

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
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|   | <p><b><u>24.08.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 621/2021</u></b></p> <p>Shri D.D Madiwale ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. The applicant, Head Constable, is challenging the transfer order dated 27.3.2021, transferring the applicant from Bharti Vidyapeeth Police Station, Pune to Traffic Branch, Pune.</p> <p>3. Learned counsel for the applicant states that the applicant is not due for transfer and he has completed 5 months at the present place of posting and he is entitled for a tenure of 5 years.</p> <p>4. Learned counsel for the applicant challenges the transfer order on following grounds:-</p> <p>(a) The applicant has been transferred on his request. However, this statement is false.</p> <p>(b) The impugned order is mid-term and mid-tenure and it is issued in violation of statutory provisions of Section 22N (1) and (2) of the Maharashtra Police Act.</p> <p>(c) The applicant got information under RTI and after going through the request application dated 27.3.2021, it is clear that the signature of the applicant is forged and he has never made such an application for his transfer.</p> <p>5. Learned P.O is directed to take instructions in the matter.</p> <p>6. Issue notice made returnable on 2.9.2021.</p> <p>7. 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>8. 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>9. 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>10. S.O to 2.9.2021.</p> <p style="text-align: right;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></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  |
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|   | <p><b><u>24.08.2021</u></b></p> <p align="center"><b><u>O.A 605/2020</u></b></p> <p>Shri S.B Gunjal ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 7.10.2021.</p> <p align="right">Sd/- _____</p> <p align="right">(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>Sd/- _____<br/>(Medha Gadgil)<br/>Member (A)</p> <p>Akn</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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M.A./R.A./C.A. No. \_\_\_\_\_ of 20\_\_\_\_

IN

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

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|   | <p><b><u>24.08.2021</u></b></p> <p align="center"><b><u>O.A 438/2020</u></b></p> <p>Shri S.R Dumare ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms S.P. Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 7.10.2021.</p> <p>Sd/-<br/><b>(Medha Gadgil)</b><br/>Member (A)<br/>Akn</p> <p>Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> |

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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|   | <p style="text-align: center;"><b><u>24.08.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 610/2021</u></b></p> <p>Shri Pradeep B. Ingale ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. The applicant, Inspector of Motor Vehicles in the office of R.T.O, Shivajinagar, Pune, challenges the order passed by the Respondents transferring him from Pune to Satara. Learned counsel for the applicant states that the applicant was due for transfer.</p> <p>3. Learned counsel for the applicant challenges the order of transfer on following grounds:-</p> <p>(a) By order dated 16.12.2020, the applicant was posted on a supernumerary post for 11 months or till the date of his retirement whichever is earlier.</p> <p>(b) Learned counsel for the applicant states that supernumerary post is not covered under the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. (hereinafter referred to ROT Act, 2005).</p> <p>(c) He has filed Writ Petition before the Hon'ble Bombay High Court and the Hon'ble Bombay High Court has protected the service of the applicant, though his Caste claim was invalidated.</p> <p>(d) So long as the Respondents are not taking decision in respect of the applicant for his continuation on supernumerary posts, the Respondents cannot transfer him, because supernumerary posts are earmarked in this Department and the post at Satara does not fall under supernumerary posts.</p> <p>3. Issue notice made returnable on 16.9.2021.</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</p> |

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|   | <p>put to notice that the case may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 16.9.2021.</p> <p style="text-align: right;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> <p>Akn</p> |

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|   | <p style="text-align: center;"><b><u>24.08.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 616/2021</u></b></p> <p>Shri Vishwas L. Gadade ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondents no. 1 and Shri C.T Chandratre, learned advocate for Respondents no 2, 3, &amp; 4.</p> <p>2. The applicant, working as Circle Officer, challenges the transfer order dated 9.8.2021 passed by Respondent no. 1, transferring him from Khopoli, Tahsil office, Khalapur, Dist-Raigad to Indapur, Tahsil Office-Mangaon,</p> <p>3. Learned counsel for the applicant challenges the transfer order on following grounds:-</p> <p>(a) The applicant is a Group-C employee and hence entitled to get two full tenures of six years and now he has completed only 3 years and 3 months.</p> <p>(b) Applicant's 14 year old son is suffering from Type-I Diabetes.</p> <p>(c) Applicant has submitted two options, i.e. at Wawoshi, Dist-Raigad and Chowk Tahsil, Khalapur, Dist-Raigad. Both the posts were vacant before the impugned transfer order dated 9.8.2021 was passed.</p> <p>(d) Respondents did not follow the G.R dated 9.4.2018 by-passing the seniority.</p> <p>(e) The approval of next higher transferring authority is not obtained before transferring the applicant.</p> <p>4. Shri C.T Chandratre, learned counsel for Respondent no. 4, states that Respondent no. 4 took charge at the transferred place on 11.8.2021.</p> <p>5. Learned C.P.O seeks time to take instructions in the mater.</p> <p>6. Issue notice made returnable on 7.9.2021..</p> <p>7. 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</p> |

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|   | <p>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>8. 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>9. 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>10. S.O to 7.9.2021.</p> <p style="text-align: right;">Sd/-<br/>/ <b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> <p>Akn</p> |

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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|   | <p><b><u>24.08.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 755 with 756/2021</u></b></p> <p>M.R Sawant &amp; Ors ... Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte with Dr Jayshtre Patil, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. In the course of submissions, learned counsel for the applicant Dr. Gunratan Sadavarte, referred to the order dated 1.4.2021, passed by this Tribunal wherein Exh. 'A', chart of names showing the tenures was produced. He pointed out to name of one person whose services were not more than 10 years, yet was regularized. Some names are randomly noted down for verification by the Respondents.</p> <p>(1) Shri Mahesh R. Manjrekar - 7 years<br/>(2) Ms Schita S. Khopkar - 8 years<br/>(3) Prakash R. Survey - 7 years<br/>(4) Rajendra V. Gole - 6 years<br/>(5) Supriya A. Waikar - 4 years<br/>(6) Anil B. Kadam - 4 years<br/>(7) Mayadevi Mohite (Jadhav) - 8 years<br/>(8) Rajendra N. Gaikwad - 4 years<br/>(9) Vijay S. Nalawade - 3 years<br/>(10) Sunil N. Devlekar - 5 years<br/>(11) Santosh R. Pedamkar - 5 years<br/>(12) Vijay R. Salunkhe - 4 years<br/>(13) Pradeep D. Pav - 4 years<br/>(14) Mahendra P. Waghchaure - 6 years<br/>(15) Suryakant R. Ulalkar - 7 years<br/>(16) Vishwas L. Kad - 1 year<br/>(17) Suresh H. Potak - 2 years<br/>(18) Bal B. Karav - 6 years<br/>(19) Bhaginath Shivram - 3 years<br/>(20) Durga N. Jadhav - 4 years<br/>(21) Ashwini Ashok - 4 years<br/>(22) Shankar G. Kadam - 5 years<br/>(23) Gulam H. Kazi - 7 years<br/>(24) Mangesh B. Pawar - 5 years<br/>(25) Suresh R. Sugdhare - 4 years<br/>(26) Vilas A. Vazarkar - 3 years<br/>(27) R.S Salunkhe - 3 years<br/>(28) S.S Padval - 2 years<br/>(29) G.D Kadam - 2 years<br/>(30) D.M Dhobi - 5 years<br/>(31) V.R Rana - 3 years<br/>(32) J.K Teli - 3 years<br/>(32) N.R Tombe - 3 years</p> <p>3. Respondents are directed to clarify whether the names of these 226 persons, included the 626 Badli Workers whose services were regularized by G.R dated 7.12.2015. Learned P.O is directed to file affidavit in P.O.</p> |



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|   | <p>reply. The affidavit in reply is to be given to the learned counsel for the applicants on or before 1.9.2021.</p> <p>4. Learned counsel for the applicants submitted that out of the list of 226 persons at Exh. 'A', only 40 Badli Workers were eligible to get regularized as they could fulfill the two conditions, attendance of 240 days for a period of 10 years before 2007.</p> <p>5. S.O to 3.9.2021.</p> <p style="text-align: right;">Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>kn</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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|   | <p><b>Date : 24.08.2021.</b></p> <p><b>O.A.No.539 of 2021</b></p> <p>V.D. Patil .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, the learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Interim relief to be continued till next date.</p> <p>3. Adjourned to 30.08.2021.</p> <p style="text-align: right;">Sd/-<br/>/ (Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |

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|   | <p><b><u>24.08.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 619/2021</u></b></p> <p>Shri Anil S. Chaudhari ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned counsel for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. The applicant, Junior Engineer, challenges the transfer order dated 6.8.2021 transferring him from Nasik to Amravati. Learned counsel for the applicant states that the applicant was due for transfer.</p> <p>3. Learned counsel for the applicant challenges the transfer order on following grounds:-</p> <p>(a) As per G.R dated 9.4.2018, the applicant has given 10 preferential options for his transfer. None of them has been considered and the posts are vacant till date.</p> <p>(b) The case of the applicant was not placed before the Civil Services Board before the transfer order was issued.</p> <p>(c) The Respondents have granted extension of tenure in respect of those who were due for transfer having completed their normal tenure of 3 years as Sectional Engineer/Assistant Engineer. However, the applicant has not been granted extension.</p> <p>4. Issue notice made returnable on 2.9.2021.</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 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>8. S.O to 2.9.2021.</p> <p style="text-align: right;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> <p>Akn</p> |

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
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|   | <p align="center"><b><u>24.08.2021</u></b></p> <p align="center"><b><u>O.A 594/2021</u></b></p> <p>Shri A.V Chavan ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None for the applicant. Heard Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. The applicant, working as Police Constable, challenges the order dated 15.7.2020 transferring him from Nerul Police Station to Police Head Quarter, Kalamboli, Navi Mumbai.</p> <p>3. Issue notice made returnable on 6.9.2021.</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 may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 6.9.2021.</p> <p align="right">Sd/-<br/>/ (Mridula Bhatkar, J.)<br/>Chairperson</p> <p>Akn</p> |





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|   | <p><b><u>24.08.2021</u></b></p> <p><b><u>O.A 606/2021</u></b></p> <p>Smt Pratibha P.Doiphode ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri E.A Bandiwadekar, learned counsel for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The applicant, working as Accounts Officer, in the office of the Maharashtra State Lottery, APMC Market, Vashi, Navi Mumbai challenges the transfer order dated 9.8.2021, transferring the applicant to Mumbai City. Learned counsel for the applicant submits that the applicant was due for transfer.</p> <p>3. Learned counsel for the applicant challenges the transfer order on following grounds:-</p> <p>(a) The applicant is going to retire on 31.5.2022, and therefore, applicant is entitled for protection under section 5(1)(a) of ROT Act, 2005, read with G.R dated 9.4.2018.</p> <p>(b) The case of the applicant was not placed before the Civil Services Board and thus the order of transfer is non-est, void-ab-initio and without jurisdiction.</p> <p>4. Learned P.O submits that there are complaints against the applicant and therefore, she is transferred. Learned P.O is directed to produce the concerned file showing the complaint against the applicant and whether show cause notice was given to the applicant.</p> <p>3. Issue notice made returnable on 27.8.2021.</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 may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 27.8.2021.</p> <p style="text-align: right;">Sd/-<br/><br/>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p style="text-align: left;">Akh</p> |

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|   | <p><b>Date : 24.08.2021.</b></p> <p><b>O.A.No.593 of 2021</b></p> <p>Dr. A.K. Jagtap .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. J.S. Deshpande, the learned Advocate for the Applicant and Ms. Archana B.K., learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant, retired on 31.12.2020 and he prays that the Respondents be directed to pay him pensionary benefits like Gratuity, D.C.R.G. GIS, Commutation of pension, leave encashment, part of G.P.F so also he prays that the Respondents be directed to issue the order of his regularization of suspension period i.e. 20.10.2005 to 09.03.2006 (4 months and 18 days) and 02.11.2007 to 16.12.2008 i.e. 1 year and 15 days. It is further prayer that the Respondents be directed to update the applicant's service book.</p> <p>4. Issue notice before admission returnable on 07.10.2021.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. 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 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>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. Adjourned to 07.10.2021.</p> <p style="text-align: right;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> <p>prk</p> |





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|   | <p><b><u>24.08.2021</u></b></p> <p align="center"><b><u>M.A 286/2021 in O.A 557/2021</u></b></p> <p>Shri S.M Mutekar &amp; Ors ... Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Ms S.P Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicants working as P.S.I appeared for the Limited Departmental Examination- 2008. However, they were denied appointed due to reservation in promotion policy adopted by the Government. Subsequently by G.R dated 7.5.2021, Government has cancelled the policy of reservation in promotion. The present Original Application is filed by the applicants seeking deemed date in the cadre of Police Sub Inspector, pursuant to recommendation dated 9.3.2011.</p> <p>3. Learned counsel for the applicants submits that the name of applicant at Sr No. 6, Mr Pankaj P. Bhople, be permitted to be deleted. Permission granted.</p> <p>4. Issue notice made returnable on 30.9.2021.</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 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>8. S.O to 30.9.2021.</p> <p align="right">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> <p>Akn</p> <p align="right">[P.T.O.]</p> |

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|   | <p align="center"><b><u>24.08.2021</u></b></p> <p align="center"><b><u>O.A 617/2021</u></b></p> <p>Shri M.K Mohite ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant, Circle Officer, is seeking deemed date of promotion in the cadre of Circle Officer along with consequential service benefits.</p> <p>3. Issue notice made returnable on 23.9.2021.</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 may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 23.9.2021.</p> <p align="right">Sd/-<br/><b>(Mridula Bhatkar, J.)<br/>Chairperson</b></p> <p>Akn</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 style="text-align: center;"><b><u>24.08.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 533/2021</u></b></p> <p>Shri Ajay B. Dhende ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant, Office Superintendent, in the office of Additional Principal Chief Conservator of Forest, Vanbhavan, Pune, seeks directions to the Respondent no. 4, to take decision on the representation of the applicant regarding grant of deemed date of promotion in the cadre of Chief Accountant / Head Clerk within a period of one month from the date of order from the date of order of this Hon'ble Tribunal and alternatively it is prayed that Tribunal may grant deemed date of 1.1.2009 or 1.6.2011 to the applicant in the cadre of Chief Accountant with all consequential service benefits.</p> <p>3. Issue notice made returnable on 23.9.2021.</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 may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 23.9.2021.</p> <p style="text-align: right;">10-11-21<br/>Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p style="text-align: left;">Akn</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

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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><b>Date : 24.08.2021.</b></p> <p align="center"><b>O.A.No.873 of 2017</b></p> <p>P.J. Ingawale .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. R.G. Panchal, learned Advocate along with A.R. Kori, learned Advocate for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. Bhushan A. Bandiwadekar, learned Advocate for the Respondents No.6 to 11.</p> <p>2. The learned P.O. for the Respondents files affidavit-in-reply dated 28.06.2021 on behalf of Respondent No.2, through Mr Arvind Ganesh Jadhav, Deputy Assistant (Estt-II) to the Director General of Police. Taken on record and copy served upon learned Advocate for the Applicant and learned Advocate for the Respondents No.6 to 11.</p> <p>3. Matter adjourned to 16.09.2021.</p> <p align="center">Sd/-<br/>(Medha Gadgil)<br/>Member(A)</p> <p align="center">Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

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|---|--|
|   | <p><b><u>24.08.2021</u></b></p> <p align="center"><b><u>M.A 3/2021 in O.A 14/2021</u></b></p> <p>Shri Avinash V. Shete ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.T Bhosale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Misc Application is filed seeking condonation of delay of 2 months and 20 days in filing the Original Application.</p> <p>3. Learned C.P.O submits to the orders of the Court, as the Original Application can be defended on just and sound grounds.</p> <p>4. In view of the above, delay of 2 months and 20 days in filing the Original Application is condoned.</p> <p>5. Misc Application is allowed.</p> <p align="center">Sd/-<br/><b>(Medha Gadgil)</b><br/>Member (A)<br/>Akn</p> <p align="center">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p><b><u>24.08.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 619/2021</u></b></p> <p>Shri Anil S. Chaudhari ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned counsel for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. The applicant, Junior Engineer, challenges the transfer order dated 6.8.2021 transferring him from Nasik to Amravati. Learned counsel for the applicant states that the applicant was due for transfer.</p> <p>3. Learned counsel for the applicant challenges the transfer order on following grounds:-</p> <p>a) As per G.R dated 9.4.2018, the applicant has given 10 preferential options for his transfer. None of them has been considered and the posts are vacant till date.</p> <p>b) The case of the applicant was not placed before the Civil Services Board before the transfer order was issued.</p> <p>c) The Respondents have granted extension of tenure in respect of those who were due for transfer having completed their normal tenure of 3 years as Sectional Engineer/Assistant Engineer. However, the applicant has not been granted extension.</p> <p>4. Issue notice made returnable on 2.9.2021.</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 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>8. S.O to 2.9.2021.</p> <p style="text-align: right;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> <p style="text-align: left;">Akn</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**MUMBAI BENCH**  
**CONTEMPT APPLICATION NO. 29 OF 2021**  
**IN**  
**ORIGINAL APPLICATION NO 180 OF 2020**

**DISTRICT : PUNE**

Shri Rajendra B. Dhaktode )  
R/o: Flat no. 04, Vishwakarma Bldg, )  
Ekta Park Society, Opp. Govt. Milk Scheme )  
Old Bombay Pune Road, Wakdewadi, )  
Pune 411 003. )...**Applicant**

**Versus**

1. Shri Anup Kumar, )  
Principal Secretary, )  
Agriculture, Animal Husbandry, Dairy )  
Development and Fisheries Department, )  
Mantralaya, Mumbai 400 032. )  
2. Shri Hanmanlu Tumood, )  
Commissioner of Dairy Development )  
Department, M.S.Worli, Mumbai. )  
3. Shri Prashant Mohod, )  
Regional Dairy Development officer, )  
Pune, Commonwealth Building, )  
Laxmi Road, Pune 411 030. )...**Respondents**

Smt Punam Mahajan, learned advocate for the Applicant.

Shri A.J Chougule, learned Presenting Officer for the Respondents.





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

**DATE** : **24.08.2021**

**PER** : **Justice Mridula Bhatkar (Chairperson)**

**ORDER**

1. Heard Smt Punam Mahajan, learned advocate for the Applicant and Shri A.J Chougule, learned Presenting Officer for the Respondents.
2. In this Contempt Application, the applicant wants the implementation of the order dated 15.3.2021 passed by this Tribunal in O.A 180/2020, wherein the Respondents were directed to absorb the applicant on any of the equivalent post in Dairy Development Department, Pune, within one month from the date of the order. Thus, the order was expected to be complied with on or before 15.4.2021. The order was not complied with. Hence, the present Contempt Application was moved before this Tribunal.
3. By order dated 3.8.2021, we issued notice to the Respondents no 1 to 3 and also directed them to file affidavit in reply within three weeks.
4. Learned P.O files affidavit in reply dated 18.8.2021, of Mr Prashan P. Mohod, Regional Dairy Development Officer, Pune, in the office of Regional Dairy Development Office, Pune, Contemnor No. 3.


✓

5. Learned P.O submits that the Respondent has issued the order on 9.8.2021 and complied the order of this Tribunal dated 15.3.2021. Learned P.O points out to the tabular form date wise stating that how the steps were taken for implementing the order of this Tribunal dated 15.3.2021 and the applicant was absorbed w.e.f 9.8.2021.

6. We have perused the affidavit in reply. Learned counsel for the applicant submits that as per the order of this Tribunal dated 15.3.2021, the applicant is to be absorbed from 15.3.2021 and not as per the order issued by the Respondents from 9.8.2021. We have also perused the explanation given by the Respondent no. 3. We make it clear that the Respondents have not challenged the order of this Tribunal before the Hon'ble High Court by filing Writ Petition. Thus, as on today, the order of the Tribunal holds field and it requires the compliance within one month from the date of the order.

7. The applicant has filed the present Contempt Application after three months. We accept the delay on the part of the Respondents in taking decision. By delay in taking decision in complying with the order of this Tribunal, the Respondents cannot dilute the order of the Tribunal by not absorbing the applicant from 15.3.2021 or within one month thereafter.

8. In view of the above, we direct the Respondents to modify the order of absorption of the applicant as follows:-

- (a) The applicant is absorbed not from 9.8.2021, but from 15.3.2021, i.e. from the date of the order of this Tribunal.
  - (b) Necessary modification order is to be passed on or before 1.9.2021.
- 

9. Contempt Application stands disposed of accordingly.

Sd/-

**(Medha Gadgil)**  
**Member (A)**

Sd/-

**(Mridula Bhatkar, J.)**  
**Chairperson**

**Place : Mumbai**

**Date : 24.08.2021**

**Dictation taken by : A.K. Nair.**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**MISC APPLICATION NO 135 OF 2021**

**IN**

**ORIGINAL APPLICATION NO 246 OF 2021**

**WITH**

**ORIGINAL APPLICATION NO. 246 OF 2021**

**DISTRICT : PUNE**

Dr Ramdas Dashrath Tate )  
Medical Officer, at Mutha Primary Health )  
Centre, Tal-Mulshi, Dist-Pune. )  
R/o: 204, Deepa Park, Survey No. 16/9, )  
Ambegaon [BK], Tal-Haweli, Dist-Pune. )...**Applicant**

**Versus**

1. The State of Maharashtra )  
Through the Secretary, )  
Public Health Services, Mantralaya, )  
Mumbai 400 032. )
2. The Commissioner, )  
Public Health Services, )  
St. Georges Hospital Compound, )  
M.S, Mumbai – 1. )
3. The Director, )  
Public Health Services, )  
St. Georges Hospital Compound, )  
M.S, Mumbai – 1. )

4. The District Health Officer, )  
[Health Department], Pune, )  
Zilla Parishad Pune, )  
New Administrative Bldg, )  
Welsi Road, Pune. )...**Respondents**

Shri V.P Potbhare, learned advocate for the Applicant.

Shri A.J Chougule, learned Presenting Officer for the Respondents.

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

**DATE : 24.8.2021**

**PER : Justice Mridula R. Bhatkar (Chairperson)**

**ORDER**

1. Heard Shri V.P Potbhare, learned advocate for the Applicant and Shri A.J Chougule, learned Presenting Officer for the Respondents.

2. The present Misc Application is filed seeking condonation of delay in filing the Original Application. The cause of action according to the applicant arose in the year 2009 and the present Original Application is filed on 31.3.2021. Thus, there is a delay of 13 years in filing the Original Application.

3. Learned counsel for the applicant prays in the Original Application that the Respondents no 1 to 4 may kindly directed to consider and treat the period of his ad hoc services, i.e. from 30.8.1999 till the date of absorption, i.e. on 10.9.2009 as

continuous service and consider the seniority for grant of pensionary benefits.

4. There is a delay of 13 years in filing the present Original Application. Hence, we made a query to the learned counsel for the applicant to show good and satisfactory grounds to condone the delay of 13 years. The applicant had knowledge that he was absorbed in service on 10.2.2009 and his earlier ad hoc service from 30.8.1999 till 10.2.2009 was never regularized.

5. Learned counsel on our query for showing the reasons to condone the delay of 13 years, submitted that it is a continuous cause of action and therefore the delay of 13 years is to be condoned. Learned counsel for the applicant submits that his representations dated 11.2.2021, 23.2.2021, 19.3.2021 and 30.3.2021 are also not decided by the Respondents and not reply is given to the applicant.

6. As the learned counsel for the applicant could not point out any good and satisfactory reason to condone the long delay of 13 years, after going through the application, we also could not find good and satisfactory grounds justifying the delay of 13 years. The applicant had knowledge that he was absorbed and regularized in service on 10.2.2009 and his services from 30.8.1999 to 10.9.2009 was considered as ad hoc service.

7. Had the applicant made representation immediately and would have approached the appropriate Fora for his regularization, this delay could have been justified. However, in absence of any recourse taken by the applicant for seeking remedy for his grievance, we are unable to condone the delay of 13 years.

8. Hence, the Misc Application seeking condonation of delay of 13 years in filing the Original Application is dismissed. As the Misc Application is dismissed, the Original Application also stands dismissed.

Sd/-  
(**Medha Gadgil**)  
**Member (A)**

Sd/-  
(**Mridula Bhatkar, J.**)  
**Chairperson**

**Place : Mumbai**  
**Date : 24.08.2021**  
**Dictation taken by : A.K. Nair.**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

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|---|---|------|------|----------------|--------------------------|------------|-------------|-----------|-----------|
|   | <p align="center"><u>C.A. No.10 of 2021 in O.A. No.426 of 2019</u></p> <p>P.D. Mule ..Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicant and Advocate are absent. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This CA is filed for implementation of the order dated 11.11.2019 passed in the above OA.</p> <p>3. Ld. PO produces communication, dated 23.8.2021 from District Malaria Officer, Pandharpur, Solapur to the Ld. CPO. The same is taken on record and marked Exhibit '1' for identification.</p> <p>4. Ld. PO points out that the respondents have filed W.P. (St) No.2966 of 2021 in the Hon'ble High Court challenging the order dated 11.11.2019 of the Tribunal. They are waiting for circulation in the Hon'ble High Court and requests that eight weeks time may be granted.</p> <p>5. S.O. to 21.10.2021. //</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 R. Bhatkar, J.)</td> </tr> <tr> <td align="center">Member (A)</td> <td align="center">Chairperson</td> </tr> <tr> <td align="center">25.8.2021</td> <td align="center">25.8.2021</td> </tr> </table> </p> <p>(sgj)</p> | Sd/- | Sd/- | (Medha Gadgil) | (Mridula R. Bhatkar, J.) | Member (A) | Chairperson | 25.8.2021 | 25.8.2021 |
| Sd/-  | Sd/-  |      |      |                |                          |            |             |           |           |
| (Medha Gadgil)  | (Mridula R. Bhatkar, J.)  |      |      |                |                          |            |             |           |           |
| Member (A)  | Chairperson   |      |      |                |                          |            |             |           |           |
| 25.8.2021   | 25.8.2021   |      |      |                |                          |            |             |           |           |



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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|   | <p align="center"><u>M.A. No.300 of 2021 in O.A. No.630 of 2021</u></p> <p>Anil A. Desai &amp; 78 Ors. ..Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Gunratan Sadavarte, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="center">Sd/-<br/>(Medha Gadgil)<br/>Member (A)<br/>25.8.2021</p> <p align="center">Sd/-<br/>(Mridula R. Bhatkar, J.)<br/>Chairperson<br/>25.8.2021</p> <p>(sgj)</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
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|   | <p style="text-align: center;"><u>O.A. No.630 of 2021</u></p> <p>Anil A. Desai &amp; 78 Ors. ..Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Gunratan Sadavarte, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants seeks leave to file application for condonation of delay along with application for clubbing this OA with similar matter. ,</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 8.9.2021.</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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">Sd/-<br/>(Medha Gadgil)<br/>Member (A)<br/>25.8.2021<br/>(sgj)</p> <p style="text-align: center;">Sd/-<br/>(Mridula R. Bhatkar, J.)<br/>Chairperson<br/>25.8.2021</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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|   | <p align="center"><u>O.A. No.651 of 2020</u></p> <p>P.C. Patil &amp; Ors. ..Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files affidavit in reply dated 29.7.2021 on behalf of respondent no.2 and the same is taken on record.</p> <p>3. S.O. to 21.9.2021 for final hearing.</p> <p align="center">Sd/- Sd/-<br/>(Medha Gadgil) (Mridula R. Bhatkar, J.)<br/>Member (A) Chairperson<br/>25.8.2021 25.8.2021</p> <p>(sgj)</p> |





# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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|   | <p><b>Date : 25.08.2021</b></p> <p style="text-align: center;"><b>M.A. No.114 of 2020 in O.A.No. 65 of 2020</b></p> <p><b>Shri S. P. Kapdne</b> <span style="float: right;"><b>....Applicant</b></span></p> <p style="text-align: center;"><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Shri S. B. Bhosale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for condonation of delay for one year and six months caused in filing O.A. claiming consideration of past service for pension purposes.</p> <p>3. The Applicant stands retired on 30.06.2017 as a Sweeper. Initially he was appointed as a part time worker and thereafter his services were regularized and ultimately he stands retired on 30.06.2017. His past services of nine years and five months was not considered for pension purpose. Therefore, he was filed the present O.A. along with application for condonation of delay.</p> <p>6. In so far as the ground of condonation of delay are concerned, the Applicant contends that his daughter, aged 29 years died on 27.01.2018, and therefore, his family was in trauma. Thereafter, his son met with an accident on 29.04.2018 and was hospitalized for month. He also claims to have made representation on 01.10.2019 for consideration of past services but it was not responded. The Applicant has produced the copies of death certificate of Doctor, discharged certificate about hospitalization of his son and representation.</p> <p style="text-align: right; margin-top: 20px;">[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. Learned Counsel for the Applicant also placed reliance on the decision of the Hon'ble Bombay High Court in <b><i>(2020) 4 Mah LJ 280 Anil Ramdas Pawar V/s Union of India</i></b> wherein the delay of five years was condoned with observation that in the matter of condonation of delay the court should not adopt hyper technical view or mathematical approach which would be denial of justice in given case. Reference is also made to judgment of the Hon'ble High Court in <b><i>(2013) 12 SCC 649 (Esha Bhattacharjee V/s. Managing Committee of Raghunathpur Nafar Academy &amp; Ors)</i></b> and <b><i>AIR 1987 SC 1353 Collector, Land Acquisition V/s MST. Katiji &amp; Ors</i></b> wherein the principle that Court should adopt liberal approach while considering the application for condonation of delay has been reiterated.</p> <p>8. Turning to the facts of the present case, the Applicant retired as a Sweeper and <sup>L</sup> is litigating for considering his past service for pension purpose. He has sufficiently explained that on account of untimely death of his daughter and accident of son, his family was in trauma, he could not avail services of lawyer within reasonable time. He made representation but it was not responded. He is claiming relief relating to pension which does not affect the interest of third party. He is from underprivileged section of society.</p> <p>9. As such, considering all these aspects, I am of the view that reasons set out in the application has to be construed as sufficient cause for condoning the delay. Instead of rejecting O.A. on the point of limitation, it would be appropriate to decide his claim on merit so as to advance substantial justice. I am, therefore, inclined to condone the delay.</p> <p>10. In view of above, delay is condoned. M.A.No.114/2020 is allowed with no order as to costs.</p> <p>11. Learned P.O. is directed to file reply in O.A.</p> <p>12. S.O. to 14.09.2021 for reply in O.A.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> |

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|---|---|
|   | <p><b>Date : 24.08.2021</b></p> <p align="center"><b>O.A.No.39 of 2020</b></p> <p><b>A. J. Timbe &amp; Ors. ....Applicants</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed by six Applicants seeking direction to the Respondents to grant them Group-B Gazetted status for the post of Assistant Junior Architect and put them in pay band of 9300-34800 with GP Rs.4400/- on the basis of G.R. dated 16.04. 1984.</p> <p>3. Learned Counsel for the Applicants submits that despite the representations made by the Applicants, the Respondents did not consider the Applicants grievances.</p> <p>4. Learned Counsel further pointed out that in similar situation M.A.T. Bench Nagpur has granted relief to the employees in another department, and therefore, on the ground of purity, the Applicants are entitled to relief claimed.</p> <p>5. In first place, it was for the Respondents to consider the representations by passing appropriate order. However, the Respondents in reply come with the stand that the representations made by the Applicants are not found in the office. Surprisingly, the perusal of copies of representations reveals acknowledgment of the department and despite this position, the department comes with the stand that the representations are not traceable.</p> <p align="right">[P.T.O.]</p> |



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6. Learned Counsel for the Applicant submits that the matter be disposed of with direction to the Respondents to consider the representations made by the Applicants and to pass appropriate order within stipulated period.
7. Learned P.O. has no objection for the same.
8. In view of above, O.A. is disposed of with direction to the Respondents to consider the representations dated 03.10.2016, 18.10.2016, 09.05.2019 and 09.08.2019 within three months from today.
9. Indeed, as seen from letter dated 18.07.2019 issued by the Respondent No.2- Chief Secretary addressed to Respondent No. 1 the demand of Applicants were already forwarded to the Government with recommendation of Respondent No.2-Chief Architect, therefore, it is for the Respondent No.1 to verify its own record and to take decision on the representations referred to above within three months from today in accordance to rules.
10. The decision as the case may be, shall be communicated to the Applicants within two week thereafter.
11. If the Applicants felt aggrieved by the decision they may avail legal course of action as may be permissible in law.
12. No order as to costs.

Sd/-

**(A.P. Kurhekar)**  
**Member(J)**

vsm

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|---|---|
|   | <p><b>Date : 24.08.2021</b></p> <p align="center"><b>O.A.No.122 of 2021</b></p> <p><b>D. D. Rane</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. In this O.A., the Applicant is seeking deemed date of promotion for her husband who is no more.</li> <li>3. Perusal of record reveals that the office of Respondent No.1 had forwarded the proposal to the Home Department, Government of Maharashtra on 02.06.2021 for appropriate orders but still no orders are passed.</li> <li>4. Learned P.O. submits that the powers of deemed date vest with the Government and the decision of the Government is awaited.</li> <li>5. Indeed, the Applicant ought to have joined Government, Home Department as Respondent so that reply and view of Government can be obtained.</li> <li>6. In view of above, leave granted to the Applicant to amend the title clause of O.A. to join Home Department, Government of Maharashtra as Respondent.</li> <li>7. Amendment be carried out within a week.</li> <li>8. The copy of amended O.A. be served upon the Government.</li> <li>9. Learned P.O. is directed to file reply on behalf of newly added Respondent by next date.</li> <li>10. S.O. to 14.09.2021.</li> </ol> <p align="right">Sd/-<br/> <b>(A.P. Kurhekar)</b><br/> <b>Member(J)</b> [P.T.O.]</p> |

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|   | <p><b>Date : 24.08.2021</b></p> <p align="center"><b>O.A.No.208 of 2021</b></p> <p><b>S. B. Kamble</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant was initially appointed as Agriculture Officer in 1992 but he did not pass the examination as contemplated in Agriculture Department State Service Officers (Account Examination) Rules 1981. Later he was promoted to the post of Taluka Agriculture officer in 2009 and exempted from passing examination for the promotional post on attaining 45 years of age. The Applicant stands retired on attaining the age of superannuation at the end of September 2020.</p> <p>3. Ths O.A. is filed for direction to release post retiral benefits which have been withheld for long time.</p> <p>4. It appears that the Applicant's pension papers were not processed because his failure to pass account examination which he was supposed to clear in the post Agricultural Officers.</p> <p>5. As per Rule 5(2) (b) in case of failure of a Government servant to pass examination, he is liable to be discharged from service.</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
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|   | <p>6. Perusal of record reveals that the Respondent No.2 – Commissioner for Agriculture had referred the matter to the Government by letter dated 25.09.2020 in respect of three employees including the Applicant. The Government raised certain quarries and called for some additional information from Commissioner as seen from letter dated 10.11.2020 and 18.03.2021.</p> <p>7. Learned Counsel for the Applicant submits that the matter was required to be placed before High Power Committee which is formed in view of Circular dated 12.02.2001 to consider the matters which does not fall in rules specifically. According to him, High Power Committee is empowered to exempt the Applicant from passing the said examination since he is already retired.</p> <p>8. Learned Counsel for the Applicant further submits that he wants to verify whether there is any specific provision in Rule 1981 for relaxation in passing of examination since the Applicant is already retired from service.</p> <p>9. Learned Counsel requested for time to verify the position and to produce Rules 1981.</p> <p>10. Two weeks time is granted for production of Rules 1981.</p> <p>11. In the meantime, learned P.O. is also directed to take instructions as to whether the matter is placed before the High Power Committee in reference to proposal forwarded by the Commissioner and its present status.</p> <p>12. S.O. to 07.09.2021.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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|   | <p>Date : 24.08.2021</p> <p>O.A.No.141 of 2020</p> <p>Dr. A. E. Gawali .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. The matter is adjourned for hearing at the stage of admission.</p> <p>3. S.O. to 17.09.2021.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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|   | <p><b>Date : 24.08.2021</b></p> <p><b>O.A.No.1000 of 2018</b><br/><b>With</b><br/><b>O.A.No.1231 of 2019</b></p> <p><b>L. G. Lonkar &amp; Ors. ....Applicants</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicants, the matter is adjourned for final hearing.</p> <p>3. S.O. to 21.09.2021.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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|   | <p>Date : 24.08.2021</p> <p align="center">O.A.No.1015 of 2019</p> <p>S. D. Jadhav <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></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 Counsel for the Applicants, the matter is adjourned for final hearing.</p> <p>3. S.O. to 21.09.2021.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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|   | <p>Date : 24.08.2021</p> <p style="text-align: center;">O.A.Nos.512 to 517 of 2020<br/>with<br/>O.A. No.533 of 2020<br/>with<br/>O.A.No.535 of 2020</p> <p>D. M. Ghodake &amp; Ors. <span style="float: right;">....Applicants</span></p> <p><b>Versus</b></p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Smt. Kranti Gaikwad holding for Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicants, the matter is adjourned for a week for hearing at the stage of admission.</p> <p>4 S.O. to 02.09.2021.</p> <p style="text-align: right; margin-top: 20px;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> |

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|   | <p>Date : 24.08.2021</p> <p align="center">O.A.No.39 of 2021</p> <p>M. M. Jawadekar <span style="float:right">...Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for final hearing.</p> <p>3. S.O. to 07.10.2021.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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|   | <p><b>Date : 24.08.2021</b></p> <p align="center"><b>M.A.No.272 of 2021 with R.A. No.10 of 2021 in<br/>O.A.No.768 of 2020</b></p> <p><b>The State of Maharashtra &amp; Ors. ....Applicants<br/>(Ori. Respondents)</b></p> <p><b>Versus</b></p> <p><b>D. T. Katke ...Respondent (Ori. Applicant)</b></p> <ol style="list-style-type: none"> <li>1. Heard Ms S. P Manchekar, learned Chief Presenting Officer for the Applicants (Ori. Respondents) and learned Counsel for the Respondents.</li> <li>2. This is an application for condonation of 20 days delay caused in filing R.A.10/2021 in O.A.768 of 2020.</li> <li>3. Learned C.P.O. submits that 20 days delay be condoned since time was required for taking opinion of different authorities and there is no such negligence in filing R.A.</li> <li>4. In the interest of justice, 20 days delay is condoned so as to decide the R.A. on its own merit.</li> <li>5. M.A.272/2021 is accordingly disposed of with no order as to costs.</li> <li>6. On request of learned C.P.O., R.A. No.10.2021 be kept for hearing on 25.08.2021 at 2.30 P.M.</li> </ol> <p align="right">Sd/-<br/><b>(A.P. Kurhekar)</b><br/>Member(J)</p> <p>vsm</p> |



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|   | <p><b>Date : 24.08.2021.</b></p> <p align="center"><b>O.A.No.498 of 2021</b></p> <p>M.S. Chavan .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadkar, learned Advocate for the Applicant and Ms. Archana B.K, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant, retired as Administrative Officer seeks implementation of recommendations dated 02.09.2014 made by the General Administration Department (G.A.D.) for grant of two advance increments to the Applicant based on the proposals submitted by the Respondent No.2 to Respondent No.1 on 13.11.2014 and 19.11.2014 and which is communicated to the Applicant vide order dated 26.10.2015.</p> <p>3. At the outset, the applicant is retired on 31.05.2013 and seeks relief in terms of proposal. He is asked to satisfy how this petition is maintainable in view of the delay and laches. Query is made to the learned Advocate as to how the cause of action falls within the limitation. The representations and communications after hearing appears to be an artificial affords to meet the delay.</p> <p>4. The learned Advocate submits that he will prefer the Miscellaneous Application for condonation of delay.</p> <p>5. Adjourned sine die. If condonation of delay is not filed within two weeks matter be deregistered without placing it before the Tribunal.</p> <p align="right">Sd/-<br/>/ (Mridula Bhatkar, J.)<br/>Chairperson</p> <p align="right">[P.T.O.]</p> <p>prk</p> |

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|   | <p><b>Date : 24.08.2021.</b></p> <p align="center"><b>O.A.No.243 of 2021</b></p> <p>A.P. Sansare .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Archana B.K, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate Mr. M.F. Wasif for the Applicant is absent.</p> <p>3. The Applicant challenges the suspension order dated 16.02.2021 passed by the Respondent No.4.</p> <p>4. The learned P.O. submits that the applicant is reinstated in the service by order dated 14.06.2021 and he is now posted at Vanpal, Forest Guard, Rehekuri. The copy of order is taken on record and marked at Exhibit-A.</p> <p>5. Except the challenge to the order of suspension dated 16.02.2021 on other prayer is found. As by the order dated 14.06.2021 the grievance is redressed, hence nothing remains in this O.A.</p> <p>6. In view of above, O.A. is disposed off.</p> <p align="right">Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |

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|---|---|
|   | <p><b>Date : 24.08.2021.</b></p> <p><b>M.A.No.282 of 2021 in O.A.No.552 of 2021</b></p> <p>K.T. More .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Mr. A.R. Joshi, the learned Advocate holding for Mr. V.V. Joshi, the learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. M.A.No.282/2021 is filed for condonation of delay of 2 years and 5 months. The cause of action aroused on 31.08.2017 and the O.A. is filed on 03.08.2021.</p> <p>3. Issue notice before admission returnable on 23.09.2021.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>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 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. Adjourned to 23.09.2021.</p> <p style="text-align: right;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> <p>prk</p> |

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|   | <p><b>Date : 24.08.2021.</b></p> <p align="center"><b>O.A.No.510 of 2021</b></p> <p>S.J. Pendharkar @ Asha Kachrurao Doijad<br/>.....Applicant</p> <p align="center">Vs.</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Poonam V. Bodke Patil, the learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant, widow of Mr. Janardan Pendharkar seeks appointment as Police Constable in the place of her husband Mr. Janardan Pendharkar. In 2019, Mr. Janardan Pendharkar died in harness.</p> <p>3. The learned P.O. four seeks time to file affidavit-in-reply.</p> <p>4. Time granted. Adjourned to 23.09.2021.</p> <p align="right">Sd/- _____<br/>/ (Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |

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|   | <p><b>Date : 24.08.2021.</b></p> <p><b>M.A.No.283 of 2021 in O.A.No.553 of 2021</b></p> <p>P.G. Kulkarni .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Mr. A.R. Joshi, the learned Advocate holding for Mr. V.V. Joshi, the learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. M.A.No.283/2021 is filed for condonation of delay of 1 year and 10 months. The cause of action aroused on 31.05.2018 and the O.A. is filed on 03.08.2021.</li> <li>3. Issue notice before admission returnable on 23.09.2021.</li> <li>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>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 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.</li> <li>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.</li> <li>7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. Adjourned to 23.09.2021.</li> </ol> <p style="text-align: right;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> <p>prk</p> |



| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
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|   | <p style="text-align: center;"><u>O.A. No.508 of 2021</u></p> <p>Bhushan J. Girase ..Applicant<br/> Vs.<br/> The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. Savita T. Suryavanshi, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 23.9.2021.</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 style="text-align: center;">Sd/-<br/> (Medha Gadgil)<br/> Member (A)<br/> 24.8.2021<br/> (sgj)</p> <p style="text-align: center;">Sd/-<br/> (Mridula R. Bhatkar, J.)<br/> Chairperson<br/> 24.8.2021</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.702 of 2021</u></p> <p>Dr. A.K. Jagtap ..Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri J.S. Deshmukh, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that today the above matter is on Registrar's Board. He submits that the matter may be taken on Board. The matter is taken on board.</p> <p>3. Ld. Advocate for the applicant produces a note dated 24.8.2021 and seeks leave to withdraw the above OA.</p> <p>4. In view of the above. OA is allowed to be withdraw and disposed off as such.</p> <p align="center">Sd/-<br/>(Medha Gadgil)<br/>Member (A)<br/>24.8.2021<br/>(sgj)</p> <p align="center">Sd/-<br/>(Mridula R. Bhatkar, J.)<br/>Chairperson<br/>24.8.2021</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p style="text-align: center;"><u>O.A. No.509 of 2021</u></p> <p>Sachinsing S. Girase ..Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. Savita T. Suryavanshi, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 23.9.2021.</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 style="text-align: right;">Sd/- _____</p> <p style="text-align: center;">Sd/-<br/>(Medha Gadgil) (Mridula R. Bhatkar, J.)<br/>Member (A) Chairperson<br/>24.8.2021 24.8.2021</p> <p>(sgj)</p> |

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

| Office Notes, Office Memoranda of Coram,<br>Appearance, Tribunal's orders or<br>directions and Registrar's orders | Tribunal's orders   |
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|   | <p><b>Date : 24.08.2021.</b></p> <p><b>O.A.No.536 of 2021 with O.A.No.537 of 2021</b></p> <p>S.B. Sonwane .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. R.G. Panchal, learned Advocate along with A.R. Kori, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. seeks two weeks time to file affidavit-in-reply.</p> <p>3. Time granted. Adjourned to 30.09.2021</p> <p align="center">Sd/-<br/>(Medha Gadgil)<br/>Member(A)</p> <p align="center">Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |

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

Tribunal's orders

**Date : 24.08.2021.**

**O.A.No.557 of 2021 with M.A.No.286 of 2021**

S.M. Mutekar & Ors. ....Applicants  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. C.T. Chandratre, the learned Advocate holding for Mr. S.S. Dere, the learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. This is an application for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.

5. M.A. is allowed.

6. The Applicants, Police Sub Inspector who have appeared for Lower Division Clerk (LDC) examination conducted by the Maharashtra Public Service Commission (M.P.S.C.) pursuant to advertisement dated 06.11.2009.

7. At the outset learned Advocate for the Applicant has to satisfy on the point of limitation.

8. Adjourned to 07.10.2021.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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| Office Notes, Office Memoranda of Coram,<br>Appearance, Tribunal's orders or<br>directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p><b>Date : 24.08.2021.</b></p> <p><b>C.A.No.129 of 2015 in O.A.No.142 of 2015 with<br/>O.A.No.143 of 2015 with O.A.No.144 of 2015</b></p> <p>Dr. S.S. Deshpande .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Applicant in person and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that now the proposal is pending with the Finance Department since 05.08.2021 and the Respondents will try to get it approved within one week and thereafter within two to three days the Government will issue Government Resolution (G.R.). This G.R. will be send to Nanded office and thereafter the applicant's pay will be fixed.</p> <p>3. In this matter the Hon'ble Member (A) Ms. Medha Gadgil has recused as she has handled the file of the applicant.</p> <p>4. Adjourned to 07.09.2021.</p> <p style="text-align: center;">Sd/-<br/><b>(Medha Gadgil)</b><br/>Member(A)</p> <p style="text-align: center;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> <p style="text-align: left; margin-left: 20px;">prk</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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|   | <p><b>Date : 24.08.2021.</b></p> <p><b>O.A.No.627 of 2021</b></p> <p>P.D. Pawar .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"><li>1. Heard Ms. Punam Mahajan, the learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</li><li>2. Interim relief to be continued till next date.</li><li>3. Adjourned to 31.08.2021.</li></ol> <p style="text-align: right;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> <p>prk</p> |

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|---|--|
|   | <p><b>Date : 24.08.2021.</b></p> <p><b>O.A.No.539 of 2021</b></p> <p>V.D. Patil .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, the learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Interim relief to be continued till next date.</p> <p>3. Adjourned to 25.08.2021.</p> <p style="text-align: right;">Sd/-<br/><b>(Mridula Bhatkar, J.)<br/>Chairperson</b></p> <p>prk</p> |



# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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| <p style="text-align: center;">Office Notes, Office Memoranda of Coram,<br/>Appearance, Tribunal's orders or<br/>directions and Registrar's orders</p> | <p style="text-align: center;"><b>Date : 24.08.2021.</b><br/><b>Tribunal's orders</b><br/><b>C.A.No.3 of 2020 in O.A.No.707 of 2018</b></p> <p>R.C. Pillay .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. V. Chandrashehar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. submits that she will filed affidavit-in-reply of the compliance or non-compliance of the order of the Tribunal dated 23.01.2019 within two weeks. This Contempt Application is filed for non-compliance of order dated 23.01.2019.</p> <p>3. By way of last chance two weeks time is given for filing affidavit-in-reply, if reply is not filed within two weeks matter will proceed without reply.</p> <p>4. Adjourned to 06.09.2021.</p> <p style="text-align: center;">Sd/-<br/><b>(Medha Gadgil)</b><br/>Member(A)</p> <p style="text-align: center;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> <p>prk</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><b><u>24.08.2021</u></b></p> <p style="text-align: center;"><b><u>C.A 09/2020 in O.A 990/2018</u></b></p> <p>Shri V.S Kadam ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Y.B Lengare, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that the order of this Tribunal dated 7.10.2019 in O.A 989/2018 has not complied with by the Respondents. Learned counsel for the applicant submits that he relies on the judgment dated 1<sup>st</sup> August, 2018 of the Division Bench of the Hon'ble Bombay High Court in Writ Petition No. 7753/2019. Similarly he also relies on the order dated 16.4.2019, passed by this Tribunal in O.A 975/2018, by which the Original Application was allowed and the Respondents were directed to release regular pension to the applicant.</p> <p>3. In the present Contempt Application, learned counsel submits that though the applicant was entitled to get second time bound promotion, he was denied and thus the necessary increment in pay and pay fixation was not done.</p> <p>4. Learned C.P.O submitted that though the applicant was given first time bound promotion, he was not eligible for second time bound promotion, as he has not completed the necessary training and has not given necessary examination of Typing which are required for issuing the Certificate of Permanency by the Respondents. As the Respondents could not issue the necessary Certificate of Permanency for want of requisition technical and educational qualification on the part of the applicant, the second time bound promotion was rightly rejected in view of G.R dated 19.9.2017.</p> <p>5. Learned C.P.O, however, submits that the applicant Mr V.S Kadam, is getting pension as per 6<sup>th</sup> Pay Commission and the proposal for his pay fixation and pensionary benefits as per 7<sup>th</sup> Pay Commission is submitted to the office of the Accountant General on 29.6.2021 and the approval from the Accountant General is awaited and it will be approved within two months.</p> <p>6. In view of the above C.A stands disposed of with directions to the Respondents to revise the pension of the applicant as per 7<sup>th</sup> Pay Commission and pay the same on or before 30.10.2021.</p> <p style="text-align: center;">Sd/-<br/><b>(Medha Gadgil)</b><br/>Member (A)</p> <p style="text-align: center;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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|---|--|
|   | <p align="center"><b><u>24.08.2021</u></b></p> <p align="center"><b><u>O.A 14/2021</u></b></p> <p>Shri Avinash V. Shete ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.T Bhosale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant challenges the order dated 15.10.2019, passed by Respondent no. 2, and also the selection list prepared and finalized by the Respondent in pursuance to advertisement issued in the year 2013.</p> <p>3. Learned C.P.O seeks time to take instructions.</p> <p>4. Issue notice made returnable on 2.9.2021.</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 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>8. S.O to 2.9.2021.</p> |
|   | <p align="center">Sd/-</p> <p align="center"><b>(Medha Gadgil)</b><br/><b>Member (A)</b></p> <p align="center">Akn</p> <p align="center">Sd/-</p> <p align="center"><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p>  |

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|---|--|
|   | <p><b><u>24.08.2021</u></b></p> <p align="center"><b><u>M.A 104/2020 in O.A 1033/2015</u></b></p> <p>Ms T.D Tayade ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Savita Suryavanshi, holding for Shri Sandeep Rankhamde , learned advocate for the applicant and Mr Archana B.K, learned P.O for the Respondents.</p> <p>2. Misc Application is filed to carry out amendment in the Original Application.</p> <p>3. Learned P.O submits to the order of the Tribunal.</p> <p>4. Misc Application seeking to carry out amendment is allowed. Learned counsel for the applicant is directed to amend the Original Application and serve copy of the Original Application on the Respondents with two weeks.-</p> <p>5. Place O.A 1033/2015 on 21.9.2021.</p> <p align="center">Sd/-<br/><b>(Medha Gadgil)</b><br/><b>Member (A)</b><br/>Akn</p> <p align="center">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> |

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|---|---|
|   | <p><u>24.08.2021</u></p> <p><b>C.A 49/200 in O.A 800/2019, with C.A 50/2020 in O.A 823/2019 with C.A 51/2020 in O.A 832/2019 with C.A 52/2020 in O.A 825/2019 with C.A 53/2020 in O.A 826/2019.</b></p> <p>Dr Ghansham P. Jangid &amp; Ors ... Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri J.S Deshmukh, learned advocate for the applicants and Ms S.P Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that the decision of the Tribunal is challenged by filing Writ Petition No. 15563/2021 on 20.8.201 and they are waiting for the circulation.</p> <p>3. S.O to 7.10.2021.</p> |
|   | <p style="text-align: center;">Sd/-</p> <p><b>(Medha Gadgil)</b><br/><b>Member (A)</b></p> <p>Akn</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p>  |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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|---|---|
|   | <p><b><u>24.08.2021</u></b></p> <p align="center"><b><u>O.A 1115/2019</u></b></p> <p>Smt S.B More ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for Respondents 1 to 3 and Ms Shivani Chandoli holding for Shri V.B Joshi, learned counsel for Respondent no. 4.</p> <p>2. Learned C.P.O submits that the Respondents are considering the case of the applicant in respect of her absorption in service and pay fixation.</p> <p>3. Learned C.P.O seeks time to report progress in the matter.</p> <p>4. S.O to 21.9.2021.</p> <p align="center">Sd/-<br/><b>(Medha Gadgil)</b><br/>Member (A)<br/>Akn</p> <p align="center">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> |

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|---|---|
|   | <p><b><u>24.08.2021</u></b></p> <p align="center"><b><u>O.A 117/2021 with 726/2020</u></b></p> <p>H.B Shaikh<br/>R.A Ankalgikar ... Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri C.T Chandratre, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that affidavit in reply is filed in O.A 726 /2020 and today they are filing affidavit in reply in O.A 117/2021. Learned counsel for the applicant submits that he has already pointed out that the reply of the Planning Department, Respondent no. 1 is necessary in this matter. However, till today, Respondent no. 1 has not filed the reply.</p> <p>3. Learned P.O points out that in O.A 117/2021 the affidavit in reply has been filed on behalf of Respondents no 1 to 5 and that can be considered.</p> <p>4. S.O to 23.9.2021.</p> <p align="center">Sd/- ) Sd/-<br/>(Medha Gadgil) (Mridula Bhatkar, J.)<br/>Member (A) Chairperson<br/>Akn</p> |

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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|---|---|
|   | <p><b><u>24.08.2021</u></b></p> <p style="text-align: center;"><b><u>C.A 08/2020 in O.A 989/2018</u></b></p> <p>Shri R.Y Kadam ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Y.B Lengare, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that the order of this Tribunal dated 7.10.2019 in O.A 989/2018 has not complied with by the Respondents. Learned counsel for the applicant submits that he relies on the judgment dated 1<sup>st</sup> August, 2018 of the Division Bench of the Hon'ble Bombay High Court in Writ Petition No. 7753/2019. Similarly he also relies on the order dated 16.4.2019, passed by this Tribunal in O.A 975/2018, by which the Original Application was allowed and the Respondents were directed to release regular pension to the applicant.</p> <p>3. The applicant, Shri R.Y Kadam, has received the pension and pensionary benefits from 1995 till his date of retirement. However, learned counsel for the applicant argued that the applicant is entitled to pay fixation and pensionary benefits from 1986 when he was first appointed. Though, there were breaks in between his services were regularized and by order dated 16.4.2019 in O.A 975/218 the Tribunal has directed the Respondents to pay the benefits from 1986 and not from 1995. He has relied on the report of the Collector dated 28.1.2008. The Collector has also mentioned that the service of the applicant is to be considered from 1995. The order of the Tribunal dated 16.4.2019 in O.A 975/2018 was confirmed in W.P 7753/2019 and thus, the order of the Tribunal is not complied with by the Respondents.</p> <p>4. We have perused the report of the Collector, wherein the Collector has recommended the regularization of services of the applicant and others. However, nowhere, he has stated expressly that the services are to be regularized from 1985, i.e. the date of their first appointment. Admittedly, there are many breaks. We called upon the learned counsel for the applicant to show a specific judicial order or a judicial finding stating that the service of the applicant is to be regularized from 1985 or 1986. Learned counsel for the applicant could not show us such specific finding.</p> <p>5. On the other hand, learned C.P.O pointed out to para 10 of order of this Tribunal dated 16.4.2019 in O.A 975/2018, wherein it is observed as under:-</p> |



| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p data-bbox="780 359 1430 698"><i>"The Applicant was admittedly eligible for the appointment on the post of Junior Clerk. At the end of December, 1986, the appointment of the Applicant was cancelled in view of abolition of posts based on Zero Budget policy of State Government. However, later again, the Applicant was appointed by order dated 3.2.1994 and continued in service till retirement. Therefore, it <u>would be appropriate to see the nature of posting of the Applicant from 1994 to 2017.</u>" ( emphasis placed).</i></p> <p data-bbox="680 766 1423 856">6. Thus, this being a Contempt Petition, we cannot go beyond the findings given and the order passed by this Tribunal in the Original Application.</p> <p data-bbox="680 889 1423 1009">7. In view of this, as the pay fixation and all pensionary benefits are given to the applicant from 1995 till the date of their retirement, nothing remains to be complied with by the Respondents.</p> <p data-bbox="680 1042 1423 1103">8. Accordingly Contempt Application stands disposed of.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="680 1187 879 1289" style="text-align: center;"> <p>Sd/-<br/><b>(Medha Gadgil)</b><br/><b>Member (A)</b></p> </div> <div data-bbox="1088 1187 1389 1289" style="text-align: center;"> <p>Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> </div> </div> |

# 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,<br>Appearance, Tribunal's orders or<br>directions and Registrar's orders | Tribunal's orders   |
|---|---|
|                                | <p><b>Date : 24.08.2021.</b></p> <p style="text-align: center;"><b>O.A.No.590 of 2021 with M.A.No.292 of 2021</b></p> <p>P.B. Kale <span style="float: right;">....Applicant</span><br/> Vs.<br/> The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Mr. Bhushan A. Bandiwadekar, the learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. This is an application for leave to sue jointly.</li> <li>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</li> <li>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</li> <li>5. M.A. is allowed.</li> <li>6. The applicant, challenges the order dated 28.09.2020.</li> <li>7. Issue notice before admission returnable on 07.10.2021.</li> <li>8. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>9. 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 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.</li> </ol> |

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

**Tribunal's orders**

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. Adjourned to 07.10.2021.

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson

prk

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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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><b>Date : 24.08.2021.</b></p> <p style="text-align: center;"><b>O.A.No.501 of 2021</b></p> <p>D.K. Gawali .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. Archana B.K, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant working as Junior Clerk at Education Department, North Zone, Chembur, Mumbai prayers that directions be issued to the Respondents to transfer the applicant to choose to his posting as mentioned in prayer clause 10(a).</p> <p>3. The learned Advocate points out that he has earlier made representation and accordingly the Under Secretary by had written letter dated 19.03.2019 for inter district transfer to Respondent No.5. However till today it is not complied with. He further points out that thereafter he made another representation dated 25.06.2021 to Respondents No.2 and 4 for inter district transfer from Mumbai to Ahmednagar and Pune.</p> <p>4. Issue notice before admission returnable on 23.09.2021.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. 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 in view of this present COVID-19 Pandemic situation. <span style="float: right;">JPTO.</span></p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p>Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. Respondents to produce the decision take on this representation dated 25.06.2021 Exhibit-I by next date.</p> <p>10. Adjourned to 23.09.2021.</p> <p style="text-align: right;">Sd/-<br/>/ (Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</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"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.681 of 2021</b></p> <p><b>Dr. S. Nivargi (Kotnis) .....Applicant</b><br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Applicant and her Advocate both are absent.</li> <li>2. Learned Advocate for the Applicant has sent her leave note.</li> <li>3. Shri A.J. Chougule, learned Presenting Officer for the Respondents No.1 &amp; 2 is present.</li> <li>4. Shri S.B. Gaikwad, Learned Advocate for the Respondent No.3 is present.</li> <li>5. In view of leave note, adjourned for hearing at the stage of admission.</li> <li>4. S.O. to 23.09.2021.</li> </ol> <p align="right">Sd/-<br/> <b>(A.P. Kurhekar)</b><br/> <b>Member (J)</b></p> <p align="center">NMN</p> |

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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## FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram,<br>Appearance, Tribunal's orders or<br>directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p style="text-align: center;"><u>O.A. No.575 to 579 of 2021</u></p> <p>S.A. Panchal (OA.575/2021)<br/> R.R. Kolse (OA.576/2021)<br/> A.R. Shinde (OA.577/2021)<br/> R.B. Lanjekar (OA.578/2021)<br/> P.B. Patil (OA.579/2021) ..Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Sandeep Dere holding for Shri M.B. Kadam, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicants are working as Sub Inspector (State Excise), which is a Group C, Non-Secretariat Post. They seek to challenge the transfer order dated 9.8.2021.</p> <p>3. Ld. Advocate for the applicants argued that these applicants are Class III employees in Non-Secretariat post and therefore entitled to a normal tenure of 6 years as per the provisions of Section 3(1) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act. 2005 (hereafter referred to as "the Transfer Act") and they have not completed their tenure. He further argues that the applicants were not covered by GR dated 9.4.2018 issued by the GAD as that GR is only applicable for employees who have completed their normal tenure. He pointed out that the applicants were transferred as per letter dated 25.5.2021 which lays down guidelines for transfer of Group A, B and C officers of the State Excise Department. He pointed out that a GR cannot override the Transfer Act and hence he prays for interim relief.</p> <p>4. Ld. PO for the respondents argues that these are not mid-term transfer but general transfer as per letter dated</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p>25.5.2021. She further pointed out that the applicants had submitted 10 options for transfer. Since these transfers were made by following guidelines laid down in letter dated 25.5.2021, approval of the higher authority was not required. She also states that a total of 150 officers were transferred on account of administrative exigencies. She also states that applicants have already been relieved and other officers have been posted in place the applicants in OA No.576 of 2021 and OA No.579 of 2021. Hence, interim relief may not be granted.</p> <p>5. Id. Advocate for the applicants seeks leave to add party respondent in OA No.576 of 2021 and 579 of 2021. Leave granted. Amendment be carried out within one week and amended copy be served on all concerned.</p> <p>6. Considering the facts of the case it is clear that all the applicants have already been relieved from their posts. Moreover in case of OA No.576 of 2021 and 579 of 2021 other officers have been posted in place of the applicants. Hence, I do not find any reason to grant interim relief.</p> <p>7. Respondents to file reply within two weeks.</p> <p>8. S.O. to 7.9.2021.</p> <p style="text-align: right;">Sd/-<br/>(Medhā Gadgāī)<br/>Member (A)<br/>24.8.2021</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"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.171 of 2021</b></p> <p><b>R.S. Gaikwad</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri M.A. Jadhav, learned Advocate holding for Shri Ashok Jadhav, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Advocate for the Applicant submits that he has instructions from the Applicant to withdraw the O.A., since his grievances are already redressed.</p> <p>3. Allowed to withdraw O.A.</p> <p>4. O.A. is accordingly disposed of with no order as to costs.</p> <p align="right">Sd/-<br/> (A.P. Kurhekar)<br/> Member (J)</p> <p align="center">NMN</p> <p align="right">[PTO.</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"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.681 of 2021</b></p> <p><b>Dr. S. Nivargi (Kotnis) .....Applicant</b><br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Applicant and her Advocate both are absent.</li> <li>2. Learned Advocate for the Applicant has sent her leave note.</li> <li>3. Shri A.J. Chougule, learned Presenting Officer for the Respondents No.1 &amp; 2 is present.</li> <li>4. Shri S.B. Gaikwad, Learned Advocate for the Respondent No.3 is present.</li> <li>5. In view of leave note, adjourned for hearing at the stage of admission.</li> <li>4. S.O. to 23.09.2021.</li> </ol> <p align="right">Sd/-<br/> <b>(A.P. Kurhekar)</b><br/> <b>Member (J)</b></p> <p align="center">NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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**FARAD CONTINUATION SHEET No.**

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p align="center"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.273 of 2021</b></p> <p><b>D.B. Nayak</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant, adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 27.08.2021.</p> <p align="right">Sd/-<br/> (A.P. Kurhekar)<br/> Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p align="center"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.1183 of 2019</b></p> <p><b>S.H. More</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri M.A. Jadhav, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. was dismissed in default on 16.07.2021, however in view of order passed in M.A. No.296/2021 and M.A. No.297/2021. O.A. is restored today.</p> <p>3. Today learned Advocate for the Applicant has tendered Affidavit-in-Rejoinder on behalf of the Applicant. It be taken on record.</p> <p>4. Adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 24.09.2021.</p> <p align="right">Sd/-<br/> (A.P. Kurhekar)<br/> Member (J)</p> <p align="center">NMN</p> <p align="right">[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"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.325 of 2020</b></p> <p><b>V.D. Sulochane</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, 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 26.07.2018. It appears that during the pendency of O.A. the Applicant is reinstated in service.</p> <p>3. However, learned Advocate for the Applicant submits that he is challenging legality of suspension order on the ground of competency of Authority and O.A. be heard on merit.</p> <p>4. Enough time is already granted to the Respondent to file Reply, but the same is not filed.</p> <p>5. Hence, O.A. to proceed without Reply and it be kept for hearing at the stage of admission.</p> <p>6. S.O. to 23.09.2021.</p> <p align="right">Sd/-<br/> <b>(A.P. Kurhekar)</b><br/> <b>Member (J)</b></p> <p align="left">NMN</p> <p align="right">[P.T.O.]</p> |

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

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p align="center"><b>Date: 24.08.2021</b></p> <p align="center"><b>M.A. No.296 of 2021 in M.A. No.297 of 2021<br/>In O.A. No.1183 of 2019</b></p> <p><b>S.H. More</b> .....Applicant<br/><b>Versus</b><br/><b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri M.A. Jadhav, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. This M.A. is filed for Condonation of delay of four days and restoration of O.A. No.1183/2019 which was dismissed in default.</li> <li>3. Learned Advocate for the Applicant submits that due to COVID-19 Pandemic situation and lockdown he could not attend the Tribunal since, he is coming from Nashik, and therefore, requested that O.A. be restored for decision on merit. The ground shown in M.A. deserves acceptance for restoration of O.A.</li> <li>4. In view of above delay caused in filing restoration of M.A. is restored on decision of merit.</li> <li>5. Both the M.As are disposed of with no order as to costs.</li> </ol> <p align="right">Sd/-<br/><b>(A.P. Kurhekar)</b><br/>Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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**FARAD CONTINUATION SHEET No.**

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p align="center"><u>O.A. No.396 of 2021</u></p> <p>N.G. Parmar ..Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply dated 12.8.2021 on behalf of respondents no.1 to 5 and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant states that applicant does not wish to file rejoinder.</p> <p>4. S.O. to 25.8.2021.</p> <p align="right">Sd/-<br/>(Medha)Gadgil<br/>Member (A)<br/>24.8.2021</p> <p>(sgj)</p> |

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

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p align="center"><u>O.A. No.375 of 2021</u></p> <p>P.R. Parit ..Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files affidavit in reply dated 24.8.2021 on behalf of respondent no.2 and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant states that applicant does not wish to file rejoinder.</p> <p>4. Admit.</p> <p>5. S.O. to 27.8.2021 for final hearing.</p> <p align="right">Sd/-<br/>(Medha Gadgil)<br/>Member (A)<br/>24.8.2021</p> <p>(sgj)</p> |



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p align="center"><u>O.A. No.328 of 2021</u></p> <p>P.A. Bodekar ..Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.S. Dere holding for Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks three weeks time to file reply.</p> <p>3. S.O. to 16.9.2021.</p> <p align="right">Sd/-<br/>(Medha Gadgil)<br/>Member (A)<br/>24.8.2021</p> <p>(sgj)</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p style="text-align: center;"><u>O.A. No.614 of 2021</u></p> <p>B.D. Ingale ..Applicant<br/> Vs. ..Respondents<br/> The State of Maharashtra &amp; Ors.</p> <p>Heard Shri P.G. Kayande, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned 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 21.9.2021.</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 style="text-align: right;">Sd/-<br/> (Medha Gadgil)<br/> Member (A)<br/> 24.8.2021</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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**FARAD CONTINUATION SHEET No.**

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p align="center"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.553 of 2020</b></p> <p><b>J.J. Khaire</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Smt. Archana B.K., learned Presenting Officer for the Respondents No.1 to 3 is present.</li> <li>3. Smt. S. Taware, learned Advocate for the Respondent No.4 is present.</li> <li>4. Today learned Advocate for the Respondent No.4 has filed Affidavit-in-Reply. It is taken on record.</li> <li>5. Adjourned for hearing at the stage of admission.</li> <li>6. S.O. to 28.09.2021.</li> </ol> <p align="right">Sd/-<br/> <b>(A.P. Kurhekar)</b><br/> <b>Member (J)</b></p> <p align="center">NMN</p> |

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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| Office Notes, Office Memoranda of Coram,<br>Appearance, Tribunal's orders or<br>directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p style="text-align: center;">Date: 24.08.2021</p> <p style="text-align: center;">O.A. No.503 of 2020</p> <p>V.S. Pandhare .....Applicant<br/>Versus<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant, adjourned for hearing at the stage of admission.</p> <p>3. S.O. to 23.09.2021.</p> <p style="text-align: right; margin-right: 50px;">Sd/-<br/>(A.P. Kurhekar)<br/>Member (J)</p> <p style="text-align: center; margin-top: 20px;">NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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


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|---|---|
|   | <p align="center"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.481 of 2020</b></p> <p><b>Dr. S.J. Kanuje</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri S.B. Gaikwad, learned Advocate for the Applicant and A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</li> <li>3. Learned P.O. requested for grant of time for hearing since Rejoinder is filed belatedly.</li> <li>4. Adjourned for hearing at the stage of admission.</li> <li>5. S.O. to 23.09.2021.</li> </ol> <p align="right">Sd/-<br/> <br/> <b>(A.P. Kurhekar)</b><br/> <b>Member (J)</b></p> <p align="center">NMN</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
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|   | <p>Date: 24.08.2021</p> <p>O.A. No.686 of 2019 to O.A. No.690 of 2019 with O.A. No.693 of 2019 with M.A. No.371 of 2019 with O.A. No.695 of 2019 with M.A. No.373 of 2019 with O.A. No.750 of 2019 with M.A. No.405 of 2019 with O.A. No.752 of 2019 with M.A. No.406 of 2019 with O.A. No.584 of 2019 with O.A. No.585 of 2019</p> <p>S.U. Shinde<br/>D.K. Sudrik<br/>M.J. Palande<br/>P.K. Kadekar<br/>H.R. More<br/>D.T. Desai<br/>W.J. Godse<br/>B.R. Londhe<br/>A.P. Marathe<br/>S.B. Malusare<br/>M.M. Sakore .....Applicant<br/>Versus<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In all these O.As. the Applicants are claiming retiral benefits considering their temporary promotion. The Applicants relied on the decision rendered by this Tribunal delivered in O.A. Nos.301 &amp; 1044 of 2017 with O.A. Nos. 33 &amp; 282 of 2018 decided by common judgment dated 04.02.2019.</p> <p>3. Learned P.O. however submits that Respondents have filed Writ Petition before the Hon'ble High Court and stay is granted. She sought time to produce stay orders.</p> <p>4. If there is really stay orders to the judgement <sup>of</sup> which the Applicant is relying, then we need to wait till the decision of Hon'ble High Court, since the issue is again subjudice.</p> <p>5. S.O. to 30.09.2021.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member (J)</p> <p style="text-align: center;">NMN</p> |

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|   | <p align="center"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.288 of 2021</b></p> <p><b>R.V. Kothmire</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. In the O.A. Applicant has challenged transfer order dated 06.05.2021, <i>inter-alia</i> contending that he has been transferred mid-term and mid-tenure in contravention of provision of Maharashtra Police Act.</li> <li>3. Today, learned Advocate for the Applicant however submits that he has instruction from the Applicant to withdraw the O.A. on the ground that he has already made representation to the Respondents No.2 for transfer at Navi Mumbai, Raigad, Pimpri Chinchwad or Kolhapur.</li> <li>4. Allowed to withdraw O.A.</li> <li>5. It is for the concerned authority to consider representation as he thinks deem fit.</li> <li>6. O.A. is disposed of with no order as to costs.</li> </ol> <p align="right">Sd/-<br/> <b>(A.P. Kurhekar)</b><br/> <b>Member (J)</b></p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

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|   | <p>Date: 24.08.2021</p> <p>O.A. No.1026 of 2019</p> <p>S.K. Chandane .....Applicant<br/>Versus<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri P.G. Kayande, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Since pleading is complete, matter is adjourned for hearing at the stage of admission.</p> <p>3. S.O. to 24.09.2021.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member (J)</p> <p>NMN</p> |



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|   | <p align="center"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.532 of 2021</b></p> <p><b>I.G. Shaikh</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant seeks interim relief to stay the order dated 19.07.2021 on the ground that it is by way of punishment and not sustainable in law in view of wording of Section 25 (2) (a) of Maharashtra Police Act.</p> <p>3. Learned P.O. has requested for grant of time for filing Affidavit-in-Reply.</p> <p>4. Whether suspension is under Section 25 (2) (a) or 25 of Maharashtra Police Act is required to be decided after getting Reply of the Respondent. Hence, I am not inclined to grant interim relief.</p> <p>5. Two weeks time is granted to learned P.O. to file Affidavit-in-Reply as last chance.</p> <p>6. S.O. to 07.09.2021.</p> <p align="right">Sd/-<br/> <b>(A.P. Kurhekar)</b><br/> <b>Member (J)</b></p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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|---|---|
|   | <p align="center"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.452 of 2021</b></p> <p><b>V.E. Jog</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has requested for grant of time to file Reply which is opposed by learned Advocate for the Applicant on the ground that the Applicant is subjected to suspension though he was transferred from the place where alleged mis-conduct has taken place. This O.A. questioning the order of suspension needs to be heard along with O.A. No.197/21 challenging transfer order under <del>grab</del><sup>grab</sup> of temporary shifting.</p> <p>3. In view of above, two weeks time is lastly granted to learned P.O. to file Affidavit-in-Reply in O.A. No.452/2021.</p> <p>4. S.O. to 07.09.2021.</p> <p align="right">Sd/-<br/> <b>(A.P. Kurhekar)</b><br/> <b>Member (J)</b></p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

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|   | <p align="center"><b>Date: 24.08.2021</b></p> <p align="center"><b>O.A. No.258 of 2021</b></p> <p><b>R.A. Gholap</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri D.K. Chavan, 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 Affidavit-in-Reply.</p> <p>3. S.O. to 07.09.2021.</p> <p align="right">Sd/-<br/> <b>(A.P. Kurhekar)</b><br/> <b>Member (J)</b></p> <p align="center">NMN</p> |

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|---|---|
|   | <p align="center">Date: 24.08.2021</p> <p align="center">O.A. No.742 of 2020</p> <p>S.K. Darekar .....Applicant<br/>Versus<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 02.09.2021.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member (J)</p> <p align="center">NMN</p> |

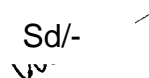
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|   | <p align="center"><b>Date: 24.08.2021</b></p> <p align="center"><b>M.A. No.229 of 2021 in O.A. No.545 of 2021</b></p> <p><b>S.N. Tele</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <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. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply to M.A.</p> <p>3. S.O. to 07.09.2021.</p> <p align="right">Sd/-<br/> <br/> <b>(A.P. Kurhekar)</b><br/> <b>Member (J)</b></p> <p align="center">NMN</p> |