaikwad has sent leave note. 3. On 03.06.2021 also the matter was adjourned with absence of Applicant and his Counsel. 4. In view of leave note of learned Counsel for the Applicant, the matter is adjourned shortly. 5. S.O. to 02.07.2021. <p align="center">Sd/- </p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/- </p> <p align="center">(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

Date : 22.06.2021

O.A.No.1160 of 2016

I. M. S. Shaikh

....Applicant

Versus

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

1. The Applicant and his Counsel are absent. Smt. Archana B K., learned Presenting Officer for the Respondents is present.
2. On previous date i.e. on 11.06.2021, the Applicant and his Counsel were absent and the matter was adjourned in view of leave note of learned Counsel for the Applicant.
3. However, today again the Applicant and his Counsel both are absent. However, they seem not interested in the matter.
4. O.A. is, therefore, dismissed in default with no order as to costs.

Sd/-

(Medha Gadgil)
Member (A)

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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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 : 22.06.2021</p> <p>O.A.No.1120 of 2018 with M.A. No.139 of 2021</p> <p>S. N. SalveApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. B. Kadam, learned Counsel for the Applicant, Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondent Nos.1 to 3 and Shri B. A. Bandiwadekar, learned Counsel for the Respondent No.4.</p> <p>2. M.A. No.139 of 2021 is filed by Respondent No.4 to vacate the order dated 18.02.2019 passed by the Tribunal restraining the department from disbursing salary of Respondent No.4.</p> <p>3. Since pleading is already complete and the matter is ripe for final hearing, it would be appropriate to hear and decide the O.A. on merit instead of hearing M.A.</p> <p>4. Learned Counsel for the Applicant as well as learned C.P.O. also fairly concedes to decide the O.A. on merit.</p> <p>5. S.O. to 24.06.2021.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 : 22.06.2021

O.A.No.325 of 2016

G. P. RekulwadApplicant

Versus

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

1. Heard Shri B. A. Bandiwadkar, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaiwad, learned Presenting Officer for the Respondents.

2. On request of learned P.O. for the Respondents, two weeks time is granted as a last chance for filing reply.

3. S.O. to 06.07.2021.

Sd/-

(Medha Gadgil)
Member (A)

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
	<p>Date : 22.06.2021</p> <p align="center">M.A. No.204 of 2021 in O.A.No.652 of 2015</p> <p>H. S. NikaljeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. M.A.No.204/2021 is filed to bring legal representative of the deceased Applicant on record. 3. O.A.652/2015 has been filed by Shri Shivaji Nikalje claiming retiral benefits. He died during pendency of O.A. on 30.09.2017. His widow wants to continue with O.A. for retiral benefits of the Applicant, if any. 4. Since right to sue survives to the widow, M.A. is allowed. The name of the widow be substituted in place of deceased Applicant within a week. 5. Respondent No.3 is directed to decide the proposal dated 07.08.2019 forwarded by Respondent No.2 expeditiously by next date i.e. 13.07.2021. 6. S.O. to 13.07.2021 . <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</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 : 22.06.2021</p> <p>O.A.No.1121 of 2016</p> <p>P.N. ShelkeApplicant</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 Smt. N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The O.A. pertains to selection for the post of Forest Guard which was advertised in the year 2014. The Applicant falls in ESBC category. Five posts were reserved for the said category. At the same time, two posts were reserved for Open Sports category.</p> <p>3. Learned Counsel for the Applicant submits that his client was first in merit above other candidates belonging to ESBC category but he was not appointed.</p> <p>4. In reply, Respondent No.1 made a statement that though the Applicant has been selected through ESBC general quota, his result was not declared because of the order of stay of Hon'ble High Court as mentioned in G.R. dated 21.02.2015. In reply, it is further stated that other four candidates of ESBC category were selected and appointed.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Thus, if the Applicant was first in merit in ESBC category then why he was not appointed though other candidates from ESBC category were selected and appointed which were below the Applicant.</p> <p>6. In view of above, the Respondent is directed to file Affidavit and to make it clear as to why the candidates junior to Applicant in ESBC category were appointed and why the appointment of the Applicant was not issued.</p> <p>7. Secondly, now in view of cancellation of ESBC reservation, the Applicant claims the post from Open Sports category contending that he had secured more marks from on the candidate (Shri Kharat) appointed from Open Sports category. One of the candidates Shri Mundhe who was selected from Open category did not join and that post is fallen vacant.</p> <p>8. The Respondent is, therefore, directed to explain the position in view of above mentioned aspects and to file Affidavit on next date.</p> <p>9. Simultaneously, the Applicant is also at liberty to amend the O.A. if desires.</p> <p>10. S.O. to 06.07.2021.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>22.06.2021</u></p> <p style="text-align: center;"><u>O.A 158 & 223/2021</u></p> <p>M.M Dawane & Ors [O.A 158/2021] A.V Dudhal & Ors [O.A 223/2021]... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte, and Shri K.R Jagdale, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents with Shri C.T Chandratre, learned advocate for the Respondents, Shri Vinod Sangvikar, a/w Ms Vaishnavi Gholave, learned advocate for Respondents no. 16, 27 & 220 in O.A 158/2021 and Respondents no. 4, 15 & 207 in O.A 223/2021, Shri Mangal Bhandari a/w Shri Mangesh Deshmukh, learned advocate for Respondents No. 261 and 181 in O.A nos 158 & 223/2021.</p> <p>2. This matter is part heard on the issue of interim relief. Dr. Gunratan Sadavarte and Shri K.R Jagdale, learned advocate for the applicants have advances their submissions in detail on 17th & 18th June, 2021. On 18th June, 2021, learned C.P.O has commenced her submission and she is supposed to complete her arguments today.</p> <p>3. However, we are informed by learned counsel for private Respondents that in the present matter G.R dated 7.5.2021 is challenged as it pertains to provisions of reservation in promotion. Learned counsel submitted that the hearing on the same issue in respect of the said G.R is at present going on before the Hon'ble Bombay High Court. Learned counsel further submitted that the batch of candidates who were chosen pursuant to 2017 examination is sent for training on 21.6.2021 and therefore, this matter has become infructuous so far as interim relief is concerned.</p> <p>4. Learned counsel Mr Jagdale has submitted on the basis of affidavit in reply dated 29.10.2018 filed by Mr V.M Bhat, Deputy Secretary in Home Department in O.A 394/2018 in the case of Santosh B. Rathod Vs. State of Maharashtra, wherein in para 4, the Officer has stated that the appointment by selection on the basis of Limited Departmental Competitive Examination held by MPSS is not promotion, but it is a fresh recruitment. Therefore, the applicants alternatively submit that the said G.R of 7.5.2021 will not come in the way of these applicants, and thus the subject matter before the Hon'ble Bombay High Court is different than the subject matter in the present Original Application. Secondly, the submissions of Mr Jagdale are based on the affidavit in reply of Shri Bhat,</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Deputy Secretary, Home Department, that the in service candidates can only appear for the Limited Departmental Competitive Examination and they have this avenue open for accelerated promotion to the higher post. For any recruitment, we understand a person should not be in service, and therefore, we consider that it is a promotion in an accelerated way and it is not a recruitment. Hence, the G.R dated 7.5.2021 is having a necessary bearing over the issue where the reservation in promotion is claimed.

5. We clarify that that we intend to proceed with the submissions on interim relief, though the batch of 2017 is sent for training on 21.6.2021. As pointed by the learned counsel for the private Respondents that the arguments on the same issue are going on before the Hon'ble Bombay High Court and we are bound by the decision of the Hon'ble Bombay High Court, we proceed to hear the learned C.P.O, on the point to understand all the facets of this issue.

6. S.O to 24.6.2021 at 2.30 pm.

Sd/- 1

(Medha A. Gadgil)
Member (A)

Akt

Sd/- ^{nc} 

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 22.06.2021</p> <p align="center">O.A. No.197 of 2021</p> <p>V.E. JogApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 01.03.2021 (wrongly typed as 01.03.2020 in order), whereby the Applicant was temporarily shifted from one place to another place. Since it was temporary shifting the Tribunal did not grant interim relief. Now period of more than 3 to 4 months is over, it would have been enough for temporarily shifting.</p> <p>3. Learned P.O. is therefore directed to take instructions and to appraise the Tribunal about the continuity of the impugned order.</p> <p>4. Adjourned to 24.06.2021.</p> <p>5. Hamdast granted.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 22.06.2021</p> <p>M.A. No.71 of 2021 in O.A. No.138 of 2020</p> <p>S.B. KumbharApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.K. Mishra, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Since, Reply is already filed to M.A. and O.A., it would be apposite to decide the M.A. and O.A. together in the facts and circumstances of the matter.</p> <p>3. Adjourned for Final Hearing on 22.07.2021.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date: 22.06.2021

M.A. No.160 of 2021 in O.A. No.313 of 2021

P.S. GhareApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Smt. Vaishali Agane, learned Advocate holding for Shri K.L. Siram, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 20.07.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. 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.
8. S.O. to 20.07.2021.

Sd/-

(A.P. Kurhekar)
Member (J)

**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 : 22.06.2021

O.A.No.309 of 2021
with
M.A. No.211 of 2021

S. B. Sawant & Ors.Applicants

Versus

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

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

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

3. S.O. to 08.07.2021.

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

Date : 22.06.2021

O.A.No.394 of 2021

Dr. S. H. Chavan

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri B.A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 20.07.2021.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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.

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

7. 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.

8. S.O. to 20.07.2021.

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

Date : 22.06.2021

O.A.No.395 of 2021

A. T. Patil

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri B.A. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 20.07.2021.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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.

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

7. 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.

8. S.O. to 20.07.2021.

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

Date : 22.06.2021

O.A.No.382 of 2021

M. N. Salunke Patil

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 20.07.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. 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.
8. S.O. to 20.07.2021.
9. The issue of interim relief ^{is} kept open.

Sd/-

(A.P. Kurhekar)
Member(J)

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

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Date : 22.06.2021

O.A.No.87 of 2021

Shri G. H. WaghelaApplicant

Versus

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

1. Heard Shri Mayur Bamble, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. This O.A. has been filed on 28.01.2021 for direction to Respondents to consider the Applicant's representation dated 04.10.2018 to the post of Sweeper on compassionate ground.

3. Learned Counsel for the Applicant submitted that subsequently the Respondents have rejected the representation in the months of May 2021, and therefore, sought permission to withdraw this O.A. with liberty to file another O.A. to challenge the rejection.

4. Allowed to withdraw O.A. with liberty to challenge the decision in accordance to law.

5. In view of above, O.A. is disposed of with no order as to costs.

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

Date: 22.06.2021

O.A. No.375 of 2021

P.R. ParitApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 20.07.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. 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.
8. S.O. to 20.07.2021.

Sd/-

(Medhā Gadgīl)
Member (A)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.06.2021</p> <p style="text-align: center;">O.A.No.182 of 2021</p> <p>R. U. SawantApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Advocate are absent . Smt. Archana B. K., learned Presenting Officer for the Respondents is present. 2. Issue notice before admission returnable on 03.08.2021. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 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. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. 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. 8. S.O. to 03.08.2021 <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A.181/2020 in R.A.8/2020 in O.A.399/2018</u></p> <p>P.V. Korpale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Anand Awasarmol, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. Advocate for the applicant adjourned to 1.7.2021.</p> <p align="right">Sd/- (P.N. Dixit) 7 Vice-Chairman 22.6.2021</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.378 of 2021</u></p> <p>S.V. Tate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant who is a retired Talathi challenges the order dated 18.1.2020 and prays that it be quashed and set aside and seeks declaration that applicant is entitled for the first Time Bound Promotion on 1.10.1994 and second Time Bound Promotion on 1.10.2006.1</p> <p>3. It is a query by us why Misc. Application for condonation of delay is not filed in this OA.</p> <p>4. S.O. to 15.7.2020.</p> <p align="center"> Sd/- _____ Sd/- _____ (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 22.6.2021 22.6.2021 </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.379 of 2021</u></p> <p>Madhuri N. Gujar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.V. Sutar, 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 Talathi in Sangli challenges the provisional seniority list dated 3.10.2019 and final seniority list dated 4.8.2020.</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 7.8.2021.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 22.6.2021 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 22.6.2021</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>22.06.2021</u></p> <p style="text-align: center;"><u>O.A 1115/2019</u></p> <p>Smt Satyabhama B. More ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O seeks time to file affidavit in reply. However, learned counsel for the applicant opposes grant of time on the ground that the matter is filed in November, 2019 and no reply is filed. Even though on 16.2.2021, last chance was given to the Respondents to file reply, no reply has been filed till date.</p> <p>3. Learned C.P.O is directed to file affidavit in reply within two weeks. If no reply is filed, the matter will proceed as if the Respondents dose not want to file affidavit in reply.</p> <p>4. S.O to 6.7.2021.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P. N Dixit) Vice-Chairman (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left; margin-left: 20px;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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22.06.2021

O.A 56/2021

Smt Rekha G. Ghawari ... Applicant
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.

2. Learned P.O files affidavit in reply. The same is taken on record.

3. S.O to 17.08.2021.

Sd/-

Sd/-

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

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

Akn

**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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22.06.2021

O.A 58/2021

Shri K.D Chemte ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Mrs Punam Mahajan, learned advocate for the applicant has filed leave note. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Affidavit in reply has already been filed by the Respondents.

3. Admit. Place for final hearing on 2.7.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

O.A. No.290 of 2021

Ramchandra J. Bandekar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. The applicant who is working as Assistant Police Inspector seeks promotion with deemed date of 17.2.2018 to the post of Police Inspector as he is now exonerated from DE in appeal by order dated 6.1.2021 by the appellate authority.
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 17.8.2021.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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. 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
22.6.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
22.6.2021

**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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22.06.2021

O.A 693/2018

Shri P.M Kudal ... Applicant

Vs.

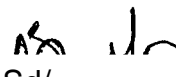
The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Though the matter was heard earlier and fixed for orders, certain points were found and in order to verify whether the applicant is similarly situated or not as per judgment of this Tribunal dated 10.12.2008 in O.A 189/2008, Shri K.K Bhadane Vs. The State of Maharashtra and confirmed by the Hon'ble Bombay High Court by order dated 29th September, 2010 in W.P 5059/2010, the matter was taken on Board again.

3. We have taken note of the fact that the persons who are going to be affected, if the applicant is placed senior to them in service are not made party. Learned counsel for the applicant is granted to time to take instructions.

4. S.O to 2.7.2021.


Sd/-

Sd/-

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

(Mridula Bhatkar, J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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22.06.2021

O.A 352/2021

Shri B.R Kadam ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri V.P Sangvikar, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned counsel for the applicant seeks one weeks' time for complying with the order issued on 15.6.2021. Time granted.

3. S.O to 29.6.2021.

Sd/-

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

Akn

Mridula Bhatkar
Sd/-

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>CA.34/2020 in OA.404/2018 with MA.95/2021</u></p> <p>Vilas P. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.P. Sangvikar and Shri M.L. Dhone, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time to take instructions as the person concerned today is not available but attending the Hon'ble High Court.</p> <p>3. S.O. to 29.6.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N. Dixit) Vice-Chairman 22.6.2021 (sg)</p> <p align="center">Sd/-</p> <p align="center">(Mridula R. Bhatkar, J.) Chairperson 22.6.2021</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.310 of 2021</u></p> <p>Balasaheb R. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Sandesh More, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant who was in the Police Department and working as Police Constable challenges order dated 1.2.2020 and 3.3.2021 of his compulsory retirement after holding DE.</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 20.7.2021.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N.'Dixit) Vice-Chairman 22.6.2021 (sgi)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula R. Bhatkar, J.) Chairperson 22.6.2021</p>