

**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 <u>M.A.701/2019 in O.A.547/2019</u>
	<p>Shri M.S. Barge ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate for the Applicant seeks permission to withdraw the O.A. unconditionally and has tendered the letter of Applicant on record. It is taken on record and marked by letter 'X' for identification.</p> <p>3. The learned Advocate for the Applicant states that after passing of transfer order impugned in the present O.A, the Applicant is transferred as Tahasildar, Pandharpur, and therefore, she wants to withdraw the O.A.</p> <p>4. In view of above, allowed to withdraw the O.A.</p> <p>5. M.A.No.701/2019 for intervention is also automatically disposed of.</p> <p>6. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 23.02.2021</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
CONTEMPT APPLICATION NO.35 OF 2017
IN
REVIEW APPLICATION NO.7 OF 2016
IN
ORIGINAL APPLICATION NO.1235 OF 2009**

Shri Suryakant Tukaram Shinde ..Applicant

Versus

The State of Maharashtra & Ors. ..Respondents

Shri A.S. Deshpande with

Shri V.P. Potbhare – Advocates for the Applicant

Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM : Smt. Justice Mridula R. Bhatkar (Chairperson)

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

DATE : 23rd February, 2021

PER : Smt. Justice Mridula R. Bhatkar (Chairperson)

ORDER

1. Heard Shri A.S. Deshpande with Shri V.P. Potbhare, learned Advocates for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.


2. The Ld. Advocate for the applicant submits that the applicant is retiring on 26.2.2021. Today the Ld. Advocate for the applicant has submitted that no stay is granted by the Hon'ble High Court to their own order which is passed on 5.1.2021 in W.P. No.7557 of 2017.

3. Ld. Advocate for the applicant today produces one circular dated 2.4.2014 issued by the Law and Judiciary Department in respect of appeal

or SLP which are pending before the Hon'ble Supreme Court of India against the judgment and order passed by the Hon'ble High Court. Para 2 of the said circular dated 2.4.2014 reads as under:

"2. If the appeal/SLP is filed by the State against the order of the Hon'ble the High Court, but no stay is granted to the implementation and enforcement of the order of the Hon'ble the High Court, such orders would have to be implemented failing which the concerned officer/department may face the action for contempt of Court. The order against which no stay has been granted will have to be complied with/implemented subject to the final decision of the Hon'ble the Supreme Court."

4. Ld. Advocate for the applicant submits that as per this circular it is binding on the respondents to reinstate the applicant by taking quick steps which will otherwise invite contempt. He further points out the decision given by the National Commission for Scheduled Castes dated 29.5.2020 of Dr. (Ms.) Swaraj Vidwan, Member. He points out that this matter was taken up before National Commission for Scheduled Castes. Ld. Counsel for the respondents i.e. the department has made statement before the Commission that department will move the Hon'ble High Court and will take necessary steps for withdrawing the writ petition and reinstating the applicant in service and therefore on the basis of that statement the matter was adjourned to 18.12.2019. Ld. Advocate for the applicant submits that thereafter Shri Vijay Karbhari Chaudhari, Deputy Secretary to Government, Urban Development Department, Mantralaya by affidavit dated 17.3.2020 informed that stay is granted by the Hon'ble High Court in W.P. No.7557 of 2017 and it was not possible to implement the order of reinstatement of the applicant passed by this Tribunal on 18.1.2017 in above RA and if at all he is reinstated then it may attract contempt of the Hon'ble High Court. Ld. Advocate further argued that this matter is pending before the National Commission for Scheduled Castes.



5. Ld. CPO seeks time to take instructions on this issue and make a statement on the next date. Though the Ld. Advocate for the applicant has prayed for immediate disposal of the CA and implementation of the order of the Hon'ble High Court as well as this Tribunal, Ld. CPO has submitted that the State has taken a decision to file SLP challenging the decision of the Hon'ble High Court. Ld. CPO submits that time for filing SLP is 90 days. As the Hon'ble High Court has given judgment on 5.1.2021, Ld. CPO on instructions makes a statement that draft affidavit is sent to Delhi and soon it will be signed and preparation for SLP is under process. She submits that SLP will be filed soon and the State will move for seeking stay of the judgment of the Hon'ble High Court as well as this Tribunal.

6. Ld. CPO further points out that the circular dated 2.4.2014 also states that if stay is not granted by the Hon'ble Supreme Court to the judgment and order of the Hon'ble High Court, then it is necessary to implement the order of the Hon'ble High Court otherwise it may invite contempt.

7. Ld. CPO submits that in the present case as the State is within the limitation to file SLP, it is premature to apply para 2 of this circular dated 2.4.2014 at this stage.

8. By consent adjourned to 8.3.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
23.2.2021

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
23.2.2021

Dictation taken by: S.G. Jawalkar.

G:\JAWALKAR\Judgements\2021\2 February 2021\CA.35.17 in RA.7.16 in OA.1235.09-STShinde SO.8.3.2021.doc

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

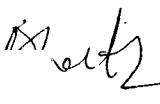
(Advocate

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
	<u>O.A. No.1120 of 2018</u>
	Savita N. Salve @ S.P. Dethe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents
	Heard Shri M.B. Kadam, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 to 3 and Shri B.A. Bandiwadekar, learned Advocate for Respondent No.4.
	2. Ld. Advocate for respondent no.4 seeks permission to file additional affidavit in reply on behalf of respondent no.4 on record. Permission granted and the same is taken on record.
	3. Ld. Advocate for the applicant seeks permission to amend the cause title of OA by deleting word "Chairman" in Respondent No.1.
	4. Permission granted. Amendment be carried out forthwith.
	5. Part heard. S.O. to 25.2.2021.
	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(P.N. Dixit) Vice-Chairman 23.2.2021</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula R. Bhatkar, J.) Chairperson 23.2.2021</p> </div> </div>
	(sgj)

**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 Date : 23.02.2021
	<p align="center">O.A.No.327 of 2020 with O.A.No.339 of 2020</p> <p>S. S. Kamathe & Ors. M. V. MohiteApplicants</p> <p align="center">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Counsel for the Applicants (O.A.No.327/2020) with Shri U. V. Mohite, learned Counsel for the Applicant (O.A.No.339/2020) and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. These matters pertain to deemed date of promotion in the cadre of Tahasildar. Perusal of record reveals that the Commissioner had already forwarded the proposal to the Government on 29.07.2019 for considering the deemed date of promotion to the Applicants along with others. In reply also the Respondent No.1 states that the proposal dated 29.07.2019 is pending with the Government.</p> <p>3. The period of more than 2 ½ years is over from the date of proposal but no decision is taken and it is simply lying in the cold storage.</p> <p>4. Learned P.O. submits that the Government is required to update the seniority list firstly and then to decide the issue of deemed date of promotion to the Applicants. She, therefore, submits that it will take some time.</p> <p>5. Since, the Commissioner, Kokan Division had already forwarded the proposal recommending deemed date of promotion to the Applicants and it is under consideration of the Government, both the Original Applications can be disposed of with suitable directions.</p>

[P.T.O.]

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

Tribunal's orders

6. Learned Counsels for the Applicants also agreed for the same.
7. True, the Government by letter dated 14.10.2020 addressed to Divisional Commissioner, Kokan informed him that at present deemed date cannot be given to Shri Satish Kadam and others unless the seniority list for the cadre of Tahasildar is updated. Thus, the core issue pertains to updation of seniority list. The Government was required to update the seniority list but instead of doing so it is simply informed to the Divisional Commissioner that as of now deemed date cannot be given for want of updation of seniority list for the cadre of Tahasildar.
8. Suffice to say, the issue of updation of seniority list which is hanging fire for long time is required to be taken care of by the Government so that grievances of the concerned including the Applicants can be attended too in accordance to rules.
9. In view of above, both the Original Applications are disposed of with direction to Respondent No.1 to update the seniority list and to decide the proposal dated 29.07.2019 on its own merit after updation of seniority list in accordance to law within six months from today. No further time will be granted.
10. The decision as the case may be, shall be communicated to the Applicants within two weeks thereafter.
11. If the Applicants felt aggrieved by the decision, they can avail further legal recourse of law.
12. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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 : 23.02.2021</p> <p>O.A.No.1000 of 2018</p> <p>L. G. Lonkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Shri A. J. Chougule, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicants, the matter is adjourned for final hearing.</p> <p>3. S.O. to 04.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(!)</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 : 23.02.2021</p> <p align="center">O.A.No.1231 of 2019</p> <p>P. R. Vanjari & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.2 to 7. It is taken on record.</p> <p>3. On request of learned Counsel for the Applicants, one week time is granted for filing Rejoinder.</p> <p>4. S.O. to 04.03.2021.</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 .02.2021</p> <p style="text-align: center;">O.A.No.83 of 2021</p> <p>M. S. DevApplicant</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. Learned P.O. requested for grant of time to file reply. Whereas, learned Counsel for the Applicant sought stay to the recovery order dated 06.11.2020 whereby the Respondents have sought recovery of Rs.10,14,562/- paid towards excess payment since 1996 in pursuance of recommendation of Chattopadhyay Committee. It appears that the Respondents have re-fixed the pay withdrawing benefits given to the Applicant since 1996. Admittedly, the Applicant is Group-C employee. As such, in view of judgment of the Hon'ble Supreme Court in <i>Civil Appeal No.11527/2014 (State of Punjab and others Vs. Rafiq Masih (White Washer), decided on 18th December, 2014</i>, the recovery seems <i>prima-facie</i> is impermissible.</p> <p>3. In view of above, interim relief in terms of Para No.10(a) is granted.</p> <p>4. Two weeks time is granted for filing reply.</p> <p>5. S.O. to 15.03.2021.</p> <p style="text-align: right; margin-right: 100px;">Sd/-</p> <p style="text-align: right; margin-right: 100px;">(A.P. Kurhekar) Member(J)</p> <p style="text-align: right; margin-right: 50px;">[P.T.O.]</p>

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

Tribunal's orders

Date : 23.02.2021

O.A.No. 151 of 2021

V. B. Taskhedkar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 23.03.2021.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 23.03.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. 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: 23.02.2021</p> <p align="center">O.A. No.367 of 2020</p> <p>Dr. A.R. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, matter is kept for filing rejoinder. However, learned Advocate Shri A.V. Bandiwadekar submits that filing of Rejoinder is not necessary and further pointed out that the Tribunal has decided same issue in O.A. No.43/2018 (Dr. Babasaheb D. Bhosale v/s. State of Maharashtra & Ors.) on 06.03.2020 and the same order is being implemented by the Government. He has also tendered the copy of Government order dated 16.02.2020 to that effect and submits that on account of parity the Applicant is also entitled for the relief claimed in O.A.</p> <p>3. Learned P.O is directed to take instructions from the Department about the applicability of the decision rendered by this Tribunal in O.A. No.43/2018 and appraise the Tribunal on next date.</p> <p>4. Adjourned for hearing at the stage of admission.</p> <p>5. S.O. to. 16.03.2021.</p> <p align="right">Sd/- W (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.02.2021</p> <p>O.A. No.141 of 2021</p> <p>D.H. KharatApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri D.H. Pawar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 23.03.2021. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 23.03.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.02.2021</p> <p>M.A. No.76 of 2021 in O.A. No.175 of 2020</p> <p>M.J. MohiteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Utkasha Desai, learned Advocate holding for Shri P.S. Bhavake, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents. 2. This M.A. is filed for condonation of delay of 141 days for restoration of O.A, which was dismissed in default for non-compliance of conditional order for issuance of collecting notice within seven days and filing Affidavit-in-Service within three days. 3. The Tribunal had passed order for issuance of notice on 29.09.2020 and returnable date was 27.10.2020. Since the Applicant failed to collect notice for service, the O.A. came to be dismissed for default in view of conditional order. 4. Learned Advocate for the Applicant submits that Shri Bhavake who is looking after the matter was held up at Kolhapur and could not come due to COVID-19 Pandemic situation. He, therefore, requested to condone the delay and restore the O.A. 5. O.A. is for absorption in Government service. It appears that due to COVID-19 Pandemic situation, the Applicant or his Advocate could not take steps for collecting notices from the office. 6. In view of above, in the interest of justice and to decide the O.A. on merit, I am inclined to condone the delay and restore the O.A. 7. Accordingly, M.A. No.76/2021 is allowed with no order as to costs. 8. O.A. No. 175/2020 to be restored to the file. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.02.2021</p> <p style="text-align: center;">O.A. No.175 of 2020</p> <p>M.J. MohiteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Utkasha Desai, learned Advocate holding for Shri P.S. Bhavake, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents. 2. This O.A. was dismissed in default for non-compliance of conditional order for issuance of notice dated 29.09.2020. Today, in view of order passed in M.A. No.76/202, O.A. is restored to the file, and therefore, fresh notice is required to be issued. 3. Issue fresh notice before admission returnable on 23.03.2021. 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 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. 7. In case notice is not collected within Seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 23.03.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 23.02.2021

M.A. No.77 of 2021 in O.A. No.767 of 2019

G.B. KamalkarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri Utkasha Desai, learned Advocate holding for Shri P.S. Bhavake, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents.
2. Issue fresh notice before admission returnable on 23.03.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 23.03.2021.

Sd/-

(A.P. Kurhekar)
Member (J)

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

Tribunal's orders

Date: 23.02.2021

M.A. No.78 of 2021 in O.A. No.875 of 2019

L.B. SaroleApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri Utkasha Desai, learned Advocate holding for Shri P.S. Bhavake, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. Issue fresh notice before admission returnable on 23.03.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
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7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 23.03.2021.

Sd/-

(A.P. Kurhekar)
Member (J)

**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: 23.02.2021</p> <p align="center">O.A. No.187 of 2020</p> <p>V.D. GujarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. submits that Affidavit-in-Reply is ready and the same will be filed during the course of the day. 3. Statement is accepted. 4. Adjourned for hearing at the stage of admission. 5. Interim relief to be continued till further order. 6. S.O. to 09.03.2021. <p align="right">N Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Date: 23.02.2021

O.A. No.281 of 2020

S.S. HakeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. This O.A. was filed on 23.06.2020 but till date no reply is filed though enough time is availed, and therefore, I am not inclined to grant further time.
3. Learned P.O. submits that matter was placed before the Review Committee and recommendations are made to revoke the suspension and reinstatement of the Applicant. She has tendered the minutes of Review Committee meeting dated 11.02.2021.
4. Thus, perusal shows that it is only after filling charge-sheet, the suspension will be revoked.
5. In minutes, it is stated after filing of charge-sheet suspension will be revoked as such till date no formal order of revocation of suspension and reinstatement is issued though period of more than eleven months is over.
6. Learned Advocate for the Applicant submits that he is challenging the legality of the suspension order on the ground of competency of the issuance authority.
7. Adjourned for hearing at the stage of admission without Reply.
8. S.O. to 15.03.2021.

^
Sd/-

(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 23.02.2021</p> <p align="center">O.A. No.503 of 2020</p> <p>V.S. PandhareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record. 3. It appears that during the pendency of O.A. the Applicant has been reinstated by order dated 06.10.2020. 4. However, learned Advocate for the Applicant submits that he has challenged the legality of suspension order on the ground of competency of Commissioner to issue suspension order 5. On request of Advocate for the Applicant two weeks time is granted for filing Rejoinder. 6. S.O. to 16.03.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="left">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
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Date: 23.02.2021

O.A. No.376 of 2020

M.S. DhereApplicant
 Versus
 The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Today, learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record.
3. On request of learned Advocate for the Applicant two weeks time is grated for filing Rejoinder.
4. S.O. to. 16.03.2021.

^
Sd/-

✓
(A.P. Kurhekar)
Member (J)

NMN


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 23.02.2021</p> <p align="center">O.A. No.389 of 2020</p> <p>N.A. LokhandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In the present matter notice is being^{was} issued on 20.08.2020 but till date no Reply is filed. The matter pertains to inter division of Absorption/Transfer. The Applicant seems to have been relieved from Solapur on 15.07.2020 for absorption in Pune District but she was not allowed to join in Pune District for want of vacancy of S.C. category to which Applicant belong. Thus, for more than seven months Applicant is left without posting.</p> <p>3. In view of above one week time is lastly granted for filing Affidavit-in-Reply.</p> <p>4. S.O. to. 02.03.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p align="left">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 align="center">Date: 23.02.2021</p> <p align="center">O.A. No.283 of 2020</p> <p>S.B. KodgireApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the suspension order dated 31.07.2019. Enough Time is granted but no reply is filed till date. 3. Learned P.O. submits that suspension of the Applicant is revoked by order dated 02.11.2020, he has tendered copy of order passed by Government for perusal. 4. However, learned Advocate for the Applicant submits that he is challenging the legality of the suspension order on the ground of competency of issuing authority and therefore matter needs to be heard on merit. 5. Adjourned for hearing at the stage of admission without Reply. 6. S.O. to 15.03.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 23.02.2021</p> <p align="center">O.A. No.335 of 2020</p> <p>S.M. SatheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri S.M. Sathe, Applicant in Person is absent. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, she has filed Short Affidavit on behalf of Respondent No.1 in compliance of the order passed by the Tribunal on 15.12.2020.</p> <p>3. Adjourned for hearing at the stage of Admission.</p> <p>4. S.O. to. 12.03.2021.</p> <p align="right">Sd/- ^w (A.P. Kurhekar) Member (J)</p> <p>NMN</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 style="text-align: center;"><u>O.A.06/2020</u></p> <p>Shri R.M. Redekar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. has filed Short Affidavit on behalf of Respondent No.3 showing the payment of retiral benefits to the Applicant. It is taken on record.</p> <p>3. S.O. to 5th March, 2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 23.02.2021</p> <p>(skw)</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: 23.02.2021</p> <p>O.A. No.655 of 2020</p> <p>Dr. K.S. DeshpandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit-in-Reply on behalf of Respondent. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>6. S.O. to 05.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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
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Date: 23.02.2021

O.A. No.725 of 2020 with O.A. No.737 of 2020
with O.A. No.738 of 2020

S.R. GaudApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. On request of learned P.O. two weeks time is lastly granted for filing Affidavit-in-Rejoinder.
3. S.O. to 08.03.2021.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 23.02.2021</p> <p align="center">O.A. No.1026 of 2019</p> <p>S.K. ChandaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant in person is present. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant, Shri P.G. Kayande is absent. 3. On request of the Applicant matter is adjourned for hearing. 4. S.O. to 15.03.2021. <p align="right"> [^] Sd/- (V (A.P. Kurhekar) Member (J) </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 : 23 .02.2021</p> <p align="center">O.A.No.1108 of 2019</p> <p>V. D. SuryawanshiApplicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. the matter is adjourned for hearing.</p> <p>3. S.O. to 09.03.2021.</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 .02.2021</p> <p align="center">O.A.No.896 of 2019</p> <p>S.P. BidarkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S.A. Deshmukh holding for Shri Undre, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for hearing.</p> <p>3. S.O. to 19.03.2021</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 .02.2021</p> <p align="center">O.A.No.480 of 2019</p> <p>J. R. SagreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Smt.Punam Mahajan, learned Counsel for the Applicant has filed leave note. Ms N. G. Gohad, learned Presenting Officer for the Respondents is present.</p> <p>2. The matter is adjourned for final hearing on 16.03.2021.</p> <p>3. S.O. to 16.03.2021.</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

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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 .02.2021</p> <p align="center">O.A.No.370 of 2019</p> <p>L.T. RathodApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Ms N. G. Gohad, learned Presenting Officer for the Respondents is present.</p> <p>2. Perusal of record reveals that when the matter was listed previously on 10.02.2021 for final hearing that day also both the Applicant and his Counsel were absent but the matter was adjourned to give one opportunity. However, today again they are absent.</p> <p>3. Thus, it appears that the Applicant is not interested in the matter. Hence, the Original Application is dismissed in default with no order as to costs.</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: 23.02.2021</p> <p align="center">O.A. No.325 of 2020</p> <p>V.D. SulochaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the suspension order dated 26.07.2018. Enough Time is granted but no reply is filed till date. 3. Learned P.O. submits that suspension of the Applicant is revoked by order dated 02.11.2020, he has tendered copy of order passed by Government for perusal. 4. However, learned Advocate for the Applicant submits that he is challenging the legality of the suspension order on the ground of competency of issuing authority and therefore matter needs to be heard on merit. 5. Adjourned for hearing at the stage of admission without Reply. 6. S.O. to 15.03.2021. <p align="right">Sd/- W (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</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
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Date: 23.02.2021

M.A. No.84 of 2021 in O.A. No.42 of 2021

R.S. Chavan & Ors.Applicant
 Versus
 The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. This M.A. is filed for restoration of O.A. No.42/2021, which was dismissed for default for non-compliance of collecting notice for service and failed to file Affidavit-in-Service three days before returnable date in O.A. No.42/2021. The Tribunal has passed order of issuance of notice on 18.01.2021, but the Applicant failed to collect the notice for service, and therefore, the O.A. was dismissed in default for non-compliance of order.

3. Learned Advocate for the Applicant submitted that ~~in default~~ ^{inadvertently} the notice was not collected for services and requested to restore the O.A.

4. O.A. pertains to transfer.

5. For the reason stated above, I am inclined to recall the order of dismissal of O.A. in default, so as to decide the O.A. on merit.

6. M.A. No.84/2021 is allowed with no order as to costs.

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

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

Tribunal's orders

Date: 23.02.2021

O.A. No.42 of 2021

R.S. Chavan & Ors.Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. This O.A. was dismissed for non-compliance of conditional order and the same is restored to the file as the order passed in M.A. No.84/2021 in O.A. 42/2021 today, and therefore, fresh notice is to be issued.
3. Issue fresh notice before admission returnable on 23.03.2021.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
9. S.O. to 23.03.2021.

Sd/-

(A.P. Kurhekar)
Member (J)

**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: 23.02.2021</p> <p align="center">M.A. No.73 of 2021 in O.A. No.143 of 2021</p> <p>S.H. Suryawanshi & Ors.Applicants Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicants has challenged the suspension order dated 28.10.2020 passed by Superintendent of Police, Ahmednagar. As rightly pointed out by learned P.O., the Applicants were serving in Ahmednagar District, and therefore, the O.A. ought to have been filed before the Aurangabad Bench.</p> <p>3. Surprisingly, the office did not check the issue of jurisdiction and simply listed the matter before the Bench without pointing out objections. The Tribunal has come across several matters, which are listed without scrutiny of the matter. There has to be scrutiny and endorsement to that effect in the matter before listing the same for admission.</p> <p>4. Registrar is, therefore, directed to take note of above and to issue Circular in the office. It should be followed scrupulously.</p> <p>5. Shri K.R. Jagdale, learned Advocate for the Applicant tried to contend that since there is no Member available at Maharashtra Administrative Tribunal, Bench at Aurangabad, O.A. is filed before the Principal Bench.</p> <p>6. To say the least, this cannot be the ground to file O.A. here much less to confer territorial Jurisdiction. If the analogy advanced by the K.R. Jagdale is accepted, all the matters of Aurangabad Bench will be filed here which is not permissible. Suffice to say, the O.A. ought to have been filed before the Aurangabad Bench.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="804 402 1544 596">7. Since the matter pertains to Aurangabad Bench, the Registrar is directed to return the papers to the learned Advocate for the Applicant for presentation to Maharashtra Administrative Tribunal, Bench at Aurangabad.</p> <p data-bbox="1193 614 1398 800" style="text-align: right;">^ Sd/- v~ (A.P. Kurhekar) Member (J)</p> <p data-bbox="804 830 847 856">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
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Date : 23.02.2021

O.A.No.519 of 2020

S.M. Balshetwar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. The learned C.P.O. for the Respondents files affidavit-in-reply dated 23.02.2021 through Respondent No.2, Shri Nitin B. Khedkar, Deputy Secretary, office of Additional Chief Secretary, Public Works Department, Mantralaya, Mumbai. Taken on record and copy is served to learned Advocate for the Applicant.

3. Admit. Adjourned to 10.06.2021, with liberty to file rejoinder, if any.

Sd/-

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

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

M.A. No.64 of 2021 in O.A. No.126 of 2021

Vilas P. Vhanmane ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri M.V. Thorat, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. This MA is filed for condoning the delay of 5 years and 2 days in filing OA.
3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.
4. Issue notice before admission returnable on 6.4.2021.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-

(P.N. Dixit)
Vice-Chairman
23.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
23.2.2021

**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
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Date : 23.02.2021

O.A.No.651 of 2020

P.C. Patil ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. The learned C.P.O. for the Respondents files affidavit-in-reply dated 23.02.2021 through Respondent No.3, Shri Mahendra B. Pednekar, Senior Office Superintendent, office of Addl. Director General of Police (Trainig & Special Unit), Mumbai. Taken on record and copy is served to learned Advocate for the Applicant.

3. Admit. Adjourned to 27.04.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 23.02.2021

**O.A.No.372 of 2020 with
O.A.No.373 of 2020 with O.A.No.374 of 2020**

J.K. Khetre (O.A.372/2020)

P.A. Lad (O.A.373/2020)

B.K. Nagare (O.A.374/2020) ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The learned P.O. for the Respondents files affidavit-in-reply in O.A.No.372/2020 dated 22.10.2020 through Respondent No.2, Shri Rajendra D. Mahamuni, Administrative Officer, Division Joint Director Agriculture, Konkan Division, Thane and in O.A.No.373/2020, dated 05.02.2021, through Respondent No.2, Shri Bhushan V. Deshpande, Deputy Director (Administration), office of Directorate of Economics and Statistics, Mumbai. Taken on record and copy is served to learned Advocate for the Applicant.

3. The learned P.O. seeks time to file affidavit-in-reply in O.A.No.374/2020.

4. Time granted. Meanwhile, learned Advocate for the Applicant may file affidavit-in-rejoinder in O.A.No.372/2020 and 373/2020.

5. Adjourned to 23.03.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

prk

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
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Date : 23.02.2021

O.A.No.72 of 2020

R.R. Wagh ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. The learned P.O. for the Respondents files affidavit-in-reply dated 23.02.2021, through Respondent Shri Anup B. Puranik, Assistant Commissioner, office of Commissioner of State Excise, Mumbai. The same is taken on record. Copy is served to learned Advocate for the Applicant.

3. The learned Advocate for the Applicant seeks time to file affidavit-in-rejoinder.

4. Time granted. Adjourned to 23.03.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
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Date : 23.02.2021

O.A.No.710 of 2020

D.N. Patil ... Applicant
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. As requested by learned P.O. four weeks time is granted to M.P.S.C. to file affidavit-in-reply. However in between the Respondents may take decision in respect of the applicant.

3. Time granted by way of last chance.

4. Adjourned to 23.03.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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
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Date : 23.02.2021

O.A.No.729 of 2020

V.V. Ambole & Ors. ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Ms. Sonali Pawar, learned Advocate holding for Shri V.P. Potbhare, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The learned P.O. seeks time to file affidavit-in-reply.

3. Four weeks granted to learned P.O. for filing affidavit-in-reply. Copy to be served to the learned Advocate for the Applicant and thereafter four weeks granted to learned Advocate for filing affidavit-in-rejoinder.

4. Adjourned to 20.04.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

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

O.A. No.74 of 2021

Surendra B. Mahale

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

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

2. The applicant, an Ex-serviceman, working as a Constable in State Excise Department seeks direction to the respondents to call for record and proceedings in respect of promotion of the applicant to the post of Sub Inspector in Maharashtra in pursuance to order dated 18.12.2020 of respondent no.3. It is submitted by Ld. Advocate for the applicant that applicant has made representations dated 21.1.2021 and 7.11.2019 to respondent no.2.

3. Ld. CPO seeks time to file reply. Six weeks time is given to file reply. However, in between the respondents are expected and may decide the representations of the applicant.

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

5. Issue notice before admission returnable on 6.4.2021.

6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

Sd/-

(P.N. Dixit)
Vice-Chairman
23.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
23.2.2021

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

Tribunal's orders

O.A. No.75 of 2021

Shashikant D. Patil ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. The applicant, an Ex-serviceman, working as a Constable in State Excise Department seeks direction to the respondents to call for record and proceedings in respect of promotion of the applicant to the post of Sub Inspector in Maharashtra in pursuance to order dated 18.12.2020 of respondent no.3. It is submitted by Ld. Advocate for the applicant that applicant has made representations dated 21.1.2021 and 27.8.2019 to respondent no.2.

3. Ld. CPO seeks time to file reply. Six weeks time is given to file reply. However, in between the respondents are expected and may decide the representations of the applicant.

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

5. Issue notice before admission returnable on 6.4.2021.

6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

Sd/-

(P.N. Dixit)
Vice-Chairman
23.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
23.2.2021

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

Tribunal's orders

M.A. No.3 of 2021 in O.A. No.14 of 2021

Shri Avinash V. Shete ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. This MA is filed for condoning the delay in filing the OA.
3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.
4. Issue notice before admission returnable on 23.3.2021.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-

(P.N. Dixit)
Vice-Chairman
23.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
23.2.2021

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

Tribunal's orders

O.A. No.73 of 2021

Raju M. Rathod

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

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

2. The applicant, an Ex-serviceman, working as a Constable in State Excise Department seeks direction to the respondents to call for record and proceedings in respect of promotion of the applicant to the post of Sub Inspector in Maharashtra in pursuance to order dated 18.12.2020 of respondent no.3. It is submitted by Ld. Advocate for the applicant that applicant has made representations dated 21.1.2021, 18.6.2018 and 26.8.2019 to respondent no.2.

3. Ld. CPO seeks time to file reply. Six weeks time is given to file reply. However, in between the respondents are expected and may decide the representations of the applicant.

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

5. Issue notice before admission returnable on 6.4.2021.

6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

Sd/-

(P.N. Dixit)
Vice-Chairman
23.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
23.2.2021

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

Tribunal's orders

M.A. No.83 of 2021 in O.As. No.325/2018 & 13/2020

The MPSC

..Applicant

Vs.

Anil M. Jadhav & Ors. (OA.325/2018)

Ramkisan S. Pawar & Ors. (OA.13/2020)..Respondents

Heard Ms. S.P. Manchekar, learned Special Counsel for MPSC and Shri M.D. Lonkar and Shri K.R. Jagdale, learned Advocates for the Respondents-original Applicants.

2. Ms. S.P. Manchekar, learned Special Counsel for MPSC has moved this MA No.83 of 2021 seeking extension of time for conducting interview in pursuance of the judgment and order dated 25.1.2021/28.1.2021 passed in the above OAs.

3. Ld. Special Counsel submits that as per the said judgment the process of interview was supposed to get over in four weeks from the date of the order and the said period will get over on 22.2.2021. She submits that actual interviews would be scheduled on 4.3.2021 so that within stipulated time further steps can be taken by the MPSC.

4. Both the Ld. Advocate for the respondents-original applicants submits to the orders of the Court.

5. In view of the submissions of Ld. Special Counsel for MPSC/CPO, time for conducting the interview is extended up to 9.3.2021.

6. MA is allowed accordingly.

Sd/-

(P.N. Dixit)
Vice-Chairman
23.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
23.2.2021

**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
	<u>O.A. No.149 of 2021</u>
	Ganapati A. Metakari ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents
	Heard Shri Sandeep S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
	2. The applicant who has participated in the recruitment process of PSI, 2017 through Limited Departmental Competitive Examination (LDCE) prays that the committee who has conducted the physical test on 27.2.2020 be directed to check the CCTV Footage of the event of Shot-Put.
	3. Ld. Advocate for the applicant states that in the PSI, 2017 examination, 322 candidates are recommended on 10.2.2021. As per the case of the applicant the last candidate no.322 has scored 334 marks and the applicant has scored 332 marks. However, he has argued that he has lost 2.5 marks as he is given less marks in the event of Shot-Put.
	4. The Ld. Advocate for the applicant submits that the applicant in fact threw metal ball 7.50 meters or more and that was voice recorded along with CCTV Footage. He further submits that there is a table how the marks are to be given and if throw is 7.50 meters or more, 15 marks are allotted. However, the applicant though had thrown 7.50 meters or more but he was given less marks of 12.5 which is given if the throw is below 7.50 meters.
	5. He submits that his representation dated 27.2.2020 was rejected by the Under Secretary, MPSC, however

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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without verifying CCTV Footage. Ld. Advocate for the applicant submits that it is to be considered urgent as the Medical Test is to be held shortly of the selected candidates.

6. Ld. CPO to find out whether such CCTV Footage is available and what are the rules regarding revaluation of marks.

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

8. Issue notice before admission returnable on 2.3.2021.

9. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

10. 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.

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

Sd/-

(P.N. Dixit)
Vice-Chairman
23.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
23.2.2021