

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 24.08.2022</p> <p>O.A.No.833 of 2022</p> <p>R.A. KamleApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate challenges the fact that the Applicant has not being called for the interview for the post of Associate Professor-Forensic Medicine, as per Advertisement No.98/2021 as he fulfills all terms and conditions prescribed for the said post. The reason for the rejection has been shown that the applicant has been declared ineligible for the post on the ground that the Applicant has submitted only one research paper. However, the Applicant has submitted two research paper. In one of the paper he is the first author and in second paper he is the corresponding author.</p> <p>3. M.P.S.C. is directed to give detailed reason for rejecting his application for the said post by today evening with reference to the two notifications dated 31.10.2018 and 12.02.2020.</p> <p>4. Adjourned to 25.08.2022</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p style="text-align: center;">prk</p> <p style="text-align: right;">[P.T.O.]</p> |

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| | <p>Date : 24.08.2022</p> <p align="center">O.A.No.805 of 2022 with M.A.No.487 of 2022 With O.A.No.770 of 2022 with O.A.No.843 of 2022 with M.A.No.510 of 2022 with O.A.No.844 of 2022</p> <p>Dr. Z.A.K. PatwekarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. P.R. Wankhede, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits that in all these four O.As the issue of regularization of the Medical Officers is similar to the issue which is decided by this Tribunal at Aurangabad Bench in O.A.. She prays that on the same lines relief can be granted as the issue involved is identical.</p> <p>3. Learned P.O. for the Respondents seeks time.</p> <p>4. Keep back at 2.30 p.m..</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> |

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| | <p>O.A.No.659 of 2022</p> <p>R.N. Chore & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Savita Suryawanshi, learned Advocate for the Applicants, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Ms. Suchita learned Advocate holding for Mr. Deore for Respondents No.4 and 5.</p> <p>2. Learned C.P.O. submits that reply of State and Respondent No.7 is already filed. However, two weeks time is required for filing reply of M.P.S.C.</p> <p>3. Time granted. Adjourned to 07.09.2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p> |

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| | <p>Date : 24.08.2022</p> <p>O.A.No.837 of 2022</p> <p>Dr. V. Salunkhe @ PawarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.V. Thorat, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits that the Applicant working as Assistant Professor, Sion Hospital on contract basis for the last 4 years challenges legality, validity and propriety of the list dated 18.08.2022 published by Respondent M.P.S.C., thereby declaring/ holding the Applicant as ineligible for being eligible for interview to the post of Assistant Professor Biochemistry vide advertisement No.37/2021 to 58/2021 dated 13.08.2021. Learned Advocate states that the applicant has completed PG in bio chemistry from Grant Medical college in the year 2018 and worked as Assistant Professor for one year as bonded candidate during the period from September, 2018 to September, 2019 in Government Medical College at Kolhapur. He submits that as per the requirement one has to work for one year as Assistant Professor after PG for regular appointment of Assistant Professor.</p> <p>3. Respondent No.1 DMER is directed to make statement on the next date that the post of 'Assistant Professor' is equivalent to the post of 'Senior Resident'.</p> <p>4. Learned Advocate submits that similar relief has been given in O.A.No.666/2022 by this Tribunal at Aurangabad Bench. Learned Advocate is directed to produce the copy of the same on the next date.</p> <p>5. In the meanwhile we grant interim relief to the applicant. She is allowed to appear for the interview on 26.08.2022. However, the result should not be disclosed till further orders.</p> <p>6. Adjourned to 07.09.2022. Hamdast.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p> |

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| | <p>Date : 24.08.2022</p> <p>O.A.No.583 of 2022</p> <p>A.M. Sanap & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. By way of last chance two weeks time granted to learned P.O. for filing affidavit-in-reply. If reply is not filed by next date matter will proceed for interim relief.</p> <p>3. Adjourned to 07.09.2022.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member(A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> |

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| | <p>Date : 24.08.2022</p> <p>M.A.No.496 of 2022 in C.A.No.8 of 2021 in O.A.No.848 of 2018 With M.A.No.456 of 2022 in C.A.No.8 of 2021 in O.A.No.848 of 2018 With C.A.No.8 of 2021 in O.A.No.848 of 2018 with M.A.No.344 of 2020</p> <p>Y.A. AhireApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant in M.A.No.496/2022, Mr. M.D. Lonkar, learned Advocate for the Applicant in M.A.No.456 of 2022, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. Ansari Faiyaz Ahmed i/b. Mr. Amit Gharte, learned Advocate for the Applicant in C.A.No.8 of 2021 in O.A.No.848/2018.</p> <p>2. M.A.No.496 of 2022 and M.A.No.456 of 2022 is filed seeking intervention in O.A.No.848 of 2018. Learned Advocate Mr. Ahmed files affidavit opposing intervention on the ground that the scope of C.A. is limited to the implementation of the order passed in O.A.No.848/2018. Taken on record. Copy served upon the concerned.</p> <p>3. M.A.No.496 of 2022 and M.A.No.456 of 2022 are hereby allowed. Apparently we are of the opinion that separate O.A. is required to file.</p> <p>4. Learned Advocate Mr. Lonkar submits that he has already filed O.A.No.763/2022 which is on today's board under the caption 'Due Admission' wherein next date is fixed as 30.08.2022.</p> <p>5. Adjourned to 30.08.2022 along with O.A.No.763/2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> |

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| | <p>Date : 24.08.2022</p> <p>O.A.No.650 of 2022 with O.A.No.651 of 2022</p> <p>R.B. Kamble (O.A.650/2022) S.P. Pawar (O.A.651/2022)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. B.S. Shinde, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Learned Advocate submits that both the applicants have been given appointment vide letter dated 30.07.2022 on the post of Multi Purpose Health Worker. Hence the cause of action no longer remains.</p> <p>3. In view of above, both the Original Applications hereby stands disposed of.</p> <p style="text-align: center;">Sd/- _____ (Medha/Gadgil) Member(A)</p> <p style="text-align: center;">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> |

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| | <p><u>24.08.2022</u></p> <p><u>O.A 1063/2015</u></p> <p>Shri C.V Alsatwar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.P Potbhare, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Today in this matter in compliance with the order dated 17.8.2022, especially referring to paras 4 & 5, a letter dated 20.10.2021 is placed before the Tribunal. The same is taken on record and marked as Exh. 'A'. This letter is one year prior to our order dated 17.8.2022. We cannot accept this letter. Today the day is assigned to Home Department. Mr Yogesh Sutar, Court Assistant from the office of the Director General of Police is present. He handed the said letter dated 20.10.2021 to the learned C.P.O.</p> <p>3. Mr Upasni, Law Officer, in the office of the Director General of Police, is directed to remain present before this Tribunal today at 1.30 pm.</p> <p>4. Matter kept back.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> |

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| | <p>Date : 24.08.2022</p> <p>O.A.No.1063 of 2015</p> <p>C.V. AlsatwarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. V.P. Potbhare, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Learned C.P.O. submits that Law Officer, Mr. Upasane has gone along with the D.G. to the office of Chief Justice. Learned C.P.O. submits that a week may be granted on the ground that the concerned officers from the office of D.G are busy with the current session of legislative assembly.</p> <p>3. Adjourned to 07.09.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> |

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(Presenting Officer.....)

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| | <p>Date : 24.08.2022</p> <p align="center">M.A.No.366 of 2022 in O.A.No.459 of 2022</p> <p>V.B. Mahajan & Ors. S.A. Jamdar & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to file Additional affidavit on behalf of M.P.S.C. Registry is directed to correct the name of Advocate appearing for the Applicant as per order dated 26.07.2022 passed in M.A.No.366/2022 in O.A.No.459/2022</p> <p>3. Adjourned to 07.09.2022.</p> <p align="center">Sd/- _____ (Medha Gadgil) Member(A)</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) 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 : 24.08.2022

M.A.No.422 of 2019 in O.A.No.646 of 2016

S.P. SableApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. V.P. Potbhare, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Learned P.O. produces copy of the Rules of seniority of Naib Tahasildar dated 13.03.2020. Taken on record and marked as Exhibit-A. Copy served upon learned Advocate.
3. Learned Advocate seeks two weeks time
4. Adjourned to 07.09.2022.

Sd/-
(Medha Gadgil)
Member(A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

prk

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| | <p align="center">Date : 24.08.2022</p> <p align="center">C.A.No.6 of 2022 in O.A.No.574 of 2020</p> <p>L.D. VeerApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondent, Ms. Advaita M. Lonkar learned Advocate holding for Mr. M.D. Lonkar learned Advocate for the Respondents No.1 & 2.</p> <p>2. Learned P.O. on instructions from Mr. Sachin Dhole, from the office of School and Education Department submits that the file is already submitted before the concerned Minister. She prays for four weeks time.</p> <p>3. Time granted by way of last chance. Adjourned to 21.09.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> |

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(Presenting Officer.....)

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| <p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p> | <p>Tribunal's orders Date : 24.08.2022</p> |
| | <p>C.A.No.49 of 2020 in O.A.No.822 of 2019 with 6 Ors.</p> <p>Dr. G.P. Jangid & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. J.S. Deshmukh, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that in July 2022 Writ Petition is filed challenging the order dated 08.01.2020 against the order of M.A.T. Ex facie there is inordinate delay in challenging the order passed by the Tribunal hence we give last chance to the State to comply the orders of the Tribunal or obtain stay from the Hon'ble High Court</p> <p>3. Adjourned to 21.09.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> |

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| | <p><u>24.08.2022</u></p> <p><u>M.A 487/2022 in O.A 805/2022 with M.A 510/2022 in O.A 843/2022</u></p> <p>Dr Zahir Ahmed Kutubuddin & Ors Dr Madhav G. Kumbhar & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms P.R Wankhede, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Both the Misc Applications to sue jointly is allowed, subject to payment of court fees, if not already paid.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NOS 805, 843, 844 & 770 OF 2022**

DISTRICT : SANGLI

Dr Zahir A. Kutubuddin Patwekar & Ors
Dr M.G Kumbhar & Ors
Dr Y.C Shende & Ors
Dr Arun K. Rathod & Ors)...**Applicants**

Versus

The State of Maharashtra & Ors)...**Respondents**

Ms P.R Wankhede, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

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

DATE : **24.08.2022**

PER : **Mrs Medha Gadgil (Member) (A)**

ORDER

1. The applicants in these Original Application seeks regularization of their services on the post of Medical Officer in various Government Medical College and Hospital, Group-A (Class-II).

2. Learned counsel for the applicants submit that in all there are 17 applicants in the above Original Applications and they are

all age barred and have rendered services in the range from 3 years to 15 years. Learned counsel for the applicants submit that the applicants were appointed as Medical Officers in various Government Medical Colleges and Hospitals as they were recruited by the Divisional Selection Board at local level. Learned counsel for the applicants submitted that the case of the applicants are squarely covered by the decision of the Maharashtra Administrative Tribunal, Aurangabad Bench dated 18.8.2022 in O.A 379/2018 & Ors. Learned counsel for the applicants by way of interim relief prays that the advertisement dated 22.7.2022 issued by Respondent no. 3 and the Respondents be directed to continue the applicants as Medical Officers, Group-A (Class-II).

3. Learned C.P.O submits that the post of Medical Officer were previously with the Public Health Department and were transferred to the Directorate of Medical Education and Drugs Department in the year 2010. However, there were no Recruitment Rules in existence. Learned C.P.O further submits that 427 posts of Medical Officers have been advertised on 22.7.2022 by M.P.S.C, after the Recruitment Rules were framed in March, 2022.

4. Learned C.P.O is directed to file a short affidavit and make statement as to how many such Medical Officers are appointed on a temporary basis in all over Maharashtra.

5. We direct the Respondents not to terminate the service of the 17 applicants who are working as Medical Officers in various Medical Colleges all over Maharashtra till the final decision of these Original Applications.

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

7. Issue notice before admission returnable on 12.8.2022.
8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
10. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
11. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the Original/Miscellaneous Application shall be placed on board before the concerned Benches under the caption '**for Dismissal**' and thereafter on the subsequent date the Original/Miscellaneous Applications shall stand dismissed."
12. S.O to 14.9.2022.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 24.08.2022
Dictation taken by : A.K. Nair.

Date : 24.08.2022

O.A.No.521 of 2022 with O.A.522 of 2022

D. K. Doke
S. G. MominApplicants

Versus

The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri K. R. Jagdale, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Both these Original Applications are filed being aggrieved by transfer order since the Applicants did not get positing in terms of options given by them.

3. Today, when the matter is taken up for hearing, learned P.O. on instruction from Shri Amit Bhise, Assistant Conservator of Forest, Junnar submits that out of some options given by the Applicant at the time of their transfer are still vacant and the Respondents are ready to post them on any one of the options which are presently vacant.

4. In O.A.No.521/2022 the post at Pimpalgaon Joga, Ghatghar, Savargaon and Nimgaon Sawa are vacant.

5. Whereas in O.A.No.522/2022 there are vacancy in the Social Forestry, Junnar and the office of Deputy Conservator of Forest, Work Planning, Pune

6. Learned P.O. further submits that necessary orders giving posting to the Applicant on the vacant post as stated above would be issued within a week and requested to disposed of the O.A.

7. Learned Counsel for the Applicant also submits that O.A. be disposed of by suitable directions.

8. Both the Original Applications are disposed of with direction to the Respondents to issue necessary posting orders at any one of the places which are presently vacant as stated above.

9. Interim relief to continue till issuance of necessary posting orders as per options.

10. O.A. is accordingly disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

**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>Date: 24.08.2022</p> <p align="center">O.A. No.784 of 2022</p> <p>E.V. NaikApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.G. Talhar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. the Applicant had challenged order dated 24.06.2022 whereby Respondent No.2 is shown transferred and posted in his place without their being transfer order of the Applicant.</p> <p>3. Learned Advocate for the Applicant however submits that subsequently the Applicant got some posting order which he intend to challenge separately, and therefore sought permission to withdraw this O.A. with liberty to file fresh O.A.</p> <p>4. Allowed to withdraw with liberty to file fresh O.A. as may be permissible in law.</p> <p>5. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.175 of 2020</p> <p>M.J. MohiteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. Perusal of record reveals that Applicant and his Advocate both are not attending the matter regularly. Today also they are absent, thus they seems not interest in the matter. Hence, O.A. is dismissed in default with no order as to costs. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.504 of 2022</p> <p>S.P. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.K. Hande, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant adjourned for hearing at the stage of admission.</p> <p>3. S.O. to 16.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.892 of 2017</p> <p>D.G. BasutkarApplicant Versus The State of Maharashtra & 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. Learned P.O. submit that Writ Petition is still pending before Hon'ble High Court, and therefore requested to adjourn the matter for next three weeks.</p> <p>3. S.O. to 16.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.724 of 2022</p> <p>M.M. NavgireApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Ganesh Masurkar, learned Advocate holding for Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 07.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.602 of 2022</p> <p>S.D. GanageApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P.L. Rathod, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 07.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.594 of 2022</p> <p>B.B. GawdeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.1 & 2. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted to file Affidavit-in-Rejoinder.</p> <p>4. S.O. to 14.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.422 of 2022</p> <p>K.M. DhanshetiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted to file Affidavit-in-Reply but the same is not filed on behalf of Respondent Nos.1 to 3. Only Respondent No.4 has filed Affidavit-in-Reply long time ago.</p> <p>3. Thus Respondent Nos.1 to 3 seems not interested in filing separate Reply.</p> <p>4. O.A. be kept for hearing at the stage of admission</p> <p>5. S.O. to 21.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> |

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| | <p align="center">Date: 24.08.2022</p> <p align="center">O.A. No.394 of 2022</p> <p>D.K. KokaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. On request of learned P.O. two weeks time is granted to file Sur-Rejoinder and matter be kept for hearing at the stage of admission with liberty to file Sur-Rejoinder in mean time.</p> <p>4. S.O. to 07.09.2022.</p> <p align="right"> Sd/- (A.P. Kurhekar) Member (J) </p> <p align="left">NMN</p> |

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.838 of 2022</p> <p>C.M. SanhalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant retired from the post of Deputy Engineer (Civil) on 30.09.2017 but till date his gratuity is not paid because of inaction on the part of Respondent No.2 to pass appropriate order about his suspension period from 29.02.2000 to 31.07.2000.</p> <p>3. Perusal of record reveals that Respondent No.4 – Divisional Commissioner, Amravati by order dated 29.02.2000 suspended the Applicant in contemplation of D.E. while the Applicant was serving there, later D.E. was completed. Government by order dated 05.11.2011 imposed punishment of recovery of Rs.53,107/- (Rupees Fifty Three Thousand One Hundred and Seven Only) in ten installment and also imposed stoppage of one increment without cumulative effect for one year. Appeal preferred against the Applicant was dismissed on 11.09.2014. Thereafter the Applicant stands retired on 30.09.2017. However, till date he is not paid gratuity and regular pension. Therefore he filed the present O.A.</p> <p>4. <i>Ex-facie</i>, there is inaction and lethargy on the part of Respondent No.4 for not passing appropriate order of suspension period though Departmental proceeding has attended finality long ago. As such, it is due to sheer negligence and inaction on the part of Respondent No.4, the Applicant is deprived of gratuity as well as pension for long time. The worst part is that</p> <p align="right">[P.T.O.]</p> |

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even provisional pension is not paid which again show total casual attitude of the Respondent No.4. In such situation the Applicant's claim for interest and on belated payment and cost also needs to be considered seriously.

5. Learned P.O. shall take note of it and convey this order to Respondent No.4 forthwith.

6. One week time is granted to leaned P.O. to file Affidavit-in-Reply, if any, otherwise O.A. will be disposed of by appropriate order on next date.

7. S.O. to 02.09.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.161 of 2021</p> <p>S.R. Koli, Legal Heirs K.S.Koli & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. as filed additional Affidavit on behalf of Respondent No.1 along with Annexure. It is taken on record.</p> <p>3. When the matter is heard for some time it is transpired that Additional Chief Secretary, G.A.D., Mantralaya, Mumbai is necessary party in this matter in view of G.R. issued by G.A.D. on 15.06.2020. By the said G.R. Government had appointed study group for making recommendation about the entitlement of Government servant who are appointed on supernumerary post after their case certificate was invalidated. As per this G.R., study group was to submit recommendation within three months and thereafter Government was to take policy decision. In present case also the issue is also about entitlement of retired Government who was appointed on supernumerary post.</p> <p>4. Deceased Government servant was A.S.I. on the establishment of Respondent No.1. Reply filed by Respondent No.2 as well as Reply of Respondent No.3 - Additional Chief Secretary, Home Department is silent on the point of recommendation made by study group, if any, and the decision of the Government. Therefore, it is essential to join Additional Chief Secretary, G.A.D., Mantralaya, Mumbai as Respondent No.4.</p> |

[P.T.O.]

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| | <p>5. Learned Advocate for the Applicant has sought permission to join Additional Chief Secretary, G.A.D.</p> <p>6. Allowed to join Additional Chief Secretary, G.A.D. as Respondent No.4, he be added as Respondent No.4 forthwith.</p> <p>7. Two weeks time is granted to learned P.O. to file Affidavit-in-Reply of newly added Respondent.</p> <p>8. In the mean time, the Applicant shall serve copy of this order to newly added Respondent.</p> <p>9. S.O. to 07.09.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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Date : 24.08.2022

M. A. No.485 of 2022 in O.A.No.563 of 2022

Vasant D. Panvalkar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Ms Preeti Walimbe, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. This M.A. is filed for condonation of delay of 904 days caused in filing O.A.
3. Issue notice before admission returnable on 23.09.2022.
4. 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 M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Miscellaneous Applications shall stand dismissed.
8. S.O.to 23.09.2022.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

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| | <p>Date: 24.08.2022</p> <p align="center">M.A. No.500 of 2022 in O.A. No.472 of 2021</p> <p>P.B. ChaudhariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. Shri S. Sakhare, learned Advocate for the Respondent Nos.5 & 6 is absent.</p> <p>2. This M.A. is filed for amendment in view of subsequent development of recovery of Rs.51,071/- (Rupees Fifty One Thousand and Seventy One Only) towards excess payment of salary. Learned Advocate for the Applicant sought direction for refund of Rs. Rs.51,071/- (Rupees Fifty One Thousand and Seventy One Only).</p> <p>3. It being subsequent development, amendment is allowed. It be carried out within a week.</p> <p>4. In view of above, M.A. No.500/2022 is disposed of with no order as to costs.</p> <p>5. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply to the amended O.A.</p> <p>6. O.A. is adjourned to 08.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

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Date : 24.08.2022

O.A.No.80 of 2021 with O.A. No.81 of 2021 with
O.A.No.632 of 2021

Dr. J. K. Pagare
Dr. A. R. Patil
Dr. A. S. Thakre

....Applicant

Versus

The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri J. S. Deshmukh, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. When the matter is taken up for hearing, learned P.O. has pointed out that the judgment passed by the Tribunal on 02.05.2016 which is highly relied by the Applicants, is under challenge before the Hon'ble High Court in bunch of Writ Petitions. He further pointed out that in those Writ Petitions the Hon'ble High Court by order dated 22.12.2021 observed that the judgment of M.A. T. suffers from errors of law deserving interdiction and granted stay to the contempt proceeding. He has tendered the copy of order dated 22.12.2021 for perusal.
3. Thus, the judgment on which present Applicants are relied is under challenge before the Hon'ble High Court and the Hon'ble High Court made observations that prima-facie the judgment of the M.A.T. suffers from errors of law deserving interdiction. Those Writ Petitions are still pending.
4. In view of above, learned P.O. submits that these matters be adjourned so as to await the decision of the Hon'ble High Court.
5. Indeed, there are three other Original Applications i.e. O.A.424/2020, O.A.398/2021 and O.A.172/2022 of similar nature which are fixed on 19.09.2022. Therefore, it would appropriate to take up those three matters on 19.09.2022.
6. Learned P.O. is directed to apprise the Tribunal about the decision in W.P.s pending before the Hon'ble High Court by next date.
7. S.O. to 19.09.2022.

Sd/-

^w
(A.P. Kurhekar)
Member(J)

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| | <p>Date : 24.08.2022</p> <p align="center">O.A.No.1227 of 2019</p> <p>H. S. KhudeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., the matter is adjourned for production of deposition of witnesses and relevant record.</p> <p>3. S.O. to 29.08.2022.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p> |

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| | <p>Date : 24.08.2022</p> <p align="center">O.A.No.102 of 2021</p> <p>T.A. K. N.A. K. PathanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., the matter is adjourned for filing copies of deposition of witnesses and relevant record.</p> <p>3. S.O. to 16.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 24.08.2022</p> <p align="center">O.A.No.636 of 2022</p> <p>K. S.KadlagApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 07.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 24.08.2022</p> <p align="center">O.A.No.458 of 2021 With O.A.No.490 of 20210</p> <p>A. R. Salunkhe S. R. PatilApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. K. Hande, learned Counsel for the Applicant in O.A. No.458/2021, Shri K. R. Jagdale, learned Counsel for the Applicant in O.A.No.490/2020 and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, one week time is granted to file additional affidavit along necessary annexures.</p> <p>3. S.O. to 02.09.2022.</p> <p align="right">Sd/- v- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p align="center"><u>O.A. No.385 of 2022</u></p> <p>S.K. Hankare & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 7.9.2022 by way of last chance. Interim relief to continue.</p> <p align="center">Sd/- _____ (Medha Gadgil) Member (A) 24.8.2022 (sgj)</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson 24.8.2022</p> |

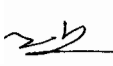
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| | <p align="center"><u>O.A. No.944 of 2021</u></p> <p>Dr. A.M. Barelikar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri J.S. Deshmukh, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO placed on record order dated 10.8.2022 issued by Public Health Department about completion of probation period on 22.1.2012.</p> <p>3. In view of this as the period of probation is completed the applicant is entitled to all the monetary benefits as per rules from the date of appointment. Nothing survives in this OA the same is disposed off accordingly.</p> <p align="center">Sd/- / Sd/- </p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.). Member (A) Chairperson 24.8.2022 24.8.2022</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.192 of 2022</u></p> <p>M.N. Shingade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 7.9.2022 by way of last chance. If the reply is not filed, matter will be proceeded without reply.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.8.2022 24.8.2022</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.126 of 2020 with O.A. No.127 of 2020</u></p> <p>Dr. M.B. Bansode Dr. S.N. Tambare ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for the Applicants.</p> <p>2. Ld. CPO submits that reply is already filed in OA No.127 of 2020 and she is filing reply in OA No.126 of 2020.</p> <p>3. Admit.</p> <p>4. S.O. to 28.9.2022 for final hearing with liberty to file rejoinder.</p> <p align="right">Sd/- </p> <p align="center">Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.8.2022 24.8.2022</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p><u>24.08.2022</u></p> <p><u>O.A 561/2020</u></p> <p>Dr K.S Jawale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.D Gugale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that the matter is adjourned to 14.10.2022. However, he prays that the matter is to be heard at an early date as the issue is short.</p> <p>3. The matter cannot be heard at this stage as we are dealing with the old matters of the year 2015 & 2016. Hence, we maintain the same date.</p> <p>4. S.O to 14.10.2022.</p> <p>Sd/- _____ (Medha Gadgil) Member (A) Akn</p> <p>Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p><u>24.08.2022</u></p> <p><u>C.A 04/2020 in O.A 1119/2015</u></p> <p>Dr B.M Lad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Krushna Agarwal i/b Talekar & Associates, learned advocate for the applicant and Sint K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The order of this Tribunal is passed on 8.5.2019. However, the same has not been complied with.</p> <p>3. Learned P.O states that Writ Petition has been filed and seeks time to obtain stay from the Hon'ble High Court.</p> <p>4. Learned P.O is granted time to obtain stay from the Hon'ble High Court by way of last chance.</p> <p>5. S.O to 7.9.2022.</p> <p>Sd/- _____ (Medha Gadgil) Member (A) Akn</p> <p>Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> |


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p align="center"><u>O.A. No.5 of 2022</u></p> <p>A.Y. Shinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 29.8.2022 by way of last chance.</p> <p align="center">Sd/- Sd/- </p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.8.2022 24.8.2022</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| | <p><u>O.A. No.1045 of 2021</u></p> <p>M.M. Shaikh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is already filed.</p> <p>3. Admit.</p> <p>4. S.O. to 28.9.2022 for final hearing with liberty to file rejoinder.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 24.8.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 24.8.2022</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

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| | <p align="center"><u>O.A. No.1223 of 2019</u></p> <p>A.P. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for the Applicant.</p> <p>2. Reply is already filed.</p> <p>3. Admit.</p> <p>4. S.O. to 12.10.2022 for final hearing with liberty to file rejoinder.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.8.2022 24.8.2022</p> <p>(sgj)</p> |


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p align="center"><u>O.A. No.347 of 2018 & O.A. No.349 of 2018</u></p> <p>R.D. Ghavate V.R. Shinde ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for the Applicants.</p> <p>2. Ld. CPO produces copy of letter dated 11.9.2019 and submits that applicants were recommended on 11.9.2019 for the post of Assistant Motor Vehicle Inspector at Sr. No.677 and 686 respectively. Ld. CPO submits that there is no necessity to file reply and the matters can be worked out.</p> <p>3. Perused the relief sought by the applicants. In view of the above and the list of recommendations, now nothing survives in these OAs. and the same are disposed off accordingly.</p> <p align="center">Sd/- </p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 24.8.2022 24.8.2022</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

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| | <p align="center"><u>O.A. No.348 of 2018</u></p> <p>S.S. Kolate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Amruta Kharade i/b. Talekar & Associates, 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 applicant is appointed to the post of Assistant Motor Vehicle Inspector after filing of this OA and she has received the appointment order.</p> <p>3. Ld. CPO produces copy of letter dated 11.9.2019 and submits that applicant was recommended on 11.9.2019 at Sr. No.811.</p> <p>4. Hence, nothing survives in this OA and the same is disposed off accordingly.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 24.8.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 24.8.2022</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

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| | <p style="text-align: center;"><u>O.A. No.543 of 2019</u></p> <p>D.D. Barad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The documents produced by the Ld. PO are taken on record and marked Exhibit 'B' for identification.</p> <p>3. S.O. to 25.8.2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 24.8.2022 24.8.2022</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p align="center"><u>24.08.2022</u></p> <p align="center"><u>O.A 714/2022</u></p> <p>Shri P.H Bibe & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Pooja Mankoji holding for Shri V.S Kadam, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that Shri V.S Kadam, learned counsel for the applicant comes from Aurangabad and he requested that the matter be kept on 26.8.2022.</p> <p>3. However, the matter cannot be kept on 26.8.2022.</p> <p>4. Hence, matter is kept on 29.8.2022 at 2.30 pm for pressing the issue of interim relief.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gaikil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p> |

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p><u>24.08.2022</u></p> <p><u>O.A 166/2018</u></p> <p>S.P Jedhe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri D.B Khaire, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Matter adjourned to 29.8.2022. Part Heard.</p> <p>Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>Sd/- _____ (Meena Gaagii) Member (A) Akn</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 |
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| | <p>Date: 24.08.2022</p> <p align="center">M.A. No.495 of 2022 in O.A. No.769 of 2022</p> <p>V.S. WalimbeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. By proposed amendment the Applicant seek to challenge transfer order dated 26.05.2022 which was left out in O.A.</p> <p>3. It appears that proposed amendment is necessary for appropriate adjudication of O.A. Hence, amendment is allowed. It be carried out within a week.</p> <p>4. M.A. is accordingly allowed with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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

Date: 24.08.2022

O.A. No.769 of 2022

V.S. WalimbeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Pooja Mankohji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. During the pendency of this O.A. the Applicant has filed M.A. No.495/2022 for amendment which is allowed today by separate order passed in M.A. Amendment be carried out within a week.

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

4. Issue notice before admission returnable on 21.09.2022.

5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

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

9. S.O. to 21.09.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

**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>Date: 24.08.2022</p> <p>O.A. No.371 of 2022</p> <p>P.R. ShelkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today O.A. is for filing Rejoinder but the same is not filed.</p> <p>3. Since Pleading is complete O.A. be kept for Final Hearing.</p> <p>4. S.O. to 19.09.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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

Tribunal's orders

Date: 24.08.2022

M.A. No.461 of 2022 in O.A. No.554 of 2022

Dr. P.P. GaikwadApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri J.S. Deshmukh, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant has filed this M.A. to condone delay of 168 days caused in filing O.A. which is filed for benefits of leave and increment on the basis of G.R. dated 11.01.2019 issued by Government in Medical Education and Drugs Department. The Applicant claims the same benefits on the ground on parity.

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

4. Issue notice before admission returnable on 20.09.2022.

5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

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

9. S.O. to 20.09.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.351 of 2022</p> <p>P.S. PandaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, 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 to file Affidavit-in-Reply.</p> <p>3. S.O. to 07.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.1061 of 2021</p> <p>B.G. KardeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record. No separate Reply is filed on behalf of Respondent No.1.</p> <p>3. This O.A. be kept along with O.A. No.195/2022 in which also Respondent No.2 has filed Reply but no Reply is filed on behalf of Respondent No.1.</p> <p>4. Both matters are identical and to be kept for hearing at the stage of admission.</p> <p>5. S.O. to 16.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.829 of 2022</p> <p>R.T. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order of Recovery of Rs.3,64,102/- (Rupees Three Lakhs Sixty Four Thousand One Hundred and Two Only) and also sought direction to release his retiral benefits.</p> <p>3. Learned Advocate for the Applicant fairly submits that she is not challenging refixation but challenge is restricted to the recovery.</p> <p>4. Learned P.O is directed to take instruction from the Department and to appraise the Tribunal how recovery from group 'C' employee is permissible after retirement in view of the of the judgment of Hon'ble Supreme Court in <i>(2015) 4 SCC 334 (State of Punjab and others Vs. Rafiq Masih (White Washer))</i> so that matter could be disposed of on next date since challenge is restricted to recovery only.</p> <p>5. Two weeks time is granted to file Affidavit-in-Reply, if any.</p> <p>6. S.O. to 07.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN [P.T.O.]</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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| | <p>Date: 24.08.2022</p> <p align="center">M.A. No.116 of 2021 in O.A. No.17 of 2021</p> <p>S.D. SawaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. 3. On previous date also Applicant and his Advocate both were absent but in the interest of justice matter was adjourned to give one opportunity to the Applicant. 4. However, today also the Applicant and his Advocate are absent which shows they are not interested in the matter. 5. Hence, M.A. and O.A. are dismissed in default with no order as to costs. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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| | <p>Date: 24.08.2022</p> <p>O.A. No.1047 of 2021 to O.A. No.1049 of 2021 with O.A. No.187 of 2022</p> <p>Dr. R.V. Chougule Dr. N.I. Shaikh Dr. A. Chavan Dr. V.G. PetkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri J.S. Deshmukh, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted to file Affidavit-in-Reply but the same is not filed. I am not inclined to grant further time.</p> <p>3. O.A. be kept for hearing at the stage of admission without Reply.</p> <p>4. S.O. to 02.09.2022.</p> <p style="text-align: right;">Sd/- w* (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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|---|---|
| | <p>Date: 24.08.2022</p> <p>O.A. No.984 of 2021</p> <p>S.B. GopaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of most of last chance.</p> <p>3. S.O. to 07.09.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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 |
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| | <p>Date : 24.08.2022</p> <p align="center">O.A.No.1021 of 2021</p> <p>M. D. BhamareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing, it is noticed that the Applicant is claiming benefit of Time Bound Promotion Scheme which has been refused to him by order dated 20.10.2021. This being the position, as per the office order, the subject of Time Bound Promotion is of Division Bench.</p> <p>3. The Registrar is, therefore, directed to place the matter before Division Bench.</p> <p>4. S.O. to 16.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date: 24.08.2022</p> <p align="center">O.A. No.824 of 2022</p> <p>R.K. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged recovery order dated 23.06.2022 whereby Respondent sought recovery of Rs.12,77,649/- (Rupees Twelve Lakhs Seventy Seven Thousand Six Hundred and Forty Nine Only) towards excess payment made to him on ground of wrong fixation as well as recovery of House Loan Advance (HLA) Rs.5,76,178/- (Rupees Five Lakhs Seventy Six Thousand One Hundred and Seventy Eight Only). Thus recovery of Rs.12,77,649/- (Rupees Twelve Lakhs Seventy Seven Thousand Six Hundred and Forty Nine Only) is inclusive of excess payment made to him during the period of service as well as HLA.</p> <p>3. Insofar as HLA is concerned the Applicant has already given no objection by his letter dated 03.08.2022 (Pg. 17 of P.B.) stating that the said amount be adjusted from his gratuity. Thus challenge remains to the remaining amount of Rs.7,01,471/- (Seven Lakhs One Thousand Four Hundred and Seventy One Only) towards alleged excess payment made to the Applicant because of wrong fixation.</p> <p>4. Learned Advocate for the Applicant submits that he is not challenging refixation of pay and allowance but challenge is restricted to the recovery. Learned Advocate for the Applicant further submit that he retired as group 'C' employee, and therefore recovery is impermissible in view of the judgment of Hon'ble Supreme Court in <i>(2015) 4 SCC 334 (State of Punjab and others Vs. Rafiq Masih (White Washer))</i>. [P.T.O.]</p> |

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

Tribunal's orders

5. On request of learned P.O. one week time is granted to file short Affidavit as to how recovery of Rs.7,01,471/- (Seven Lakhs One Thousand Four Hundred and Seventy One Only) is permissible

6. S.O. to 02.09.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**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.

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|---|--|
| | <p>Date: 24.08.2022</p> <p align="center">M.A. No.473 of 2022 in O.A. No.834 of 2019</p> <p>S.B. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Ranjana Todankar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. By proposed amendment the Applicant seek to add one more prayer for direction to the Respondent to refund Rs.7,29,565/- (Rupees Seven Lakhs Twenty Nine Thousand Five Hundred and Sixty Five Only).</p> <p>3. In O.A. the Applicant had initially challenged illegality of recovery order dated 22.05.2019 whereby recovery was sought. However, during the pendency of O.A. Respondent have recovered the amount, and therefore now additional prayer is sought to be added by way of amendment.</p> <p>4. It being subsequent event, allowed to amended O.A. Amendment be carried out within a week.</p> <p>5. In view of above, M.A. No.473/2022 is allowed with no order as to costs.</p> <p>6. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply to the amendment made in O.A.</p> <p>7. O.A. is adjourned to 08.09.2022 .</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J) [P.T.O.]</p> <p align="left">NMN</p> |