

**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><u>22.11.2021</u></p> <p align="center"><u>M.A 479/2021 in O.A 345/2018</u></p> <p>Shri S.M Jadhav & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicants submits that the former learned counsel Mr N.P. Dalvi, passed away on 30.11.2019 and hence the matter remained unattended and it was dismissed on 30.1.2020.</p> <p>3. Hence, the present Misc Application is filed seeking restoration of the Original Application.</p> <p>4. Learned C.P.O submits to the order of the Court.'</p> <p>5. Misc Application seeking restoration of O.A No. 345/2018 is allowed.</p> <p align="center">Sd/- (Medha Gadgil) Member (J) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</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

O.As.923 to 925/2021

Shri S.N. Shinde & 2 Ors. ... Applicants

Vs.

**The State of Maharashtra
& Ors.**

... Respondents

1. Heard Smt. P.R. Bharaswadkar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicants are serving on the post of Driver on the establishment of Respondent No.3 - Deputy Director, Ground Water Survey and Development Agency, Nashik. However, by impugned order dated 01.11.2021, Respondent No.2 - Commissioner, Ground Water Survey and Development Agency under the garb of temporary arrangement [प्रशासकीय कारणास्तव उसनवारी तत्वावर] deputed the Applicants to Pune, Beed and Pune respectively. In impugned order, it is stated that the vehicles in Pune Office are not functioning due to non-availability of Drivers.
3. The learned Advocate for the Applicants sought interim stay to the impugned order stating that it amounts to transfer under the garb of deputation.
4. The learned P.O. opposed the application on the ground that it is temporary deputation.
5. In the first place, the impugned order cannot be termed as deputation order as we understood in service law, since Applicants are allegedly deputed in same Department at another place.
6. Admittedly, the Applicants are not declared surplus by adopting appropriate procedure of law, as contemplated in G.Rs. dated 10.09.2001 and 30.08.2014.
7. The Applicants in O.A.Nos.923/2021 and 925/2021 have been transferred from Nashik to Nandurbar by order dated 10.08.2020 and have not completed normal tenure. The Applicant in O.A.No.924/2021 is concerned, the Applicant is at Nashik for six years and due to retire in next two years.
8. Thus, *prima-facie*, by impugned order dated 01.11.2021, the Applicants are transferred, out of division though seems not permissible, under the garb of

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temporary arrangement without following due procedure of law.

9. In view of above, I am inclined to grant interim stay to the order dated 01.11.2021 till next date.
10. Issue notice made returnable on 20th December, 2021.
11. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
12. 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.
13. 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.
14. 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.
15. In case, notice is not collected within three 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.
16. S.O. to 20th December, 2021.

Sd/-

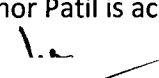
(A.P. Kurhekar)

Member-J

~~17.11.2021~~

22/11/2021

(skw)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2021</p> <p>O.A.No.720 of 2021</p> <p>Shri Yogesh BhoiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri L. S. Deshmukh, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed short affidavit of Shri Kishor Patil in terms of the order passed by this Tribunal on 27.10.2021 and also filed affidavit of Respondent No.3 about the proposed action of contempt of court against Shri Kishor Patil. It is taken on record. 3. Learned P.O. has also filed reply on behalf of the Respondent No.3. It is taken on record. 4. In the present matter while the Applicant was due for transfer at Khutal he was transferred to Mal by order dated 09.08.2021. However, when he went to Mal for joining, the Head Master did not allow him to join stating that there is no vacancy. He accordingly reported the matter to Respondent No.4- Project Officer. Therefore, again by order dated 30.08.2021 the Applicant's posting was changed by Mal to Wangani. 5. When the matter was taken up for admission, learned P.O. stated that at present one post is vacant at Ambivali, Tal. Shahapur, Dist. Thane and the Respondent is ready to accommodate him at the said place. 6. The Applicant's Counsel submits that his client is ready for posting at Ambivali. The Applicant in person also present and has shown his readiness for the same. 7. In view of above, O.A. can be disposed of since the Respondents are ready to accommodate the Applicant at Ambivali and grievance of the Applicant is being redressed. 8. One week time is granted to Respondent No.3 for issuance of transfer and posting order of Applicant at Ambivali, Tal. Shahapur, Dist. Thane. 9. In view of above, O.A. is disposed of with no order as to costs. 10. Explanation submitted by Shri Kishor Patil is accepted. <p style="text-align: right;">Sd/- </p> <p style="text-align: center;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 22.11.2021</p> <p align="center">O.A.No.428 of 2021</p> <p>A.S.ChowdhariApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed Affidavit in Sur-Rejoinder on behalf of the Respondent NOs.1, 2, and 3. It is taken on record. 3. Learned P.O. further submits that the copies of evidence recorded in Departmental Enquiry will be produced along with Affidavit during the course of the day. Statement is accepted. It be taken on record. 4. Since the pleading is complete, the matter is admitted for final hearing. 5. S.O. to 07.12.2021. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 22.11.2021</p> <p>O.A.No.1183 of 2019</p> <p>S. H. MoreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Ashok Jadhav, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Learned Counsel for the Applicant submits that he has instructions from his client to simpliciter withdraw this O.A. which is filed challenging recovery order dated 02.03.2019. 3. Allowed to withdraw O.A. 4. No order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date: 22.11.2021</p> <p align="center">O.A. No.897 of 2021</p> <p>D.M. PatilApplicant 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. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant one week time is granted for filing Rejoinder.</p> <p>4. S.O. to 29.11.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 22.11.2021</p> <p align="center">O.A. No.789 of 2021</p> <p>S.R. NaikwadiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged suspension order dated 05.04.2021, in view of his detention in police custody for more than 48 hours in criminal offence.</p> <p>3. Learned Advocate for the Applicant submits that the Applicant has already undergone suspension of more than 90 days, and therefore, liable to be reinstated in service, in view of decision of Hon'ble Supreme Court in (2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.)</p> <p>4. Whereas, learned P.O. sought short time to file Affidavit-in-Reply.</p> <p>5. O.A. be kept for hearing at the stage of admission and in meantime Respondent may file Affidavit-in-Reply, if any.</p> <p>6. S.O. to 29.11.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN [PTO.]</p>

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	<p align="center">Date: 22.11.2021</p> <p align="center">O.A. No.703 of 2021</p> <p>P.R. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. on week time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 30.11.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 22.11.2021</p> <p align="center">O.A. No.45 of 2021</p> <p>H.D. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent No.2. It is taken on record.</p> <p>3. S.O. to 20.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 22.11.2021</p> <p align="center">O.A. No.428 of 2020 with O.A. No.429 of 2020 with O.A. No.430 of 2020 with O.A. No.431 of 2020</p> <p>N.R. Tekam Y.D. Ogale R.K. Giripunje M.R. ChaudhariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate holding for Shri Dr. Gunaratan Sadavarte, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Shri R.K. Giripunje, Applicant in O.A.430/2020 is present in person.</p> <p>3. Shri M.B. Kadam, learned Advocate holding for Dr. Gunaratan Sadavarte requested for adjournment on the ground that Dr. Gunaratan Sadavarte is busy in Hon'ble High Court.</p> <p>4. S.O. to 10.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p>Date : 22.11.2021</p> <p align="center">O.A.No.667 of 2019</p> <p>R. L. TayadeApplicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has applied for appointment on the post of Assistant Police Inspector (Radio Mechanic) in pursuance of advertisement dated 26.12.2015 issued by the Respondent No.1. As per advertisement ten posts were reserved for appointment on compassionate ground.</p> <p>3. The Applicant's father was Head Constable and died on 23.09.2008. After the death of father, the Applicant applied for appointment on the post of Police Constable under the scheme of appointment on compassionate ground and his name was taken in the waiting list. Later, the Respondent No.1 had issued advertisement dated 16.12.2015 to fill in the post of ASI (Radio Mechanic) Group-C post. The Applicant is holding qualification of B.E., M.Tech in Electronics and Tele Communication. Since ten posts were reserved for appointment on compassionate ground, he again applied through S.P. Buldhana on whose establishment his father was serving which was forwarded to Respondent No.1 it being ^{operating} appointment authority in terms of advertisement.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. However, the Respondent No.1 by order dated 12.01.2016 rejected the Applicant's claim for the post of ASI stating that for the said post qualification required is diploma in Electronics and Tele Communication and since the Applicant is not having diploma, he is not eligible. In other words, higher qualification is treated as disqualification which is contrary to settled law. The Applicant has, therefore, filed O.A.762/2017 before the Nagpur Bench of this Tribunal which was disposed of on 19.06.2018. The Nagpur Bench set aside the communication dated 12.02.2016 and directed the Respondents to decide the case on merit within a month from the date of order.</p> <p>5. It is on the above background, the Respondent No.1 by impugned communication dated 21.07.2018 simply asked the Applicant to contact S.P. Buldhana in the matter of appointment on compassionate ground which is totally strange since it is for him to pass appropriate order it being appointing authority for the post of ASI (Radio Mechanic).</p> <p>6. Thus, it appears that till date no order on merit is passed by the Respondent No.1 which ought to have passed afresh in view of the order of Nagpur Bench.</p> <p>7. Learned P.O. is, therefore, directed to take instructions from the Respondent No.1 as to whether any fresh order has been passed and secondly, if no such order is passed, he should apprise the Tribunal what is hurdle in accepting Applicant's claim for appointment on compassionate ground.</p> <p>8. Hamdast granted.</p> <p>9. S.O. to 23.11.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date: 21.10.2021</p> <p align="center">O.A. No.571 of 2021 with M.A. No.323 of 2021 with O.A. No.572 of 2021 with M.A. No.325 of 2021 with O.A. No.573 of 2021 with M.A. No.327 of 2021</p> <p>A.S. Thool A.N. Bhagat M.P. IgaveApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate holding for Shri (Dr.) Gunratan Sadavarte, learned Advocate for the Applicants in all O.As., Shri A.Y. Sakhare, Sr. Counsel for the Applicants in all M.As. and for Respondent No.3 in O.A. No.572/2021 & O.A. No.573/2021, Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Shri M.B. Kadam, learned Advocate holding for Shri Dr. Gunratan Sadavarte sought adjournment on the ground that today Shri Dr. Gunratan Sadavarte is busy before Hon'ble High Court and is unable to remain present for hearing.</p> <p>3. Interim relief to continue till next date.</p> <p>4. S.O. to 13.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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	<p align="center">Date : 22.11.2021</p> <p align="center">O.A.No.553 of 2020</p> <p>J. J. KhaireApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri D. S. Pagare, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos.1 to 3 and Ms Shaila Taware, learned Counsel for the Respondent No.4.</p> <p>2. Today, learned Counsel for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. On request of learned Counsel, the matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 03.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 22.11.2021</p> <p style="text-align: center;">O.A.No.914 of 2021</p> <p>D.N. KasarApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. This O.A. has filed for direction to Respondent to release pay and allowances in terms of recommendations of 6th Pay Commission as well as 7th Pay Commission which seems to have been not paid on account of loss of service book. 3. The Applicant is serving as Head Constable on the establishment of Respondents. It is strange to note that still he is getting pay and allowances as per 5th Pay Commission. He is deprived of pay and allowances in terms of 6th Pay Commission which is made applicable w.e.f. 01.01.2006 and further deprived of benefit of 7th Pay Commission which is made applicable w.e.f. 01.01.2016. 4. Learned P.O. on instructions submits that original service book was lost and now steps are being taken to prepare duplicate service book and after completion of entries in service book necessary orders about pay and allowances in terms of 6th Pay and 7th pay Commission will be passed. 5. Today, O.A. is listed for admission and in view of aforesaid facts, it can be disposed of with suitable directions. 6. O.A. is disposed of with direction to Respondents to complete upgradation of service book and to extend the benefits of 6th Pay and 7th Pay Commission as per his entitlement within two months from today. 7. This exercise be completed without fail and arrears be accordingly paid within two months from today as per rules. 8. No order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 22.11.2021</p> <p align="center">O.A.No.1104 of 2019</p> <p>A. S. TejiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Anita Murgude holding for Smt.Ranjana Todankar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned to 14.12.2021.</p> <p>3. S.O. to 14.12.2021.</p> <p align="right">Sd/- ✓ (A.P. Kurhekar) Member(J)</p> <p>ysm</p>

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	<p>Date : 22.11.2021</p> <p style="text-align: center;">O.A.No.298 of 2020</p> <p>R.S. KarpeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.1 along with Minutes of DPC meeting in terms of the order passed by this Tribunal on 17.11.2021. It is taken on record.</p> <p>3. The Applicant has challenged the order dated 24.02.20202 whereby he was denied deemed date of promotion for the post of Accounts Officer on the ground that at the relevant time, he was undergoing punishment inflicted upon him in D.E.</p> <p>4. The Applicant was working as Assistant Accounts Officer. He was promoted to the post of Accounts Officer and posted at Nagpur by order dated 03.05.2013. He made representations on 02.01.2014 and 10.07.2014 for change of posting and requested to post him at Satara citing personal difficulties. It was not responded and the Applicant continued to work as Assistant Accounts Officer.</p> <p>5. Later, in next DPC meeting, juniors were promoted and the Government has accordingly issued promotion order dated 10.06.2014.</p>

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6. Learned Counsel for the Applicant submits that the reason shown that the Applicant was undergoing punishment is totally incorrect. According to him, D.E. itself initiated by the charge sheet dated 23.08.2013 and punishment was imposed on 27.08.2015. Therefore, the question of undergoing punishment in 2013 or 2014 did not survive.
7. The issue is whether the O.A. pertains to Singh Bench.
8. Admittedly, the Applicant stands retired as Assistant Accounts Officer. Thus, this is not a case where he joined on promotional post and seeking deemed date of promotion.
9. As per impugned order dated 24.02.2020, the promotion was denied on the ground that the Applicant was undergoing punishment. Though it is treated as a claim for deemed date of promotion by the Government the fact remains that the Applicant retired as Assistant Accounts Officer and not as Accounts Officer for which now he is seeking deemed date of promotion. In reality he is seeking promotion with retrospective effect.
10. The issue of promotion pertains to Division Bench.
11. The Registrar is, therefore, directed to examine the issue and place the O.A. before appropriate bench.

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

vsm

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	<p><u>22.11.2021</u></p> <p><u>O.A 469/2012, with O.A 682/2013 & 879/2015</u></p> <p>Dr A.R Tarale & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants in O.A 469/2012, Shri N.Y Chavan, learned advocate for the applicants in O.A 879/2015 and Ms Swati Manchekar, learned C.P.O for the Respondents. Mr R.M Sarda, learned counsel for the applicant's in O.A 682/2013 has filed his leave note.</p> <p>2. In this matter, it is found that the assistance of the higher officers who are conversant with the laws and rules is necessary to adjudicate the issue before us as it was already reviewed and thereafter remanded back by the Hon'ble High Court, Bombay. Hence, Joint Secretary, Public Health Department and Joint Secretary, Finance Department, who is handling the Anomaly Committee, should remain present before the Tribunal on 24.11.2021 at 12.30.</p> <p>3. S.O to 24.11.2021.</p> <p>Sd/- (Medha Gadgil) Member (J)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>O.A. No.762 of 2020 with M.A. No.335 of 2020</u></p> <p>M.R. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that matter was decided by the Hon'ble Minister of State for Home (Rural) on 28.9.2021 wherein the punishment imposed of stoppage of increment for two years on 12.3.2021 was set aside. Hence, he submits that there is no further cause of action and in view of the same, OA and MA can be disposed off.</p> <p>3. In view of the above, OA and MA are disposed of accordingly.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 22.11.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 22.11.2021</p>

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	<p align="center"><u>C.A. No.46 of 2021 in O.A. No.28 of 2021</u></p> <p>D.B. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Order dated 16.7.2021 of this Tribunal directed the respondents to take decision on the proposal dated 4.5.2021 forwarded by the respondent no.1 in accordance with rules within two months of the date of order.</p> <p>3. Ld. PO submits that decision is taken by the State, however, there is delay of two months. Time given by two months expired on 16.9.2021. No decision was taken by the Government till then. However, it was decided and order is implemented on 18.11.2021. Ld. PO produces copy of decision and communication dated 18.11.2021. The same are taken on record and marked Exhibit 1 and 1-A for identification.</p> <p>4. Ld. PO submits that there was a delay of two months approximately. The respondents tender apology for the same which may kindly be accepted. Ld. PO submits that to that effect respondents will be file affidavit.</p> <p>5. Oral apology and oral application is accepted. There is no need to file affidavit to that effect.</p> <p>6. CA is disposed off accordingly.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 22.11.2021 (sg)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 22.11.2021</p>

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	<p style="text-align: center;"><u>M.A. No.159 of 2021 O.A. No.114 of 2020</u></p> <p>R.S. Jikare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.K. Hande, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 6.12.2021.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member (A) 22.11.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- <i>U. R.</i> (Mridula R. Bhatkar, J.) Chairperson 22.11.2021</p> </div> </div>

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	<p align="center"><u>CA No.42 of 2021 in OAs.678, 679 & 680 of 2020</u></p> <p>S.S. Mujawar & 2 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants states that till today he has not received any notice in any writ petition challenging the order of this Tribunal in the above OAs.</p> <p>3. Application is given today by Deputy Secretary, Revenue & Forest Department dated 22.11.2021 that the Respondent-Government wants to challenge the order dated 10.8.2021 of this Tribunal in the Hon'ble High Court and therefore the matter is sent to the Law & Judiciary Department for opinion. For that reason the Government wants time of one month.</p> <p>4. In the present case the Tribunal by its order dated 10.8.2021 has cancelled the transfer of all the three applicants and has ordered that applicants in OAs. No.678, 679 & 680 of 2020 be reposted on the post they were transferred from within two weeks from the date of the order. In between the applicants have joined their posting where they were transferred under protest. The Government has neither implemented the order of the Tribunal nor filed writ petition challenging the said order. The applicants have again approached this Tribunal by filing Contempt Application No.42 of 2021 against the Respondent-State.</p> <p>5. The matter appeared before this Tribunal 28.9.2021 and notice was issued. It appeared on 18.10.2021, thereafter on 22.10.2021 and on the same day Ld. PO informed that private respondent has filed writ petition on 18.9.2021 and it was mentioned that Government is also filing writ petition. Again the matter appeared on 28.10.2021 and Ld. PO</p>

10. The New Delhi Bench - Miscellaneous of Criminal
 Appeals and Criminal Writs and
 Miscellaneous of High Court orders

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informed that process of filing writ petition by the State is still going on. The matter appeared thereafter today. However, same reasons are mentioned for non-implementation of the order.

6. We note that it is a case of transfer order and therefore in such matters there is always urgency of the implementation of the order. The State should have challenged the order before the Hon'ble High Court and obtained stay to the order of the Tribunal. However, the Respondent-State has not taken proper legal recourse of approaching the Hon'ble High Court and obtaining stay order but is unnecessarily using the delay tactics to not implement the order of this Tribunal.

7. We take very serious note of this and hence we are constrained to issue notice to the Respondent-Contemnor under Contempt of Courts Act.

8. S.O. to 6.12.2021.

Sd/-
 (Medha Gadgil)
 Member (A)
 22.11.2021

Sd/- 
 (Mridula R. Bhatkar, J.)
 Chairperson
 22.11.2021

(sgl)

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	<p align="center"><u>22.11.2021</u></p> <p align="center"><u>O.A 345/2018</u></p> <p>Shri S.M Jadhav & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O files affidavit in reply. Same is taken on record. Learned counsel for the applicants seek time to file affidavit in rejoinder. Permission granted.</p> <p>3. S.O to 24.1.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (J) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center">Date: 22.11.2021</p> <p align="center">O.A. No.851 of 2021</p> <p>N.K. More,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is serving on the post of Deputy Inspector General of Police, Motor Transport Session, Pune. He was posted there by order dated 17.09.2016 and has completed normal tenure in 2019. He was due for transfer in general transfer of 2020. However he was not transferred, and therefore, made application for transfer to Mumbai on the ground that two years remained for his retirement and his family is settled at Mumbai. Special General of Police, Motor Transport, Pune by his letter dated 03.06.2021 forwarded his application to Respondent No.1 for necessary orders but the same is not responded. The Applicant has therefore filed present O.A. seeking transfer to Mumbai.</p> <p>3. Learned P.O. submits that the Applicant has completed normal tenure but cannot ask for transfer since it squarely falls within the power of Government.</p> <p>4. In terms of Transfer Act, 2005 normal tenure of the Applicant is three years which is admittedly completed long back. He made representation but the same is not decided.</p>

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	<p>5. In view of above, it is for Respondent No.1 to decide representation and to pass appropriate order.</p> <p>6. O.A. is therefore disposed of with direction to Respondent No.1 to decide the representation made by the Applicant for his transfer from Pune to Mumbai within two months from today and in accordance to law. Decision as case may be, be communicated to the Applicant within two weeks thereafter.</p> <p>7. 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: 22.11.2021</p> <p align="center">O.A. No.617 of 2021</p> <p>M.K. MohiteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has Affidavit-in-Reply on behalf of Respondent No.3. It is taken on record. No separate Reply is filed on behalf of Respondent No.1 & 2.</p> <p>3. Learned Advocate for the Applicant does not want to file Rejoinder.</p> <p>4. Adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 14.12.2021.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 22.11.2021</p> <p align="center">O.A. No.558 of 2021</p> <p>V.A. Gawade & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 29.11.2021.</p> <p align="right">Sd/- vvr (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 22.11.2021</p> <p align="center">O.A. No.557 of 2021</p> <p>S.M. Mutekar & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms Pooja, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 06.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 22.11.2021</p> <p align="center">O.A. No.485 of 2021</p> <p>P.R. Abhang & 2 Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, 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. three days time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 25.11.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>



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	<p>Date: 22.11.2021</p> <p align="center">O.A. No.692 of 2021</p> <p>V.S. Patil & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record. No separate Reply is filed on behalf of Respondent No.2.</p> <p>3. Adjourned for hearing at the stage of admission with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 10.12.2021.</p> <p align="right">  Sd/-  (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

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	<p>Date: 22.11.2021</p> <p align="center">O.A. No.584 of 2021</p> <p>A.M. MaliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Anuradha Khot, learned Advocate holding for Shri S.B. Thorat, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri A.V. Bandiwadekar, learned Advocate for the Respondent No.4.</p> <p>2. On request of learned P.O. three days time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 26.11.2021.</p> <p align="right">Sd/- vv (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 22.11.2021</p> <p align="center">O.A. No.844 of 2021</p> <p>C.S. Lokhande,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three days time is granted for filing Affidavit-in-Reply by way of last chance with specific direction that no further time will be granted since retiral benefits of the Applicant are withheld for long time and O.A. deserves to be disposed of without further delay.</p> <p>3. S.O. to 27.11.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>


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	<p align="center">Date: 22.11.2021</p> <p align="center">O.A. No.796 of 2021</p> <p>S.R. Savale,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today O.A. is for filing Rejoinder but the same is not filed.</p> <p>3. O.A. is kept for hearing at the stage of admission.</p> <p>4. S.O. to 10.12.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

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	<p>Date: 22.11.2021</p> <p>M.A. No.506 of 2021 in O.A. No.840 of 2021</p> <p>Dr. S.G. Kadam,Applicant 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 Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. This M.A. is filed for amendment and to Annex copy of representation which is filed for Deemed Date of promotion. 3. In O.A. no Reply is yet filed. 4. As proposed amendment will not change the nature of O.A. 5. In view of above, M.A. is allowed. 6. Amendment be carried out within a week and amended copy also be served upon the learned P.O. 7. Two weeks time is granted for filing Affidavit-in-Reply to O.A. 8. S.O. to 06.12.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p>

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	<p>Date: 22.11.2021</p> <p align="center">M.A. No.447 of 2021 in O.A. No.795 of 2021</p> <p>Kamal Nirbhavane,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply in M.A.</p> <p>3. S.O. to 07.12.2021.</p> <p align="right">Sd/- _____ ✓ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center"><u>O.A. No.903 of 2021</u></p> <p>Dr. A.S. Nevkar & 3 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.S. Kaktode, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants seeks interim relief. However, it seems that applicants have neither served MPSC nor State. Applicants to serve all the respondents.</p> <p>3. S.O. to 1.12.2021.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 22.11.2021 22.11.2021</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.905 of 2021</u></p> <p>R.B. Sharma ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">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. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 3.1.2022 The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed 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>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. 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> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>22.11.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula R. Bhatkar, J.)</p> <p>Chairperson</p> <p>22.11.2021</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.15 of 2021 in O.A. No.83 of 2020</u></p> <p>M.C. Lilani & 3 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Affidavit of respondents no.1 and 2 is required to state specifically that how much time the respondents require to implement the order of this Tribunal. It is to be noted that it is stereotype stated that the matter is pending before the Government. However, it is a matter of contempt and specific statement regarding compliance is expected.</p> <p>3. S.O. to 29.11.2021.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 22.11.2021 22.11.2021</p> <p>(sgj)</p>

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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><u>22.11.2021</u></p> <p align="center"><u>O.A 183/2020</u></p> <p>Shri J.B Bangar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that affidavit in rejoinder has already been filed.</p> <p>3. Learned C.P.O seeks liberty to file affidavit in sur-rejoinder. Liberty granted.</p> <p>4. Admit. Place for final hearing on 17.1.2022.</p> <p align="center">Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (J) Chairperson</p> <p>Akn</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 align="center"><u>22.11.2021</u></p> <p align="center"><u>O.A 216/2020</u></p> <p>Shri S.W Thakare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that he need time to file rejoinder.</p> <p>3. S.O to 3.1.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (J)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>


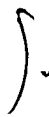
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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><u>22.11.2021</u></p> <p align="center"><u>O.A 320/2020</u></p> <p>Shri H.M Vanave ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant states that affidavit in rejoinder will be filed during the course of the day.</p> <p>3. Learned C.P.O seeks liberty to file affidavit in sur-rejoinder. Liberty granted to learned C.P.O to file affidavit in sur-rejoinder before the date of hearing.</p> <p>4. Admit. Place for final hearing on 24.1.2022.</p> <p>Sd/-  Sd/- </p> <p>(Medha Gadgil) Member (J) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

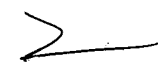

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MUMBAI**

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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><u>22.11.2021</u></p> <p align="center"><u>O.A 89, 90 & 114/2021</u></p> <p>Shri N.C Koli & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 1.2.2022.</p> <p align="right">Sd/- </p> <p align="center">Sd/- </p> <p>(Medha Gadgil) Member (J) Akn</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</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><u>22.11.2021</u></p> <p align="center"><u>D.A 342/2021</u></p> <p>Shri S.S Rathod ... 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.</p> <p>3. S.O to 13.12.2021.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (J) Chairperson</p> <p>Akn</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.299 of 2021 in O.A. No.370 of 2021</u></p> <p>R.A.R. Shaikh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri H.S. Chitale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files reply in the OA.</p> <p>3. The respondents may file reply in the MA on the next date.</p> <p>4. S.O. to 10.12.2021. Till then earlier order to continue.</p> <p align="right">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) / (Mridula R. Bhatkar, J.) Member (A) Chairperson 22.11.2021 22.11.2021</p> <p>(sgj)</p>

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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: 22.11.2021</p> <p>O.A. No.854 of 2021</p> <p>M. M. Tamboli,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. The Applicant stands retired on 31.05.2021 but his retiral benefits were paid belatedly. He made representation for grant of interest on belated payment but not responded. Hence he filed present O.A. for interest on belated retiral benefits. 3. Issue notice before admission returnable on 20.12.2021. 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 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 Original Application. 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.

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

Tribunal's orders

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.

8. 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.

9. S.O. to 20.12.2021.

Sd/-

(A.P. Kurnekar)
Member (J)

NMN

**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>Date: 22.11.2021</p> <p align="center">O.A. No.912 of 2021</p> <p>S.S. Shegar,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Sangram Suryavanshi, learned Advocate holding for Shri V.B. Somawanshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged transfer order dated 13.10.2021 whereby he is transferred from Mumbai to Bhandara. The perusal of impugned transfer order reveals that initially he was suspended for certain serious misconduct later reinstated in service. D.E. seems to have been instituted. He is already relieved by order dated 01.11.2021. 3. Since he is already relieved question of interim relief does not ^{not} arise. <i>Relieve</i> 4. Issue notice before admission returnable on 20.12.2021. 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. <p align="right">[P.T.O.]</p>

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

Tribunal's orders

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

10. S.O. to 20.12.2021.


Sd/-

(A.P. Kurhekar)
Member (J)

NMN