

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.498 OF 2020

Smt. Reshma R. Salkar,

).. **Applicant**

Versus

The Principal Secretary & 2 Ors.

) ..**Respondents**

Shri A.V. Bandiwadekar, learned Advocate for the Applicant.

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

CORAM : SHRI A.P. KURHEKAR, HON'BLE MEMBER(J)

DATE : 23.12.2021.

ORDER

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

2. This O.A. is filed challenging communication dated 16.12.2019 issued by Government thereby informing the Applicant that her husband deceased Shri Ravikant B. Salkar who was working as Stenographer (L.G.) was in group 'B', and therefore, claim of appointment on compassionate ground is not applicable to her.

3. During the course of hearing it is transpired that focal point is whether post of Stenographer (L.G.) carrying pay scale of Rs.5500-9000 which is revised as per 6th Pay Commission in pay scale of Rs.9300-34800 (G.P. Rs.4300/-) falls in group 'C' so as to claim appointment on compassionate ground.

4. During the course of hearing, learned Advocate for the Applicant referred to the decision rendered by this Tribunal in **O.A. No.1008/2016 (Shri Abhijeet V. Mulik v/s. The District Collector), decided on 18.07.2017** in which placing reliance on the decision of **Hon'ble High Court in W.P. No.5440/2009 (Dinesh S. Sonawane v/s. The State of Maharashtra), decided on 05.02.2010** confirmed by Hon'ble Supreme Court, it has been held that the post carrying pay scale of Rs.5500-9000 falls in group 'C'.



held that the post carrying pay scale of Rs.5500-9000 falls in group 'C'. Learned Advocate for the Applicant has further pointed out that the decision of the Tribunal in **Shri Abhijeet V. Mulik's case (cited supra)** has been confirmed by **Hon'ble High Court in W.P. No.1820/2018 (The State of Maharashtra v/s. Abhijeet V. Mulik's) decided on 10.04.2018**. He has further pointed out that thereafter this Tribunal has taken same view while deciding **O.A. No.198/2016 (Shri Chetan S. Vyavahare v/s. The Director of Medical Education & Research), decided on 02.01.2019**.

5. Per Contra, learned C.P.O. referred to decision rendered by Maharashtra Administrative Tribunal, Aurangabad Bench filed in **O.A. No.934/2017 (Shri Vaibhav R. Rajput) v/s. The State of Maharashtra & Ors.), decided on 12.02.2019** in which Tribunal has taken view that post carrying pay scale of Rs.5500-9000 falls in group 'B' in reference to the G.R. dated 27.05.2016.

6. In view of this conflicting decisions of co-ordinate bench, learned C.P.O. submits that matter be referred to Division Bench to decide the issue. Whereas, learned Advocate for the Applicant opposed it *inter-alia* contending that the issue is already decided considering G.R. dated 27.05.2016, and therefore, reference to the D.B. is not warranted.

7. Thus admittedly, the Applicant's husband Stenographer (L.G.) was in pay scale of Rs. 5500-9000 in 5th Pay Commission which was subsequently revised to Rs.9300-34800 (G.P. Rs.4300/-). Material to note decision rendered by this Tribunal in **Shri Abhijeet V. Mulik's case (cited supra)** was principally based upon decision of **Hon'ble High Court in Shri Dinesh S. Sonawane's case (cited supra)**. Whereas, Government by G.R. dated 27.05.2016 issued clarification about the classification in view of recommendation 5th Pay Commission has been subsequent to the decision of **Hon'ble High Court in Shri Dinesh S. Sonawane's case (cited supra)**.

8. Indeed, as per G.R. dated 02.07.2002 it is clarified that the classification of the post has to be determined on the classification in Services Recruitment Rules or Akruiti Bandh of the Department.

therein. However, she has pointed out that in so far as, post of Stenographer (L.G.) outside Brihanmumbai is concerned these are specifically classified as group 'B' and pay scale is same i.e. Rs.5500-9000 corresponding to Rs.9300-34800 (G.P. Rs.4300/-).

10. Thus what transpires that there are Judgment of co-ordinate bench taking contradictory view about the classification of post carrying pay scale of Rs.5500-9000 and revised pay scale of Rs.9300-34800 (G.P. Rs.4300/-).

11. In view of above, I find merit in the submission advanced by learned C.P.O. that issued needs to be referred to D.B. for authoritative pronouncement so as to settle the same once for all.

12. Reference is made to the Division Bench to decide following issue:-

“whether the post carrying pay scale of Rs.5500-9000 revised to Rs. 9300-34800 (G.P. Rs.4300/-) in 6th Pay Commission falls in group 'C'.”

13. Registrar is therefore directed to place the matter before Division Bench accordingly.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

Place: Mumbai
Date: 23.12.2021
Dictation taken by: N.M. Naik.

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.215 of 2021</u></p> <p>P.S. Manjare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri L.S. Deshmukh, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that he wants time to file application for amendment and he has sought permission to substitute the OA. On 9.12.2021 permission was sought to substitute the OA and permission was granted. Till today the order is not complied with by the applicant.</p> <p>3. Moreover on 31.3.2021 the matter was adjourned to 8.4.2021 as Ld. Advocate Shri S.S. Dere has submitted that applicant wants to amend the OA and he will be moving an application for draft amendment. So the matter was adjourned as per convenience of the Ld. Advocate for placing draft amendment. Thus, it is clear that from 31.3.2021 after seeking permission to file application for amendment, no action is taken. It is thus clear that no permission is required to move application for amendment. On any day from 31.3.2021 till today it was necessary to move application for amendment which is not done till today. Moreover, permission to substitute the OA was granted on 9.12.2021 and no action is taken. Thus, we are of the view that applicant is not moving application for amendment.</p> <p>4. Ld. CPO states that reply is already filed on behalf of respondents no.3, 4 & 5. We direct the respondents no.1 and 2 to file reply to this OA.</p> <p>5. S.O. to 21.1.2022.</p> <p style="text-align: center;">Sd/- (Mridula Gadgil) Member (A) 23.12.2021</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 23.12.2021</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.12.2021</u></p> <p><u>C.A 47/2021 in O.A 241/2019</u></p> <p>Shri Valsan V. Punathil ... 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. The Single Bench of this Tribunal by order dated 25.6.2021 has quashed and set aside the order dated 2.2.2019 cancelling the provisional pension and directed the Respondents to release the regular pension without prejudice to their right to withhold or withdraw pension in case applicant is held guilty in the criminal case or departmental enquiry initiated against him in accordance to law.</p> <p>3. Further, Respondents were directed to ensure the completion of D.E initiated against the applicant within four months from the date of the order and the decision of the same is to be communicated to the applicant within two weeks thereafter. Thus, the D.E was ordered to be completed within four months, i.e. by 26.10.2021.</p> <p>4. Learned P.O submitted that the Provisional Pension is given to the applicant till May 2021 and for the period from June, 2021 to December, 2021, Provisional Pension will be paid on or before 31.12.2021.</p> <p>5. Learned P.O submits that the order of the Tribunal dated 25.6.2021 in O.A 241/2019 is not challenged before the Hon'ble High Court. Thus it is binding on the Respondents to comply with the order and it should have been complied with much earlier.</p> <p>6. We direct the concerned Officer who is conducting the D.E should remain present on 10.1.2022 and file affidavit in reply as to why he has not complied with the order of the Tribunal and so also affidavit in reply of Respondent no. 1, Executive Engineer, Dhom Irrigation Division, Satara.</p> <p>7. By way of last chance, we keep this matter on 10.1.2022 and make it clear that if the D.E is not completed and the order of this Tribunal is not complied with before 10.1.2022, contempt proceedings will be initiated against the Respondents.</p> <p>8. S.O to 10.1.2022. Hamdast.</p> <p>Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>23.12.2021</u></p> <p align="center"><u>C.A 47/2021 in O.A 280/2017</u></p> <p>Shri Valsan V. Punathil ... 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. This Contempt Application is preferred by the applicant for compliance of the order dated 25.6.2021 in O.A 280/2017, wherein the Single Bench of the Tribunal has directed the Respondents to refund the amount which was recovered by order dated 25.11.2016, as the said order is quashed and set aside. It is also further directed that the retiral benefits withheld by the Respondents be released within two months from today.</p> <p>3. Learned P.O submitted that the Respondent-State is in the process of challenging the order of the Tribunal before the Hon'ble High Court, within two week, i.e. on or before 7.1.2022.</p> <p>4. We, therefore, grant last chance to the Respondents to move the Hon'ble High Court and secure necessary orders, otherwise it is obligatory on the part of the Respondents to comply with the order of the Tribunal dated 25.6.2021 without delay.</p> <p>5. S.O to 10.1.2022. Hamdast.</p> <p>Sd/- _____ Sd/- </p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

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	<p>Date: 23.12.2021</p> <p align="center">O.A. No.06 of 2021</p> <p>U.R. HarmalkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and in his Advocate both are absent. 2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. 3. Today, learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent Nos.1 to 4. It is taken on record. 4. S.O. to 25.01.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 23.12.2021</p> <p align="center">O.A. No.281 of 2018</p> <p>R.J. PandharpurApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Savita T. Suraywanshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today matter is for filing Reply to the amendment but the same is not filed.</p> <p>3. Hence, O.A. be kept for Final Hearing with liberty to P.O. to file Reply to the amended copy in the mean time.</p> <p>4. S.O. to 13.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p style="text-align: center;"><u>O.A. No.1021 of 2019</u></p> <p>Sachin K. Lolage ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Asawari Ghate holding for Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On query Ld. PO tenders a copy of letter dated 12.2.2020 and submits that applicant has already joined the services on 12.2.2020 after the department has stayed the termination order. Joining report is annexed to the letter.</p> <p>3. Ld. Advocate for the applicant submits that the case of the applicant is covered by the judgment and order dated 24.12.2020 passed by this Tribunal in OA No.1020/2019 with MA No.31/2020 (Shri Navnath M. Gavali Vs. Government of Maharashtra & Ors.).</p> <p>4. Ld. PO accepts that the facts are identical and they are bound by this judgment.</p> <p>5. Hence, in view of the said judgment & order dated 24.12.2020, this OA is allowed in terms of prayer clause 9, which reads as under:</p> <p style="padding-left: 40px;">“9(a) That this Hon’ble Tribunal be pleased to quash and set aside the impugned termination order dated 1.10.2019 and reinstate the applicant on the post of Peon in the office of Deputy Superintendent of Land Records, Tal. Sinner, Dist. Nashik with all the consequential service benefits including continuity of service.</p> <p style="padding-left: 40px;">(b) That this Hon’ble Tribunal be pleased to quash and set aside the GR dated 11.7.2019.”</p> <p>6. OA is allowed in the above terms with no order as to costs.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Meena Gadgil)</p> <p>Member (A)</p> <p>23.12.2021</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>23.12.2021</p> </div> </div> <p>(sgj)</p>

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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.330 of 2021</p> <p>S.N. JoshiApplicant 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. The learned P.O. has produced the order dated 23.12.2021 wherein it is stated that the time bound promotion is given since 01.10.2006 as per corrigendum dated 09.12.2014.</p> <p>3. The learned P.O. is directed to file affidavit-in-reply to that effect.</p> <p>4. Adjourned to 24.12.2021.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>


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	<p align="center"><u>M.A. No.589 of 2021 in O.A. No.1036 of 2021</u></p> <p>S.M. Katkar & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="right">i. </p> <p align="center">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 23.12.2021 23.12.2021</p> <p>(sgj)</p>

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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.407 of 2021</p> <p>R. M. DhangareApplicant</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. Today, the matter is for hearing at the stage of admission.</p> <p>3. However, learned P.O. sought permission to file reply on behalf of respondent nos.1 and 2. Allowed to file reply. It is taken on record.</p> <p>4. S.O. to 25.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.43 of 2020 (Matter pertains to D.B.)</p> <p>H. R. DasApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri H. R. Das, the Applicant in person and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter if for filing reply on behalf of Respondent No.1 but the same is not filed.</p> <p>3. Learned P.O. however tendered Affidavit in Sur-Rejoinder on behalf of Respondent No.2. It is taken on record.</p> <p>4. S.O. to 19.01.2022 for final hearing through video conference since other Member Shri Shree Bhagwan, Hon' ble Vice Chairman is sitting at Nagpur Bench</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.12.2021</p> <p>M. A. No.581 of 2021 in O.A.No.1018 of 2021</p> <p>S. S. Sutar ...Applicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. R. Ghanwat, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. This M. A. is filed for condonation of delay caused in filing O.A. after withdrawing W.P.No.9253/2018. The Hon'ble High Court in order dated 22.11.2021 observed that the authority to which the petitioner would submit the claim shall consider the issue of limitation since the Applicant had approached the Hon'ble High Court initially under a bonafide belief. 3. Issue notice before admission returnable on 27.01.2022. 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 9. S.O. to 27.01.2022. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.149 of 2020</p> <p>A. S. Sonawane & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri a. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that quarter in question is claimed by Atish Sonawane as well as Kajal Sonawane who happens to be daughter in law of the deceased, and therefore, no decision is taken by the Government about transfer of quarter. Thus, it appears that after the death of Sanjay Sonawane his son Atish Sonawane as well as his daughter in law Kajal Sonawane were appointed on the post of Police Constables and both are claiming same quarter.</p> <p>3. In view of above, the Government should decide the same and shall pass appropriate order in accordance to rule within three weeks.</p> <p>4. Learned P.O. is, therefore, directed to apprise the Tribunal by next date.</p> <p>5. S.O. to 21.01.2022.</p> <p>6. Interim to continue till next date.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date: 23.12.2021</p> <p align="center">O.A. No.844 of 2021</p> <p>C.S. LokhandeApplicant 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. Today matter is for filing Rejoinder but the same is not filed.</p> <p>3. O.A. is kept for hearing at the stage of admission with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 21.01.2022.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.765 of 2021</p> <p>R. F. Khairnar ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed ^{reply} on behalf of the Respondent Nos.1 to 4. It is taken on record. 3. The matter is adjourned for hearing at the stage of admission. 4. S.O. to 18.01.2022. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.12.2021</p> <p style="text-align: center;">O.A.No.892 of 2017</p> <p>D. G. BasutkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Today, the matter is for pronouncement of judgment. 3. The Applicant is basically relying on the decision rendered by this Tribunal in O.A.No.1041/2017 decided with connected O.As on 07.06.2019. Being aggrieved by it, the Government has filed W.P. before the Hon'ble High Court and stay is granted to the operation of judgment delivered by this Tribunal. 4. In view of above, ^{Bom} on the point of judicial propriety, the Tribunal needs to wait till the decision of W.P. 5. Hence, O.A. is adjourned to 01.02.2022. <p style="text-align: right; margin-right: 100px;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.12.2021</p> <p align="center">M. A. No.590 of 2021 in O.A.No.1037 of 2021</p> <p>J. H. Wagh & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. This is an application for leave to sue jointly. 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately. 4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid. 5. M.A.No.590 /2021 is allowed. <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
	<p>Date : 23.12.2021</p> <p style="text-align: center;">O.A.No.1037 of 2021</p> <p>J. H. Wagh & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. This O.A. is filed simpliciter for direction to relieve the Applicants who were transferred on 29.08.2021 by order of Respondent No.1- Director General of Police. 3. Though, the period of four months is over from the date of issuance of transfer order, the Applicant's who are presently serving in Mumbai are not relieved so as to enable time to join the post where they are transferred. 4. Pertinent to note that in transfer order dated 29.08.2021 in Clause -2, it is specifically stated that Head of the Department should immediately relieve the Police Personnel who are transferred under the order and they should not wait for replacement in the place of Police Personnel who are transferred by order dated 29.08.2021. 5. Surprisingly, despite this specific order passed by the Competent Authority, the Applicant are not relieved by Respondent No.2 which is subordinate to Director General of Police. 6. Learned P.O. sought to contend that due to paucity of Police Personnel, they were retained. I see no merit in this submission in view of specific stipulation in the transfer order dated 29.08.2021 directing Commissioner of Police and other Head of the Departments to relieve Police Personnel under transfer immediately. 7. In view of above, O.A. is disposed of with direction to Respondents to relieve the Applicants within two weeks from today. 8. No order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.12.2021</p> <p style="text-align: center;">O.A.No.765 of 2020</p> <p>T. P. RathodApplicant</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 reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. The matter is adjourned for final hearing.</p> <p>4. S.O. to 18.01.2022.</p> <p style="text-align: right; margin-right: 100px;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date: 23.12.2021</p> <p align="center">O.A. No.1000 of 2021</p> <p>J.R. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This O.A. is filed for Deemed Date of Promotion, however, perusal of record reveals that the Applicant is presently posted as Deputy Regional Transport Officer, Beed, therefore O.A. ought to have been filed before Maharashtra Administrative Tribunal, Aurangabad Bench. Realising this aspect, learned Advocate for the Applicant seeks permission to withdraw the O.A. 3. Allowed to withdraw O.A. 4. He is at liberty to file O.A. before Maharashtra Administrative Tribunal, Aurangabad Bench in accordance to law. 5. No order as to costs. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date : 23.12.2021

O.A.No.997 of 2021

V. S. Bagal

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. The Applicant has challenged the suspension order dated 30.06.2021 whereby he was suspended in contemplation of D.E.
3. When the matter is taken up for hearing on 13.12.2021 that time having notice that the Applicant is subjected to prolong suspension beyond 90 days in contravention of the decision of the Hon'ble Supreme Court in **(2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.)**, learned P.O. was directed to take instructions as to why review of suspension was not taken.
4. Today, learned P.O. submits that review will be taken. This is the only statement made by learned P.O.
5. In view of the decision of the Hon'ble Supreme Court in **Ajay Kuma Choudhary's** case (cited supra), wherein it is held that suspension should not exceed beyond 90 days and where the charge sheet is filed before 90 days, review deserves to be taken about continuation of suspension. Whereas, in the present case, the Applicant is subjected to prolong suspension beyond 90 days without initiating D.E. which is totally impermissible. Indeed, the Government has also issued G.R. dated 09.07.2019 giving instructions that initiation of D.E. within 90 days is compulsory and if D.E. is not initiated, a Government servant has to be reinstated in service.
6. In view of above, O.A. is disposed of with direction to Respondents to take review of suspension of the Applicant within two weeks and the decision as the case may be, shall be communicated to the Applicant.
7. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

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	<p>Date: 23.12.2021</p> <p style="text-align: center;">O.A. No.965 of 2021</p> <p>S.C. GarudApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today, learned P.O. has tendered Additional Affidavit of Shri Eknath R. Dawale, Secretary, Agriculture, Animal Husbandry, Dairy Development and Fisheries Department, Mantralaya, Mumbai in compliance of the order passed by the Tribunal and also tendered copy of order dated 23.12.2021 whereby punishment of 6% reduction of pension per month for 1 year is imposed and sum of Rs.11,049/- (Rupees Eleven Thousand and Forty Nine Only) are to be recovered from his Gratuity. 3. In Affidavit Secretary, tendered unconditional apology for delay in processing the file. 4. Learned P.O. submits that it was joint enquiry of 24 delinquent, and therefore, enquiry took three years for completion. 5. Apology tendered in Affidavit is accepted with further direction that Secretary should ensure completion of D.E. expeditiously including passing the final order therein and shall also take appropriate steps against the concerned for not completing enquires within stipulated period.

[P.T.O.]

Tribunal's orders

6. Now turning to the facts of the present case, the Applicant stands retired on 31.05.2017 but his retiral benefits were withheld due to pendency of D.E. Now final order in D.E. is passed, he is therefore entitled to get retiral dues without further delay.

7. In view of above, O.A. is disposed of with direction to the Respondents to release retiral benefits to the Applicant as per his entitlement subject to order of punishment dated 23.12.2021 within a month from today.

8. If the retiral benefits are not paid within a month Respondents will be liable to pay interest at the rate of 9% till the date of actual payment.

9. No order as to costs.

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

NMN

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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	<p style="text-align: center;">Date: 23.12.2021</p> <p style="text-align: center;">O.A. No.963 of 2021</p> <p>S.H. JadhavApplicant 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. Today, learned P.O. has filed Additional Affidavit of Shri Eknath R. Dawale, Secretary, Agriculture, Animal Husbandry, Dairy Development and Fisheries Department, Mantralaya, Mumbai, in pursuance to the direction given by this Tribunal by order dated 16.12.2021. In Affidavit Secretary has tendered unconditional apology for delay in processing the file. There is delay of more than 1 year in passing final order, even after getting Reply of the Applicant that he is not opposing proposed punishment. Explanation tendered in Affidavit is accepted with rider that Secretary should ensure that there would be no such delay in processing D.E. matters and final order should be passed expeditiously.</p> <p>3. Now turning to the facts of the present case, Government by order dated 23.12.2021 imposed punishment of 6% reduction in pension per month for one year holding him guilty for charges leveled against him. The Applicant does not want to challenge this punishment order as fairly submitted by his Counsel.</p> <p>4. Now, in view of final order in D.E., all retirement benefits of the Applicant as per his entitlement subject to order passed in D.E. will have to be released.</p> <p style="text-align: right;">[P.T.O.]</p>

2014-2015-2016-17-2018-19-2020-21
Appellate Jurisdictional orders on
the merits of the Respondents' appeals

Tribunal's orders

5. O.A. is therefore disposed of with direction to the Respondents to ensure to release all retiral benefits of the Applicant as per his entitlement subject to order of punishment dated 23.12.2021 within a month from today.

6. If the amount is not paid within a month Respondents have to pay interest at the rate of 9% per annum till the date of actual payment.

7. No order as to costs.

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

NMN

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

Tribunal's orders

Date : 23.12.2021

M. A. No.556 of 2021 in O.A.No.984 of 2021

S. B. Gopale

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri G. A. Bandiwadekar holding for Shri K. R Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. This M. A. is filed for condonation of delay for two years and one month caused in filing O.A.
3. Issue notice before admission returnable on 28.01.2022.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
9. S.O. to 28.01.2022.

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.12.2021</p> <p style="text-align: center;">O.A.No.980 of 2021</p> <p>Dr. Usha YadavApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Suryakant Lavte, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the notices dated 19.01.2021, 26.04.2021 and 23.06.2021 thereby he was directed to vacate the quarter and to pay penal charges. 3. After issuance of notices, the Applicant has vacated the quarter on 28.02.2021. As such, the issue remains about liability to penal charges for unauthorized occupation till the date of vacating quarter. 4. Issue notice before admission returnable on 28.01.2022. 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 28.01.2022. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.40 of 2020</p> <p>D. K. WaghmodeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Rahul Khot holding for Shri N. Y. Chavan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In request of learned Counsel for the Applicant, the matter is adjourned for final hearing.</p> <p>3. S.O. to 14.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.728 of 2021</p> <p>S. S. KhaladkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri K. R. Jagdale, learned Counsel for the Applicant is on leave note. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply by way of last chance with specific instructions that no further time will be granted.</p> <p>3. S.O. to 14.01.2022.</p> <p align="right">Sd/- </p> <p align="center">v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.712 of 2021</p> <p>S. S. PaithankarApplicant</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. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply on behalf of the Respondent. It is taken on record. 3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder. 4. S.O. to 12.01.2022. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.12.2021</p> <p align="center">O.A.No. 698 of 2021</p> <p>A. R. UttareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Sachin Patil holding for Shri S. A Kasar, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri A. V. Bandiwaekar, learned Counsel for the Respondent No.4.</p> <p>2. On request of learned P.O. and Shri A.V. Bandiwadekar, learned Counsel for the Respondent No.4, two weeks time is granted for filing ^{reply} appeal by way of last chance.</p> <p>3. S.O. to 14.01.2022.</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 : 23.12.2021</p> <p align="center">O.A.No.696 of 2021</p> <p>V. V. GaikwadApplicant</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 P.O. submits that reply will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 21.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 23.12.2021</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 Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent Nos.1 to 4.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.3. It is taken on record.</p> <p>3. No separate reply is filed on behalf of Respondent Nos.1, 2 and 4.</p> <p>4. Respondent No.5, Private Respondent who is served but absent.</p> <p>5. The matter is adjourned to 06.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram,
Applicants, Tribunal's orders or
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Tribunal's orders

Date : 23.12.2021

O.A.No.1041 of 2021

S. D. Konde

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant who stands retired on 30.06.2018 filed this O.A. for direction to Respondents to release his retiral benefits which seems to have been not paid because of his conviction for offence under Section 138 of Negotiable Instrument Act by order dated 20.07.2015 which is indeed subjudice in appeal before the Sessions Court, Pune.
3. Learned Counsel for the Applicant submits that the criminal offence being nothing to do with the official duties of a public servant, that should not have been the ground to withhold the gratuity, leave encashment and regular pension.
4. Issue notice before admission returnable on 13.01.2022.
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 13.01.2022.

Sd/-

(A.P. Kurhekar)
Member(J)

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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.733 of 2021</p> <p>S. P. KolteApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder. 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 20.01.2022.</p> <p align="right">Sd/- ✓</p> <p align="right">✓ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.766 of 2021</p> <p>S. A. AnantkwalasApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 and 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 20.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 23.12.2021</p> <p align="center">O.A.No.773 of 2021</p> <p>Dr. S. G. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri G. V. Bandiwadekar , learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record. 3. No separate reply is filed on behalf of Respondent No.2. 4. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder. 5. S.O. to 12.01.2022. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 23.12.2021</p> <p>O.A.No.736 of 2021 with O.A.No.787 of 2021 with O.A.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 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 as a most last chance with specific direction that no further time will be granted.</p> <p>3. S.O. to 13.01.2022.</p> <p align="right">Sd/- </p> <p align="right">(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 : 23.12.2021</p> <p align="center">O.A.No.802 of 2021</p> <p>N. B. KolekarApplicant</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. Today, learned Counsel for the Applicant has filed Rejoinder. 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 20.01.2022.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.12.2021</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. On request of learned P.O., two weeks time is granted for filing reply and the issue of maintainability of O.A. without filing appeal will be considered after filing reply.</p> <p>3. S.O. to 12.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.12.2021</p> <p align="center">O.A.No.947 of 2021</p> <p>V. M. RandiveApplicant</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 by way of last chance.</p> <p>3. S.O. to 13.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.12.2021</p> <p align="center">M.A. No.418 of 2021 in M.A. No.34 of 2021 in O.A.No.55 of 2021</p> <p>S. B. SavlekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms S. T. Suryawanshi holding for Shri V. V. Joshi, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondent Nos.1 & 2 and Shri M. S. Lagu, learned Counsel for Respondent Nos.3 and 4.</p> <p>2. Today, learned Counsel for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. The matter is adjourned for hearing in M.A.</p> <p>4. S.O. to 27.01.2022.</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 : 23.12.2021</p> <p align="center">M. A. No.497 of 2021 in O.A.388 of 2021 with M.A.No.498 of 2021 in O.A.389 of 2021 with M.A. No.499 of 2021 in O.A.No.390 of 2021</p> <p>A. B. Kohtekar & Ors.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicants 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 to Misc. Application.</p> <p>3. S.O. to 13.01.2022.</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 : 23.12.2021</p> <p align="center">M. A. No.585 of 2021 in O.A.No.732 of 2021 with M. A. No.555 of 2021</p> <p>N. A. AshtekarApplicant</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 No.1 and Smt.Punam Mahajan, learned Counsel for the Respondent No.2.</p> <p>2. Learned P.O. submits that reply on behalf of Respondent No.1 is under preparation and same will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. Smt. Punam Mahajan, learned Counsel for the Respondent No.2 sought time to file reply .</p> <p>4. Two weeks time is granted for filing reply.</p> <p>5. S.O. to 13.01.2022.</p> <p>6. Interim relief to continue till filing of reply.</p> <p align="right">Sd/- </p> <p align="right">w*</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.12.2021</p> <p align="center">O.A.No. 558 of 2021</p> <p>V. A. Gawade & Ors.Applicant</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. Today, the matter is for filing Rejoinder but the same is not filed.</p> <p>3. O. A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 20.01.2022.</p> <p align="right">Sd/-</p> <p align="right">(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 style="text-align: center;"><u>C.A. No.38 of 2019 in O.A. No.634 of 2017</u></p> <p>S.D. Sutar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate both are absent. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that W.P. No.8243 of 2019 has been filed by the respondents in the Hon'ble High Court challenging the order dated 4.10.2018 passed in the above OA.</p> <p>3. S.O. to 28.1.2022.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (Mridula Gadgil) Member (A) 23.12.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 23.12.2021</p> </div> </div>

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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 align="center"><u>C.A. No.48 of 2021 in O.A. No.935 of 2017</u></p> <p>S.R. Koli ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Asawari Ghate holding for Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks two weeks time to comply with the order of the Tribunal. He submits that it can be done even earlier.</p> <p>3. S.O. to 4.1.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 23.12.2021 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 23.12.2021</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 align="center"><u>C.A. No.57 of 2021 in O.A. No.88 of 2021</u></p> <p>U.D. Devkule ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.K. Chavan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission in CA returnable on 21.1.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of C.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</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. 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.</p> <p align="center">Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 23.12.2021 23.12.2021</p> <p>(sgj)</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 align="center"><u>O.A. No.1044 of 2021</u></p> <p>R.B. Kolpe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 28.1.2022.. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</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. 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.</p> <p align="center">Sd/- (Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 23.12.2021 23.12.2021</p> <p>(sgj)</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 align="center"><u>O.A. No.1038 of 2021</u></p> <p>N.K. Dalvi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>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. 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 28.1.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</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. 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.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 23.12.2021 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 23.12.2021</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.587 of 2021 in O.A. No.1035 of 2021</u></p> <p>K.S. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>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. Ld. Advocate for the applicant seeks leave to add party respondents. Leave granted. Amendment be carried out and amended copy be served on all concerned.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission in MA returnable on 28.1.2022. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of MA and O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 23.12.2021 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 23.12.2021</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 align="center"><u>M.A. No.591 of 2021 in O.A. No.1016 of 2021</u></p> <p>S.R. Kasar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.S. Gaikwad, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant has filed this MA seeking interim relief and stay and not to act upon the impugned order dated 14.9.2021 passed by respondent no.3.</p> <p>3. Ld. PO submits that Government has received a copy of letter dated 23.11.2021 from Divisional Commissioner.</p> <p>4. We expect that authority will follow due procedure as per law, if they want to take any action.</p> <p>5. S.O. to 20.1.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 23.12.2021 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 23.12.2021</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 align="center"><u>O.A. No.850 of 2021</u></p> <p>P.P. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 13.1.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</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. 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.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 23.12.2021 23.12.2021</p> <p>(sgj)</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 align="center"><u>CA.47/2021 in OA.280/2017 with OA.241/2019</u></p> <p>V.V. Punathil ..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 states that respondents are complying with the order of the Tribunal in OA No.241/2019 in respect of granting provisional pension to the applicant. However, they are filing writ petition challenging the order in OA No.280/2017.</p> <p>3. S.G. to 21.1.2022.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 23.12.2021 23.12.2021</p> <p>(sgj)</p>