

**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"><u>M.A. No.114 of 2021 in O.A. No.982 of 2019</u></p> <p>R.K. Bhosale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Perused the affidavit in reply dated 13.9.2021 filed by Shri Vishnudas Pundlikrao Ghodke, Deputy Secretary, Social Justice and Special Assistance Department, Mantralaya, Mumbai.</p> <p>3. In para 4.1 of the reply the officer has stated that memo was issued on 20.4.2015 for misconduct of appointment of Teachers and Non-Teaching staff in aided Ashram School, Solapur. But Enquiry Officer was appointed on 13.9.2019. After two years on 13.9.2021 when the affidavit is filed the officer has mentioned that report of the enquiry officer is yet to be received. Therefore, we would like to know up to 13.9.2021 what was the status of the enquiry. We have also noted that this Tribunal has stayed the said enquiry thereafter on 5.10.2021.</p> <p>4. Secondly it is mentioned in para 4.2 of the reply that FIR was registered against the applicant under CR No.50 of 2009 under Representation of the People Act, 1951 in Tuljapur Police Station, Osmanabad on 3.10.2009. Further, it is mentioned that applicant is convicted for violation of Section 134(1)(3) of the Representation of the People Act, 1951 by the JMFC, Tuljapur who imposed punishment of fine of Rs.500/- on 9.11.2016. It is mentioned that second DE against the applicant for said misconduct that he did not attend the meetings was initiated and applicant is found guilty for the same. Proposal for final punishment is submitted for approval before competent authority.</p>

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	<p>5. We call upon the Ld. PO to give the details about the date of issuance of memo, when the DE was initiated and when the report was submitted for punishment.</p> <p>6. Thirdly, in para 4.3 the officer has stated that third DE against the applicant was initiated due to his absenteeism and he is found guilty in the said enquiry and proposal for punishment is pending for approval.</p> <p>7. We call upon the Ld. PO to give details of this third enquiry when the memo was issued and enquiry was initiated and who is the enquiry officer and when the report was submitted.</p> <p>8. S.O. to 30.11.2021.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>23.11.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>23.11.2021</p> </div> </div>

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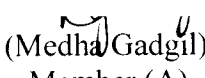
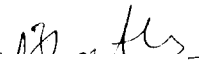
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	<p style="text-align: center;"><u>MA.244/19 in OA.1080/18 &12 Ors.</u></p> <p>A.S. Kharbude (MA.244/19 in OA.1080/18) A.J. Shinde (MA.245/19 in OA.1081/18) D.P. Salunkhe (MA.246/19 in OA.1082/18) V.V. Shivade (MA.247/19 in OA.1083/18) P.K. Patil (MA.248/19 in OA.1098/18) H.I. Shaikh (MA.249/19 in OA.1099/18) N.S. Tathavadekar (MA.250/19 in OA.1100/18) R.N. Deshpande (MA.251/19 in OA.1101/18) B.K. Naik (MA.252/19 in OA.1103/18) M.R. Kelkar (MA.253/19 in OA.1104/18) M.P. Khair (MA.254/19 in OA.1105/18) D.B. Misal (MA.255/19 in OA.1106/18) A.V. Mahindrakar (MA.256/19 in OA.1107/18)</p> <p style="text-align: right;">..Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants submits that today she wants to file rejoinder as new points have come up in additional affidavit in reply filed by the State. Copy will be furnished to the Ld. PO.</p> <p>3. S.O. to 30.11.2021.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-</p> <p> (Medha Gadgil) Member (A) 23.11.2021</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula Bhatkar, J.) Chairperson 23.11.2021</p> </div> </div> <p>(sgj)</p>

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	<p align="center"><u>C.A. No.16 of 2018 in O.A. No.670 of 2016</u></p> <p>Dr. C.G. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and his Advocate both are absent. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time.</p> <p>3. S.O. to 4.1.2022.</p> <p align="center">Sd/- _____</p> <p align="center">Sd/- _____</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) / Chairperson 23.11.2021 / 23.11.2021</p> <p>(sgj)</p>

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	<p>Date : 23.11.2021</p> <p align="center">O.A.No. 651 of 2021</p> <p>Dr. S. S. ShintreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Asawari Ghatge holding for Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Today, the matter is for filing Rejoinder but the same is not filed. 3. I am not inclined to grant further time to file Rejoinder. 4. O.A. be kept for hearing at the stage of admission. 5. Interim relief to continue till next date. 6. S.O. to 14.12.2021. <p align="right">Sd/- (A.P. Kurhekar) 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 : 23.11.2021</p> <p align="center">O.A.No.711 of 2019</p> <p>M.N. GaikwadApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. requested for time to file counter affidavit. Indeed, by order dated 21.10.201 two weeks time was already granted to file counter affidavit and the matter was adjourned to 16.11.2021. However, no counter affidavit is filed on 16.11.2021 and the matter was, therefore, adjourned for hearing at the stage of admission today.</p> <p>3. Today, again learned P.O. requested for time. Since already enough time is granted and the Respondents are not serious in filing counter affidavit, I am not inclined to grant further time.</p> <p>4. Learned P.O. however requested for adjournment till tomorrow for hearing.</p> <p>5. S.O. to 24.11.2021 for hearing at the stage of admission.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.11.2021</p> <p style="text-align: center;">O.A.No.739 of 2020</p> <p>S.S. ShelkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt., Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant is serving as PI and has completed five years tenure in Mumbai Police Commissionerate. He sought request transfer to Satara on the ground that his wife is already serving at Karad, Dist. Satara in terms of Circular dated 27.11.1997. 3. Today, learned Counsel for the Applicant has tendered one letter dated 21.06.2021 along with chart which shows that during pendency of O.A., the Respondent – Director General & Inspector General of Police has considered request transfer of the Applicant but has not passed transfer order due to pendency of this O.A.. In chart, the proposed transfer is shown at Kolhapur. Letter dated 21.06.2021 is taken on record and marked as letter 'X'. 4. Learned Counsel for the Applicant submits that his client is ready to go to Kolhapur. If the Respondent has accepted the request of the Applicant for transfer to Kolhapur which is acceptable to the Applicant then pendency of this O.A. should not come in the way of issuance of transfer. 5. Learned P.O. requested for adjournment till tomorrow to take instructions from Respondents about issuance of posting order to Kolhapur. 6. S.O. to 24.11.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.11.2021</p> <p align="center">O.A.No.724 of 2020</p> <p>M. B. JadhavApplicant</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. Today, learned P.O. has filed affidavit in sur-rejoinder on behalf of the Respondent No.1. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 06.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.11.2021</p> <p align="center">O.A.No.797 of 2021</p> <p>Smt. Rekha V. SolankheApplicant</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 for Smt., Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. requested for two weeks time to file reply on behalf of the Respondent No.2 - the Divisional Commissioner who is recently joined as a Respondent in present O.A. by order dated 21.10.2021.</p> <p>3. Two weeks time is granted for filing reply on behalf of the Respondent No.2.</p> <p>4. S.O. to 07.12.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.11.2021</p> <p align="center">O.A.No.350 of 2020</p> <p>Dr. Shaikh M.A.S.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, learned C.P.O. has filed affidavit in sur-rejoinder on behalf of the Respondent No.2. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 16.12.2021.</p> <p align="right">Sd/- ↓ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date : 23.11.2021</p> <p align="center">O.A.No.711 of 2021</p> <p>D.R. FartadeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Today, learned P.O. files affidavit-in-reply on behalf of Respondent No.2.</p> <p>3. The learned Advocate for the Applicant submits that the reply of Respondent No.3 is more relevant as it is the contesting party.</p> <p>4. If reply is not filed by Respondent No.3 on or before next date, matter will proceed without reply.</p> <p>5. Adjourned to 18.01.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.11.2021</p> <p align="center">O.A.No.770 of 2020</p> <p>R.R. KalaskarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Reply and rejoinder is filed.</p> <p>3. Three weeks time granted at the request of learned P.O. to file sur-rejoinder.</p> <p>4. Adjourned to 15.12.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.11.2021</p> <p>O.A.No.364 of 2020</p> <p>R.D. KandekarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. By way of last chance, one week time is granted to learned P.O. to file affidavit-in-reply. If reply is not filed costs of Rs.100/- will be imposed.</p> <p>3. Adjourned to 07.12.2021.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.11.2021</p> <p align="center">O.A.No.87 of 2018</p> <p>A.M. VasmaniApplicant 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, learned Presenting Officer for the Respondents</p> <p>2. Affidavit-in-reply is already filed. Admit and adjourned to 18.01.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.11.2021</p> <p align="center">O.A.No.315 of 2021</p> <p>V.V. Pote & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Pursuant to the order dated 01.07.2021 affidavit-in-reply is filed by learned P.O. today.</p> <p>3. At the request of learned Advocate two weeks time is granted for filing rejoinder.</p> <p>4. Adjourned to 07.12.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 23.11.2021</p> <p align="center">O.A.No.351 of 2021 with O.A.No.663 of 2020</p> <p>U.S. Koli (O.A.351/2021) R.S. Yadav (O.A.663/2020)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant in O.A.No.351/2021, Mr. K.R. Jagdale, learned Advocate for the Applicant in O.A.No.663/2020 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In O.A.No.663/2020, interim relief to continue till next date.</p> <p>3. Adjourned to 15.12.2021.</p> <p align="center">Sd/- (Medha/Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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
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	<p><u>23.11.2021</u></p> <p align="center"><u>M.A 64/2021 with O.A 126/2021</u></p> <p>Shri V.P Vhanmane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Amar Bodke, i/b Shri M.V Thorat, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. During the course of the arguments, it is found that the applicant has not made representation to the Commissioner of Police, Pune and the same fact is mentioned in the affidavit in reply filed by Respondent no. 1.</p> <p>3. Hence, we direct the applicant to approach the Commissioner of Police, Pune, by making proper representation relying on the judgment of this Tribunal dated 25.2.2020 in O.A 309/2015 & Ors.</p> <p>4. Applicant is directed to submit his representation to the Commissioner of Police, Pune before 26.11.2021 and thereafter, we hope that the Commissioner of Police, Pune will decide the same on or before 20.12.2021.</p> <p>5. With the above directions, both Misc Application as well Original Application stands disposed of.</p> <p align="center">Sd/- (Medha Gadgil) Member (J) Akn</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p>


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	<p align="center"><u>23.11.2021</u></p> <p align="center"><u>O.A 756 with O.A 755/2020</u></p> <p>M.R Sawant & Ors [O.A 756/2020] A.P Sonawane & Ors [O.A 755/2020]... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The Respondent-State to produce copy of Petition, along with Exh. A collectively with Exh. C-13 of the said Complaint of the Industrial Court in Complaint No. 240/1996 or 288/1996, Sarva Mazdoor Sangh Vs. Superintendent, J.J Hospital, Byculla. Further Respondent-State to produce the order of the Industrial Court dated 29.7.2003 in the said complaint and whether it was challenged before any authority and produce record of the same on 7.12.2021.</p> <p>3. S.O to 7.12.2021 at 12.30.</p> <p align="right">  Sd/- (Mridula Bhatkar, J.) Chairperson </p> <p>Akn</p>

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	<p>Date: 23.11.2021</p> <p align="center">O.A. No.826 of 2021 with O.A. No.828 of 2021</p> <p>T.M. Rathod A.K. ChausApplicant 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. In these O.As. the Applicants are seeking direction to Respondent to relieve them so as to join promotional post by virtue of promotion order issued by Respondent No.2 – Director General of Police on 28.04.2021 whereby 539 Police Personnel were promoted to the post of A.P.I. temporarily promoted in one go.</p> <p>3. Later Respondent No.2 himself by order dated 29.06.2021 directed the concerned police station that the Applicant should not be relieved to join promotional post since it was transpired that they were subjected to punishment in departmental proceeding.</p> <p>4. Thus apparently while issuing promotional order care was not taken to see as to whether the Applicant were subjected to any punishment or departmental proceeding which infact ought to have been seen and verified by D.P.C. as well as Director General of Police before issuance of promotional order. Thus it appears that promotional order were issued in very casual manner without verifying the service record and fitness for promotion.</p> <p align="right">[P.T.O.]</p>

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5. It is thus strange to note that promotional orders were issued without verifying service record and it is only after issuance of promotional order they were asked to continue on the same post held before the promotion.

6. Respondent No.2 – Director General of Police is therefore directed to explain the situation as to how promotion orders were issued without verifying service record. Respondent No.2 is therefore directed to file Affidavit-in-Reply by next date. D.P.C. minutes be also Annexed to the Affidavit.

7. Copy of this order be sent to Director General of Police for compliance.

8. S.O. to 30.11.2021.

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

NMN

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 : 23.11.2021</p> <p style="text-align: center;">O.A.No.667 of 2019</p> <p>R. L. TayadeApplicant Versus 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. The Applicant's father was Head Constable died in harness on 23.09.2008. After the death of father, the Applicant applied for appointment on the post of Police Constable under the scheme of appointment on compassionate ground and his name was taken in the waiting list. Later, the Respondent No.1 had issued advertisement dated 16.12.2015 to fill in the post of ASI (Radio Mechanic) Group-C post. The Applicant is holding qualification of B.E., M.Tech in Electronics and Tele Communication. In advertisement dated 16.12.2015, ten posts were reserved specifically for appointment on compassionate ground Therefore, he again applied through S.P. Buldhana on whose establishment his father was serving which was forwarded to Respondent No.1 – Additional Director General of Police and Director Police (Wireless), Pune.</p> <p>4. Strangely, the Respondent No.1 by order dated 12.01.2016 rejected the Applicant's claim for the post of ASI stating that for the said post qualification required is diploma in Electronics and Tele Communication and since the Applicant is having higher qualification, he is not eligible to appointment. The Applicant has, therefore, challenged communication dated 12.01.2016 by filing O.A.762/2017 before the Nagpur Bench of this Tribunal wherein the Tribunal has set aside the communication dated 12.02.2016 and directed the Respondents to decide the case on merits within a month from the date of order.</p>

[P.T.O.]

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

Tribunal's orders

5. However, no order was passed as directed by the Tribunal. On the contrary, the Respondent No.1 by impugned communication dated 21.07.2018 asked the Applicant to contact S.P. Buldhana in the matter of appointment on compassionate ground which is challenged in the present O.A.

6. As rightly pointed out by learned Counsel for the Applicant that higher qualification cannot be treated as disqualification. The basic qualification required for the post was diploma in Electronics & Tele Communication whereas Applicant is B.E., M.Tech in Electronics & Tele Communication itself. It is on this background, the Nagpur Bench quashed and set aside the communication dated 12.01.2016 whereby appointment was denied.

7. This matter was heard partly on yesterday and having found that the stand taken by the Respondents that because of higher qualification, the Applicant is not entitled to appointment is totally contrary in law.

6. Learned P.O. was directed to take instructions from the Respondent No.1 as to how he is denying appointment to the Applicant.

7. Today, learned P.O. on instructions fairly submits that presently six posts are vacant and the Applicant will be appointed on the post of ASI (Radio Mechanic) subject to further eligibility in terms of the rules.

8. In view of the statement made by learned P.O. on instructions from Shri Dhananjay S. Ingle, PI, Wireless, Pune (Railway), O.A. is disposed of with direction to Respondent No.1 to issue appointment order subject to fulfillment of rules within two weeks from today.

9. It is hereby made clear that higher education possessed by Applicant should not come in his way since his higher qualification presupposes acquisition of lower qualification prescribed for the post.

10. No order as to cost.

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


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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.11.2021</p> <p align="center">O.A.Nos.786, 787 & 788 of 2021</p> <p>J. B. Jadhav & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicants and Shri A. J. Chougule and Smt. Archana B. K., learned Presenting Officers for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is lastly granted for filing reply.</p> <p>3. S.O. to 07.12.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 : 23.11.2021</p> <p align="center">O.A.No.822 of 2021</p> <p>R. N. RathodApplicant</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 for Smt., Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply.</p> <p>3. S.O. to 07.12.2021.</p> <p align="right">Sd/- ~ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.11.2021</p> <p align="center">O.A.No.812 of 2021</p> <p>P. G. Soude ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 08.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.11.2021</p> <p align="center">O.A.No.797 of 2021</p> <p>B. D. JadhavApplicant</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. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., three weeks time is granted for filing reply.</p> <p>3. S.O. to 14.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) 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 : 23.11.2021</p> <p align="center">O.A.No.522 of 2021</p> <p>V.V. TamhankarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that Rejoinder will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. Since the pleading is complete, it is admitted for final hearing.</p> <p>4. S.O. to 15.12.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.11.2021</p> <p align="center">O.A.No.654 of 2021</p> <p>S. R. SheteApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Asawari Ghate holding for Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted for filing reply as a last chance.</p> <p>3. S.O. to 30.11.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.11.2021</p> <p align="center">O.A.No.669 of 2021</p> <p>P. P. GiriApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</p> <p>3. S.O. to 08.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.11.2021</p> <p align="center">O.A.No.752 of 2021</p> <p>R. J. BhosaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.2. It is taken on record.</p> <p>3. No separate reply is filed on behalf of the Respondent No.1.</p> <p>4. On request of learned Counsel for the Applicant, two week time is granted for filing Rejoinder.</p> <p>5. S.O. to 07.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) 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 : 23.11.2021</p> <p>O.A.No. 765 of 2021</p> <p>R. F. KhairnarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., three days time is granted for filing reply.</p> <p>3. S.O. to 30.11.2021.</p> <p>Sd/- (A.P. Kurhekar) 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 : 23.11.2021</p> <p>O.A.No. 766 of 2021</p> <p>S. A. AnantkawalasApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply.</p> <p>3. S.O. to 07.12.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.11.2021</p> <p align="center">O.A.No.921 of 2021</p> <p>R. P. MhaskarApplicant</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. The Applicant has challenged the order of punishment imposed in D.E. without filing appeal before the Appellate Authority.</p> <p>3. Learned Counsel for the Applicant requested for time to show how the O.A. is maintainable without filing appeal.</p> <p>4. S.O. to 29.11.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Tribunal's orders

Date : 23.11.2021

O.A.No.913 of 2021

R. M. MahajanApplicant

Versus

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

1. Heard Ms Asawari Ghate holding for Smt.Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. The Applicant has challenged the communication dated 08.10.2020 whereby the Applicant was informed by the Government that decision about the revision of pay in terms of 7th pay recommendations will be taken only after completion of D.E. pending against him.

3. Perusal of record reveals that the Applicant was suspended by the Government by order dated 02.05.2018 and later by order dated 22.01.2020 he was reinstated in service. In the meantime, he was served with the charge sheet dated 14.08.2019. The D.E. seems to be pending against him.

4. It is not understandable how the benefits of revision of pay in terms of 7th Pay recommendation which are made applicable to Government servant w.e.f. 01.01.2016 can be kept in abeyance on the ground of pendency of D.E. Thus, *prima-facie* the order dated 08.10.2020 is unsustainable in law since the Applicant will be entitled to full pay and allowances till he is held guilty in D.E.

5. Insofar as the Note No.2 referred in impugned order is concerned, it says that a Government servant under suspension shall continue to draw subsistence allowance based on said pay structure and his pay in the revised pay structure shall be subjected to final order at the pending disciplinary proceeding.

6. Whereas in the present case, the suspension is already revoked and Applicant is reinstated in service. Therefore, Note No.2 *prima-facie* not attracted.

7. Learned P.O. is therefore directed to apprise the Tribunal how impugned communication dated 08.10.2020 is correct so that O.A. can be disposed of expeditiously.

8. S.O. to 25.11.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p style="text-align: center;">Date: 11.10.2021</p> <p style="text-align: center;">Tribunal's orders</p> <p style="text-align: center;">O.A. No.686 of 2019 to O.A. No.690 of 2019 with O.A. No.693 of 2019 with M.A. No.371 of 2019 with O.A. No.695 of 2019 with M.A. No.373 of 2019 with O.A. No.750 of 2019 with M.A. No.405 of 2019 with O.A. No.752 of 2019 with M.A. No.406 of 2019 with O.A. No.584 of 2019 with O.A. No.585 of 2019</p> <p>S.U. Shinde D.K. Sudrik M.J. Palande P.K. Kadekar H.R. More D.T. Desai W.J. Godse B.R. Londhe A.P. Marathe S.B. Malusare M.M. SakoreApplicant</p> <p style="text-align: center;">Versus</p> <p style="text-align: center;">The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate Shri V.V. Joshi both are absent. 2. Shri A.J. Chougule, learned P.O. for the Respondent is present. 3. In view of leave note of learned Advocate Shri V.V. Joshi adjourned for Final Hearing. 4. Learned Advocate Ms. Savita Suryawanshi who is present before Tribunal and on last date represented Advocate Shri V.V. Joshi is asked to take instruction from Advocate Shri V.V. Joshi so that these matters can be heard without further delay. All these matter are adjourned for more than one year in view of leave note of Advocate Shri V.V. Joshi. 5. Now it is ^{high} hard time for him to make some arrangement. 6. S.O. to 15.12.2021. <p style="text-align: right; margin-top: 20px;">Sd/- (A.P. Kurhekar) Member (A.P.)</p> <p style="text-align: center; margin-top: 10px;">NMN</p>
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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.11.2021</p> <p style="text-align: center;">M.A. No.500 of 2021 in O.A.No.652 of 2021</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>Smt. Jayshree M. ...Respondent (Ori. Applicant)</p> <p>1. Heard Shri A. J. Chougule, learned Presenting Officer for the Applicants (Ori. Respondents) and Ms S. T. Suryawanshi, learned Counsel for the Respondent (Ori. Applicant).</p> <p>2. This M.A. is filed for extension of time for implementation of order passed in O.A.No.652/2021 by order dated 20.10.2021.</p> <p>3. The Tribunal by order dated 20.10.2021 allowed the O.A. quashing impugned order of transfer and directions were given to repost the Applicant on the post from which she was transferred from within two weeks from the date of order.</p> <p>4. Now, the period of one month is over and then application is made belatedly after expiration of time given by the Tribunal in the order.</p> <p>5. As such, the approach of the present Applicants (Ori. Respondents) is very casual. If there was any ground for extension, it should have been asked for before expiration of time given by the Tribunal.</p> <p>6. In view of above, I am not inclined to grant further time.</p> <p>7. M.A. is accordingly dismissed with no order as to costs.</p> <p style="text-align: right;">Sd/- [P.T.O. (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 : 23.11.2021</p> <p style="text-align: center;">O.A.No. 1227 of 2019</p> <p>H. S. KhudeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Asawari Ghate holding for Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. This O.A. was filed along with M.A.No.42/2020 which is subject to cost of Rs.5000/- by order dated 08.09.2021. The cost has been paid and delay has been condoned. 3. Present O.A. is filed challenging the order of punishment confirmed in appeal. 4. Issue notice before admission returnable on 07.12.2021. 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 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.. 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. 9. 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. 10. S.O. to 07.12.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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	<p>Date : 23.11.2021</p> <p align="center">O.A.No. 243 of 2021</p> <p>A. P. SansareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. S. Wasif, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing reply.</p> <p>3. S.O. to 07.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 23.11.2021</p> <p align="center">O.A. No.784 of 2019 with O.A. No.100 of 2021 with O.A. No.101 of 2021 with O.A. No.113 of 2021</p> <p>J.R. Kumbhar Y.K. Potekar A.Y. Sakpal V.R. RaskarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. These matters were tagged with other O.As. filed by Shri V.V. Joshi, learned Advocate who is not attending the Tribunal for more than one year and sending his leave note. Therefore these 4 O.As. are de-tagged and will be heard separately.</p> <p>3. On request of the learned Advocate for the Applicant as well as P.O. adjourned for Final Hearing as last chance.</p> <p>4. S.O. to 01.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>