

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>24.05.2024</u></p> <p><u>O.A 656/2024</u></p> <p>Ravindra L. Gaikwad & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Anirudh Rote, learned advocate with Shri A.S Gaikwad learned advocate for the applicants through Video Conference and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O pursuant to the order dated 22.5.2024, on instructions from MPSC submits that out of four examinations, for three examinations the last date of submitting the applications were as under:-</p> <p style="padding-left: 40px;">For advertisement No. 48/2023 – 25.09.2023 For advertisement No. 114/2023 –09.11.2023 For advertisement No. 115/2023- 09.11.2023.</p> <p>Learned P.O further submitted that for Advertisement No. 414/2023, one Corrigendum is issued on 8.5.2024 pursuant to the SEBC Act dated 26.2.2024 (Maratha Reservation). Thus, only facility is made available to candidates who are age barred from SEBC category to submit their application from 9.5.2024 to 24.5.2024. Learned P.O placed on record copy of letter dated 22.5.2024 addressed by Dr Prashant Narnaware, Commissioner, Women and Child Welfare Department to the Secretary, Women and Child Welfare Department, Mantralaya, wherein it is stated that he needs two months' time go get the information as mentioned in the order dated 22.5.2024.</p> <p>3. It is surprising to take note of the fact that a period of two months is required to collect the information when the entire Government machinery is available with the Women and Child Welfare Department and information is asked only about 6 to 7 Orphanage are approved by the Government or not. I express displeasure about asking such a long time.</p> <p>4. The Commissioner, Women and Child Welfare Department to take note that the matter is fixed on 18.6.2024. The information is to be collected urgently and report is to be submitted about the status of the applicants on affidavit whether they are institutionalized Orphans or non-institutionalized Orphans as per the rules, provisions and policy of the Government. It is for the department to find out the factual position.</p> <p>6. S.O to 18.6.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>24.05.2024</u></p> <p style="text-align: center;"><u>O.A 658/2024</u></p> <p>Smt Vaishali R. Chavan (Nirdhar) ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant prays that the impugned order dated 7.5.2024 passed by Respondent No. 1, be quashed and set aside.</p> <p>3. Learned counsel for the applicant submits that the order dated 7.5.2024 passed by Respondent No. 1, relieving and discontinuing the deputation of the applicant is illegal and wrong on following grounds:-</p> <p>(i) The meeting of the Civil Services Board is not conducted to consider the case of the applicant before relieving the applicant to her parent department.</p> <p>(ii) The applicant has put in only 1 ½ years at her present place of posting, i.e., Deputy Secretary, Maharashtra State Right to Public Services Commission, Mumbai.</p> <p>(iii) The Competent Authority, i.e., Additional Chief Secretary, G.A.D, as per clause 5 of the G.R dated 17.12.2016, is required to give three months' notice to the applicant before repatriating her to the parent department.</p> <p>4. A query is made to the learned P.O whether any G.R is issued superseding the G.R dated 17.12.2016. Learned P.O on instructions submits that there is no such superseding provisions in the subsequent G.R dated 16.2.2018.</p> <p>5. Perused the relevant provisions in the G.R dated 17.12.2016. Admittedly, three months' notice period is not given by the Competent Authority, i.e., Additional Chief Secretary, G.A.D to the applicant before relieving and discontinuing her deputation to the parent department. It is to be noted that whatever procedure is laid down in the G.R dated 17.12.2016 is required to be followed by the Respondents.</p> <p>6. On this ground alone, the Original Application is allowed and the impugned order dated 7.5.2024 issued by Respondent No. 1, thereby relieving the applicant from the post of Deputy Secretary, Maharashtra State Right to Public Services Commission, Mumbai is hereby quashed and set aside. The applicant is directed to join the said post today itself on or before 1.00 pm.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</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.

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	<p align="center"><u>24.05.2024</u></p> <p align="center"><u>O.A 651/2024</u></p> <p align="center"><u>Speaking to the minutes</u></p> <p>Smt Shubhada C. Kamble ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri Abhijit Tambe, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents. 2. Learned counsel for the applicant submits that the Original Application was disposed of on 13.5.2024. However, in the second last line of the judgment it is mentioned as "for their admission" instead of "for their appointment". It is therefore necessary to correct the said word as "appointment" instead of "admission". 3. Learned P.O submits to the order of the Court. 4. Accordingly, the word "for their admission" should be read as "for their appointment". 5. Ordered accordingly. <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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