

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

**ORIGINAL APPLICATION NO.74 OF 2023
WITH
ORIGINAL APPLICATION NO.75 OF 2023**

P.P. Kasture & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

Ms. V.K. Jagdale, learned Advocate for the Applicants.

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

CORAM : **Justice Mridula Bhatkar, Chairperson**
Ms. Medha Gadgil, Member-A

DATE : 23.01.2023

O R D E R

1. Learned Advocate for the Applicants prays for interim relief in both the O.As on the ground that Respondent No.2 and 3 be restrained from acting on the recommendation list dated 28.03.2021 issued by the Respondent No.1 and to keep one post of Naib Tahsildar each vacant in Group B, Open Sports Category and Group B, OBC Sports Category, till filing of affidavit-in-reply.

2. Learned Advocate submits that Applicant in O.A.No.74/2023, the earlier candidate Ms. Jayashri G. Naik (also Applicant in O.A.NO.1020 /2021 which was dismissed by order 11.11.2022) her Sports Certificate was invalidated for this selection. Hence, the name of the applicant in O.A.No.74/2023 is now at serial No.1 for the post of Naib Tahasildar in Group B, Open Sports Category. Learned Advocate further submits that in O.A.No.75/2023, a person by name Mr. Anil B. Patil whose Sports Certificate was invalidated and hence applicant is now at serial No.1 in the post of Naib Tahasildar in Group B, OBC Sports Category.

3. Learned C.P.O. states that these appointments are of the year 2019. She further states that no wait list is maintained by the M.P.S.C. as per Rule 8(a) of the Maharashtra Public Service Commission, Rules of Procedure 2014 for the post Multiple Cadre appointments. The said Rule is reproduced below for ready reference :

“(8)(a) In case of recruitment by Competitive Examination wherever multiple cadre posts are involved, the reserve list shall not be maintained. The posts fallen vacant due to non-acceptance of the offer of appointment by the candidates recommended, shall be filled in through subsequent Competitive Examination. When only single cadre is involved for selection by competitive examination the reserved list shall be maintained for a period of one year from the date of declaration of result or up to the publication of subsequent advertisement for recruitment to the same post ‘whichever’ is earlier.”

4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.

3. Issue notice before admission returnable on 27.01.2023.

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 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.

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. 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.

7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original 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.

8. In view of these submissions and Rule 8(a) we are of the opinion that, prima facie, it appears that both the applicants have no case. However, we grant time to the applicants to consider this Rule 8(a).

9. Adjourned to 27.01.2023.

Sd/-
(Medha Gadgil)
Member(A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

prk_

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

Tribunal's orders

Date : 23.01.2023

O.A.No.80/2023

S.V. Patil & Ors.Applicants
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadkar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.

2. Learned Advocate submits that enquiry is initiated after 22 years for the reasons that the applicants have not submitted original PAP certificate in which category they can be appointed.

3. Learned Advocate submits that both the candidates have submitted their original PAP certificates on 25.06.2002.

4. Respondents are directed to file short affidavit regarding receipt of original PAP certificate and regarding appointment these persons in the category of PAP when such posts were never advertised in 2002.

5. Adjourned to 06.02.2023 for final hearing. Last chance for filing reply.


Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/- 

(Mridula Bhatkar, J.)
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p>O.A.No.92/2023</p> <p>Dr. D.K. LandgeApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Mr. 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 13.02.2023.</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 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.</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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original 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 13.02.2023.</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p style="text-align: right;">Sd/- </p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</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 : 23.01.2023</p> <p>O.A.No.850/2017</p> <p>L.Y. LanjeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit. Adjourned to 06.03.2023.</p> <p>Sd/- (Medha Gadgil) Member(A) prk</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p>O.A.No.748/2022</p> <p>N.M. GhodkeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Admit. Adjourned to 20.03.2023.</p> <p>Sd/- (Medha Gadgil) Member(A) prk</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p>R.A.No.16/2022 in O.A.No.859/2021</p> <p>N.G. KabadiApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned C.P.O. Adjourned to 01.02.2023 for filing reply.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p>C.A.No.80/2022 in O.A.No.879/2015</p> <p>G.P. WadekarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. Archana B.K. learned Presenting Officer for the Respondents.</p> <p>2. Adjourned to 27.01.2023 for reporting compliance.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member(A) prk</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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M.A./R.A./C.A. 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>Date : 23.01.2023</p> <p align="center">C.A.No.63/2022 in O.A.No.937/2021</p> <p>B.S. Salunkhe Applicant Vs. The State of Maharashtra & Ors. Respondents.</p> <p>1. None for the Applicant. Heard Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ms. Jyoti, Police Constable from S.P. Sangli is present. Concerned Respondents are directed to remain present on the next date.</p> <p>3. Adjourned to 27.01.2023 for reporting progress.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p>(Medhā Gaṅgil) Member(A)</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p align="center">C.A.No.45/2022 in O.A.No.65/2020</p> <p>S.P. KapdneApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. U.V. Bhosale, learned Advocate holding for Mr. S.B. Bhosale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the Respondents has filed Writ Petition No.2148/2023 before the Hon'ble High Court challenging the order passed by this Tribunal.</p> <p>3. In view of above, adjourned to 20.03.2023.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
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Tribunal's orders

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p>O.A.No.936/2022</p> <p>Dr. R.Y. SakpalApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate adjourned to 15.02.2023 as similar matter is placed on board</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) Member(A) prk</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p align="center">M.A.No.120/2022 in O.A.No.158/2021 with O.A.No.223/2021</p> <p>M.M. Dawane & Ors. Applicants Vs. The State of Maharashtra & Ors. Respondents.</p> <p>1. Heard Ms. V.K. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A.No.120/2022 is filed seeking amendment in O.A.158/2021.</p> <p>3. Learned Advocate submits that the one of the Applicant is present and the applicants do not want to press the said M.A. She therefore prays that the M.A. be disposed of.</p> <p>4. In view of submissions of learned Advocate M.A. stands disposed of.</p> <p>5. O.A.No.158/2021 and O.A.No.223/2021 adjourned to 13.02.2023.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p>(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

Date : 23.01.2023

O.A.No.1205/2022

A.M. SapkalApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Neha Kachi, learned Advocate i/b. M/s. Talekar & Ors. learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents .
2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 13.02.2023.
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 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.
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. 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.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original 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.
8. Adjourned to 13.02.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 23.01.2023</p> <p align="center">O.A.No.658 of 2022</p> <p>D. R. Pawar ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed additional Affidavit. It is taken on record.</p> <p>3. S.O. to 01.02.2023.</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.


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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 23.01.2023
	<p align="center">O.A.No.1285, 1292, 1293, 1296, 1297 & .</p> <p>P. S.Khaire & OthersApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar & Shri S. S. Dere, learned Counsels for the Applicants, Smt. Kranti Gaikwad & Smt. Archana B. K., learned Presenting Officers for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit in Reply on behalf of the C.P., Mumbai. It is taken on record.</p> <p>3. The perusal of Affidavit in Reply filed today is very cryptic and the vacancy position is not disclosed in it. That apart, there is no reference of additional Police Constables which would be available to C.P. Mumbai in near future.</p> <p>4. Learned Counsel for the Applicant sought time to file affidavit to bring on record the vacancy position as well as availability of additional Police Constables to be joined or might have joined in fresh recruitment.</p> <p>5. Since, Affidavit in Reply is common, it is paginated in O.A.No.1285/2022 and will be referred in all Original Applications.</p> <p>6. S.O. to 01.02.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 23.01.2023</p> <p align="center">R. A. No.2 of 2023 in O.A.No.356 of 2022</p> <p>R. S. Kore through legal heirs Smt. S. R. Kore & Shri A. R. Kore Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This R.A. is filed by Original Applicant to review the order passed in O.A.No.356/2022 whereby the claim for ex-gratia payment of Rs.50 lakhs was rejected.</p> <p>3. Three weeks time is granted to file reply.</p> <p>4. S.O. to 13.02.2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.01.2023</p> <p align="center">O.A. No.1119 of 2022</p> <p>S.B. BhuyanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has filed this O.A. for reinstatement in service. Indeed, he sought voluntary retirement and in pursuance of his request / notice of retirement. He stands retired on 22.09.2020. He made representation on 10.05.2022 for reinstatement in service which stands rejected on 06.07.2022.</p> <p>3. Thus, the Applicant stands retired voluntary and now he is seeking reinstatement which is totally impermissible. When this aspects is brought to the notice of the learned Advocate for the Applicant as to how O.A. is maintainable he sought permission to withdraw the O.A.</p> <p>4. Indeed, such type of O.A. is required to be dismissed at the stage of admission with costs, being totally untenable in law. However, learned Advocate for the Applicant requested not to impose costs.</p> <p>5. In view of above, allowed to withdraw O.A. with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p> <p align="center">NMN</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.01.2023</p> <p align="center">O.A. No.100 of 2023</p> <p>P.G. GosaviApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged transfer order dated 10.01.2023 whereby he is transferred from Lonavala City Police Station to Junnar Police Station, District Pune and was relieved on 19.01.2023. 3. Learned Advocate for the Applicant sought interim relief <i>inter-alia</i> contending that it is mid-term and mid-tenure transfer. 4. Learned P.O. sought one day time to take instructions. 5. S.O. to 24.01.2023 for consideration of interim relief. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.01.2023</p> <p align="center">O.A. No.1083 of 2022</p> <p>P.C. PalugullaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant in person is absent</p> <p>2. A.J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. Applicant has filed this O.A. in person on 25.10.2022. This Office has raised objections, and therefore matter was listed before Registrar for removal of objections but objections were not removed. Therefore ultimately matter was listed before Tribunal on 16.01.2023 for appropriate orders. On 16.01.2023 also Applicant and his Advocate were absent. However, in the interest of justice matter was adjourned to give one opportunity.</p> <p>4. Today again the Applicant and his Advocate both are absent. Thus they seem not interested in the matter. Hence, O.A. is dismissed in default with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p>Date: 23.01.2023</p> <p align="center">O.A. No.446 of 2022</p> <p>A.V. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant and his Advocate both are absent</p> <p>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>3. Perusal of record reveals that the O.A. has been filed on 05.05.2022 and Office has raised objections, therefore matter was listed before Registrar for removal of objections but objections were not removed. Therefore ultimately matter was listed before Tribunal on 17.01.2023 for appropriate orders. On 17.01.2023 also Applicant and his Advocate were absent. However, in the interest of justice matter was adjourned to give one opportunity.</p> <p>4. Today again the Applicant and his Advocate both are absent. Thus they seem not interested in the matter. Hence, O.A. is dismissed in default.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.01.2023</p> <p align="center">O.A. No.34 of 2023</p> <p>A.D. VeerApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Purva Pradhan, learned Advocate holding for Shri D.B. Khaire, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing it is noticed that <i>prima-facie</i> O.A. is not within limitation. The Applicant is claiming revised Pension and Deemed Date of Promotion. He retired on 31.07.2014, thus apparently O.A. is not within limitation. No M.A. is filed for condonation of delay. When this aspect is brought to the notice of the learned Advocate for the Applicant, she sought permission to withdraw the O.A. with liberty to file fresh O.A. along with M.A. for condonation of delay.</p> <p>3. Allowed to withdraw O.A. with liberty to file fresh proceeding which may be considered on its own merit.</p> <p>4. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.01.2023</u></p> <p align="center"><u>O.A 912/2015 & Ors</u></p> <p>Shri S.G Deshpande & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Shri D.B Khaire, learned Special Counsel for the Respondents.</p> <p>2. Learned Special Counsel is called upon to explain the chart which is at page 686 annexed to the additional affidavit in reply filed by Shri Manoj Saunik, Addl. Chief Secretary, P.W.D, Mantralaya, Mumbai dated 10.10.2022 by comparing the same with the chart which is filed today on 23.1.2023.</p> <p>3. It is submitted that the chart prepared is on the basis of the order of this Tribunal that it is to be submitted on the basis of Astapure's case. However, on going through the chart some discrepancies are found in respect of filling up 40% quota of the total vacancies or the posts in the cadre of Asst. Executive Engineer and 25% posts in the cadre of Assistant Engineer, Grade-I.</p> <p>4. The Respondent-State is called upon to explain both the Charts and to produce the chart not on the basis of Ashtapure's case but factually how many posts were filled up from 1998 to 2010 and showing the vacancies of A.E.E and A.E, Grade-I and how many posts from the cadre of A.E.E and Asst Engineer, Grade-I were filled up. The total strength of the cadre of each year and the total vacant posts which are to be filled up are to be shown.</p> <p>5. During the course of arguments, learned Special Counsel submits that a detailed chart showing the year-wise break up from 1998 to 2010 showing the total strength of Executive Engineers filled up, vacant posts, of A.E.E vacant & A.E-I posts occupied and the percentage of posts in the respective cadre.</p> <p>6. S.O to 24.1.2023 at 3.00 pm.</p> <p align="right">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p> <p>akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p align="center">O.A.No.253/2022 to O.A.No.258/2022</p> <p>S.L. Salunkhe Applicant Vs. The State of Maharashtra & Ors. Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that today during the course of the day reply will be filed.</p> <p>3. Learned Advocate submits that Applicants who are working as Junior Clerk seeks promotion order to the post of Senior Clerk as they are due for promotion and found fit for promotion by D.P.C. held on 26.03.2021.</p> <p>4. We direct the Deputy Director, Medical Education & Drugs Department to remain present tomorrow i.e. 24.01.2023 at 10.30 a.m.</p> <p align="right">Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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

Tribunal's orders

Date : 23.01.2023

M.A.40 of 2023 in O.A.No.83 of 2023

S. B. Sapkal

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. This M.A. is for condonation of delay of 3 years & 6 months caused in filing O.A.

3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.

4. Issue notice before admission returnable on 20.02.2022.

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.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. 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.

8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the ~~Original~~/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the ~~Original~~ / Miscellaneous Application shall stand dismissed.

9. S.O. to 20.02.2022.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

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

Tribunal's orders

Date : 23.01.2023

M.A.40 of 2023 in O.A.No.83 of 2023

S. B. Sapkal

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. This M.A. is for condonation of delay of 3 years & 6 months caused in filing O.A.

3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.

4. Issue notice before admission returnable on 20.02.2022.

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.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. 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.

8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.

9. S.O. to 20.02.2022.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.94 of 2023</u></p> <p>S.T. Ingale & 19 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.R. Shelke, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Respondent No.3-MPSC issued 3 advertisements Nos.129/2022, 130/2022 & 131/2022 dated 30.12.2022 for 2 posts of Deputy Director (Information), Group-A (Senior), 14 posts of Senior Assistant Director (Information) Group-A (Junior) and 26 posts of Assistant Director (Information, Group-B, respectively. Thus, 42 posts were advertised for Directorate of Information and Public Relations. All the applicants have necessary educational qualification as stipulated in the advertisement. However, they do not meet the criteria of supervisory experience as laid down in the advertisement. All the applicants are in service and they desire to apply for the said posts. However, they could not apply online as they are not having the required experience. Ld. Advocate for the applicants submits that all the applicants want to apply for different posts pursuant to 3 advertisements dated 30.12.2022.</p> <p>3. Ld. Advocate for the applicants produces copy of order dated 19.1.2023 passed by the Hon'ble High Court in W.P. (L) No.1578 of 2023 filed by the applicants. He submits that earlier the applicants have approached the Hon'ble High Court for the same relief. However, by order dated 19.1.2023 the Hon'ble High Court has directed them to approach this Tribunal.</p> <p>4. Ld. Advocate for the applicants submits that today is the last date for filling the application forms and therefore he seeks urgent interim relief. He submits that as OA is based on the inconsistencies in the Recruitment Rules dated 18.12.2015 and these three advertisements on the point of eligibility criteria of qualification and experience.</p> <p>5. Ld. CPO submits that notice is served however she needs time to take instructions as it pertains to rules.</p> <p>6. We have noticed that all the 3 advertisements are issued on 30.12.2022. The applicants should have taken legal recourse immediately thereafter at least on or before 13.1.2022. In the</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's crders
	<p>High Court also writ petition was filed on 16.1.2023 and thereafter the Hon'ble High Court directed the applicants to approach this forum. There are many objections raised and it is necessary for the applicants to file 3 separate Original Applications as there are 3 different advertisements and different posts.</p> <p>7. Ld. CPO wants time to take instructions. This OA is filed on 20.1.2023 and circulation is given today i.e. 23.1.2023. We are of the view that it is an artificial urgency created by coming late as this stage. Under these circumstances, we cannot grant interim relief especially for want of assistance from the State. We deprecate this practice of creating such artificial urgency.</p> <p>8. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>9. Issue notice before admission returnable on 24.1.2023. The respondents are directed to file reply. Ld. CPO waives service of notice. <u>S.O. to 24.1.2023 at 10.30 a.m.</u></p> <p>10. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>11. 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>12. 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>13. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- Sd/- </p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.)</p> <p style="text-align: center;">Member (A) Chairperson</p> <p style="text-align: center;">23.1.2023 23.1.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.90 of 2023</u></p> <p>A.J. Pathan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned 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 6.3.2023. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. 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 OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 23.1.2023</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 23.1.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.91 of 2023</u></p> <p>S.S. Narwade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. Archana B.K., learned 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 6.3.2023. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. 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 OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 23.1.2023 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 23.1.2023</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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	<p>Date: 23.01.2023</p> <p align="center">O.A.No.1093 of 2022</p> <p>B. R. RautApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Pooja Mankoji holding for Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted to file reply by way of last chance.</p> <p>3. S.O. to 30.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p align="center">O.A.No.1216 of 2022</p> <p>Dr. V K. PatneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Shri A. J. Chougule, 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 06.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 23.01.2023</p> <p align="center">O.A.No.1275 of 2022</p> <p>C. K. MoreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted to file reply.</p> <p>3. S.O. to 06.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.01.2023</p> <p style="text-align: center;">O.A.No.15 of 2023</p> <p>S. K. Kuklare ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, 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 06.02.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 23.01.2023</p> <p align="center">O.A.No.27 of 2023</p> <p>Dr. S. D. Jadhav ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, 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 06.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p align="center">O.A.No.1196 of 2022</p> <p>M. J. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri L. S. Deshmukh, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for hearing at the stage of admission.</p> <p>3. S.O. to 07.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p align="center">O.A.No.158 of 2022</p> <p>S. B. Kobalkar ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned P.O. holding for Ms S P. Manchekar learned Chief Presenting Officer for the Respondents is present.</p> <p>2. The Respondents have filed reply and thereafter the Applicant has also filed Rejoinder. No further Sur-Rejoinder is filed.</p> <p>3. Since pleading is complete, the O.A. is admitted for final hearing.</p> <p>4. S.O. to 17.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p align="center">O.A.No.491 of 2022</p> <p>R. K. Hiramani & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that reply is under preparation and the same will be filed during the course of the day. The statement is accepted. It be filed without fail.</p> <p>3. On request of learned Counsel for the Applicants, three weeks time is granted to file Rejoinder.</p> <p>4. S.O. to 13.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 23.01.2023</p> <p align="center">O.A.No.950 of 2022</p> <p>S. G. PawarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. P. Sabban, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that reply is under preparation and the same will be filed during the course of the day.</p> <p>3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 06.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 23.01.2023</p> <p align="center">O.A.No. 974 of 2022</p> <p>N. G. KabadiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant in person is absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present .</p> <p>2. On request of learned P.O., one week time is granted to file reply.</p> <p>3. S.O. to 30.01.2023.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.01.2023</p> <p align="center">M. A. No.563 of 2022 in O.A.No.889 of 2022</p> <p>P. N. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that reply in O.A. is under preparation and same will be filed during the course of the day. The statement is accepted. It be take on record.</p> <p>3. M.A. and O.A. will be heard together.</p> <p>4. S.O. to 13.02.2023.</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 : 23.01.2023</p> <p align="center">O.A.No.1071 of 2022</p> <p>V. S. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that Rejoinder is under preparation and same will be filed during the course of the day.</p> <p>3. Since the pleading is complete, the O.A. be kept for final hearing.</p> <p>4. S.O. to 10.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>