

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

**O.A.No.775/2022 with M.A.No.676/2022 With  
O.A.No.776/2022 with M.A.No.674/2022 With  
O.A.No.777/2022 with M.A.No.678/2022 With  
O.A.No.778/2022 with M.A.No.672/2022 With  
O.A.No.779/2022 with M.A.No.673/2022 With  
O.A.No.790/2022 with O.A.No.791/2022 With  
O.A.No.793/2022 with M.A.No.675/2022 With  
O.A.No.796/2022 with M.A.No.677/2022 With  
O.A.No.830/2022**

V.R. Sarole & Ors. ....Applicant

Vs.

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

Mr. Talekar, learned Counsel for the Applicants in O.A.No.775/2022, O.A.No.776/2022, O.A.No.777/2022, O.A.No.778/2022, O.A.No.779/2022, O.A.No.793/2022 & O.A.No.796/2022.

Mr. P. Avhad along with Ms. D. Naval, learned Advocate for the Applicants in O.A.No.790/2022 & O.A.No.791/2022.

Mr. D.B. Khaire, learned Advocate for the Applicant in O.A.No.830/2022.

Ms. Amrita Chaware, learned Advocate for Respondent No.4 in O.A.No.777/2022 & O.A.No.793/2022.

Mr. S.S. Dere, learned Advocate for the Respondent No.4 in O.A.No.778/2022 & O.A.No.779/2022.

Mr. Bhushan A. Bandiwadekar, learned Advocate for the Respondent No.3 & 4 in O.A.No.775/2022 & O.A.No.776/2022 respec. and for Respondents No.4 & 9 in O.A.No.790/2022, and for Respondents No.4 & 5 in O.A.No.791/2022.

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

**CORAM : JUSTICE MS. MRIDULA BHATKAR, CHAIRPERSON  
MS. MEDHA GADGIL, MEMBER(A)**

**DATE : 22.11.2022.**

**PER : JUSTICE MS. MRIDULA BHATKAR, CHAIRPERSON'**

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**ORDER**

1. Learned Counsel Mr. Talekar submits that in all these O.A.s the applicants aspire to be Constable as per the advertisement dated 30.11.2019 issued by the Home Department, Mantralaya. He informs that the applicants have applied only in one unit and they are selected and now they are appointed. The applicants were appointed during the span of 20.01.2022 to 25.04.2022. They were working at various Districts in the State of Maharashtra. However they received the show cause notice on 02.08.2022. All the applicants have challenged the show cause notice issued to them for termination of their services pursuant to the following judgments which are mentioned in the show cause notices.

- (i) O.A.No.22, 308, 309, 325 of 2022 dated 31.03.2022, Ms. Pushpa R. Yadav Versus State of Maharashtra & Ors. (M.A.T. Bench Nagpur)
- (ii) O.A.No.144/2022 with O.A.No.145/2022 with O.A.No.146/2022 with O.A.No.167/2022 with O.A.No.203/2022 with O.A.No.300/2022 with O.A.No.301/2022 with O.A.No.321/2022, dated 11.04.2022, Shri Amit H. Daphal Versus The Superintendent of Police, & Ors. (M.A.T. Mumbai)
- (iii) O.A.No.1114/2021, dated 20.04.2022, Amol D. Raut Versus State of Maharashtra & Ors. (M.A.T. Bench Nagpur)

Learned Counsel Mr. Talekar submits that apart from these three judgments some judgments are passed in different O.As. Learned Counsel Mr. Talekar prays that judgment of one Bench is to be recalled by another Bench. Learned Counsel to produce any judgment on that point.

2. By way of M.A. learned Counsel Mr. Talekar has prayed that these judgments, especially order dated 11.04.2022 passed in O.A.No.144/2022 & Ors. are the relevant amendments and to be allowed. In view of above, M.A. is allowed.

3. Mr. P. Avhad along with Ms. D. Naval, learned Advocate for the Applicants in O.A.No.790/2022 & O.A.No.791/2022 and Mr. Khaire

submit that these applicants were not party to the O.A. which are filed as they are affected parties due to the order passed by the Tribunal and applicants have filed Writ Petition No.8411, 8414 & 8415/2022 before the Bombay High Court. These candidates have appeared in one unit only and their names are appearing in select list, but they were not given appointment pursuant to the orders / judgments stated above and therefore they are praying to recall the order and it is prayed that the applicants are to be appointed to the post of Constables as per the select list of 29.03.2022. He further submits that in both the O.A.s further consequential circulars/ orders are passed by the Department, are also the subject matter of challenge as they are to be withdrawn. He prays that the matters are to be heard separately. The order dated 13.07.2022 passed by the Hon'ble High Court in Writ Petition Nos.6251, 6274 & 6275/2022 which is as follows,

*"These writ petitions are not entertained and stand dismissed with liberty to the Petitioners to approach the Tribunal in accordance with law."*

Hence, the applicants are before the Tribunal.

4. Mr. D.B. Khaire, learned Advocate for the Applicant in O.A.No.830/2022 submits that all the candidates have appeared for one post and at one unit. Their names are appearing in the provisional select list. He submits that applicants pray for recalling the order and appointing them on the said post.

5. All the Counsel for all the Applicants relied on the judgment of Hon'ble Supreme Court in case of **K. Ajit Babu and Others Versus Union of India and Others reported in (1997) 6 SCC 473**

6. Mr. S.S. Dere, learned Advocate for the Respondent No.4 in O.A.No.778/2022 & O.A.No.779/2022 prays for time to file reply on behalf of the Respondents. Learned Advocate Mr. Dere and learned C.P.O. though oppose the contents in the Original Applications and especially prayers made, however, they submit to the order of the Tribunal. They pray for time to file affidavit especially on the point of

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maintainability. As two orders of Nagpur Bench are prayed to be recalled by this Tribunal, learned C.P.O. submits that the applicants in some of the matters are from Bhandara and Latur, therefore they are covered by the orders passed by the Nagpur Bench.

7. In view of the submissions made by learned Counsel Mr. Talekar we allow these M.As. Amendment is to be carried out till 24.11.2022 and copies are to be served to all the concerned forthwith. Respondents are allowed to file affidavit-in-reply and rejoinder, if any, is to be filed thereafter.

8. All the applicants have prayed for amendment in Prayer Clause to substitute the words 'quash and set aside' by the words 'recall/reconsider'. Amendment as sought is granted. It be carried out forthwith.

9. Adjourned to 24.11.2022 at 02.30 p.m.

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

Sd/-   
**(Mridula Bhatkar, J.)**  
**Chairperson**



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p align="center">O.A.No.420 of 2021</p> <p>M. S. Shinde <span style="float:right">...Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra <span style="float:right">...Respondent</span></p> <p>1. Heard Shri A V. Bandiwadekar , learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondent.</p> <p>2. Today, learned P.O. has filed Affidavit in Reply on behalf of Respondent. It is taken on record.</p> <p>3. S.O. to 01.12.2022</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

of 20

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Original Application No.

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p align="center">O.A.No.802 of 2022</p> <p>S. G. Shirgaonkar <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra <span style="float:right">...Respondent</span></p> <p>1. Heard Shri A V. Bandiwadekar , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondent.</p> <p>2. Today, learned P.O. has filed Affidavit in Reply on behalf of Respondent. It is taken on record.</p> <p>3. S.O. to 13.12.2022</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

of 20

IN

Original Application No.

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p align="center">O.A.No.908 of 2021</p> <p>S. R. Hembade <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra <span style="float: right;">...Respondent</span></p> <p>1. Heard Shri A V. Bandiwadekar , learned Counsel for the Applicant and Shri A. J. Choguule, learned Presenting Officer for the Respondent.</p> <p>2. Today, learned Counsel has filed Affidavit in Rejoinder. It is taken on record.</p> <p>3. S.O. to 13.12.2022</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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 : 22.11.2022</p> <p align="center"><b>M. A. No.665 of 2022 in O.A.No.418 of 2022</b></p> <p><b>V.R. Mirajkar</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. This M.A. is filed for amendment of O.A. and to produce the documents to be annexed to O.A. in continuation with pagination which were remained to be filed in O.A.</li> <li>3. O.A. is filed for regularization of service. By proposed amendment, the Applicant wants to demonstrate alleged discrimination meted to him in view of several other orders passed by the Respondents in other cases.</li> <li>4. In O.A. the Respondents failed to file the reply though enough time is granted.</li> <li>5. As such, the O.A.No.418/2022 is yet to be heard.</li> <li>6. The proposed amendment seems necessary for adjudication for the issue involved in the matter.</li> <li>7. In view of above, amendment application is allowed. The documents filed in M.A. be annexed to O.A. in continuation of pagination of 117 to 188.</li> <li>8. Amendment be carried out within three days.</li> <li>9. Two weeks' time is granted to Respondents to file composite reply to O.A. including amendment.</li> <li>10. S.O. to 13.12.2022.</li> </ol> <p align="right">Sd/-</p> <p align="right"><b>(A.P. Kurhekar)</b> [P.T.O.] Member(J)</p>

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p align="center"><b>M. A. No.665 of 2022 in O.A.No.418 of 2022</b></p> <p><b>V.R. Mirajkar</b> <span style="float:right">....Applicant</span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. This M.A. is filed for amendment of O.A. and to produce the documents to be annexed to O.A. in continuation with pagination which were remained to be filed in O.A.</li> <li>3. O.A. is filed for regularization of service. By proposed amendment, the Applicant wants to demonstrate alleged discrimination meted to him in view of several other orders passed by the Respondents in other cases.</li> <li>4. In O.A. the Respondents failed to file the reply though enough time is granted.</li> <li>5. As such, the O.A.No.418/2022 is yet to be heard.</li> <li>6. The proposed amendment seems necessary for adjudication for the issue involved in the matter.</li> <li>7. In view of above, amendment application is allowed. The documents filed in M.A. be annexed to O.A. in continuation of pagination of 117 to 188.</li> <li>8. Amendment be carried out within three days.</li> <li>9. Two weeks' time is granted to Respondents to file composite reply to O.A. including amendment.</li> <li>10. S.O. to 13.12.2022.</li> </ol> <p align="right">Sd/-</p> <p align="right"><b>(A.P. Kurhekar)</b> <span style="float:right">[P.T.O.]</span> Member(J)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p><b>M.A.No.654 of 2022 in O.A.No.771 of 2022</b></p> <p>R.T. Kale .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.B. Kadam, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. 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 06.12.2022.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Misc. Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>8. Adjourned to 06.12.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p><b>O.A.No.664 of 2018</b></p> <p>A @ P.B.. Lohar .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. C.R. Nagare, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate states that he has given NOC to the applicant and he is not appearing on this matter. Last chance is given to learned Advocate to show copy of NOC. He is directed to contact the applicant and ask her to remain present on next date.</p> <p>3. Adjourned to 29.11.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member(A) prk</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p><b>O.A.No.753 of 2019</b></p> <p>B.V. Lamkhade &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. V.H. Shedar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. As no reply is filed till date, matter to proceed without reply.</p> <p>3. Admit. Adjourned to 03.01.2023 for final hearing.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

**Tribunal's orders**

**Date : 22.11.2022**

**O.A.No.315 of 2022 with O.A.No.316 of 2022  
with O.A.No.317 of 2022**

V.B. Suryawanshi & Ors. ....Applicants  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer holding for Ms. Archana B.K. learned P.O. for the Respondents.

2. Learned Advocate submits that reply in filed in O.A.No.315/2022 & 316/2022. However reply is not filed in O.A.No.317/2022.

3. Time granted to learned P.O. to file reply.

4. Adjourned to 13.12.2022.

Sd/-

(Medha/Gadgil)  
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

**Tribunal's orders**  
**Date : 22.11.2022**

**O.A.No.1070 of 2022**

R.B. Pawar .....Applicant  
Vs.

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

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

2. Learned Advocate prays for interim relief to keep vacant one post of Superintendent Engineer in the Water Resource Department as the seniority list is challenged.

3. Learned C.P.O. informs that as per the order of Aurangabad High Court there is stay in promotions and filling up posts of Superintendent Engineer.

4. Adjourned to 06.12.2022.

Sd/-

(Medha Gadgil)  
Member(A)

prk

*M / J*  
Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Original Application No.

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..... Applicant/s

(Advocate .....) )

*versus*

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p align="center"><b>M.A.No.666 of 2022 in O.A.No.965 of 2022</b></p> <p>D.J. Patil &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Pursuant to the order passed by this Tribunal on 20.10.2022 the Respondent-State was directed to reinstate the applicants on the post of Multipurpose Health Worker from the date of the impugned order dated 14.09.2022. The said order was to be complied on or before 27.10.2022. Thereafter, the State moved M.A.No.627/2022 in O.A.No.965/2022 requesting for extension of time to comply the said order. However, the said M.A. was allowed and time was granted till 17.11.2022 for compliance of the order dated 20.10.2022. However, learned Advocate submits that the said order has not been complied with till date.</p> <p>3. We therefore direct the Respondent to issue the order by tomorrow i.e. 23.11.2022 failing which Contempt notice will be issued against the Principal Secretary, Public Health Department.</p> <p>4. Adjourned to 23.11.2022. Hamdast.</p> <p align="center">Sd/- <span style="float:right">Sd/-</span></p> <p align="center">(Medha Gadgil) <span style="float:right">(Mridula Bhatkar, J.)</span> Member(A) <span style="float:right">Chairperson</span></p> <p>prk</p> <p align="right">[P.T.O.]</p>



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DISTRICT

..... Applicant/s

(Advocate .....

*versus*

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>22.11.2022</u></b></p> <p align="center"><b><u>O.A 1235/2019 &amp; ors</u></b></p> <p>Shri M.K Shivsaran &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Ms Kharat, Secretary, M.P.S.C is directed to remain present before this Tribunal at 12.00 and answer to the two queries.</p> <p>(i) Whether out of syllabus questions are allowed by M.P.S.C?</p> <p>(ii) If such questions are asked then by way of corrective measures what procedure is followed generally by M.P.S.C?</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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..... Applicant/s

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*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p><b><u>22.11.2022</u></b></p> <p><b><u>O.A 1235/2019 &amp; ors</u></b></p> <p>Shri M.K Shivsaran &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p><b><u>LATER ON:</u></b></p> <ol style="list-style-type: none"><li>1. Ms Kharat, Secretary, M.P.S.C. is present.</li><li>2. To reply to our first query, whether out of syllabus questions are allowed by M.P.S.C. She stated that normally questions are not out of syllabus.</li><li>3. In reply to the second query if such questions are asked then by way of corrective measures what procedure is followed generally by M.P.S.C? She stated that if the applications are received by the Commission, the matter is placed before the Commission to take decision on the same.</li><li>4. Learned C.P.O further submitted that in an earlier examination of M.F.A.S, Class III Examination, such a situation has arisen where a question was out of syllabus, the matter was referred to the Expert, who stated that it is within the syllabus only and this was accepted by the Commission.</li></ol> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">v-7 (<b>Medha Gadgil</b>) Member (A)</p> <p>Akn</p> <p style="text-align: center;">11 Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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><b>Date : 22.11.2022</b></p> <p><b>C.A.No.57 of 2022 in O.A.No.927 of 2017</b></p> <p>G.D. Jadhav .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the D.E. in respect of the applicant was closed on 06.10.2022 She further submits that the proposal for pension and retiral dues, as per 7<sup>th</sup> Pay Commission has been sent to the office of Accountant General on 18.10.2022.</p> <p>3. Adjourned to 06.12.2022 for reporting progress in the matter.</p> <p>Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.11.2022</p> <p align="center">O.A. No.901 of 2021</p> <p>Dr. N.J. Udgirkar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Shri A.D. Kango, learned Advocate for the Applicant is absent.</li> <li>2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</li> <li>3. Learned P.O. has filed Affidavit-in-Reply.</li> <li>4. Admit.</li> <li>5. Adjourned for Final Hearing.</li> <li>6. S.O. to 09.01.2023.</li> </ol> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson</p> <p align="center">NMN</p>

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<p><b>Date : 22.11.2022</b></p> <p><b>C.A.No.67 of 2022 in O.A.No.96 of 2022</b></p> <p>B.K. Narale .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Y.B. Lengare, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time as he wants to file detailed reply.</p> <p>3. Time granted. Reply be filed up to the point with no repetitions.</p> <p>4. Learned P.O. submits that multiple Writ Petitions are filed on the same issue. Therefore, the Government is seeking time to take policy decision.</p> <p>5. We would like to get the copy of the stay of those orders wherein Hon'ble High Court has granted stay.</p> <p>6. By way of last chance adjourned to 13.12.2022.</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;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p><b>M.A.No.638 of 2018 in O.A.No.887 of 2018</b></p> <p>J.R. Bankapure .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. A.J. Chougule, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. None appeared for the Applicant. Learned C.P.O. submits that there is delay of 27 years.</p> <p>3. Adjourned to 13.12.2022.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p><b>M.A.No.654 of 2022 in O.A.No.771 of 2022</b></p> <p>R.T. Kale .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.B. Kadam, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. 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 20.12.2022.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Misc. Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>8. Adjourned to 20.12.2022.      //</p> <p style="text-align: center;">Sd/-      Sd/-</p> <p style="text-align: center;">(Medha Gadgil)      (Mridula Bhatkar, J.) Member(A)      Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p align="center"><b>M.A.No.666 of 2022 in O.A.No.965 of 2022</b></p> <p>D.J. Patil &amp; Ors.. .....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Pursuant to the order passed by this Tribunal on 20.10.2022 the Respondent-State was directed to reinstate the applicants on the post of Multipurpose Health Worker from the date of the impugned order dated 14.09.2022. The said order was to be complied on or before 27.10.2022. Thereafter, the State moved M.A.No.627/2022 in O.A.No.965/2022 requesting for extension of time to comply the said order. However, the said M.A. was allowed and time was granted till 17.11.2022 for compliance of the order dated 20.10.2022. However, learned Advocate submits that the said order has not been complied with till date.</p> <p>3. We therefore direct the Respondent to issue the order by tomorrow i.e. 23.11.2022 failing which Contempt notice will be issued against the Principal Secretary, Public Health Department.</p> <p>4. Adjourned to 23.11.2022. Hamdast.</p> <p align="center">Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p> <p align="right">[P.T.O.]</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p><b>O.A.No.592 of 2015</b></p> <p>J.S. Shinde .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In view of the pendency of Writ Petition filed by the State before the Hon'ble High Court and stay granted by the Hon'ble High Court, matter is adjourned to 22.02.2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member(A) <span style="float: right;">Chairperson</span></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 22.11.2022</p> <p>M.A. No.668 of 2022 in O.A. No.1160 of 2022</p> <p>N.L. Khairnar &amp; Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri S.S. Gosavi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 22.11.2022</p> <p align="center">O.A. No.1160 of 2022</p> <p>N.L. Khairnar &amp; Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri S.S. Gosavi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicants aspire to be appointed to the post of "Surveyor-cum-clerk" in Group 'C' category. Respondent issued advertisement on 20.07.2021 pursuant to which the Applicant applied. The Applicants are disqualified as per the list published by the Respondents on 15.11.2022. The name of the Applicant is not in the eligible list of candidates but it was mentioned in the list of disqualified candidates which is shown at Sr. No.92 &amp; 93 on the ground that they did not hold requisite educational qualification. On Pg.33 is the relevant portion of Clause No.2 of the advertisement stating the educational qualification for the post of "Surveyor-cum-clerk".</p> <p>3. Learned Advocate for the Applicant relied on the G.R. dated 28.09.2012 and it is to be read with the corrigendum dated 12.11.2018 in respect of equivalence of the educational qualification as mentioned. Entry no.37 pertains to the post of Surveyor of the said G.R. He pointed out that after this entry educational qualification in this entry no.37 is incorrect in respect of Vocational Education Examination Board. Therefore by corrigendum dated 12.11.2018 the State Corrected the entry no. 37 and it is stated that word DC in Construction is to be read in place of CC in Construction Surveyor.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Learned Advocate for the Applicant submits that the Applicants hold Diploma course in Construction Surveying. He submits it is equivalent certificate course in ITI given by the ITI .</p> <p>5. Learned P.O. is directed to file Short Affidavit.</p> <p>6. S.O. to 23.11.2022.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 22.11.2022</p> <p align="center">M.A. No.667 of 2022 in O.A. No.1159 of 2022</p> <p>S.V. Jadhav &amp; Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri S.S. Gosavi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court fees, if not already paid. MA disposed off accordingly.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p align="center">NMN</p>

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

**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: 22.11.2022</p> <p align="center"><b>O.A. No.1159 of 2022</b></p> <p><b>S.V. Jadhav &amp; Ors. ....Applicant</b> <b>Versus</b> <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri S.S. Gosavi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In this matter the Applicants pray that the Respondents be directed to adhere to recruitment Rules published in the gazette dated 17.12.2011 and the candidates holding only Bachelor degree in the Civil Engineer to be debarred from the process. Learned Advocate for the Applicant submits that examination is scheduled on 28.11.2022. The Recruitment Rules dated 17.12.2011 are at page 51 for the Non-Gazetted posts. Learned Advocate for the Applicants relies on Rule 5 which suggest about the Appointment of Grade IV post mentioned in the part 'C' of the schedule. They are to be recruited by nomination and the educational qualification is as follows:-</p> <p>“5. Appointment to the Grade-IV posts mentioned in the part 'C' of the schedule shall be made by nomination from amongst the following candidates, who –</p> <p>(i) are not more than 33 year's of age. Provided that the upper age limit be relaxed by 10 years in case of candidates already in Government service.</p> <p>(ii) Possess Diploma in Civil Engineering. Or Have passed the Secondary School Certificate Examination and possess a two year certificate in "Surveyor Trade".</p> <p>(iii) Possess the Government commercial certificate for a speed of not less than 30 w.p.m. in Marathi Typewriting and 40 w.p.m. in English Typewriting.”</p>



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

**Tribunal's orders**

3. Learned Advocate for the Applicant submits that the Education qualification prescribed for the candidate is Diploma in Civil Engineer or Secondary School Certificate Examination and possess two year certificate in "Surveyor Trade". He pointed out relevant portion i.e. Clause 2 of advertisement dated 20.07.2021. He submits that the education qualification mentioned in the advertisement for the post of Surveyor is consistence with the Rules, so he is not challenging the same but the Corrigendum which is at pg.45.

4. Learned P.O. submits on instruction from Shri Jayant Nikam, Deputy Director of Land Records, Mumbai Region that corrigendum challenging Educational qualification i.e. Degree holder in Civil Engineering are also eligible was issued on the website. She submits that on the basis of Judgment and order dated 20.10.2021 in O.A. No.136/2022 filed by Shri Pramod D. Dorkar V/s. State of Maharashtra & Ors. Respondents have made the change in the Educational Qualification. Learned P.O. seeks time to find out the latest position in the case of Dorkar's.

5. S.O. to 23.11.2022.

Sd/-  
(Medha Gadgil)  
Member (A)

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





**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>O.A.221/2022</u></b></p> <p><b>Smt. A.V. Gundale</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Shri A.B. Tajane, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents is present.</p> <p>2. The Applicant has challenged the communication dated 09.12.2021 issued by Respondent No.1 - Superintending Engineer and President, Maharashtra Jeevan Pradhikaran, Pune thereby rejecting the claim of Applicant for substitution of name in waiting list for compassionate appointment.</p> <p>3. Respondents have not filed Affidavit-in-reply though enough time was granted, and therefore, matter was fixed for hearing without reply.</p> <p>4. When the matter is taken up for hearing, the learned P.O. at the very outset raised issue of jurisdiction of the Tribunal <i>inter-alia</i> contending that the husband of Applicant was employee of Maharashtra Jeevan Pradhikaran (Board) and he was not State Government employee. He, therefore, contends that the Tribunal has no jurisdiction to entertain such dispute relating to service conditions of Board employees.</p> <p>5. Per contra, learned Advocate for the Applicant submits that Tribunal shall pass appropriate order and liberty be given to avail proper remedy.</p> <p>6. Indisputably, Applicant's husband was employee of Maharashtra Jeevan Pradhikaran, which is a Board constituted under the provisions of Maharashtra Water and Sewerage Board Act, 1976. The perusal of Section 23 reveals that the employees of the Board shall be Officers and servants of the Board. Those employees of the Board are not State Government employees.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. Notably, as per Section 15(1) of Administrative Tribunals Act, 1985, the Tribunal has jurisdiction to decide dispute in relation to service matters of State Government employees. Whereas Section 15(2) specifically provides that State Government may by Notification apply w.e.f. such date as may be specified in the Notification, the provisions of Sub-Section 3 to local or other authorities and Corporations or Societies controlled or owned by the State Government.</p> <p>8. As per Section 2(3) of Maharashtra Water and Sewerage Board Act, 1976, the Board shall be deemed to be a local authority as defined in Bombay General Clauses Act, 1904.</p> <p>9. Suffice to say, in absence of Notification envisaged under Section 15(2) of Administrative Tribunals Act, 1985, the Tribunal has no jurisdiction to entertain such dispute in respect of Board employees.</p> <p>10. In view of above, O.A. is dismissed for want of jurisdiction.</p> <p>11. The Applicant is at liberty to redress the grievance before appropriate forum, as may be permissible in law.</p> <p>12. No order as to costs.</p> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> Member-J 22.11.2022</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b><u>O.A.800/2022</u></b></p> <p><b>Shri R.A. Bhalerao</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Shri C.T. Chandratre, learned Advocate for the Applicant, Smt. A.B. Kololgi, learned Presenting Officer for Respondent No.1 &amp; 3 and Shri S. Shaikh, learned Advocate for Respondent Nos.2 &amp; 4 is present.</p> <p>2. Today, learned Advocate for Respondent Nos.2 &amp; 3 has filed Affidavit-in-reply on behalf of Respondent Nos. 2 &amp; 3. It is taken on record.</p> <p>3. Arguments heard. Closed for order.</p> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> <b>Member-J</b> <b>22.11.2022</b></p> <p>(skw)</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 : 22.11.2022</p> <p align="center"><b>M. A. No.664 of 2022 in O.A.No.795 of 2018</b></p> <p><b>The State of Maharashtra &amp; Ors. ....Applicants</b> <b>(Ori. Respondents)</b></p> <p align="center"><b>Versus</b></p> <p><b>V. N. Ghatage &amp; Ors. ...Respondents (Ori. Applicants)</b></p> <ol style="list-style-type: none"> <li>1. Heard Smt. Archana B. K., learned Presenting Officer for the Applicants (Ori. Respondents) and Shri A. S. Patil, learned Counsel for the Respondents (Ori. Applicants).</li> <li>2. This M.A. is filed for extension of two months time to comply the order passed by the Tribunal on 22.09.2022 in O.A.No795/2018.</li> <li>3. Learned Counsel for the Original Applicants has no objection for grant of reasonable time since the Respondents want time only to implement the order.</li> <li>4. In view of above, six weeks time is granted from today to comply the order passed by the Tribunal in O.A.No.795/2018 on 22.09.2022.</li> <li>5. M.A. is accordingly disposed of with no order as to costs.</li> <li>6. No further extension will be entertained.</li> </ol> <p align="right">Sd/-</p> <p align="right"><b>(A.P. Kurhekar)</b> <b>Member(J)</b></p> <p>vsm</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p><b>M. A. No.663 of 2022 in O.A.No.1157 of 2022</b></p> <p><b>D. V. Suradkar</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. This M.A. is filed to condone the delay of 8 months caused in filing O.A.No.1157/2022.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 20.12.2022.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>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.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the <del>Original</del>/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the <del>Original</del>/ Miscellaneous Application shall stand dismissed.</li> <li>9. S.O. to 20.12.2022.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(A.P. Kurhekar)</b> <b>Member(J)</b></p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 22.11.2022</b></p> <p><b>M. A. No.650 of 2022 in M.A. No.651 of 2022 in O.A.No.1009 of 2021</b></p> <p><b>The State of Maharashtra &amp; Ors. ....Applicants (Ori. Respondents)</b></p> <p><b>Versus</b></p> <p><b>S. B. Kamble ...Respondent (Ori. Applicant)</b></p> <p>1. Heard Smt. Archana B. K., learned Presenting Officer for the Applicants (Ori. Respondents) and Shri O. M. Lonkar, learned Counsel for the Respondent (Ori. Applicant).</p> <p>2. These Misc. Applications are filed for condonation of delay and extension of time to comply the order dated 01.08.2022 passed in O.A.No.1009/2021.</p> <p>3. O.A.No.1009/2021 was filed by the Applicant for direction to the Respondents to release pensionary benefits which were not paid though he stands retired on 30.09.2020. The O.A. was heard on merit and by order dated 01.08.2022, impugned order dated 12.10.2021 denying pension has been quashed and set aside. One month time was granted to release the pensionary benefits to the Applicant. Thus, one month time given by the Tribunal expired on 01.09.2022.</p> <p>4. Whereas, now these M.A.s are filed on 15.11.2022 which is quite belated. The application for extension of time, if any, for some reasonable ground ought to have been made before expiration of period granted by the Tribunal. This indicates inaction on the part of Respondents.</p> <p>5. Apart though the Applicant stands retired on 30.09.2020, his pensionary benefits were not paid till date. In application for extension of time, it is stated in <del>M.A.</del> that proposal was sent to Law &amp; Judiciary Department for its opinion and after receipt of opinion, necessary steps will be taken. All these steps ought to have been taken by the Respondents expeditiously so as to comply the order passed by the Tribunal. However, no such steps in right earnest were taken. I am, therefore, not inclined to grant extension of time and to condone the delay caused in filing application for extension of time.</p> <p>6. In view of above, both the Misc. Applications stands rejected with no order as to costs.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p align="center">M. A. No.474 of 2022 in O.A.No.632 of 2022</p> <p>G. M. Shakti <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Ms Sonia Redkar holding for Shri Vishal Hegde, 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 Affidavit in Reply on behalf of Respondent Nos.2 and 3 in M.A. It is taken on record.</p> <p>3. The matter is adjourned for hearing of M.A.</p> <p>4. S.O. to 06.12.2022.</p> <p align="right">             Sd/-            (A.P. Kurhekar)            Member(J)         </p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p>O.A.No.1156 of 2022</p> <p>Shri D. V. Suradkar .....Applicant Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged punishment order dated 24.08.2018 whereby next increment for two years has been withheld without cumulative effect and also challenged the order of appellate authority dated 04.01.2022 confirming the punishment.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 20.12.2022.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>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.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ <del>Miscellaneous</del> Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / <del>Miscellaneous</del> Application shall stand dismissed.</li> <li>9. S.O. to 20.12.2022.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p align="center">O.A.Nos.1134 of 2022 with O.A.No.1135 of 2022</p> <p>S. K. Patil R. K. Potle <span style="float: right;">....Applicants</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicants, the matters are adjourned for one week for admission since he wants to take instructions from his clients about possibility of expediting Criminal W.P.No.2723/2009 whereby criminal prosecution is stayed due to which gratuity is not paid.</p> <p>3. S.O. to 29.11.2022.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p align="center">O.A.No.997 of 2022</p> <p>A. T. Joseph <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. The Applicant and his Counsel both are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</li> <li>2. Today, learned P.O. has filed reply on behalf of Respondent No.4. It is taken on record. No separate reply is filed on behalf of Respondent Nos.1 to 3.</li> <li>3. O.A. be kept for hearing at the stage of admission.</li> <li>4. S.O. to 16.12.2022.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p align="center">O.A.No.1050 of 2022</p> <p>D. D. Pardeshi <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri A V. Bandiwadekar , learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondent and Shri K. R. Jagdale, learned Counsel for the Respondent No.2.</p> <p>2. On request of learned Counsel for the Respondent, two weeks time is granted for filing reply.</p> <p>3. S.O. to 07.12.20212</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p>O.A.No.880 of 2022</p> <p>N. S. Naik ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file reply.</p> <p>3. S.O. to 06.12.2022.</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\_\_\_\_

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p align="center">O.A.No.861 of 2022</p> <p>S. Y. Manjare .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., two weeks time is granted to file reply by way of last chance.</p> <p>3. S.O. to 06.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p>O.A.No.841 of 2022</p> <p>M. S. Mulla .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. Enough time is granted to file reply but the same is not filed. Hence, I am not inclined to grant further time.</li> <li>3. This O.A. be kept with O.A. No.842/2022 for hearing at the stage of admission.</li> <li>4. S.O. to 07.12.2022.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p align="center">O.A.No.723 of 2022</p> <p>A. M. Jadhav .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Ms Minal Jain holding for Shri Koparkar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted for filing reply but the same is not filed. Hence, I am not inclined to grant further time.</p> <p>3. O.A. be kept for hearing without reply.</p> <p>4. S.O. to 09.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.11.2022</p> <p align="center">O.A.No.46 of 2020 with O.A.No.821 of 2021</p> <p>P. J. Jadhav <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. The Applicant and his Counsel both are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. Affidavit in Reply is already filed in both the Original Applications by Respondent Nos.2 and 3. No Rejoinder is filed.</p> <p>3. Both O.As be kept for hearing at the stage of admission.</p> <p>4. S.O. to 21.12.2022.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>