

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.01.2022</p> <p align="center">O. A. No.22 of 2022</p> <p>V.R. ShindeApplicant 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. Today learned P.O. has filed Affidavit-in-Reply sworn by Shri Tikaram W. Karpate, Deputy Secretary, School Education and Sports Department, Mantralaya, Mumbai. It is taken on record. 3. This O.A. is filed for direction to the Respondents to release retiral benefits particularly gratuity and leave encashment with interest. 4. Perusal of record reveals that the Applicant stands retired on 31.01.2015 as Deputy Commissioner Education, Nashik. At the time of retirement 2 D.Es (Pune Enquiry and Solapur Enquiry) were pending against him. Though Respondents were required to be completed D.Es expeditiously within 6 months, in terms of G.R. dated 07.04.2008, the enquiries were taken very causally and still pending. 5. Learned P.O. submits that in Pune enquiry matter enquiry officer has submitted report on 30.12.20219 with finding that charges are proved partly. Thereon Reply of the Applicant was called. The Applicant submitted his Reply by letter dated 09.07.2021. However, since then no further steps is taken to finalize D.E. by passing final order. 6. Insofar, Solapur enquiry matter is concerned enquiry officer has submitted report on 22.04.2016 holding the Applicant guilty for 6 charges out of 16 charges. However, departmental authority was not satisfied with enquiry report and it was decided to initiate D.E. denovo. However, till date no further steps are taken for initiation of D.E. afresh. <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. As such, inordinate and huge delay on the part of Respondents in not taking expedient steps in the matter is obvious. There is laxity as well as negligence on the part of concerned and Respondent No.1 too fail to monitor the process of D.E. This Tribunal has come across several cases where Government servant are deprived of retiral benefits on the ground of pendency of D.E. for years together.</p> <p>8. It is on the above background after waiting for near about 7 years the Applicant has filed present O.A. having no other option. It is high time that Respondent No.1 should take note of the lapses and negligence on the part of concerned and Tribunal hope that he would issue necessary orders in this behalf as the remedial measures so that D.E. are finished within stipulated period and where it is delayed due to negligence on the part of concerned he should be dealt with by taking suitable departmental action.</p> <p>9. In view of above, O.A. deserves to be disposed of with suitable directions. The Applicant needs to be compensated by awarding reasonable cost since he is constrained to approach the Tribunal due to undue and huge delay on the part of Respondents.</p> <p>10. I am therefore inclined to saddle cost of Rs.10,000/- (Ten Thousand Only) on Respondent. Respondent is at liberty to recover the same from the person who is responsible for delay.</p> <p>11. O.A. is disposed of with directions to Respondent to pass final order in D.E. in Pune matter within 2 months from today in accordance to law and the decision as the case may be shall be communicated to the Applicant within a week thereafter.</p> <p>12. Respondent is further directed to ensure completion of D.E. in Solapur matter including final order therein within 4 months from today in accordance to law and the decision as the case may be shall be communicated to the Applicant within a week thereafter.</p> <p>13. Respondent shall deposit cost of Rs.10,000/- (Ten Thousand Only) in this Tribunal within 2 weeks and it should be paid to the Applicant.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</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: 24.01.2022</p> <p align="center">M.A. No.30 of 2022 in O. A. No.58 of 2022 with M.A. No.31 of 2022 in O. A. No.59 of 2022</p> <p>V.J. Jadhav & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents in M.A.30/2022 in O.A.58/2022 and Smt. Archana B.K., learned Presenting Officer for the Respondents in M.A.31/2022 in O.A.59/2022.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., 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">Sd/- ✓ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.01.2022 O. A. No.42 of 2022 with O. A. No.58 of 2022 with O. A. No.59 of 2022</p> <p>A.B. Handal & Ors.Applicant G.B. Kolhal & Ors.Applicant V.J. Jadhav & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents in O.A.42/2022, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents in O.A.58/2022 and Smt. Archana B.K., learned Presenting Officer for the Respondents in O.A.59/2022.</p> <p>2. Today O.A. No.42/2022 is for filing Affidavit in Reply of Respondent No.2 – Commissioner of Police, Mumbai. Learned P.O. has tendered Affidavit-in-Reply on behalf of Respondent No2. It is taken on record.</p> <p>3. Whereas, O.A. No.58/2022 and O.A. No.59/2022 are listed today for admission. Since, learned P.O. is present on behalf of Respondent No.2 – Commissioner of Police, Mumbai notices is dispense with. Learned Advocate for the Applicant has filed Affidavit of service.</p> <p>4. In all these O.As police personnel raised grievances on non relieving them by Respondent No.2 – Commissioner of Police, Mumbai despite the transfer order dated 17.12.2021 issued by Respondent No.1 – Director General of Police.</p> <p>5. Perusal of record reveals that in pursuance of decision in P.E.B., Respondent No.1- Director General of Police by order dated 17.12.2021 transferred 269 police personnel throughout Maharashtra on request.</p> <p>6. Since, the Applicants are not relieved by Respondent No.2 - Commissioner of Police, Mumbai, they have filed this O.A.</p> <p>7. Smt. K.S. Gaikwad, learned P.O. who is appearing on behalf of Respondent No.2 – Commissioner of Police, submits that for want of replacement of 187 police personnel, Commissioner of Police, Mumbai is facing shortage of police personnel particularly to tackle with current COVID-19 Pandemic situation, law and order etc. In Affidavit Commissioner of Police, Mumbai. ^{P.O.} has also raised grievances of non-providing substitutes in place of</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>187 police personnel transferred from Mumbai. Perusal of Reply further reveals that Commissioner of Police, Mumbai has sent letter dated 30.12.2021 to A.C.S., Home and raised his grievances in the matter of transfer of 187 police personnel without providing substitutes. However, it is clarified that the Applicants will be relieved in general transfer of April & May 2022 on getting replacement.</p> <p>8. Learned P.O. was directed to tender minutes of P.E.B. to find out what transpired in P.E.B. However, it appears from the file tendered by learned P.O. that meeting was taken in circulation. P.E.B. was comprising 6 Members presided over by Respondent No.1 – Director General of Police (additional charge). Significant to note, there is no signature of Commissioner of Police, Mumbai and Additional Chief Secretary, Home on P.E.B. They seems to have genuine reservations and declined to approve it. Despite this transfer order was issued by Respondent No.1 Indeed, in letter dated 30.12.2021, Commissioner of Police, Mumbai raised grievances that so many police personnel were transferred without considering his administrative difficulties and P.E.B. is taking decision arbitrary. The grievances raised by Commissioner of Police, Mumbai cannot be said unfounded in view of the manner whereby 187 police personnel were transferred without taking care of substitutes. Indeed, Respondent No.1 - Director General of Police was required to consider issue of replacement before accepting request of transfer of 187 police personnel from Mumbai. There seems to be no coordination between the authorities.</p> <p>9. Be that as it may, the grievances raised by Commissioner of Police, Mumbai that he can't relieve 187 police personnel without replacement deserves to be considered so that there should be enough police personnel at this disposal in city like Mumbai.</p> <p>10. In view of above, it would be appropriate to direct Respondent No.1 - Director General of Police to file Affidavit explaining what compelled him to transfer 187 police personnel on request without taking care of substitutes in their place and why Commissioner of Police, Mumbai was not consulted before taking any such decision.</p> <p>11. Respondent No.1 – Director General of Police to file Affidavit by next date.</p> <p>12. S.O. to 31.01.2022.</p> <p>13. Steno copy is granted for communication to Respondent No.1 - Director General of Police.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p style="text-align: left;">NMN</p>

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	<p>Date: 24.01.2022</p> <p style="text-align: center;">O. A. No.23 of 2022</p> <p>S.G. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today matter is taken up for final disposal at the stage of admission since, the Applicant is deprived of gratuity and regular pension though he stands retired on 31.03.2019.</p> <p>3. Admittedly, at the time of retirement neither D.E nor any criminal case was instituted or pending against the Applicant only ground for delay in the payment of gratuity and regular pension seems to be verification of service book.</p> <p>4. This matter was taken up for hearing in the morning session and on the request of learned P.O. it was kept at 02.30 p.m. for filing Affidavit-in-Reply. When the matter was taken up at 02.30 p.m. that time again request was made by learned P.O. as well as Law Officer, Adv. Vrushali Banodker to wait for thirty minutes for filing Affidavit-in-Reply. However, no such Reply is filed though waited upto 04.45 p.m.</p> <p>5. Learned P.O. has also raised grievance that Department is not responding to them properly and for want of instructions from the Department often they fill handicap.</p>

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

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6. Thus, it appears that only because of administrative lapses and negligence on the part of Respondent No.3 for not updating service book, the Applicant is deprived of gratuity and regular pension. Indeed, as per Section 120 of MCS (Pension) Rules process is required to be initiated before 2 years of retirement whereas in present case though period of 3 years from the date of retirement is over gratuity and regular pension is not paid. Even provisional pension not paid onwards April 2021. As such, there is no legal hurdle for grant of gratuity and regular pension. O.A. is therefore required to be disposed of with suitable direction.

7. Respondents No.3 is directed to take all necessary steps to ensure payment of gratuity and regular pension to the Applicant in accordance to Rules within a month from today without fail.

8. The Applicant is at liberty to avail legal remedy for interest independently.

9. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

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	<p>Date: 24.01.2022</p> <p align="center">O. A. No.717 of 2021</p> <p>S.A. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 16.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 24.01.2022</p> <p align="center">O. A. No.561 of 2021</p> <p>K.A. SalunkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.R. Deshpande, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply to amended O.A. on behalf of Respondent Nos.1,2 & 3. It is taken on record.</p> <p>3. S.O. to 04.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.01.2022</p> <p align="center">M.A. No.347 of 2021 in O. A. No.498 of 2021</p> <p>M.S. ChavanApplicant 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. The Applicant stands retired on 30.05.2003 and filed this O.A. on 23.07.2021 for grant of advance increments as recommended by Respondent No.2 – The Director, Health Services by his letter dated 22.12.2006.</p> <p>3. Learned Advocate for the Applicant submits that matter was under consideration at the level of Government, and therefore O.A. has been filed belatedly along with the Application for Condonation of delay. In M.A. no Reply is filed though enough time was granted, and therefore matter is for hearing of M.A. without Reply.</p> <p>4. Learned P.O. however submits that Respondent No.1 is taking appropriate steps in consultation with G.A.D. in the matter of advance increments of the Applicant and necessary decision will be communicated to the Applicant within a week.</p> <p>5. As of now, no final decision seems to have been taken by the Respondents.</p> <p>6. Learned Advocate for the Applicant submits that M.A. and O.A. be disposed of in view of this statement made by learned P.O. that decision about advance increments will be taken within a week.</p>

Office Memoranda of Central
Appellate Tribunal's orders on
Administrative Appeals orders

Tribunal's orders

7. In view of above, O.A. is disposed of with direction to the Respondents to take decision within a week and it shall be communicated to the Applicant within a week thereafter.

8. M.A. and O.A. are accordingly disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

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	<p>Date: 24.01.2022</p> <p align="center">O. A. No.580 of 2021</p> <p>V.S. MaliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.R. Ghanavat, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. S.O. to 11.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Date: 24.01.2022

O. A. No.931 of 2021

B.G. Sagare

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 10.02.2022.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 10.02.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

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	<p>Date: 24.01.2022</p> <p align="center">O. A. No.65 of 2020</p> <p>S.P. KapdneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri S.B. Bhosale, learned Advocate for the Applicant has sent his leave note.</p> <p>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. Today learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent Nos.1 to 3. It is taken on record.</p> <p>4. S.O. to 11.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center"><u>O.A. No.82 of 2021</u></p> <p>R.D. Mundhe & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Govind Solanke, learned Advocate for the Applicants 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 21.2.2022. 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 24.1.2022 24.1.2022</p> <p>(sgj)</p>

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	<p align="center"> <u>CA No.36/2021 in OA No.1029/2014 with</u> <u>CA No.37/2021 in OA No.1030/2014 with</u> <u>CA No.38/2021 in OA No.1031/2014 with</u> <u>CA No.39/2021 in OA No.1032/2014 with</u> <u>CA No.40/2021 in OA No.1033/2014 with</u> <u>CA No.5/2021 in TA No.1/2020</u> </p> <p> R.S. Bidkar (CA.36/2021) M.D. Sundarkar (CA.37/2021) S.S. Kinhekar (CA.38/2021) J.G. Rohankar (CA.39/2021) V.P. Ingole @ V.V. Shelke (CA.40/2021) K.C. Pawar (CA.5/2021) ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents </p> <p> Heard Shri K.K. Jadhav holding for Shri R.G. Panchal, learned Advocate for the Applicants in CAs. No.36 to 40/2021, Shri B.A. Bandiwadekar for Applicant in CA No.5/2021 and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. </p> <p> 2. Ld. PO submits that department requires three weeks time to comply with the order of back wages. </p> <p> 3. S.O. to 21.2.2022. </p> <p> Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.1.2022 24.1.2022 (sgj) </p>

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	<p align="center"><u>O.A. No.37 of 2022</u></p> <p>Mangesh P. Nagare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.L. Kulkarni, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant challenges provisional selection list dated 9.1.2022 of recruitment to the post of Police Constable conducted by Commissioner of Police, Thane on the ground that though applicant belongs to NT-D category, in the first advertisement dated 21.8.2019 no reservation against this category was shown and therefore applicant has filled up form in General Category. The process of submission of application was completed on 23.9.2019. Subsequently, by announcement dated 3.2.2020, Commissioner of Police, Thane informed that number of post of Constables which was earlier available was 100 was increased by 47 posts thus total posts available are 147.</p> <p>3. Candidate at Sr. No.117 Amol Madhukar Nagre, who is from NT-D category, though has secured 4 marks less than the applicant is selected against NT-D reserved category. Ld. Advocate for the applicant submits that had this reservation available at the time of first advertisement, the applicant would have preferred his application under NT-D category. However, it was not shown and therefore his opportunity to get benefit of reservation is denied. Ld. Advocate for the applicant further submits that after increase in the posts, the respondents did not give the opportunity to the applicant to claim reservation.</p> <p>4. Ld. CPO submits that earlier when 100 posts were available, no reservation under NT-D category was available and after 47 posts were increased, the reservation under NT-D category was required to be shown as per the revised calculation and ratio. She further submits that candidate at</p>

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	<p>Sr. No.117 Amol M. Nagre has specifically claimed reservation under NT-D while filling application form. In the application form which is annexed to this OA, the applicant has applied in General category and has not claimed any reservation. Ld. CPO further submits that total 135 candidates, have filled their form under reservation for NT-D category on or before 23.9.2019.</p> <p>5. Ld. CPO submits that time be granted to produce application form of Shri Amol M. Nagre, where he has specifically claimed reservation in NT-D category.</p> <p>6. S.O. to 27.1.2022.</p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; vertical-align: top;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>24.1.2022</p> </td> <td style="text-align: center; vertical-align: top;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>24.1.2022</p> </td> </tr> </table> <p>(sgj)</p>	<p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>24.1.2022</p>	<p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>24.1.2022</p>
<p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>24.1.2022</p>	<p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>24.1.2022</p>		

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	<p><u>24.01.2022</u></p> <p align="center"><u>O.A 832/2021</u></p> <p>Shri G.H Giramkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.V Waghmare, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks time to file short affidavit in rejoinder.</p> <p>3. S.O to 27.1.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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	<p><u>24.01.2022</u></p> <p align="center"><u>O.A 643/2021</u></p> <p>Shri R.R Rathod ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Amol Chalak i/b by Shri V.P Sangvikar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant states that reply of Respondent no. 6 is awaited.</p> <p>3. Respondent no. 6 is granted time to file affidavit in reply by way of last chance.</p> <p>4. S.O to 7.3.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akñ</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center"><u>C.A. No.15 of 2021 in O.A. No.83 of 2020</u></p> <p>M.C. Lilani & 3 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Pursuant to our order dated 18.1.2022, Ld. PO produces compliance order dated 21.1.2022 wherein the applicants' services have been regularized. The said order dated 21.1.2022 is taken on record and marked Exhibit '1' for identification.</p> <p>3. Ld. PO submits that Director of Health Services, Dr. Archana Patil will be filing affidavit during the course of the day regarding further steps which are required to be taken by the department.</p> <p>4. S.O. to</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 24.1.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 24.1.2022</p>

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	<p>Date : 24.01.2022</p> <p align="center">C.A.No.15 of 2021 in O.A.No.83 of 2020</p> <p>M.C. Lilani & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. produces affidavit-in-reply dated 24.01.2022 on behalf of Respondent, Dr. Archana Patil, Director of Health Services, Pune Public Health Department. The same is taken on record and copy is served upon learned Advocate for the Applicant. In the said affidavit she explains the delay for the reasons mentioned therein. Hence, we grant two months period to the Department for compliance of the order so as to grant all service benefits of the applicants.</p> <p>3. Adjourned to 24.03.2022.</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><u>24.01.2022</u></p> <p align="center"><u>O.A 365/2021</u></p> <p>Ms U.A Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Mrs K.S Gaikwad, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 22.3.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>24.01.2022</u></p> <p align="center"><u>O.A 215/2021</u></p> <p>P.S Manjare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri L.S Deshmukh, learned advocate for the applicant and Ms S.P Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O states that reply is already filed on behalf of Respondents no 3, 4 & 5. We direct that if the reply is not filed by the Respondents no 1 & 2 before the next date, the matter will proceed without their reply.</p> <p>3. S.O to 14.2.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>24.01.2022</u></p> <p align="center"><u>O.A 309, 314, 315 & 316/2020</u></p> <p>S.V Raut & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Shri K.R Jagdale, has filed leave note. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Matter is fixed after three weeks for filing of affidavit in rejoinder, if any.</p> <p>3. S.O to 14.02.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>24.01.2022</u></p> <p align="center"><u>O.A 178/2020</u></p> <p>Shri C.T Chaudhari & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms S.P Manchekar, learned C.P.O for the Respondents.</p> <p>2. Respondents are directed to file affidavit in reply by way of last chance.</p> <p>3. S.O to 14.02.2022.</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>24.01.2022</u></p> <p align="center"><u>O.A 1065/2019</u></p> <p>Shri J.D Shiralkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri N.Y Chavan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant is requested to re-serve the copy of the Original Application in the office of the learned C.P.O within 2/3 days.</p> <p>3. 28.2.2022.</p> <p align="center">Sd/- _____ (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>24.01.2022</u></p> <p align="center"><u>O.A 345/2018</u></p> <p>Shri S.M Jadhav & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Shri K.R Jagdale, learned advocate for the applicants has filed leave note. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 21.3.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>24.01.2022</u></p> <p><u>O.A 232/2021</u></p> <p>Shubhangi Dange ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Ankita Nishad holding for Ms V.L Maindad, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 22.3.2022.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>24.01.2022</u></p> <p align="center"><u>O.A 1004/2021</u></p> <p>Shri Eknath A. Pardhi ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Issue notice made returnable on 28.2.2022.</p> <p>3. 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 may be taken up for final disposal at the stage of admission hearing.</p> <p>4. 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>5. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>6. S.O to 28.2.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p>Akn</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>24.01.2022</u></p> <p style="text-align: center;"><u>M.A 570/2021 in O.A 1004/2021</u></p> <p>Shri Eknath A. Pardhi ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The cause of action arose on 23.5.2019. The period of limitation got over on 25.5.2020. However, the lockdown was declared in March, 2020.</p> <p>3. In view of the decision of the Hon'ble Supreme Court by order dated 23.9.2021 in M.A 665/2021 in SMW (C) No. 3/2020 the period of limitation due to Covid-19 Pandemic from March, 2020, is extended.</p> <p>4. Hence, Misc Application seeking condonation of delay is allowed.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p style="font-size: small;">Akr:</p>

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	<p><u>24.01.2022</u></p> <p><u>M.A 445/2021 in O.A 833/2021</u></p> <p>Shri S.S Joshi ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Shiradha Pawar i/b Shri S.T Bhosle, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O is granted time to file affidavit in reply by way of last chance.</p> <p>3. S.O to 28.2.2022.</p> <p>Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center">Date : 24.01.2022</p> <p align="center">O.A.No.95 of 2020</p> <p>P.D. SakundeApplicant 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. Interim relief to continue till next date.</p> <p>3. Adjourned to 28.02.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member A Chairperson</p> <p>prk</p>

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	<p><u>24.01.2022</u></p> <p><u>M.A 373/2021 in O.A 729/2021</u></p> <p>Shri Amit S. Kamble ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S. G Kulkarni, learned counsel for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned counsel Mr Kulkarni to take note that Respondent no. 3, Executive Engineer, Construction Division is not concerned with the issue, but as per statement of learned P.O, the Executive Engineer, Mechanical Circle is answerable.</p> <p>3. Learned P.O is granted last chance to file affidavit in reply.</p> <p>4. S.O to 22.2.2022.</p> <p>Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>Sd/- _____ (Medha Gadgil) Member (A) Akn</p>

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	<p><u>24.01.2022</u></p> <p><u>M.A 294/2021 in O.A 611/2021</u></p> <p>Shri S.V Bramhe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks three weeks' time to file affidavit in reply.</p> <p>3. Three weeks' time is granted by way of last chance.</p> <p>4. S.O to 14.2.2022.</p> <p>Sd/- (Medha Gadgil) Member (A) Alm</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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

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Date : 14.12.2021

M.A.No.406 of 2021 in O.A.No.772 of 2021

V.A. WaghmareApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadkar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant has filed M.A.No.406/2021 for condonation of delay of 1 year and 6 months in filing O.A.No.772/2021. The cause of action arose as the impugned order was issued on 07.01.2019. The limitation would start from one year thereafter i.e. after 06.01.2020. M.A. is filed on 14.09.2021. In view of the order of the Hon'ble Supreme Court in Suo Motu W.P (Civil) No. 3/2020, the delay was condoned after 15.3.2020. Thereafter, the Hon'ble Supreme Court in M.A 665/2021 in Suo Moto W.P (Civil) No.3/2020 by order dated 27.4.2021, extended the period of limitation.

3. In view of the above, there is a delay of only 2 months. No affidavit-in-reply has been filed by the State. However, learned P.O. Mr. Chougule opposes to the M.A.

4. In view of the orders of the Hon'ble Supreme Court the delay is condoned. M.A. is allowed.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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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: 24.01.2022</p> <p align="center">O. A. No.920 of 2021</p> <p>A.B. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three weeks time is granted for filing Reply to this O.A.</p> <p>3. Learned P.O. is further directed to take instructions about the decision of appeal which was required to be decided within three months in view of order dated 25.11.2021 passed in connected O.A. No.919/2021.</p> <p>4. S.O. to 14.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p>Date: 24.01.2022</p> <p align="center">O. A. No.877 of 2021</p> <p>N.S. DhudhalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gahesh Masurkar, learned Advocate holding for Shri C.T. Chandratre, learned Advocate 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 10.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.01.2022</p> <p align="center">M.A. No.14 of 2022 in O. A. No.1037 of 2021</p> <p>The State of Maharashtra & Ors. (Org. Resps.)....Appl. Versus J.N. Wagh & Ors. (Org. Appl.)Resps.</p> <p>1. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants (Org. Respondents) and Shri S.S. Dere, learned Advocate for the Respondent (Org. Applicant).</p> <p>2. Learned P.O. at the very outset prayed for withdrawal of this M.A. stating that the order of this Tribunal is already implemented and the Applicants are relieved.</p> <p>3. O.A. No.1037/2021 was disposed of by order dated 23.12.2021 giving direction to the Respondents to relieve the Applicants within two weeks from the date of order.</p> <p>4. This M.A. was filed for extension of time stating that department wants to challenge the order passed by this Tribunal. However, learned P.O. seeks liberty to withdraw this M.A. on the ground that the order is already implemented and the Applicants are already relieved.</p> <p>5. In view of above, M.A. is disposed of with no orders as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[PTO.]</p>

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	<p>Date: 24.01.2022</p> <p align="center">M.A. No.534 of 2021 in O. A. No.949 of 2021</p> <p>K.V. KoliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate 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 to M.A. as well as O.A. by way of last chance.</p> <p>3. S.O. to 07.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.01.2022</p> <p align="center">O. A. No.43 of 2022</p> <p>S.P. KalgutkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S.P. Kalgutkar, Applicant-in-Person and Smt. K.S. Gaikwad, learned Presenting Officer holding for Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This O.A. is filed for direction to the Respondents to release retiral benefits with interest. 3. Perusal of O.A. reveals that the Applicant stands retired as Assistant Commissioner of Police w.e.f. 31.07.2020 on the establishment of Respondent No.4 – Commissioner of Police, Pune. 4. The Applicant in person states that he is not facing any D.E. so as to withheld the gratuity and regular pension. 5. Since, the Applicant stands retired in 2020 and still he is deprived of gratuity and regular pension, this O.A. ^{has} to be disposed of expeditiously. h 6. Learned P.O. is therefore directed to take instructions from the Respondents as to why gratuity and regular pension is withheld and to apprise the Tribunal on next date. 7. In the mean time issue notice before admission returnable on 10.02.2022. 8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

[P.T.O.]

1. Maharashtra Administrative Tribunal's orders on
2. Maharashtra Administrative Tribunal's orders on
3. Maharashtra Administrative Tribunal's orders on

Tribunal's orders

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

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

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

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

13. S.O. to 10.02.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

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