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

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

Date: 22.12.2023

O.A. No.517 of 2023

R.S. Chendke

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned P.O. submits 'Short Affidavit-in-Reply' on behalf of the Respondent No.2 as per order dated 13.12.2023. It is taken on record.
- 3. The 'Additional Commissioner, Tribal Development, Thane' by 'Transfer Order' dated 15.12.2023 has now transferred the Applicant to the post of 'Head Master' at 'Government Secondary Ashramshala at Sanegaon Taluka Pen District Raigad' in modification of earlier 'Transfer Order' dated 13.01.2023.
- 4. The grievance of the Applicant has now been redressed, as by 'Transfer Order' dated 15.12.2023 of 'Additional Commissioner, Tribal Development, Thane' He is posted as 'Head Master' at 'Government Secondary Ashramshala at Sanegaon Taluka Pen District Raigad'. Therefore nothing survives in this O.A. No. 517/2023. Hence, this O.A. No. 517/2023 is disposed of with consent of learned Advocate for the Applicant. 'No Order as to Costs'.

Sd/-

(Debashish Chak abarty) Member (A)

.....Respondents.

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 Tribunal's orders directions and Registrar's orders Date: 22.12.2023 O.A. No.1132 of 2023 K.N. KhanekarApplicant Versus The State of Maharashtra & Ors.

- Heard Shri U.V. Bhosle, learned Advocate holding for Shri S.B. Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned P.O. has filed 'Affidavit-in-Reply' dated 22.12.2023 on behalf of Respondent No.2. It is taken on The 'Affidavit-in-Reply' dated 22.12.2023 encloses 'Transfer Order' dated 06.12.2023 by which the Applicant was earlier posted as 'Stenographer (Higher Grade)' in office of 'Maharashtra State Backward Classes Commission, Pune' which now stands modified by 'Transfer Order' dated 19.12.2023. The Applicant has now been posted as 'Stenographer (Higher Grade)' on the 'Vacant Post' in the office of 'Schedule Caste Sub Plan Branch' in office of 'Social Welfare Commissioner, Pune'.
- 3. Learned Advocate for the Applicant informs that the Applicant has also joined 'Stenographer (Higher Grade)' on the 'Vacant Post' of 'Schedule Caste Sub Plan Branch', in office of 'Social Welfare Commissioner, Pune'. He states that grievance of the Applicant is now been completely redressed, and therefore nothing survives in this O.A. No. 1132/2023. The learned PO also concurres with the learned Advocate of Applicant. Hence, O.A. No.1132 of 2023 is disposed of with 'No Order as to Costs'.

Sd/-

(Debashish Chakrabarty) Member (A) [*P.T.O.*

IAMARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

No.

of 20

N

ation No.

of 20

FARAD CONTINUATION SHEET NO.

effice Memoranda of Coram, e. Tribunal's orders or and Registrar's orders

Tribunal's orders

O.A.1529/2023

Dr. S.M. Shete

... Applicant

Vs. The State of Mah. & Ors.

... Respondents

- 1. Heard Shri S.B. Gaikwad, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. S.O. to 4th January, 2024.

5.↓/ (Debashish Chakrabarty) Member-A 22.12.2023 Sd/-(Mridula Bhatkar, J.) Chairperson 22.12.2023

IAMARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

No.

of 20

N

ation No.

of 20

FARAB CONTINUATION SHEET NO.

office Memoranda of Coram, e, Tribunal's orders or and Registrar's orders

Tribunal's orders

O.A.930/2023

Adv. Sonali M. Hirave & Ors.

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

- 1. Heard Shri Aditya S. Raktade, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. S.O. to 9th January, 2024.

(Debashish Chakrabarty)
Member-A
22.12.2023

(Mridula Bhatkar, J.) Chairperson 22.12.2023

Vo.

of 20

N

ation No.

of 20

FARAD CONTINUATION SHEET NO.

office Memoranda of Coram, le, Tribunal's orders or and Registrar's orders

Tribunal's orders

O.A.820/2023

S.K. Doifode & Anr.

... Applicants

Vs. The State of Mah. & Ors.

... Respondents

- 1. Heard Shri Shantanu Raktate holding for Shri Saurav Katkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. The issue involved in this matter is whether the 10% reservation for Daily Wage Workers in the appointment of Forest Guards can be availed only by those Daily Wage Workers who have served from 01.11.1994 to 30.06.2004. It is an admitted position that the Applicants were not in service at that time, but they served as Daily Wage Workers after 30.06.2004.
- 3. We are keeping this matter on 4th January, 2024 with liberty to move before the Vacation Judge, if results are declared for appointments to be made of Forest Guards. However, we make it clear that if the results are declared and further steps are taken to issue Appointment Orders, then it will be subject to outcome of this OA. We direct the Respondents to cite this order in the Result Sheet.
- 4. S.O. to 4th January, 2024.

Sd((Debashish Chakrabarty) Member-A 22.12.2023 (Mridula Bhatkar, J.) Chairperson 22.12.2023

AMARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Vσ.

of 20

Ŋ

ation No.

of 20

FARAD CONTINUATION SHEET NO.

ffice Memoranda of Coram, e, Tribunal's orders or and Registrur's orders

Tribunal's orders

M.A.736/2023 in O.A.1492/2023

S.L. Kokade & Ors.

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

- 1. Heard Shri V.P. Potbhare, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned PO for Respondents.
- 2. This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

ુ ન (– (Debashish Chakrabarty) Member-A

22.12.2023

31/-

(Mridula Bhatkar, J.) Chairperson 22.12.2023

Tribunal's orders

O.A.1492/2023

S.L. Kokade & Ors.

 \dots Applicants

Vs.

The State of Mah. & Ors.

... Respondents

- 1. Heard Shri V.P. Potbhare, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned PO for Respondents.
- 2. Issue notice returnable on 16.02.2024.
- 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 4. Applicant lis authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 6. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
- 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. S.O. to 16th February, 2024.

gr// (Debashish Chakrabarty) Member-A 22.12.2023 (Mridula Bhatkar, J.) Chairperson 22.12.2023

Tribunal's orders

O.A.1571/2023

S.R. Garud Vs. ... Applicant

The State of Mah. & Ors.

... Respondents

- 1. Heard Shri R.G. Panchal, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.
- 2. Issue notice returnable on 09.02.2024.
- 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 4. Applicant 1 is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 6. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
- 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. S.O. to 9th February, 2024.

(Debashish Chakrabarty) Member-A 22.12.2023 (Mridula Bhatkar, J.) Chairperson 22.12.2023

AMARASMTRA ADMINISTRATIVE TRIBUNAL MUMBAI

No.

of 20

N

ition No.

of 20

FARAD CONTINUATION SHEET NO.

ffice Memoranda of Coram, o_i Tribunal's orders or and Registrar's orders

Tribunal's orders

O.A.1423/2023

A.A. Chavan Vs. The State of Mah. & Ors. ... Applicant

... Respondents

- 1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. The learned CPO seeks time to file Affidavit-in-Reply. Time Granted.
- 3. S.O. to 5th January, 2024.

(Debashish Chakrabarty)
Member-A
22.12.2023

Sd//— (Mridula Bhatkar, J.) Chairperson 22.12.2023

AMARASMTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Vσ.

of 20

V

ation No.

of 20

FARAD CONTINUATION SHEET NO.

ffice Memoranda of Coram, e, Tribunal's orders or and Registrar's orders

Tribunal's orders

O.A.376/2023

Dr. A.S Kudale

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

- 1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. The learned CPO explains that she has not yet received the Parawise Sur-Rejoinder. However, Government wants to file Sur-Rejoinder.
- 3. If Sur-Rejoinder is not filed, then the matter will proceed without Sur-Rejoinder.
- 4. S.O. to 4th January, 2024.

Sd/~ (Debashish Chakrabarty) Member-A

22.12.2023

(Mridula Bhatkar, J.) Chairperson 22.12.2023

Tribunal's orders

O.A.1603/2023

A.S. Phad & Ors. Vs. ... Applicants

vs. The State of Mah. & Ors.

... Respondents

- 1. Heard Shri L.S. Deshmukh, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. Issue notice returnable on 02.02.2024.
- 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 6. 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 O.A. shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the O.A. shall stand dismissed.
- 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. S.O. to 22nd February, 2024.

(Debashish Chakrabarty) Member-A 22.12.2023

(Mridula Bhatkar, J.) Chairperson 22,12,2023

Vo.

of 20

7

ation No.

of 20

FARAD CONTINUATION SHEET NO.

ffice Memoranda of Coram, e, Tribunal's orders or and Registrar's orders

Tribunal's orders

M.A.807/2023 in O.A.1603/2023

A.S. Phad & Ors.

... Applicants

۷s.

The State of Mah. & Ors.

... Respondents

- 1. Heard Shri L.S. Deshmukh, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

(Debashish Chakrabarty)
Member-A
22.12.2023

(Mridula Bhatkar, J.) Chairperson 22.12.2023

Vo.

of 20

V

ation No.

of 20

FARAD CONTINUATION SHEET NO.

ffice Memoranda of Coram, e. Tribunal's orders or and Registrar's orders

Tribunal's orders

O.A.1591/2023

R.L. Bali

Vs.
The State of Mah. & Ors.

... Applicant

... Respondents

- 1. Heard Smt. Bhavana Khichi, learned Advocate holding for Shri A.S. Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned PO for Respondents.
- 2. The learned PO points out that the cause of action is of 2014 and the OA is filed in 2023. He takes objection on the point of maintainability on account of delay.
- 3. S.O. to 19th January, 2024 for satisfying the query raised by learned PO.

(Debashish Chakrabarty) Member-A 22.12.2023 (Mridula Bhatkar, J.) Chairperson 22.12.2023

Tribunal's orders

O.A.1586/2023

S.T. Katkar

... Applicant

Vs.

... Respondents

The State of Mah. & Ors.

- 1. Shri R.B. Khot, learned Advocate for the Applicant absent. Heard Smt. A.B. Kololgi, learned PO for Respondents.
- 2. Issue notice returnable on 19.01.2024.
- 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 4. Applicant lis authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 6. 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 O.A. shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the O.A. shall stand dismissed.
- 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. S.O. to 19th January, 2024.

S√((Company) (Debashish Chakrabarty) Member-A 22.12.2023 Sd/-(Mridula Bhatkar, J.) Chairperson 22.12.2023

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 22.12.2023

O.A.No.1450 of 2023 With O.A.No.1477 of 2023 With O.A.No.1549 of 2023

Dr. M. Nayyar & Ors. Dr. S. M. Sonawane & Ors.

M. A. Patil

....Applicants

Versus

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

- 1. Heard Shri A. A. Desai, learned Advocate for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant submits that (i) Applicant No.2 in O.A.No.1450/2023 - Dr. Amey Kanade (ii) Applicant No.3 in O.A. No.1477/2023- Dr. Sanjay Bobade and (iii) Applicant in O.A.No.1549/2023 - Dr. Mahesh Patil who are working as 'Medical Officers' are due to retire on 31.12.2023 after attaining age of 58 Years. Hence, learned Advocate for the Applicants prays for grant of 'Interim Relief' to them on similar terms as in order passed on 30.10.2023 in batch of O.A.No.1107/2023. The Applicants in batch of O.A. No. 1107/2023 are also 'Medical Officers' like present Applicants and few of them had retired after 31.05.2023 Learned Advocate of Advocate, therefore, prays that same 'Interim Relief' be granted to (i) Applicant No.2 in O.A.No.1450/2023 - Dr. Amey Kanade (ii) Applicant No.3 in O.A. No.1477/2023- Dr. Sanjay Bobade and (iii) Applicant in O.A.No.1549/2023 - Dr. Mahesh Patil who are due to retire on 31.12.2023 as well as other Applicants who have retired after 31.05.2023 and up to 30.11.2023.

- 3. Learned C.P.O. For a Respondents seeks time to file 'Affidavit in Reply'.
- 4. The following 'Interim Relief' is granted to Applicants in this batch of O.A. No. 1450/2023 on grounds of parity with order of 'Interim Relief' passed earlier on 30.10.2023 in batch of O.A. No. 1107/2023:-

"Pending the hearing and final disposal of this batch of O.A. No. 1450/2023, the Applicants therein who have retired after 31.05.2023 and upto 30.11.2023 on attaining the age of 58 Years or are due to retire on 31.12.2023 permitted to continue in service till they attain the age of 60 Years. However, if Applicants in this batch of O.A. No. 1450/2023 do not eventually succeed, the Respondents will have the right and authority to pass necessary orders to recover and/or adjust from any of their 'Pensionary Benefits', the 'Salary and Allowances' paid to the Applicants in this batch of O.A. No. 1450/2023 during the period of 'Interim Relief."

6. S.O. to 03.01.2024.

Sd/-

Sd/-

(Debashish Chakrabarty) Member (A)

(Mridula Bhatkar, J.) Chairperson

vsm

bunal's orders

Date: 22.12.2023

O.A.No.1233 of 2023 (DB-I)

M. V. Kadam

....Applicant

Versus

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

- 1. Heard Shri S. S. Dere, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant states that order of promotion was issued on 15.12.2023 by the School Education & Sports Department by which Eight Officers have been promoted to the post of Deputy Director (Education). The Applicant is senior to many of the Eight Officers who have been promoted as Deputy Director (Education) on 15.12.2023.
- 3. Learned P.O. submits that Applicant was not promoted because of pending 'Departmental Enquiry'. Learned P.O. seeks time to file 'Affidavit in Reply'.
- 4. The Applicant is senior to many of the Eight Officers who were promoted to the post Deputy Director (Education) in 15.12.2023. Further, it is a fact that there is Departmenta Enquiry against the Applicant but it is pending for more that 4 years. Hence, taking into consideration these facts and circumstances of the case, as the 'Balance of Convenience' at this stage lies with the Applicant, the School Education & Sports Department is directed to keep 'One Post' of Deputy Director (Education) 'vacant till'Next Date'.

5. S.O. to 12.01.20)24	202)1.20	12.01	. to	O.	ა.	5.
---------------------	-----	-----	-------	-------	------	----	----	----

۸.

11

Sd/-

(Debashish Chakrabarty) Member (A)

(Mridula Bhatkar, J.)
Chairperson

Sd/-

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

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 22.12.2023

O.A.No.1567 of 2023 (DB-I)

S. N. Funde & Ors.

....Applicants

Versus

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

- 1. Heard Shri S. S. Dere, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. The Director General of Police, Maharashtra State has sought clarification about the directions given by the Home Department letter dated 28.08.2023 regarding sending the Applicants for training of 'PSI'.
- 3. The Home Department letter dated 28.08.2023 is crear and directions therein were required to be implemented by the Director General of Police, Maharashtra State and Applicants forthwith permitted to join for training of PSI with Batch No.123. The training of PSI who pass the 'Limited Departmental Competitive Examination' is only for 9 months while it is 12 months for 'Direct Recruits'. Therefore, the Director General of Police Maharashtra State had adequate time to send the Applicants for training of PSI with Batch No.124 of 'Direct Recruits' which has recently commenced on 24.11.2023 as they were already permitted to belatedly join for training with Batch 123 as per the Home Department letter dated 28.08.2023. However, it was not acted upon immediately by Director General of Police Maharashtra State and instead back reference has been made for which we do not find rationale especially considering the direction in Para 'ক্ত' of Home Department letter dated 28.08.2023 which is as under :-

"3) श्री.भेरट, श्री.फुंदे व श्री.निगडे यांच्या प्रकरणी घेणात येणारे उपरोक्त निर्णय एक विशेष बाब म्हणून घेण्यात येत असून मर्यादीत विभागीय परिक्षापध्दती डिसेंबर, २०२३ नंतर बंद होणार असल्याने या उमेदवारांच्या प्रशिक्षणासंबंधी निर्माण होणा-या अडचणी विचारात घेऊन घेण्यात येत आहेत. प्रस्तुत निर्णय कोणत्याही अन्य प्रकरणी पुर्वोदाहरण ठरणार नाहीत."

Hence, against this backdrop of directions in Para 'æ' of Home Department letter dated 28.08.2023 to Director General of Police Maharashtra State as there are earlier instances where those who have passed 'Limited Departmental Competitive Examination' have been permitted to join training later on with Batch No.122 and Batch No.124 of Direct Recruits of PSI, we direct the Director General of Police Maharashtra State to relieve the Applicants on 26.12.2023 and enable them to join training of PSI with Batch No.124 of Direct Recruits by 28.12.2023.

4. The Original Application with above directions to Director General of Police Maharashtra State is disposed off. No order as to Costs.

Sd/-

(Debashish Chakhabarty) Member (A) (Mridula Bhatkar, J.) Chairperson

Sd/-

vsm

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

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

Date: 22.12.2023

O.A. No.1607 of 2023

D.J. Amberkar & Ors.

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant states that the Applicants have not yet been relieved from their present posts to join on new posts as per 'Transfer Order' dated 11.07.2023 of 'Food, Civil Supplies and Consumer Protection Department. Subsequently, 'Food, Civil Supplies and Consumer Protection Department' by letter dated 11.08.2023 had even directed 'Controller of Rationing, Mumbai' to relieve all Officers other than the Applicants in O.A. No.840/2023 & O.A. No.841/2023 to join on the new posts as per 'Transfer Order' dated 11.07.2023.
- 3. The 'Food, Civil Supplies and Consumer Protection Department' had in the meanwhile sought clarification from learned P.O. about implementation of the Order of 'Interim Relief' granted on 13.07.2023 to Applicants in O.A. No. 840/2023 & O.A. No.841/2023. Accordingly; clarification has been given by learned P.O. to the 'Food, Civil Supplies and Consumer Protection Department' stating that Order of 'Interim Relief' granted on 13.07.2023 in O.A. No. 840/2023 & O.A. No.841/2023 was applicable only to the Applicants and not to the other officers whose names are included in 'Transfer Order' dated 11.07.2023.

Tribunal's orders

- 4. Learned Advocate for the Applicant thereupon clarified that in O.A. No. 840/2023 & O.A. No.841/2023 'Interim Relief' had been granted on 13.07.2023 only on the ground that in case of Applicants therein there was no recommendation of 'C.S.B.'.
- 5. The 'Transfer Order' dated 11.07.2023 of the 'Food, Civil Supplies and Consumer Protection Department shows that the Applicants are all posted on 'Vacant Posts'. Therefore; both 'Food, Civil Supplies and Consumer Protection Department' and 'Controller of Rationing, Mumbai' are directed to keep these 'Vacant Post' available for the Applicant as per 'Transfer Order dated 11.07.2023'.
- 6. Learned P.O. to take instruction why the 'Transfer Order dated 11.07.2023' have still not been implemented by 'Controller of Rationing, Mumbai'. In case there is no plausible reasons forthcoming from the 'Controller of Rationing, Mumbai'; the Applicants will be directed to be forthwith relieved to enable them to join on their new posts as per 'Transfer Order' dated 11.07.2023.
- 7. S.O. to 05.01.2024.

Sd/-

(Debashish Chakrabarty) Member (A)

NMN

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 22.12.2023

O.A.No.1567 of 2023 (DB-I)

S. N. Funde & Ors.

is as under :-

....Applicants

Versus

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

- 1. Heard Shri S. S. Dere, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. The Director General of Police, Maharashtra State has sought clarification about the directions given by the Home Department letter dated 28.08.2023 regarding sending the Applicants for training of 'PSI'.
- 3. The Home Department letter dated 28.08.2023 is crear and directions therein were required to be implemented by the Director General of Police, Maharashtra State and Applicants forthwith permitted to join for training of PSI with Batch No.123. The training of PSI who pass the 'Limited' Departmental Competitive Examination' is only for 9 months while it is 12 months for 'Direct Recruits'. Therefore, the Director General of Police Maharashtra State had adequate time to send the Applicants for training of PSI with Batch No.124 of 'Direct Recruits' which has recently commenced on 24.11.2023 as they were already permitted to belatedly join for training with Batch 123 as per the Home Department letter dated 28.08.2023. However, it was not acted upon immediately by Director General of Police Maharashtra State and instead back reference has been made for which we do not find rationale especially considering the directions $\hat{\mathbb{S}}$ Para 'ক্ত' of Home Department letter dated 28.08.2023 which

"3) श्री.भेरट, श्री.फुंदे व श्री.निगडे यांच्या प्रकरणी घेणात येणारे उपरोक्त निर्णय एक विशेष बाब म्हणून घेण्यात येत असून मर्यादीत विभागीय परिक्षापध्दती डिसेंबर, २०२३ नंतर बंद होणार असल्याने या उमेदवारांच्या प्रशिक्षणासंबंधी निर्माण होणा-या अडचणी विचारात घेऊन घेण्यात येत आहेत. प्रस्तुत निर्णय कोणत्याही अन्य प्रकरणी पूर्वोदाहरण ठरणार नाहीत."

Hence, against this backdrop of directions in Para '35' of Home Department letter dated 28.08.2023 to Director General of Police Maharashtra State as there are earlier instances where those who have passed 'Limited Departmental Competitive Examination' have been permitted to join training later on with Batch No.122 and Batch No.124 of Direct Recruits of PSI, we direct the Director General of Police Maharashtra State to relieve the Applicants on 26.12.2023 and enable them to join training of PSI with Batch No.124 of Direct Recruits by 28.12.2023.

4. The Original Application with above directions to Director General of Police Maharashtra State is disposed off. No order as to Costs.

Sd/-

(Debashish Chakkabarty) Member (A)

(Mridula Bhatkar, J.) Chairperson

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 22.12.2023
	O.A. No.1096 of 2023 with O.A. No.1097 of 2023
	S.S. KhotApplicant Versus The State of Maharashtra & OrsRespondents.
	 Heard Shri A.S. Raktade, learned Advocate for the Applicant, Smt K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri Pravin Mangale, learned holding for Shri R. Shinde, learned Advocate for the Respondent No.4.
	2. 'Interim Relief' to continue till 'Next Date' in O.A No.1097/2023.
	3. S.O. to 09.01.2024.

Sd/-(Debashish Chakrabarty) Member (A)

NMN

Tribunal's orders

O.A. No.1560 of 2023

B.M. More & Ors.

.. Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri A.S. Raktade, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents No.1 to 3 and Smt. V.K. Jagdale, learned Advocate for Respondents No.4 to 6.

- 2. Advertisement dated 17.8.2022 was issued for 1457 posts of Craft Instructors in ITI by the Directorate of Vocational Education & Training. Out of which 436 posts are reserved for Female. Applicants have applied in female category. On 6.10.2023 provisional select list was published. Respondents no.4 to 6 are in the select list. On 8.10.2023 concerned department has send email to all the female candidates who have already opted for female reservation. Pursuant to that circular dated 12.10.2023 was issued. On 24.11.2023 respondent no.2 published provisional select list for document verification.
- 3. We call upon the Director of Vocational Education & Training to file affidavit stating that the select list dated 24.11.2023 is based on gender neutral open merit list wherein the female candidates who have not ticked marked i.e. not opted for female reservation are not at all considered against female reservation post. We direct the concerned authority to produce list of selected candidates who are given the benefit of female reservation in 436 seats.
- 4. Ld. PO submits that in the present list of 436 candidates, 167 are from Open female category. The question is that out of 436 candidates who many have ticked marked for female.
- 5. No orders of appointment are to be issued against 436 female posts.
- 6. S.O. to 3.1.2024.

3d1-

50/-

(Debashish Chakrabarty) Member (A) 22.12.2023 (Mridula Bhatkar, J.) Chairperson

22.12.2023

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

O.A. No.852 of 2022

P.L. Barate

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri S.D. Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

- The applicant is working as Range Forest Officer The respondents have issued Trainee at GFRC. advertisement dated 8.3.2019 for filling the posts of ACF Revised advertisement was published on and RFO. 12.7.2.21 to recast the post of SEBC to Open General and list of eligible candidates was published on 17.12.2021. Merit list was published on 20.6.2022 of the recommended candidates wherein the name of the applicant is not found. Applicant has applied in OBC Sports Category and she wants to migrate to General Sports category.
- Ld. CPO submits that instructions are not yet received about vacant post and she seeks time.
- S.O. to 2.1.2024. 4.

501-

SdI

(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) 22.12.2023

Chairperson 22.12.2023

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	O.As. No.1301, 1302 & 1303 of 2022 & 259/2023 A.A. Wanve S.B. Bhapkar S.N. Bangar R.D. Sanap Vs. The State of Maharashtra & Ors. Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chie Presenting Officer for the Respondents. 2. S.O. to 7.3.2024.
	(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 22.12.2023 22.12.2023 (sgj)

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

of 20

IN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	C.A. No.103 of 2023 in O.A. No.972 of 2022 H.S. AlaspureApplicant Vs. The State of Maharashtra & OrsRespondents Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Applicant and Advocate bot are absent. 2. Ld. CPO seeks time. 3. S.O. to 5.1.2024. (Debashish Chakrabarty)

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

of 20

IN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	O.A. No.1186 of 2023
	Dr. S.P. MirgundeApplicant Vs. The State of Maharashtra & OrsRespondents
	Heard Ms. S.P. Manchekar, learned Chief Present Officer for the Respondents. None for the Applicant.
	2. Ld. CPO seeks time to file reply.
	3. S.O. to 12.1.2024.
	(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 22.12.2023 22.12.2023
	(sgj)

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

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	O.A. No.1070 of 20	<u>021</u>
	D.B. Koli & Ors.	Applicants
	Vs. The State of Maharashtra & Ors.	Respondents
	Heard Ms. S.P. Manchekar, lea Officer for the Respondents. None for	arned Chief Presenting the Applicant.
	2. Ld. CPO seeks time to file repl	y.
	3. S.O. to 2.2.2024.	

51-

(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) 22.12.2023

Chairperson

22.12.2023

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

of 20

I N

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	O.A. No.269 of 2023	
	P.K. Bavkar	Applicant
	Vs. The State of Maharashtra & Ors.	Respondent
	Heard Smt. K.S. Gaikwad, learned for the Respondents. Applicant and absent.	l Presenting Offi Advocate both
	2. Ld. PO seeks time to file reply.	
	3. S.O. to 19.1.2024.	
	(Debashish Chakrabarty) (Mridula B Member (A) Chair	shatkar, J.) person 2.2023

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's or	rders
	O.A. No.49	25 of 2023
	N.B. Ghade & Ors.	Applicants
	Vs. The State of Maharashtra & Ors	sRespondents
	Heard Ms. S.P. Manche Officer for the Respondents.	ekar, learned Chief Presentin Applicants and advocate bot
	2. Reply is already filed.	
	3. Admit.	
	4. S.O. to 5.1.2024.	
	(Debashish Chakrabarty) (Member (A) 22.12.2023	Sd — (Mridula Bhatkar, J.) Chairperson 22.12,2023

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	O.A. No.795 of 2023	
	Vs	dvocate bo

(G.C.P.) J 2737 (50,000—4-2019) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	O.A. No.847 of 2023
	M.A. JareApplicant
	Vs. The State of Maharashtra & OrsRespondents
	Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenti Officer for the Respondents.
	2. Ld. Advocate for the applicant seeks time to frejoinder.
	3. S.O. to 5.1.2024.
	(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 22.12.2023 22.12.2023 (sgj)

22.12.2023

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
	O.A. No.891 of 2023
	M.P. RautApplicant Vs. The State of Maharashtra & OrsRespondents
	Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chi-Presenting Officer for the Respondents.
	2. Ld. Advocate for the applicant seeks time to fi rejoinder.
	3. S.O. to 5.1.2024.
	S&1- Sd1-
	(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 22 12 2023

(sgj)

22.12.2023

(G.C.P.) J 2737 (50,000-4-2019) 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	
	O.A. No.1150 of 2	2023
	S.B. Jadhav	Applicant
	Vs. The State of Maharashtra & Ors.	Respondents
	Heard Shri K.R. Jagdale, le Applicant and Ms. S.P. Manchekar, l Officer for the Respondents.	arned Advocate for the earned Chief Presenting
	2. Reply is already filed.	
	3. Admit.	
	a company of 2 2024 for final hea	ring

S.O. to 9.2.2024 for final hearing. 4.

(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A)

22.12.2023

Chairperson

22.12.2023

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	
	O.A. No.1352 of 2023	
	A A Di sala la Org	Applicants

A.A. Bhosale & Ors.

..Applicants

The State of Maharashtra & Ors.

..Respondents

Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Applicant and Advocate both are absent.

- Ld. CPO seeks time to file reply. 2.
- S.O. to 5.1.2024. 3.

Sdl Sd/-(Debashish Chakrabarty) (Mridula Bhatkar, J.) Chairperson Member (A) 22.12.2023 22.12.2023

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

M.A. No.709 of 2023 in O.A. No.1453 of 2023

A.C. Avhad & 5 Ors.

..Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, 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.

Sd1-

sd/

Member (A) 22.12.2023

(Debashish Chakrabarty) (Mridula Bhatkar, J.) Chairperson

22.12.2023

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

O.A. No.1453 of 2023

A.C. Avhad & 5 Ors.

.. Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

- Ld. CPO seeks time to file reply.
- Promotions orders, if issued, will be subject to outcome of this OA to the post of Research Assistant, Group-B.
- S.O. to 4.1.2024. 4.

Sd1-

Sd/-

(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) 22.12.2023

Chairperson

22.12.2023

IN THE MAHARASHTRA ADMINISTRATION TRUBENCE MUMBAL

MARA/CA No.

of 20

117

... Jenial Application No.

PARAD COM TINUATION SHIET NO.

Chieb Norse, Willow Bermaran de al Caram Appenrance, training some or directions and Registrar's orders

M.A.790/2023 in O.A.1579/2023

P.S. Auti

... Applicant

Vs. The State of Mah. & Ors.

... Respondents

- Heard Shri A.S. Karlekar, learned Advocate for the Applicants and Smt. A.B. Kololgi, learned PO for Respondents.
- The learned Advocate for the Applicant submits that the Applicant is residing at Nashik and wants the matter to be transferred to MAT Aurangabad Bench on the ground that this pertaining correction of date of birth.
- The Respondents having custody of Erstwhile record are from Municipal Council, Ausa, District Latur, this matter is transferred to Aurangabad Bench.
- Hamdast of OA is allowed.

Sd/-

Sd/-

(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A 22.12.2023

Chairperson 22.12.2023