

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

**O.A.No.440/2023 with O.A.No.441/2023 with O.A.No.442/2023 with
O.A.No.443/2023 with O.A.No.444/2023 with O.A.No.445/2023 with
O.A.No.446/2023 with O.A.No.447/2023 with O.A.No.448/2023 with
O.A.No.449/2023 with O.A.No.450/2023 with O.A.No.451/2023 with
O.A.No.452/2023 with O.A.No.453/2023 with O.A.No.454/2023 with
O.A.No.455/2023**

A.V. Kanake & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

Mr. V.A. Nagrani, learned Advocate for the Applicants.

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

CORAM : **Justice Mridula Bhatkar (Chairperson)**
Ms. Medha Gadgil (Member) (A)

DATE : **24.04.2023.**

O R D E R

1. All the 16 Applicants challenge order dated 30.01.2023 wherein they were terminated in service. Learned Advocate has requested that out of these 16 O.As, O.A.No.449/2023 is to be taken as the lead case.


2. Learned Advocate has submitted that now the charge-sheet dated 08.03.2023 is issued to all the candidates and therefore the prayer of interim relief for staying the issue of notice of termination to all the Applicants may be passed. Learned Advocate for the Applicant has relied on the judgment of Hon'ble High Court dated 20.09.2022 passed in Writ Petition No.280/2019 & Anr. Arun Nagnath Sontakke and Ors. Versus The State of Maharashtra and Ors.



3. Respondent has taken the decision to order of initiating the process of terminating the services of the respective applicants. Applicants have joined services as Junior Clerk w.e.f. 2009. Pursuant to the advertisement dated 22.03.2008 all the applicants are appointed in the year 2009. In the said examination there was incidence of mass copying and the Tribunal by order dated 22.12.2020 passed in O.A.No.1355 /2009, Shri Mehmud K. Subhedar Versus The State of Maharashtra & Ors. directed the Respondents No.1 to 3 to take appropriate action including segregation of tainted candidates from untainted after providing opportunity of hearing to the candidates and then pass fresh order in accordance to law in view of reports dated 22.04.2010 and 30.04.2014. Pursuant to the report dated 16.09.2022, of tainted and untainted candidates, and on the basis of that report the applicants were considered as tainted. Resultantly, Respondents have issued notice of initiating the process of termination of services of tainted candidates. Learned P.O. by oral instructions points out to the order dated 13.03.2023 in Writ Petition No.3159/2023 passed by the Hon'ble High Court, Mahadev G. Dhapate Versus The State of Maharashtra & Ors.

4. The Hon'ble High Court in the case of Sontakke (supra) it is held that,

“28. Thus, based on the above discussion, we hold that the Commissioner was required to maintain an open-mind till such time he received the representation of Arun against the inquiry report. Since the inquiry report is an important documents that the Commissioner, as the disciplinary authority, seeks to rely on the nail Arun, such a document could not have been considered without furnishing a copy thereof to Arun. The Commissioner has proceeded in breach of the principles of natural justice and pre-judged the issued.”



5. We have gone through the order dated 13.03.2023 wherein it is held that,

“4. Stand over to 18.04.2023.

5. Under the order dated 20.02.2023, Respondents have initiated enquiry,

6. We are not inclined to stall the enquiry. The enquiry may proceed further.

7. However, till the next date, the adverse orders with regard to the service of the Petitioner may not be issued.”

6. All applicants are similarly situated persons to whom orders are issued about initiation of termination order was issued on 20.02.2023. Hon'ble High Court has expressly mentioned not to stay the D.E. Hence we are not inclined to grant interim relief in these O.As. The learned Advocate has placed reliance on the judgment of Sontakke (supra) wherein it is stated as the candidates are not tainted. It is also necessary for the enquiry Officer to be open minded and that the Committee which was Disciplinary Authority in Sontakke's case has committed error in findings of the Enquiry Officer.

7. We direct enquiry officer to keep his mind open and follow the orders of Hon'ble High Court. We direct, if enquiry proceeds in between and concluded speedily, the enquiry report is to be kept in sealed cover.

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

9. Issue notice before admission returnable on 12.06.2023.

10. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry,

along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

11. 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.

12. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

13. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.

14. Adjourned to 12.06.2023.

Sd/-
(Medha Gadgil)
Member(A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

prk

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>C.A. No.22 of 2023 in OAs.674/2022 & 1054/2022</u></p> <p>V.D. Suryawanshi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Id. PO submits that the order in OAs is complied with.</p> <p>3. Hence, CA is disposed off as order is complied with.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gādgil)</p> <p>Member (A)</p> <p>24.4.2023</p> <p>(sgl)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>24.4.2023</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>R.A. No.17 of 2022 in O.A. No.200 of 2020</u></p> <p>M.P. Jamadar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Applicant in person and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time.</p> <p>3. S.O. to 13.6.2023 by way of last chance.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.4.2023 24.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>CA No.36/2023 in O.A. No.1164/2022 with OA.125/2023</u></p> <p>Y.S. Tekawade P.V. Patil ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for Applicants.</p> <p>2. Pursuant to order, Director General of Police has issued orders sending the applicants for training on 21.4.2023.</p> <p>3. Hence, CA is disposed off.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 24.4.2023 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 24.4.2023</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.39 of 2023 in O.A. No.64 of 2022</u></p> <p>B.B. Shelake ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p align="center">Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for Applicant.</p> <p>2. Ld. CPO submits that the matter is in the process of compliance.</p> <p>3. S.O. to 3.5.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 24.4.2023 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 24.4.2023</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 24.04.2023

O.A.No.685/2023 with O.A.No.703/2016

H.B. Gawane & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Not on board. Taken on board at the request of learned Advocate Mr. Bandiwadekar.
3. Adjourned to 27.04.2023 for hearing, P.H..

Sd/-
(Medha Gadgil)
Member(A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.217 of 2023 in O.A. No.346 of 2020</u></p> <p>G.S. Karande ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This MA is filed for early hearing of OA.</p> <p>3. OA is fixed for hearing on 16.6.2023. Hence, MA is disposed off.</p> <p align="center">Sd/- _____ (Medha Gadgil) Member (A) 24.4.2023</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson 24.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.80 of 2023 in O.A. No.79 of 2023</u></p> <p>K.S. Tordmal ..Intervener R.N. Saykar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that one post is kept vacant.</p> <p>3. S.O. to 5.6.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.4.2023 24.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.7 of 2023 in O.A. No.96 of 2021</u></p> <p>Dr. M.M. Mahind & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Kranti L.C., learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 2.5.3023. Interim relief to continue, if any.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.4.2023 24.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.273 of 2023 in O.A. No.35 of 2023</u></p> <p>N.A. Chechare ..Intervener K.R. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri L.S. Deshmukh, learned Advocate for the Intervener and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Intervener to serve the applicant.</p> <p>3. S.O. to 5.6.2023.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.4.2023 24.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

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Original Application No. _____ of 20____

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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>O.A. No.371 of 2023</u></p> <p>V.K. Fale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.B. Gaikwad, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO submits that file is pending with the Hon'ble Chief Minister.</p> <p>3. Under Secretary, Public Health Department is directed to take follow up.</p> <p>4. S.O. to 6.6.2023.</p> <p align="center">Sd/- (Medha Gadgil) /v (Mridula Bhatkar, J.) Member (A) Chairperson 24.4.2023 24.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.As. No.1217 & 1218 of 2022</u></p> <p>A.R. Bhapkar ..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. Admit.</p> <p>3. S.O. to 14.6.2023 for final hearing.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Médha Gádgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.4.2023 24.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1211 of 2022</u></p> <p>P.Y. Doke ..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. Admit.</p> <p>3. S.O. to 23.6.2023 for final hearing.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Metha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.4.2023 24.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1032 of 2021</u></p> <p>A.L. Jagtap ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Kranti L.C., learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 14.6.2023 for final hearing.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 24.4.2023 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 24.4.2023</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.15 of 2023 in O.A. No.652 of 2022</u></p> <p>D.K. Mayekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. Applicant and Advocate are absent.</p> <p>2. Ld. PO submits that bill is submitted to the treasury and will be cleared shortly.</p> <p>3. S.O. to 3.5.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 24.4.2023</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 24.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders								
	<p align="center"><u>C.A. No.10 of 2023 in O.A. No.367 of 2022</u></p> <p>P.B. Umrani ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant in person and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that RA No.4/2023 is dismissed by order dated 6.4.2023. Pay Verification Unit has raised objection on the bills submitted and recovery is due from the applicant. That pay fixation has been erroneously done. Rs.4,76,947/- is to be recovered from the applicant and the amount which are due and payable are to be immediately released.</p> <p>3. S.O. to 14.6.2023.</p> <p align="center"> <table border="0"> <tr> <td align="center">Sd/-</td> <td align="center">Sd/-</td> </tr> <tr> <td align="center">(Medha Gadgil)</td> <td align="center">(Mridula Bhatkar, J.)</td> </tr> <tr> <td align="center">Member (A)</td> <td align="center">Chairperson</td> </tr> <tr> <td align="center">24.4.2023</td> <td align="center">24.4.2023</td> </tr> </table> </p> <p>(sgj)</p>	Sd/-	Sd/-	(Medha Gadgil)	(Mridula Bhatkar, J.)	Member (A)	Chairperson	24.4.2023	24.4.2023
Sd/-	Sd/-								
(Medha Gadgil)	(Mridula Bhatkar, J.)								
Member (A)	Chairperson								
24.4.2023	24.4.2023								

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.04.2023</p> <p align="center">O.A.No.388/2023 with M.A.No.247/2023 with M.A.No.248/2023</p> <p>K.N. Bhosale & Ors..Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. P.S. Phagnekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A.No.247/2023 is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A.No.247/2023 is allowed.</p> <p>6. M.A.No.248/2023 is filed seeking condonation of delay of 15 years, 11 months and 1 day. Adjourned to 27.04.2023.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

Date : 24.04.2023

C.A.No.79/2022 in O.A.No.605/2022

Dr. B.T. KarvekarApplicant.

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. Learned P.O. on instructions has submitted
that the applicant has received all the payments.
She has placed on record copy of compliance letter
received from the office of Respondent regarding
payment of all dues.

3. At the request of learned Advocate Adjourned
to 03.05.2023 for seeking instruction from the
Applicant.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 24.04.2023

C.A.No.58/2022 in O.A.No.863/2017

C.V. BhosleApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. In view that the matter is challenged before the Hon'ble High Court and the same is pending, C.A. stands adjourned to 08.08.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.04.2023</p> <p style="text-align: center;">O.A. No.67 of 2023</p> <p>S.B. JavirApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged suspension order dated 21.09.2022 mainly on the ground of prolong suspension.</p> <p>3. While the Applicant was serving as Talathi Kapuskhed, Tal. Walva, District Sangli. Offence u/s. 7 & 12 under provision of Prevention of Corruption Act, 1988 was registered on 17.09.2022 and consequent to it Respondent No.1 – S.D.O. suspended him w.e.f. 20.09.2022 by order dated 21.09.2022.</p> <p>4. Learned Advocate for the Applicant submits that the Applicant is subjected to prolong suspension without there being any initiation of D.E. or filing of charge-sheet in criminal case. He has further pointed out that Respondents have not taken review in the suspension as mandated by Hon'ble Supreme Court in (2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.)</p> <p>5. Learned P.O. sought to justify the suspension in view of registration of crime against the Applicant. However, as regard review, she submits that till date no review is taken. She therefore submits that review will be taken within reasonable time and O.A. be disposed of.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. In so far as reasons for suspension is concerned, Rule 4(1)(a) of M.C.S. (Discipline & Appeal) Rules, 1979 empowers authority (SDO) to suspend the Applicant in view of registration of crime. There is no denying that offence under the provision of Prevention of Corruption Act has been registered against the Applicant. This being so, it cannot be said that suspension order was without any justification or bad in law.</p> <p>7. However, question is about prolong suspension of the Applicant without taking review in <i>Ajay Kumar Choudhary's case (cited supra)</i> Hon'ble Supreme court directed that the currency of a suspension order should not extend beyond 90 days if within this period the memorandum of charges is not served on the delinquent officer, and if the memorandum of charges is served, a reasoned order must be passed for the extension of the suspension. Indeed, the Government has also issued various G.Rs. to take review of suspension so that the Government servant is not subjected to prolong suspension without taking review of the same. In present case, admittedly neither charge-sheet is filed nor criminal case is initiated against the Applicant. That apart, no review is taken for the continuation of the suspension. As such, the right of the Applicant for expeditious decision of criminal case and D.E. is affected. O.A. is therefore required to be disposed of with suitable direction. Hence, the order</p> <p style="text-align: center;"><u>ORDER</u></p> <p>A) O.A. is disposed of with direction to the Respondents to take review of suspension of the Applicant within six weeks from today and in accordance to Rules and decision as the case may be shall be communicated to the Applicant within a week thereafter.</p> <p>B) No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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 : 24.04.2023</p> <p align="center">O.A.No.276 of 2023</p> <p>S. D. AbnaveApplicant</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. holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of Respondent No.2. It is taken on record.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 12.06.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.04.2023</p> <p align="center">M. A. No.18 of 2023 in O.A.No.39 of 2023</p> <p>R. B. MisalApplicant</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., the matter is adjourned for hearing of M.A.</p> <p>3. S.O. to 12.06.2023.</p> <p align="right"> \ Sd/- . (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.04.2023</p> <p>M.A.No.563 of 2022 in O.A.No.889 of 2022</p> <p>P. N. JadhavApplicant</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. The Tribunal by order dated 10.04.2023 directed the Respondent Nos.1 as well as Respondent No.3 - C.P. Pune to file Affidavit in reply. 3. Today, the Respondent No.3 -C.P. Pune has only filed additional Affidavit in O.A. It is taken on record. 4. No reply is filed on behalf of Respondent No.1 in terms of order passed by the Tribunal on 10.04.2023. 5. The Tribunal has already passed the order to hear M.A. and O.A. together in view of peculiar facts and circumstances of the matter as narrated in order dated 10.04.2023. 6. Today, learned P.O. again sought time to file reply on behalf of Respondent No.1. 7. Since enough time is granted, I am not inclined to grant further time to file reply. 8. M.A. and O.A. be kept for hearing together. 9. S.O. to 07.06.2023. <p style="text-align: right;">Sd/- w (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 : 24.04.2023</p> <p style="text-align: center;">O.A.No.391 of 2023</p> <p>N. D. PatilApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the transfer order dated 08.12.2022 whereby he is transferred from the post of Office Superintendent, District Vocational & Training Education Officer Sangali to the post of Office Superintendent, BTRI Institute, Satara being declared surplus. He already joined at Satara. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 09.06.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 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. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed. 9. S.O. to 09.06.2023. <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.04.2023</p> <p align="center">O.A.No.234 of 2018</p> <p>P. R. Wagh & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. S. Pakale with Smt. Ranjana Todanakar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned C.P.O. , the matter is adjourned to 27.04.2023 for final hearing.</p> <p>3. S.O. to 27.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 24.04.2023</p> <p align="center">O.A. No.05 of 2023</p> <p>A.R. 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 Affidavit-in-Sur Rejoinder on behalf of Respondent. It is taken on record. O.A. be kept for hearing at the stage of admission.</p> <p>3. S.O. to 13.06.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 24.04.2023</p> <p align="center">O.A. No.38 of 2023</p> <p>S.S. KadamApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Om Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant adjourned for Final Hearing.</p> <p>3. S.O. to 08.06.2023.</p> <p align="right"> Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.04.2023</p> <p align="center">O.A. No.705 of 2019</p> <p>V.D. Kamane & Ors.Applicant 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 learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.4. It is taken on record.</p> <p>3. This O.A. along with O.A. No.706/2019 be kept for Final Hearing.</p> <p>4. S.O. to 27.04.2023.</p> <p align="right"> [^] Sd/-  (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.420 of 2023</u></p> <p>Dushyant M. Bhamray ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. Advocate for the applicant adjourned to 25.4.2023. The respondents are directed to remain present at 10.30 a.m. Ld. Advocate for the applicant files affidavit of service. Notice waived.</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 returnable on 25.4.2023. 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 O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "For Dismissal" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Mridula Gadgil) Member (A) 24.4.2023</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 24.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.04.2023</p> <p style="text-align: center;">O.A.No.96/2023</p> <p>Dr. N.P. MahajanApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Not on board. Taken on board at the request of learned Advocate Ms. Mahajan.</p> <p>3. Learned Advocate Ms. Mahajan request that matter be kept on 03.05.2023 for filing of reply by learned C.P.O.</p> <p>4. Adjourned to 03.05.2023 for reply.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1029 of 2019</u></p> <p>Pillai M. Velswamy ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Kranti L.C., learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Shri Sumant Bhangе, Secretary, GAD is today present in the Tribunal. He informs that though there were orders passed by the Hon'ble High Court and Hon'ble Supreme Court in the matter of the applicant, he was not given deemed date on account of non framing of the policy in respect of promotions to the disabled. He submits that guidelines were issued on 17.5.2022 by the Union of India regarding reservation in promotion to the disabled under Section 34 of the Act. He further submits that earlier Act of 1995 was in force and it was amended in 2016 and according to him there were certain changes.</p> <p>3. Shri Sumant Bhangе, Secretary, GAD submits that meeting of the committee will be held along with Additional Chief Secretary, GAD (Services); Additional Chief Secretary, Finance Department; Principal Secretary, Law & Judiciary Department; Principal Secretary, Skill Development & Entrepreneurship Department and Secretary, GAD (SDC) and decision will be taken within fifteen days.</p> <p>4. Smt. Manisha Verma, Principal Secretary, Skill Development & Entrepreneurship Department to move the file and take decision after consultation with the said committee and file affidavit within a period of three weeks i.e. by 15.5.2023.</p> <p>5. Ld. Advocate for the applicant submits that he will give bullet points to the respondents by tomorrow.</p> <p>6. S.O. to 9.6.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) / Sd/- Member (A) / (Mridula Bhatkar, J.) 24.4.2023 / Chairperson 24.4.2023</p> <p>(sgj) ..</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.04.2023</p> <p>O.A. No.456 of 2023</p> <p>S.S. MohiteApplicant 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. In the O.A. the Applicant has prayed for limited relief of direction to Respondent No.1 to take decision about suspension period as well as out of service period in terms of order passed by the appellate authority on 21.01.2022.</p> <p>3. The perusal of record reveals that in the D.E. the Applicant was subjected to punishment of dismissal of service by Respondent – The Commissioner of Handicap, Pune but in appeal it was set aside and punishment of withholding of one increment with cumulative effect was imposed on 21.01.2022. Appellate authority further directed the Commissioner for Handicap to take decision about suspension period as well as out of duty period. In pursuance of order of authority the Applicant was reinstated in service but no decision was taken about the suspension as well as out of service period though period of more than one year is over.</p> <p>4. In view of above, nothing has to be adjudicated in this O.A. and it require to be disposed of with suitable direction.</p> <p>5. O.A. is disposed of with direction to the Respondent to take decision about the suspension period and out of duty period in accordance to Rules within a month from today and decision as the case may be shall be communicated to the Applicant.</p> <p>6. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 24.04.2023</p> <p align="center">O.A. No.119 of 2023</p> <p>K.A. AdmaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Kumbhar, learned Advocate holding for Shri S.K. Hande, 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. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 05.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.04.2023</p> <p align="center">M.A. No.236 of 2023 in O.A. No.158 of 2022</p> <p>S.B. KobalkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S. Rathod, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed during the pendency of O.A. for condonation of delay in view of query raised by the Tribunal.</p> <p>3. Two weeks time is granted to learned P.O. to file Affidavit-in-Reply to M.A.</p> <p>4. S.O. to 04.05.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 24.04.2023</p> <p align="center">O.A. No.1110 of 2022</p> <p>V.R. PingleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. Learned Advocate for the Applicant submits that he does not want to file Rejoinder.</p> <p>4. O.A. be kept for hearing at the stage of admission.</p> <p>5. S.O. to 12.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 24.04.2023</p> <p>O.A. No.139 of 2023</p> <p>R.S. ManeApplicant 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. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 02.05. 2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 24.04.2023</p> <p align="center">O.A. No.201 of 2023</p> <p>S.V. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, 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 on behalf of The Assistant Commissioner of Police (Admn.), Navi Mumbai. It is taken on record. 3. On request of learned Advocate for the Applicant two weeks time is granted to file Rejoinder. 4. S.O. to 05.06.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 24.04.2023</p> <p align="center">O.A. No.290 of 2023</p> <p>S.S. DeshmukhApplicant 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. Enough time is granted to file Affidavit-in-Reply but the same is not filed. Hence, I am not inclined to grant further time.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 15.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.04.2023</p> <p align="center">O.A. No.607 of 2018</p> <p>V.V. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing it is noticed that the statement of witnesses is not forthcoming on the basis of which enquiry officer recorded his finding. It appears that the statements of these witnesses were recorded in preliminary enquiry and in regular D.E., These statements were relied upon, the witnesses were called in regular enquiry and they stated that though they have nothing to say in addition to what they have stated in their statement in preliminary enquiry. The Applicants / delinquent declined to cross examine them. The enquiry officer submits positive report.</p> <p>3. In view of the statement of witnesses recorded in preliminary enquiry and relied upon by the enquiry officer are material but those are not forthcoming.</p> <p>4. Learned P.O. is directed to file the copies of these statements of witnesses by tomorrow.</p> <p>5. S.O. to 25.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN [P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 24.04.2023</p> <p align="center">O.A. No.417 of 2023</p> <p>P.D. DondadkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired on 31.01.2021 but till date he is not paid his all retiral benefits. Learned Advocate for the Applicant submits that there was no such legal hurdle in the form of D.E. or judicial proceeding so as to withheld retiral benefits.</p> <p>3. It is really surprising as to why retiral benefits for more than two years are not paid fully.</p> <p>4. Learned P.O. is directed to take instruction and to apprise the Tribunal tomorrow.</p> <p>5. S.O. to 25.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="left">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.04.2023</p> <p align="center">M.A. No.02 of 2023 in O.A. No.1274 of 2022</p> <p>B.S. KapseApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Dhannawat, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply of M.A. is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. S.O. to 05.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 24.04.2023</p> <p align="center">M.A. No.153 of 2023 in M.A. No.158 of 2023 in O.A. No.268 of 2023</p> <p>M.A. Chopade & Anrs.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply of M.A. is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. S.O. to 07.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 24.04.2023</p> <p align="center">O.A. No.423 of 2023 to O.A. No.426 of 2023</p> <p>A.M. Kamble G.Y. Shelke K.G. Wamane S.D. BiranjeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicants are challenging order dated 31.03.2023 whereby the Applicants are shown transferred because of having found surplus in view of roaster implementation. They were on the establishment of Respondent No.3 – Superintendent of State Excise, Pune but now transferred on the establishment of Superintendent of State Excise, Ahmednagar & Mumbai.</p> <p>3. Learned Advocate for the Applicant sought interim relief <i>inter-alia</i> contending that the Applicants (except one) all were appointed on compassionate appointment at district cadre and not transferable out of district. According to her, roaster is not applicable to compassionate appointment.</p> <p>4. Learned P.O. opposed interim relief <i>inter-alia</i> contending that the Applicants were found surplus while implementation of roaster and therefore they are transferred to Ahmednagar & Mumbai. He further submits that the Applicants are already relieved.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Since, the Applicants are already relieved, I am not inclined to grant interim relief, whether the post is District cadre or Applicants could be transferred or absorbed at some other place is question to be decided on merit.</p> <p>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 04.05.2023.</p> <p>8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>9. 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>10. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>11. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>12. S.O. to 04.05.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 24.04.2023</p> <p>O.A. No.15 of 2023 with O.A. No.105 of 2023 with O.A. No.106 of 2023 with O.A. No.129 of 2023 with O.A. No.145 of 2023 with O.A. No.165 of 2023 with O.A. No.172 of 2023 with O.A. No.181 of 2023 with O.A. No.182 of 2023 with O.A. No.191 of 2023 with O.A. No.194 of 2023 with O.A. No.207 of 2023 with O.A. No.215 of 2023 with O.A. No.265 of 2023 with O.A. No.312 of 2023</p> <p>S.K. Kuklare D.S. Chavan & Ors., S.P. Pulate & Ors., S.A. Shendge M.B. Barmate B.B. Rane K.K. Pawar D.A. Potbhare & Ors., G.S. Revgade & Anrs., A.R. Roman & Anrs., S.M. Gosavi K.M. Ihsawkar & Ors., S.J. Shendre & Ors., T.I. Mujawar & Ors., K.M. Hirave & Anrs.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar & Shri A.V. Bandiwadkar, learned Advocate for the Applicants and Smt. Archana B.K., Shri A.J. Chougule & Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Shri S.S. Dere, learned Advocate for the Applicants is absent.</p> <p>3. In all these group of O.As the Applicants are seeking direction for Inter District Transfer and to relieve them. These O.As are filed from time to time in piecemeal.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Reply is filed on behalf of Respondent No.4 – The Commissioner of Police, Aurangabad in O.A. No.15/2023 only, except this none has filed Affidavit-in-Reply in these matters. On previous date last chance was granted to file Affidavit-in-Reply.</p> <p>5. Learned P.O. however today again sought time to file Affidavit-in-Reply.</p> <p>6. Ten days time is granted to file Affidavit-in-Reply on behalf of Respondents with specific direction that no further time will be granted. All these O.As to be kept on 04.05.2023.</p> <p>7. S.O. to 04.05.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>