

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.08.2023</u></p> <p align="center"><u>C.A 45/2023 in O.A 614/2022</u></p> <p>Shri N.D Gangurde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. As per the order of this Tribunal dated 29.6.2022, the order is passed by the Respondents on 21.8.2023.</p> <p>3. We direct the learned Presenting Officer to give detail reasons why there is a delay in complying with the order of this Tribunal.</p> <p>4. S.O to 30.8.2023.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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
(Advocate)

versus

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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>23.08.2023</u></p> <p><u>C.A 67/2023 in O.A 993/2019 with C.A 68/2023 in O.A 995/2019</u></p> <p>Shri V.D Kalsait & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Respondents are given last chance to comply with the order of this Tribunal in respect of payment of back wages as the order is passed on 12.8.2022.</p> <p>4. S.O to 25.8.2023.</p> <p>Sd/- (Medha Gadgil) Member (A) <small>Aku</small></p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

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	<p style="text-align: center;"><u>23.08.2023</u></p> <p style="text-align: center;"><u>O.A 1063/2023</u></p> <p>Dr Baban T. Karvekar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. In this case, the applicant prays that the Respondent, i.e., Principal Secretary in the office of His Excellency, The Governor be directed to decide the pending appeal dated 22.12.2022 against the order of punishment dated 26.5.2022.</p> <p>3. We pointed out that the Respondent, Principal Secretary, in the office of His Excellency, The Governor, is not the authority to decide the appeal and Judicial propriety warrants that no directions can be given to the office of the Principal Secretary in the office of His Excellency The Governor to decide the appeal.</p> <p>4. Learned counsel for the applicant submits that in view of the above observations, he wants to amend the Original Application by adding Principal Secretary, Public Health Department as Party Respondent No. 2 and also the prayer clause.</p> <p>5. Permission granted. Amendment to be carried out forthwith and copy be served on the Respondents.</p> <p>6. S.O to 13.9.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">AKH</p>

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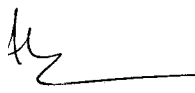
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	<p><u>23.08.2023</u></p> <p><u>C.A 80/2022 in O.A 879/2015</u></p> <p>Shri G.P Wadekar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that file is pending with the Hon'ble Minister Shri Tanaji Sawant, Public Health Department.</p> <p>3. The Respondents are directed to take necessary steps for compliance of the order of this Tribunal.</p> <p>4. S.O to 25.8.2023.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

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	<p>Date : 23.08.2023</p> <p>O.A.No.159/2023</p> <p>Dr. A.K. JagtapApplicant Vs The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. J.S. Deshmukh, learned Advocate for the Applicant and Ms. K.S. Gaikwad, Presenting Officer for the Respondents.</p> <p>2. Matters though adjourned to 28.08.2023, taken up at the request of learned Advocate Mr Deshmukh.</p> <p>3. At the request of learned Advocate Adjourned to 06.09.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.08.2023</p> <p>O.A.No.707/2023</p> <p>Dr. A.O. DahadApplicant Vs The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, Chief Presenting Officer for the Respondents.</p> <p>2. Matters though adjourned to 18.10.2023, taken up at the request of learned C.P.O.</p> <p>3. At the request of learned C.P.O. adjourned to 31.08.2023. Interim relief, if any, to be continued till next date.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2023</p> <p>O.A.No.301/2016</p> <p>J.A.M.H. Momin & Ors.Applicants Vs The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Mr. A.J. Chougule, Presenting Officer for the Respondents.</p> <p>2. Applicants pray for their seniority and seek direction to quash the provisional seniority list of 26.02.2016 in the cadre of typist-cum-clerk as on 01.01.2016 and further prays that the seniority of the Applicants is to be decided on the basis of the decision of the Tribunal dated 16.12.2014 in O.A.No.228/2023.</p> <p>3. Learned Advocate for the Applicant has submitted that for deciding the seniority the Applicant relies on the judgment dated 16.12.2014 passed in O.A.No.288/2013, Shri Pravin Mahadu Varande & Ors. Versus The District Collector & Ors.</p> <p>4. Learned P.O. has submitted that the said judgment was subsequently reversed by the Full Bench by order dated 02.02.2017 passed in O.A.No.354/2015, Shri Mahesh Mukund Sapre & Ors. Versus The State of Maharashtra & Ors.. The issue was involved in respect of passing of the Sub-Service Departmental Examination (SSD) and Revenue Qualifying Examination (RQE) within the stipulated time and chances wherein in Sapre's matter the Tribunal held that the Department should follow the Rules for passing the examination. The copy of the said Rules is at page 99. The Full Bench in case of Sapre has directed to follow the Rules.</p> <p>5. Considering submissions. The Full Bench has set-write the interpretation of the period of passing the examination and for the purpose of fixing the seniority. In view of this as the issue was already decided earlier nothing remains in this O.A.</p> <p>6. Learned Advocate has submitted that the order dated 02.02.2017 passed in O.A.No.354/2015 is challenged before the Hon'ble High Court and is still pending.</p> <p>7. In view of this the law laid down by the Full Bench holds filed as on today. Hence, nothing remains in this O.A. and the same stands dismissed.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">/ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.08.2023</p> <p>O.A.No.344/2016</p> <p>V.M. HondeApplicant Vs The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant, Ms. K.S. Gaikwad, Presenting Officer for the Respondents and Mr. S.S. Dere, learned Advocate for the Respondent No.2</p> <p>2. The Joint Director is hereby directed to give explanation why the officers from the Department are not present today.</p> <p>3. Adjourned to 24.08.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

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	<p>Date : 23.08.2023</p> <p>O.A.No.1054/2023</p> <p>Dr. V.R. RokadeApplicant 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. has submitted that nobody is present to give instructions.</p> <p>3. As nobody is present from the Department though specific notice was issued, under such circumstances, prima facie, the case is made out. Impugned order dated 10.08.2023 transferring Applicant from R.C.S.M. Government Medical College, Kolhapur to Government Medical College, Miraj is hereby stayed and Respondents are directed to allow the Applicant to continue at R.C.S.M. Government Medical College, Kolhapur.</p> <p>4. Adjourned to 20.09.2023.</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.08.2023</p> <p style="text-align: center;">O.A.No.1051/2023</p> <p>Dr. M.P. TambeApplicant Vs The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents</p> <p>2. Learned P.O. has submitted that nobody is present to give instructions.</p> <p>3. As nobody is present from the Department though specific notice was issued, under such circumstances, prima facie, the case is made out. Interim relief with respect to prayer clause 10(a) is allowed. Impugned order dated 10.08.2023 transferring Applicant from B.J. Government Medical College to Indira Gandhi Government Medical College, Nagpur is hereby stayed and Respondents are directed to allow the Applicant to continue at B.J. Government Medical College.</p> <p>4. Adjourned to 20.09.2023.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.08.2023</p> <p>O.A.No.1052/2023</p> <p>Dr. S.P. HandralmathApplicant 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. has submitted that nobody is present to give instructions.</p> <p>3. As nobody is present from the Department though specific notice was issued, under such circumstances, prima facie, the case is made out. Impugned order dated 10.08.2023 transferring Applicant from Dr. V.M. Government Medical College, Solapur to R.S.C.M. Government Medical College, Kolhapur is hereby stayed and Respondents are directed to allow the Applicant to continue at Dr. V.M. Government Medical College, Solapur.</p> <p>4. Adjourned to 20.09.2023.</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.08.2023</p> <p style="text-align: center;">O.A.No.1053/2023</p> <p>Dr. S.P. HandralmathApplicant 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. has submitted that nobody is present to give instructions.</p> <p>3. As nobody is present from the Department though specific notice was issued, under such circumstances, prima facie, the case is made out. Impugned order dated 10.08.2023 transferring Applicant from Government Medical College, Miraj to Dr. Vaishampayan Memorial Government Medical College, Solapur is hereby stayed and Respondents are directed to allow the Applicant to continue at Government Medical College, Miraj.</p> <p>4. Adjourned to 20.09.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.08.2023</p> <p>O.A.No.759/2021 (A'Bad) (through video-conferencing)</p> <p>A.A. WahalApplicant Vs The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.V. Thombre, learned Advocate for the Applicant and Mr. M.S. Mahajan, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant prays for the appointment on the post of Krushi Sevak.</p> <p>3. Learned Advocate has submitted that initially 23 Applicants filed this O.A. However, Applicants No.1 to 22 have been deleted with the leave of the court and so only one Applicant i.e. Applicant No.23, Anand Vishwanath Bade prays for his appointment on the post of Krushi Sevak. Learned Advocate has submitted that Applicant No.23 is a wait listed candidate whose name appears at Sr. No.3 in the waiting list. Learned Advocate has submitted that the advertisement was published on 01.01.2019 and result was declared on 17.01.2020. Learned Advocate has submitted that due to Pandemic 19 the period of limitation was extended by the Hon'ble Supreme Court by order dated 10.01.2022 in Suo Moto Writ Petition (C) No.3/2022, hence, on 17.01.2022 wait list expired.</p> <p>4. Adjourned to 06.09.2023.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.08.2023</p> <p>O.A.No.21/2022 (A'Bad) (through video-conferencing)</p> <p>R.B. RathodApplicant Vs The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.B. Chalak, learned Advocate for the Applicant and Mr. M.S. Mahajan, learned Chief Presenting Officer for the Respondents.</p> <p>2. On query made by the Tribunal regarding order dated 17.08.2023, learned C.P.O. informs that out of two posts one post is filled up and one post is vacant. However, as the wait list is lapsed after one year the said vacant post which was advertised earlier is now shown in the fresh advertisement which was published on 11.08.2023.</p> <p>3. Learned Advocate Mr. Chalak has submitted that in the advertisement dated 11.08.2023 there is no mention of the date on which the applications are to be invited and the last date of acceptance of the applications.</p> <p>4. It appears that the Respondents have not yet given the last date for accepting the applications and not given the specific cut-off date. Under such circumstances, as observed in earlier order dated 17.08.2023 and considering the ratio laid down by the Hon'ble High Court by order dated 23.12.2022 in Writ Petition No.12844/2019, Ashwini G. Waghmare Versus The State of Maharashtra & Ors. in respect of extending the wait list by the excluding the period of Pandemic 19, the Respondents at interim stage are directed that the said post is to be withdrawn from the advertisement and it is to be kept vacant till filing of the affidavit-in-reply by the State. It is to be noted specifically that the Respondents are required to consider the earlier order dated 30.11.2021 in O.A.No.204/2021 & Ors. B.P. Nimgire & Ors. Versus State of Maharashtra and Ors. and judgment dated 21.10.2022 passed in O.A.No.312/2022 & Ors. R.N. More & Ors Versus State of Maharashtra & Ors.. Respondents to take into account the orders which are implemented by the State.</p> <p>5. Two weeks time granted to learned C.P.O. to file reply. Copy of reply be served upon the concerned two days in advance.</p> <p>6. Adjourned to 06.09.2023.</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.08.2023</p> <p style="text-align: center;">O.A.No.253, 254, 255, 256, 257 with 258 of 2022</p> <p>S. L. Salunkhe & Ors.Applicants</p> <p style="text-align: center;">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. The Applicants are working in the cadre of Jr. Clerk and seeking directions to Respondents to consider them for promotion to the post of Sr. Clerk. They are appointed in 2000-2001 on ad-hoc basis. Later, they apprehended termination. Therefore, they filed complaints in Labour Court under the provisions of Maharashtra Regulation of Trade Union and Prevention of Unfair Labor Practice Act and complaints were allowed and Respondents were restrained from engaging in unfair labour practice. In Divisional DPC Meeting, dated 01.08.2019, the Applicants cases were placed for promotion to the post of Sr. Clerk but their matters were deferred on the ground that their services are not regularized and kept pending.</p> <p>3. The perusal of record further reveals that later Director of Public Health Department has forwarded proposal to the Government on 13.03.2023 for regularization of services of the Applicants but it is still pending. This is the reason for not promoting the Applicants to the post of Sr. Clerk. Though, the period of five months is over, no decision is taken on proposal dated 13.03.2023.</p>

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4. Learned Counsel for the Applicants has pointed out that Applicants allotted permanency certificate. As such, the pendency of proposal dated 13.03.2023 only seems to be the reason for not promoting the Applicants to the post of Sr. Clerk. They have already rendered more than 20 years services on the post of Jr. Clerk and deserves to be considered for promotion if found possess requisite qualification.

5. In view of above, we are inclined to dispose of Original Applications with following directions :-

(A) The Respondent No.1 - Government is directed to take appropriate decision on the proposal dated 13.03.2023 forwarded by Director, Public Health Department, Pune within a month from today.

(B) Thereafter, the Respondent Nos.2 and 3 shall convene special DPC meeting within one month from receipt of order of the Government about regularization of services and shall consider the Applicants cases for promotion to the post of Sr. Clerk subject to fulfillment of requisite criteria under the Recruitment Rules and the decision shall be communicated to the Applicants within two weeks thereafter.

(C) If the Applicants felt aggrieved, they are at liberty to avail further legal remedy in accordance to law.

(D) No order as to costs.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(A.P. Kurhekar)
Member(J)

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FARAD CONTINUATION SHEET No.

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	<p align="center">Date: 23.08.2023</p> <p align="center">O.A. No.815 of 2017</p> <p>S.M. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R. Deokar, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent Nos.1 to 3 and Shri V. Beide learned Advocate for the Respondent No.4.</p> <p>2. Since today the Applicant and his Advocate is absent, in the interest of justice adjourned to give one opportunity to them for Final Hearing.</p> <p>3. S.O. to 12.09.2023.</p> <p align="center">Sd/- Sd/- ^ WV (Debashish Chakrabarty) (A.P. Kurhekar) Member (A) Member (J)</p> <p align="center">NMN</p> <p>LATER ON</p> <p>4. Learned Advocate Shri R. Deokar appeared and requested to mark his presence and sought adjournment.</p> <p>5. S.O. to 12.09.2023.</p> <p align="center">Sd/- N ... Sd/- (Debashish Chakrabarty) (A.P. Kurhekar) Member (A) Member (J)</p> <p align="center">NMN</p>

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	<p data-bbox="776 741 998 777">Date: 23.08.2023</p> <p data-bbox="998 819 1282 855">O.A. No.1255 of 2022</p> <p data-bbox="776 896 1510 1009">B.R. BightApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol data-bbox="776 1094 1510 1893" style="list-style-type: none">1. Applicant and his Advocate both are absent.2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.3. Today matter is taken on board in view of praecipe filed by learned P.O. for permission to file Affidavit-in-Reply since O.A. is already proceeded without Reply by order dated 11.08.2023.4. In the interest of justice Affidavit-in-Reply tendered today is taken on record.5. Learned P.O. is directed to serve copy of Affidavit-in-Reply to the Advocate of the Applicant so that matter could be heard on fixed date i.e. 11.09.20236. S.O. to 11.09.2023. <p data-bbox="787 1957 1112 2099">Sd/- (Debashish Chakrabarty) Member (A)</p> <p data-bbox="1218 1932 1429 2099">Sd/- (A.P. Kurhekar) Member (J)</p> <p data-bbox="787 2125 836 2163">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>Date: 23.08.2023</p> <p align="center">C.A. No.77 of 2023 in O.A. No.299 of 2022</p> <p>R.B. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. <i>Prima-facie</i> Respondents have not complied the order of the Tribunal within stipulated period as mentioned in order dated 28.07.2022 passed in O.A. No.299/2022. Therefore notice was issued to the Contemnor which is already served upon him. As such Contemnor was supposed to remain present today and to file Reply on Affidavit, however he is absent.</p> <p>3. Learned P.O. sought two days time to file Reply of the Contemnor to the Show Cause Notice issued by the Tribunal. According to her order of Tribunal is complied with but not within stipulated period given by the Tribunal.</p> <p>4. We are inclined to grant two days time to file Affidavit-in-Reply on Affidavit.</p> <p>5. S.O. to 25.08.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">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: 23.08.2023</p> <p align="center">O.A. No.857 of 2022</p> <p>P.P. DahiwadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Nandimath, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of the Respondent No.3. It is taken on record.</p> <p>3. Since pleading is complete, matter is adjourned for Final Hearing.</p> <p>4. S.O. to 12.09.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.08.2023</u></p> <p><u>M.A 536/2023 in O.A 1038/2023</u></p> <p>Smt Vandana B. Jadhav & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Misc Application to sue jointly is allowed, subject to payment of court fees, if not already paid.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.08.2023</u></p> <p style="text-align: center;"><u>O.A 1071/2023</u></p> <p>Shri Sachin H. Bendkule & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondent Nos 1 & 2.</p> <p>2. Shri U.V Bhosle, learned counsel states that he has just received instructions to appear on behalf of Respondent No. 3 and he request for a day's time.</p> <p>3. Applicant prays that this Tribunal be pleased to review/set aside its own decision dated 7.7.2023 in O.A 1204/2022 and further be pleased to quash and set aside the communication dated 14.8.2023 and consequential action of Respondent in revising the recommendation list dated 4.8.2023.</p> <p>4. Learned counsel submits that both the applicants are presently working as Assistant Section Officer. Learned counsel for the applicant seeks permission to amend the Original Application by bringing the order dated 7.7.2023 in O.A 1204/2022 on record.</p> <p>5. Permission granted. Amendment to be carried out forthwith and copy served on the Respondents.</p> <p>6. We direct the Respondents not to take any action against the applicants till tomorrow.</p> <p>7. S.O to 24.8.2023.</p> <p style="text-align: right;">Sd/- <i>(Signature)</i></p> <p style="text-align: right;">Sd/- <i>(Signature)</i></p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	<u>23.08.2023</u> Tribunal's orders <u>O.A 1038/2023</u>
	<p>Smt Vandana B. Jadhav & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicants prays that this Tribunal be pleased to direct the Respondents to grant one step promotion to the applicants from the date of certificate as they were awarded Medals in National level All India Police Sports.</p> <p>3. Issue notice before admission returnable on 13.9.2023.</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 C.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 in 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 Applications shall stand dismissed."</p> <p>8. S.O to 13.9.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	23.08.2023
	<u>O.A 1025/2023</u>
	<p>Shri Hanmant A. Marnoor ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadckar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant has challenged the merit list and recommendation list dated 13.6.2023 issued by Respondent no. 1.</p> <p>3. Issue notice before admission returnable on 6.9.2023.</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 seven days or service report on affidavit in 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 Applications shall stand dismissed."</p> <p>8. S.O to 6.9.2023.</p>
	<p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>
	[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

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The State of Maharashtra and others

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.08.2023</u></p> <p style="text-align: center;"><u>O.A 420/2023</u></p> <p>Shri D.M Bhamray ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Matter is on Board. However, it is adjourned to 6.9.2023. It is called out at the instance of learned counsel for the applicant Shri Dere.</p> <p>3. Learned P.O submits on instructions from Mrs Vaishali Sule, Deputy Secretary, Medical Education and Drugs Department that some query is raised by the office of the Chief Secretary on the file and it will be resubmitted. Learned P.O, therefore, seeks time.</p> <p>4. We direct the Respondents to resubmit the file to the office of the Chief Secretary tomorrow and the matter is fixed on 25.8.2023.</p> <p>5. S.O to 25.8.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	<u>23.08.2023</u> Tribunal's orders O.A 999/2023
	<p>Dr N.K Chavan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri J.S Deshmukh, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant prays that this Tribunal be pleased to declare that he is entitled for continuation of service on the post of Medical Officer pursuant to the Maharashtra Civil Services (Pension) Amended Rules, 2022 as per clause No. IV.</p> <p>3. Issue notice before admission returnable on 6.9.2023.</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 seven days or service report on affidavit in 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 Applications shall stand dismissed."</p> <p>8. S.O to 6.9.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left; font-size: small;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

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The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2023</p> <p>O.A.No.546/2023 with O.A.No.543/2023</p> <p>N.R. Takey & OrsApplicants Vs The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, Chief Presenting Officer for the Respondents.</p> <p>2. Matters though adjourned to 06.09.2023, taken up at the request of learned Advocate Ms. Mankoji.</p> <p>3. Learned Advocate Ms. Mankoji request to continue the interim stay which was already granted.</p> <p>4. Adjourned to 06.09.2023. Interim relief, if any, to be continued till next date.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- / / / / / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.08.2023</u></p> <p><u>O.A 623, 626, 598, 599, 658, 761 & 1026/2023</u></p> <p>Dr V.N Dekate & Ors ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.A Desai, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. In view of the affidavit in reply filed by Shri Ashish Kumar Sigh, Additional Chief Secretary, Finance Department and the opinion given by the Chief Secretary, we direct the Respondents to file a short affidavit in reply on the point of SOP or the rationale behind putting the date of 31.5.2023.</p> <p>3. S.O to 24.8.2023.</p> <p style="text-align: right;">Sd/- _____</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No.

of 20

DISTRICT

..... Applicant/s

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versus

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.08.2023</u></p> <p style="text-align: center;"><u>O.A 1037/2023</u></p> <p>Shri Suryakant G. Yewale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The applicant has challenged the D.E which was initiated by charge sheet dated 22.9.2016.</p> <p>3. Learned P.O submitted on instructions that the Enquiry Officer has intimated that the enquiry will be completed within three months and thereafter the Respondents will require three months to take final decision in the matter.</p> <p>4. In view of the above, matter adjourned to 13.9.2022.</p> <p style="text-align: center;">Sd/- _____</p> <p style="text-align: center;">Sd/- _____</p> <p>(Medha Gadgil) Member (A)</p> <p style="text-align: right;">/r (Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. _____ of 20 _____ DISTRICT _____
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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>23.08.2023</u></p> <p><u>M.A 545/2023 in O.A 1071/2023</u></p> <p>Shri S.H Bendkule & Orrs ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Misc Application to sue jointly is allowed subject to payment of court fees if not already paid.</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2023</p> <p align="center">O.A. No.1026 of 2017</p> <p>C.W. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt V.K. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant sought adjournment stating that information sought under Right to Information Act is still awaited.</p> <p>3. S.O. to 12.09.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Debashish Chakrabarty) (A.P. Kurhekar) Member (A) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2023</p> <p align="center">O.A.No.385 of 2022</p> <p>S. K. Hankare & Ors.Applicants</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. Due to paucity of time, final hearing of O.A. is adjourned.</p> <p>3. Interim relief granted by the Tribunal on 05.05.2022 shall continue till further orders.</p> <p>4. S.O. to 13.09.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Debashish Chakrabarty) (A.P. Kurhekar)</p> <p align="center">Member (A) Member(J)</p> <p>vsm</p>

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2023</p> <p>O.A.No.50 of 2017</p> <p>H. S. KoliApplicant</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. On request of learned P.O., three days' time to file Affidavit in Reply along with schedule of examination conducted by the department. <i>is granted</i></p> <p>3 S.O. to 28.08.203.</p> <p>Sd/- Sd/-</p> <p>(Debashish Chakrabarty) (A.P. Kurhekar)</p> <p>Member (A) Member(J)</p> <p>vsm</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: 23.08.2023</p> <p align="center">C.A. No.63 of 2023 in O.A. No.794 of 2021</p> <p>D.F. Fernandes & Ors.Applicant 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. Learned P.O. submits that being aggrieved by the order passed by the Tribunal in O.A. No.794/2021 Government has filed Writ Petition before Hon'ble High Court today morning and it will be listed for consideration of interim relief in a day or two. He therefore requested to adjourn the matter for three days.</p> <p>3. Indeed, Writ Petition itself is filed quite belatedly. The Tribunal had granted two months time for compliance of the order to regularize the service of the Applicants but no such steps are taken for compliance of the order in reasonable time. Therefore today matter is fixed for framing charge against the Contemnor.</p> <p>4. However, in view of filing of Writ Petition we are inclined to adjourn the hearing of Contempt proceeding for three days so as to avail necessary orders from Hon'ble High Court.</p> <p>5. S.O. to 28.08.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p> <p align="left">NMN</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: 23.08.2023</p> <p align="center">C.A. No.25 of 2023 in O.A. No.996 of 2021</p> <p>S.S. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has tendered compliance of Affidavit affirmed by Shri Rahul A. Rekhawar, Collector Kolhapur along with order of taking the Applicants name in waiting list for Compassionate Appointment. In Affidavit Contemnor also tendered unconditional apology for the delay. It appears that the order of the Tribunal is complied with subject to result of Writ Petition No.7649 of 2023 filed by Government against the order of the Tribunal.</p> <p>3. In view of above, learned Advocate for the Applicant requested to dispose of C.A. since grievance is redressed.</p> <p>4. Contempt Proceeding is therefore disposed of with no order as to costs.</p> <p align="center">Sd/-</p> <p align="center">(Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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	<p>Date: 23.08.2023</p> <p style="text-align: center;">C.A. No.32 of 2023 in O.A. No.496 of 2020</p> <p>A.B. Baviskar & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri V.K. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the Contemnors are taking steps for the compliance of the order and proposal is forwarded to the Government since approval is necessary. Now proposal is pending at the level of Government.</p> <p>3. Thus it appears that Contemnors are taking necessary steps for the compliance of the order of the Tribunal. We are therefore inclined to grant two weeks time of the Contemnor to pursue the matter that the Government and to produce order by next date.</p> <p>4. S.O. to 07.09.2023.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Debashish Chakrabarty) Member (A)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(A.P. Kurhekar) Member (J)</p> </div> </div> <p style="margin-top: 20px;">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
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(Advocate

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2023</p> <p align="center">C. A. No.2 of 2023 in O.A.No.476 of 2022</p> <p>Dr. A. M. KadhikhayeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos.1 and 2 and Shri D. K. Lokhande, learned Counsel for Respondent No.3.</p> <p>2. Today, Shri Lokhande, learned Counsel for the Respondent No.3 has tendered order dated 22.08.2023 issued by Joint Director whereby interest on delayed payment amounting to Rs.2,14,021/- is sanctioned.</p> <p>3. Thus, the grievance of the Applicant for grant of interest is redressed and C.A. is required to be disposed of..</p> <p>4. C.A. is disposed of with directions to Respondent to ensure that the payment is released as per order dated 22.08.2023 within two weeks from today.</p> <p>5. No order as to costs.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member(J)</p> <p align="center">vsm</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

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O.A. No.784 of 2023

R.T. Shinde ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for Respondent No.1 and Shri H. Bali, learned Advocate for Respondent No.2.

2. Replies of respondent no.1 are already filed.
3. Respondent no.2 is directed to file reply and remain present.
4. S.O. to 30.8.2023.

Sd/-
(Medha/Gadgil)
Member (A)
23.8.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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O.A. No.897 of 2023

Dr. A.R. Phadnis ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for Respondent No.1 and Shri V.P. Potbhare holding for Shri S.B. Gaikwad, learned Advocate for Respondent No.2.

2. Reply is already filed.
3. Admit.
4. S.O. to 28.8.2023 for final hearing.

Sd/-
(Medha Gadgil)
Member (A)
23.8.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p style="text-align: center;"><u>O.A. No.870 of 2023</u></p> <p>S.S. Umap ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <ol style="list-style-type: none">2. Ld. PO files reply of respondent.3. Admit.4. S.O. to 6.9.2023 for final hearing. <p style="text-align: right;">Sd/- (Medha^oGadgil) Member (A) 23.8.2023</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.869 of 2023</u></p> <p>Dr. P.B. Yeotikar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <ol style="list-style-type: none">2. Ld. PO files reply.3. Admit.4. S.O. to 1.9.2023 for final hearing. <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 23.8.2023</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.702 of 2023</u></p> <p>M.B. Chougule ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 6.9.2023. Interim relief to continue.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 23.8.2023</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.767 of 2023</u></p> <p>S.S. Sawant ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <ol style="list-style-type: none">2. Ld. PO files reply on behalf of respondent.3. Admit.4. S.O. to 6.9.2023 for final hearing. <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 23.8.2023</p> <p>(sgj)</p>

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IN

Original Application No. of 20

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O.A. No.719 of 2023

R.K. Salunke ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. PO files reply on behalf of respondent.
3. Admit.
4. S.O. to 6.9.2023 for final hearing. Interim relief to continue.

Sd/-
(Medha Gadgil)
Member (A)
23.8.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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O.A. No.656 of 2023

D.S. Shelar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Ld. PO files reply on behalf of respondent no.3.
3. Admit.
4. S.O. to 6.9.2023 for final hearing.

Sd/-
(Medhā Gadgīl)
Member (A)
23.8.2023

(sgj)

**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 style="text-align: center;"><u>O.A. No.935 of 2023</u></p> <p>K.B. Khedkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that reply will be filed during the course of the day.</p> <p>3. Admit.</p> <p>4. S.O. to 1.9.2023 for final hearing. HOB.</p> <p style="text-align: right;">Sd/- (Medhã Gadgãl) Member (A) 23.8.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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O.A. No.1260 of 2022

V.N. Thasale ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents No.1 to 3. None for Respondent No.4.

2. Replies and rejoinder are filed.
3. Admit.
4. S.O. to 6.9.2023 for final hearing.

Sd/-

(Medha Gadgil)
Member (A)
23.8.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A. No.290 of 2023 in O.A. No.1260 of 2022

V.N. Thasale ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents No.1 to 3. None for Respondent No.4.

2. Ld. Advocate for the applicant prays that the delay of 6 years in filing the OA may be condoned. He further submits that he had made representation dated 9.3.2020 and the same was rejected on 21.3.2022. He therefore prays that the period of limitation should be counted from 21.3.2022.

3. Ld. PO states that earlier representation made by the applicant was rejected by Govt. and the same was communicated on 10.4.2015. She states that representation filed on 9.3.2020 has been rejected merely repeating the same order dated 10.4.2015.

4. However, for the reasons given in the MA and in the facts and circumstances of the case and in the interest of justice, the delay is condoned. MA is allowed.

5. OA is adjourned to 6.9.2023.

Sd/-

(Medha Gadgil)
Member (A)
23.8.2023

(sgj)

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.1042 of 2023</u></p> <p>E.D. Mahadik ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri B.A. Bandiwadekar, 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 30.8.2023. The respondents are directed to file reply. Ld. PO to verify whether applicant has been given provisional pension.</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: right;">Sd/- (Medha Gadgil) Member (A) 23.8.2023</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.770 of 2023</u></p> <p>R.S. Wadkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <ol style="list-style-type: none">2. Reply and rejoinder are filed.3. Admit.4. S.O. to 1.9.2023 for final hearing. <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 23.8.2023</p> <p>(sgj)</p>

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	<p>Date: 23.08.2023</p> <p align="center">C.A. No.42 of 2021 in O.A. No.678 of 2020 to O.A. No.680 of 2020</p> <p>S.S. MujawarApplicant 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. Learned Advocate for the Applicant requested to adjourn the matter to 30.08.2023 since Writ Petition filed against the order passed by the Tribunal is adjourned to 30.08.2023. According to him Hon'ble High Court continued interim relief till 30.08.2023.</p> <p>3. In view of above, hearing of C.A. is adjourned.</p> <p>4. S.O. to 06.09.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">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: 23.08.2023</p> <p>O.A. No.1024 of 2022 with O.A. No.763 of 2022 with O.A. No.1053 of 2022 with C.A. No.08 of 2021 in O.A. No.848 of 2018 with M.A. No.344 of 2020 with O.A. No.36 of 2021 (A'Bad)</p> <p>Y.A. Ahire & Ors., R.L. Patil & Ors., M.L. Pawar R.S. Salunkhe & Ors. R.A. Mali & Anr.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant in O.A. No.1024/22 & 1053/22, Shri M.D. Lonkar, learned Advocate for the Applicant in O.A. No.763/22 & 36/21 (A'bad), Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri Ansari R. Ahmed, learned Advocate holding for Shri A.A. Gharte, learned Advocate for the Applicant in C.A. No.08/21 and in O.A. No.763/2022 for Respondent Nos.8 to 13.</p> <p>2. Perusal of record reveals that except in O.A. No.1024/2022 in all other O.As. Reply is already filed by the Government. On previous two dates last chance was granted to file Affidavit-in-Reply in O.A. No.1024/2022 but the same is not filed. Since, enough time is granted we are not inclined to grant more time to file Affidavit-in-Reply in O.A. No.1024/22 and the O.A. No.1024/22 shall proceed without Affidavit-in-Reply.</p> <p>3. All these O.As are admitted for Final Hearing.</p> <p>4. S.O. to 04.09.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J) [P.T.O.]</p> <p>NMN</p>

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	<p>Date: 23.08.2023</p> <p align="center">O.A. No.271 of 2017</p> <p>M.R. DeshmukhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing, learned Advocate for the Applicant submits that matter is still pending before Hon'ble Supreme Court in which stay is granted in favour of some persons who are likely to be affected by the decision in this O.A. and it has bearing over the issue involved in the present matter.</p> <p>3. S.O. to 20.09.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 23.08.2023</p> <p align="center">O.A. No.35 of 2017</p> <p>S.A. AdakeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant adjourned for Final Hearing.</p> <p>3. S.O. to 21.09.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Debashish Chakrabarty) (A.P. Kurhekar) Member (A) Member (J)</p> <p>NMN</p>

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	<p>Date: 23.08.2023</p> <p align="center">O.A. No.355 of 2018</p> <p>J.M. ShaikhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Due to paucity of time and today being last working date of Division Bench it is not possible to take hearing of matter.</p> <p>3. S.O. to 04.09.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 23.08.2023</p> <p align="center">O.A. No.985 of 2017</p> <p>M.N. PastapureApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. Learned P.O. sought time to take out the copies of O.A. since her brief is missing. S.O. to 26.09.2023 for Final Hearing. <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 23.08.2023</p> <p align="center">O.A. No.760 of 2017</p> <p>S.R. YadavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present. Today matter is for filing Rejoinder by the Applicant but the same is not filed. Since pleading is complete, Admit for Final Hearing. S.O. to 25.09.2023. <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Debashish Chakraborty) (A.P. Kurhekar) Member (A) Member (J)</p> <p>NMN</p>

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	<p>Date: 23.08.2023</p> <p align="center">C.A. No.82 of 2023 in O.A. No.44 of 2023</p> <p>P.B. SureApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Jr. Advocate, holding for Shri R.G. Panchal, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has filed this Contempt Application for taking action against the Contemnor for disobedience of the order passed by the Tribunal on 11.07.2023 in O.A. No.44 of 2023.</p> <p>3. Issue notice to the Respondents – Contemnor.</p> <p>4. S.O. to 08.09.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Debashish Chakrabarty) (A.P. Kurhekar) Member (A) Member (J)</p> <p>NMN</p>

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	<p>Date: 23.08.2023</p> <p align="center">C.A. No.52 of 2022 in O.A. No.52 of 2021</p> <p>A.D. NaganeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. In view of stay order passed by the Hon'ble High Court on 19.10.2022 passed in Writ Petition No.11994/2022, hearing of C.A. is adjourned.</p> <p>3. S.O. to 27.09.2023.</p> <p align="center">Sd/-</p> <p align="center">(Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>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: 23.08.2023</p> <p>C.A. No.73 of 2023 in O.A. No.733 of 2022</p> <p>R.H. ArsidhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Applicant and his Advocate both are absent.2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.3. In view of stay to the order passed by the Tribunal by Hon'ble High Court in Writ Petition No.9098/2023.4. Hearing of Contempt proceeding is adjourned for two weeks.5. S.O. to 07.09.2023. <p>Sd/- Sd/- (Debashish Chakrabarty) (A.P. Kurhekar) Member (A) 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>Date: 23.08.2023</p> <p style="text-align: center;">M.A. No.511 of 2023 in O.A. No.309 of 2022</p> <p>Dr. V.S. AbnaveApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. By proposed amendment the Applicant seeks to challenge Clause No.2 & 7 of notification dated 02.02.2009, so as to claim service benefit of Ad-hoc service rendered by him. In O.A. Respondents – Government has not yet filed Affidavit-in-Reply. Thus proposed amendment appears necessary for adjudication of issue involved in the matter finally.</p> <p>3. In view of above, amendment is allowed, it be incorporated immediately.</p> <p>4. Two weeks time is granted to the Government to file Reply to the O.A. inclusive amendment made today. M.A. is accordingly disposed of with no order as to costs.</p> <p>5. O.A. is adjourned to 06.09.2023.</p> <p style="text-align: center;">Sd/- Sd/- (Debashish Chakraborty) (A.P. Kurhekar) Member (A) Member (J)</p> <p style="text-align: center;">NMN</p> <p style="text-align: right;">[P.T.O.]</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: 23.08.2023</p> <p align="center">O.A. No.368 of 2017</p> <p>R.H. AangreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted lastly to produce the copies of deposition of witnesses recorded in D.E. for the perusal of Tribunal.</p> <p>3. S.O. to 07.09.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">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: 23.08.2023</p> <p align="center">O.A. No.397 of 2017</p> <p>A.N. ShirsatApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant requested for adjournment for taking instruction from the Applicant.</p> <p>3. S.O. to 11.09.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">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: 23.08.2023</p> <p align="center">O.A. No.398 of 2017</p> <p>H.B. Desai & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant requested for adjournment for taking instruction from the Applicant.</p> <p>3. S.O. to 11.09.2023.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (A.P. Kurhekar) Member (A) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 23.08.2023
	<p align="center">T.A.No.10/2018 (A'Bad) (W.P.No.1439/2018) (through video-conferencing)</p> <p>N.T. Rakh & Ors.Applicants Vs The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Thombre, learned Advocate for the Applicants and Mr. M.S. Mahajan, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate has submitted that out of three Applicants, with regard to Applicants No.1 and 2, M.P.S.C. has taken decision that their names are to be recommended. Hence, the grievance of the Applicants No.1 and 2 is redressed. However, now the O.A. is only in respect of Applicant No.3, Shankar Jagannath Khedkar.</p> <p>3. Applicant aspiring to become Police Inspector in the Sports category has applied in the recruitment process pursuant to advertisement dated 26.04.2017. Learned Advocate has submitted that the Applicant was holding the sports certificate. The said certificate was validated on 29.04.2017. Applicant was interviewed on 28.12.2018. Learned Advocate relies on the validity certificate dated 29.04.2017 (page 93) issued by the Deputy Director, Sports & Youth Services, Pune Region, Pune in favour of the Applicant in respect of his performance in softball.</p> <p>4. Learned Advocate Mr. Thombre has filed Writ Petition No.1439/2018 before the Hon'ble High Court. Hon'ble High Court has passed order dated 23.04.2021 in Writ Petition No.3105/2020. Learned Advocate Mr. Thombre has submitted that by order of the Hon'ble High Court the Applicant was sent for training and on 05.08.2023 he has completed his training. Now the Applicant is waiting for his posting.</p> <p>5. Learned C.P.O. has submitted that the interview was held on 28.12.2018. However, at the relevant time applicant could not produce any sports validity certificate so his name was not considered. The result was declared and entire process of recruitment was over. On 18.03.2019 select list was published and one post was kept vacant. The interim relief in this matter was passed</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>on 20.11.2018 to keep one post vacant. Learned C.P.O. while opposing this O.A. has submitted that the Applicant did not produce his validation certificate till the date of the interview and therefore in the list of selected candidates his name was not mentioned and he was not recommended. Hence, this application is to be dismissed.</p> <p>6. Considered the submissions and especially chronology of the incidents. Pursuant to the advertisement the Respondent has given specific directions in respect of production of validity of sports certificate which reads as follows :</p> <p>“२. अर्जात प्राविण्यप्राप्त (गुणव-ताधारक) खेळाडूचा दावा केलेल्या उमेदवारांनी, शालेय शिक्षण व क्रीडा विभागाच्या दिनांक १ जुलै, २०१६ रोजीच्या शासन निर्णयानुसार व त्यास अनुसरून प्रसिध्द करण्यात आलेल्या दिनांक १८ ऑगस्ट २०१६ रोजीच्या शुध्दीपत्रकातील तरतूदीनुसार आणि तदनंतर शासनाने या संदर्भात वेळोवेळी निर्गमित केलेल्या आदेशानुसार विषयांकित गट-ब पदासाठी निश्चित केलेली क्रीडा विषयक अर्हता धारण करीत असल्याबाबत, पूर्व परीक्षेचा अर्ज सादर करण्याचा अंतिम दिनांकाचे म्हणजेच दिनांक १६ मे, २०१७ रोजीचे किंवा तत्पूर्वीचे क्रीडा प्रमाणपत्र तसेच याच दिनांकाचा किंवा तत्पूर्वीचा विभागीय क्रीडा उपसंचालकांचा, क्रीडा प्रमाणपत्र पडताळणीबाबतचा अहवाल नियुक्तीपूर्वी सादर करणे अनिवार्य राहिल ”</p> <p>Thus the directions disclose that the validity of the sports certificate should be before 16.05.2017 and the Applicant has secured the validity in April, 2016. Thus, Sr. No.2 of the said note states that as per corrigendum dated 18.08.2016 the validation certificate should be on or before 16.05.2017 and it is to be produced before the appointment i.e. “नियुक्तीपूर्वी”. On query it is found that the State has no explanation or any other interpretation of this note. Thus, as the applicant was holding the validation certificate before 16.05.2017 and in view that already one post is kept vacant by way of interim order and he has also completed training pursuant to the order of the Hon'ble High Court, hence, the Applicant is entitled for appointment and posting. However, Applicant is directed to produce the validation certificate and it is to be taken on record before issuing the order of his appointment.</p> <p>7. In view of above. O.A. stands allowed.</p> <p style="text-align: center;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>