

**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: 24.09.2021</p> <p>O.A. No.901 of 2019 with O.A. No.902 of 2019 with O.A. No.1010 of 2019 with O.A. No.1011 of 2019 with O.A. No.137 of 2020 with O.A. No.293 of 2019 with O.A. No.09 of 2020</p> <p>R.S. Palkar M.W. Bhogan A.G. Bhat A.B. Sawant R.A. Khedekar D.R. Dhumal S.L. GholapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.D. Sugdare, Smt. Punam Mahajan and Shri K.R. Jagdale, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. All these O.As are filed for challenging recovery after retirement, in similar situation this Tribunal has decided O.A. No.238/2016 filed by one Shri M.A. Patil allowing the O.A. by order dated 25.06.2019. The Review filed therein vide R.A. No.21/2019 was also dismissed on 08.02.2021. The Judgment passed in R.A. and O.A. was challenged in Writ Petition No.3118/2021 before Hon'ble High Court, wherein by order dated 09.09.2021 Hon'ble High Court confirmed the decision rendered by this Tribunal. In view of the said decision all these O.As are required to be decided on similar line on its own merit.</p>

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	<p>3. Learned C.P.O. submits that Government wants to challenge the decision of Hon'ble High Court by filing S.L.P. in Hon'ble Supreme Court and for that purpose file is under process at the level of Government. She therefore requested for two weeks time and if not materialized within two weeks Tribunal may proceed with the matter on next date.</p> <p>4. Adjourned for hearing with specific direction that no further time will be granted.</p> <p>5. S.O. to 05.10.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 24.09.2021</p> <p align="center">O.A. No.329 of 2020</p> <p>M.H. MhaldarApplicant 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. Learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent No.2. It is taken on record.</p> <p>3. S.O. to 22.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p>Date : 24.09.2021</p> <p style="text-align: center;">O.A.No.490 of 2021</p> <p>G. K. PatilApplicant Versus The State of Maharashtra & Ors. ...Respondents.</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 for declaration to record the date of birth of Applicant as 22.11.1967 in place of 01.06.1965.</p> <p>3. Today, The matter is for filing reply of Respondents.</p> <p>4. Learned P.O. submits that she has received instructions from the Respondents disclosing that the request of the Applicant for correction in date of birth has been already rejected in 2008 but this fact is suppressed by the Applicant and O.A. is barred by limitation. However, she does not have a copy of the order passed to that effect in 2008.</p> <p>5. Thus, it appears that the Applicant has suppressed the fact of his rejection of request of correction in date of birth.</p> <p>6. Learned P.O. is, therefore, directed to produce the order passed in 2008 so that further orders can be passed in the O.A.</p> <p>7. In view of above, learned Counsel is also directed to satisfy how O.A. is within limitation since <i>prima-facie</i> it is barred by limitation in view of the rejection of correction of date of birth in 2008.</p> <p>8. S.O. to 01.10.2021.</p> <p style="text-align: right; margin-right: 50px;">Sd/-</p> <p style="text-align: right; margin-right: 50px;">(A.P. Kurhekar) Member(J)</p> <p style="text-align: right; margin-right: 50px;">[P.T.O.]</p>

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	<p align="center">Date: 24.09.2021</p> <p align="center">O.A. No.43 of 2020</p> <p>H.R. DasApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. This Division Bench matter is placed before me due to non-availability of Division Bench. Matter through Video Conference could not be made available since one of the Member Shri Shree Bhagwan, Hon'ble Vice Chairman (A) is sitting at Nagpur.</p> <p>2. Shri H.R. Das, Applicant-in-Person is present and Smt. Archana B.K. learned Presenting Officer for the Respondents is present.</p> <p>3. On request of learned P.O. last chance is granted to file Affidavit-in-Reply on behalf of the Respondent No.1. It is therefore clarified that no further time will be granted for filing Affidavit-in-Reply.</p> <p>4. Matter be kept on 08.10.2021.</p> <p>5. Registrar is directed to make arrangement of Video-Conference and placing of the matter before Division Bench on 08.10.2021 at 03.00 p.m.</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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	<p>Date : 24.09.2021</p> <p align="center">O.A.No.595 of 2021</p> <p>A. P. ThigleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned P.O. holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri C. T. Chandratre, learned Counsel is on leave note.</p> <p>3. Today, learned P.O. has filed reply on behalf of the Respondent No.2. It is taken on record.</p> <p>4. No separate reply is filed on behalf of the Respondent No.1.</p> <p>5. The matter is adjourned for hearing at the stage of admission.</p> <p>6. S.O.to 22.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date : 24.09.2021</p> <p align="center">O.A.No.494 of 2021</p> <p>M. P. JamadarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard the Applicant in person. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present. 2. On request of learned P.O., two weeks time is granted for filing reply as a last chance. 3. The Applicant is directed to take necessary steps to file application for condonation of delay. 4. S.O. to 08.10.2021. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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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 : 24.09.2021</p> <p align="center">O.A.No.492 of 2021</p> <p>G. K. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply.</p> <p>3. S.O. to 07.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.09.2021</p> <p align="center">O.A.No.136 of 2021</p> <p>S. B. PatilApplicant</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., three days time is lastly granted for filing reply.</p> <p>3. S.O. to 28.09.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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	<p>Date : 24.09.2021</p> <p align="center">O.A.No.398 of 2021</p> <p>Dr. B. M. DahiphaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 30.09.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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of 20

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Original Application No.

of 20

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	<p>Date : 24.09.2021</p> <p align="center">O.A.No.466 of 2021</p> <p>S. N. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & 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. On request of learned P.O., one week time is granted to take instructions from the department as to how the retiral benefits of the Applicant are withheld for recovery of dues of Employees Cooperative Society which <i>prima-facie</i> appears not permissible in law since the Society may avail legal remedy and retirement benefits cannot be withheld for the said purpose.</p> <p>3. S.O. to 01.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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of 20

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of 20

FARAD CONTINUATION SHEET No.

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	<p align="center">Date: 24.09.2021</p> <p align="center">O.A. No.615 of 2020</p> <p>D.B. ParjaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Today matter is for Final Hearing wherein challenge is to the order of punishment imposed in Departmental Enquiry. 3. However, learned Advocate for the Applicant has tendered letter of the Applicant dated 24.09.2021 in which the Applicant is requested to withdraw the O.A. Letter is taken on record and marked by letter 'X'. 4. Thus Applicant does not want to proceed with O.A. and sought permission to withdraw the O.A. 5. Allowed to withdraw O.A. 6. In view of above, O.A. is disposed of with no order as to costs. <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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	<p align="center">Date: 24.09.2021</p> <p align="center">O.A. No.653 of 2021 with M.A. No.348 of 2021 & M.A. No.349 of 2021</p> <p>P.K. Shelar Yogesh Bhandalkar (M.A.348/21) Dnyaneshwar Arote (M.A.349/21)Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Ms. Purva Pradhan, learned Advocate holding for Shri Pradeep Patil, learned Advocate for the Applicant in M.A. No.348/2021, Ms. Kinjal Kanani, learned Advocate holding for Shri V.P. Sangvikar, learned Advocate for the Applicant in M.A. No.349/2021, and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of the Respondent No.1. It is taken on record. No separate Reply is filed on behalf of Respondent Nos. 2 to 4.</p> <p>3. Learned Advocate for the Applicant wants to file Rejoinder and requested for two weeks time, which is opposed by the Respondents/intervener on the ground that interim-relief is running against them.</p> <p>4. One week time is granted to file Rejoinder.</p> <p>5. Interim relief to continue till next date.</p> <p>6. S.O. to 01.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (P.O.)</p> <p align="center">NMN</p>

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	<p>Date : 24.09.2021</p> <p align="center">O.A.No.543 of 2021</p> <p>P. D. KedarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaiwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply.</p> <p>3. S.O. to 08.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.09.2021</p> <p align="center">O.A.No.583 of 2021</p> <p>R. T KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. G. Panchal, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted for filing reply as a last chance.</p> <p>3. S.O. to 01.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.09.2021</p> <p align="center">O.A.No.585 of 2021</p> <p>S. S. DapkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, 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., two weeks time is granted for filing reply.</p> <p>3. S.O. to 08.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p>O.A.No.722 of 2021 with O.A.No.723 of 2021</p> <p>P. D. Nimbalkar & Anr.Applicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard the Applicant in person and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. In O.A.722/2021, the Applicant stands retired as Sub Inspector of Police on 31.07.2017 and he was granted pensionary benefits as per 6th Pay Commission whereas in O.A.No.723/2021, the Applicant stands retired on 31.05.2018 as Sub-Inspector of Police and the retiral benefits were granted as per 6th Pay Commission. 3. Now, these Original Applications are filed for grant of retiral benefits in terms of recommendations of 7th Pay Commission which are made applicable w.e.f. 01.01.2016. 4. These matters were taken up for admission in morning and directions were given to learned P.O. to call the concerned person from the department to know why the pension is not re-fixed in terms of 7th Pay Commission. Accordingly, in second session, the learned P.O. stated that initially the retiral benefits were granted as per 6th Pay Commission and thereafter the office has taken steps to revise the pension and other benefits in terms of 7th Pay Commission but the Pay Fixation Unit raised certain objections in respect of pay scale applied by the department and further submits that after removing the objections necessary steps will be taken. 5. In view of above, there is nothing to be adjudicated in the matters so as to keep it pending awaiting for reply, hearing etc. 6. The Respondents are directed to take necessary steps for grant of retiral benefits to the Applicants in terms of 7th Pay Commission and to release retiral benefits as per entitlement of the Applicants in rules within two months from today. 7. Both the Original Applications are accordingly disposed of with no order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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directions and Registrar's orders

Tribunal's orders

LATER ON

5. This O.A. was dismissed in default in morning session but after recess learned Advocate for the Applicant appeared and requested to restore the O.A. stating that in the morning session he could not reaming present. He requested to restore the matter and to decide the O.A. on merit.

6. Order of dismissed in default is recalled and O.A. is restored.

7. Arguments of the learned Advocate for the Applicant as well as P.O. is heard.

Sd/-
(A.P. Kurhekar)
Member (J)

NMN

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	<p>Date : 24.09.2021</p> <p style="text-align: center;">O.A.No.720 of 2021</p> <p>Y. P. BhoiApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri L. S. Deshmukh, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the transfer order dated 30.08.2021 whereby within a month he transferred from Khutal to Wangani <i>inter-alia</i> contending that the transfer order dated 30.08.2021 is in contravention of provisions of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Act 2005).</p> <p>3. The perusal of record reveals that the Applicant was due for transfer while he was serving at Government Ashram School, Khutal, Tal. Murbad, Dist. Thane, and therefore, by order dated 09.08.2021 he was transferred to Government Ashram School, Mal, Tal. Murbad, Dist. Thane which was one of the options given by him. Accordingly, the Applicant came to be relieved from Khutal on 30.08.2021. However on 30.08.2021 when he went to Government Ashram School, Mal for joining, the Headmaster did not get him join stating that there is no vacancy. He accordingly reported the matter to Respondent No.4-Project Officer, Integral Tribal Development Project, Shahapur, Dist. Thane. Then again by order dated 30.08.2021, the Applicant posting is changed from Mal to Wangni which is under challenged in the present O.A.</p> <p>4. Learned Counsel for the Applicant made a statement that in view of above situation, the Respondent No.4 orally directed the Applicant to rejoin at Khutal and accordingly he is again working at Khutal to avoid complication.</p> <p>5. As regard the transfer order dated 30.08.2021, learned Counsel for the Applicant has pointed out that once the Applicant is relieved from Khutal, there could not have been any change in the posting without following the process of law namely placing of matter before Civil Services Board and approval of higher authority.</p>

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	<p>6. Admittedly, the Government School, Wangani was not in the options given by the Applicant. He was initially transferred at Mal where later found no vacancy. Indeed, the Respondents ought to have taken care while giving posting to the Applicant at Mal and about availability of vacancy at Mal but he seems to have been transferred at Mal without ascertaining the vacancy position.</p> <p>7. In view of above, <i>prima-facie</i> the transfer order dated 30.08.2021 is not in consonance with law, and therefore, is required to be stayed. The Applicant shall continue to work at Khutal till further orders.</p> <p>8. In the meantime, the Respondents shall consider to accommodate of Applicant amongst the place of options given by him including the options given by letter dated 17.08.2021 about Sasane, Ambiwali and Madh.</p> <p>9. The Tribunal hope that the Respondents should consider the options given by him or may call for additional options from the Applicant considering vacancy position and may pass appropriate order so as to accommodate the Applicant.</p> <p>10. Issue notice before admission returnable on 22.10.2021.</p> <p>11. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>12. 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>13. 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>14. 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>15. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>16. S.O. to 22.10.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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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>Date: 24.09.2021</p> <p align="center">O.A. No.615 of 2021</p> <p>K.B. WajeApplicant 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. This O.A. is filed by the widow of the deceased Government servant Shri Bharat M. Waje for grant of family pension and for directions to appoint her on compassionate ground.</p> <p>3. Perusal of record reveals that common Departmental Enquiry (D.E.) was initiated against the Applicant's husband and co-delinquent Shri R.K. Ingole for certain misconduct as well as due to registration of crime under Sections 384, 420, 170 read with Section 34 of the Indian Penal Code (IPC). By order dated 17.09.2010 the Applicant's husband as well as co-delinquent both were dismissed from service. In the mean time both were acquitted in Criminal Case No.35/2007 by Judgment dated 15.01.2020.</p> <p>4. Co-delinquent Shri R.I. Ingole filed O.A. No.287/2014 challenging order of dismissal which was allowed by the Tribunal by order dated 18.11.2015 and Applicant Shri R.I. Ingole has been reinstated in service.</p>

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

Tribunal's orders

5. In so far as the present case is concerned Shri Bharat M. Waje (Applicant's husband) didn't challenge the dismissal order. Later on he died on 06.07.2020. Thereafter the Applicant being his widow had applied for family pension as well as for appointment on compassionate ground which is turned down by the impugned order dated 26.07.2021 *inter-alia* stating that the Applicant's husband being dismissed from service she is not entitled for family pension or appointment on compassionate ground.

6. Learned Advocate for the Applicant fairly submits that deceased Shri Bharat M. Waje (Applicant's husband) didn't challenge dismissal order dated 17.09.2010. However, according to him since in the matter of co-delinquent order of dismissal is set aside, present Applicant is also entitled to the said benefit. This submission is totally misconceived and fallacious.

7. In so far as the Applicant's husband is concerned order of dismissal has attained finality and since he was not party to O.A. No.287/2014 the Judgment in said O.A. will not enure for his benefit. It is Judgment in personam binding to party thereto only. Therefore the said Judgment is of no help to assistance of the Applicant. Only because co-delinquent has been reinstated in service it cannot be construed that said Judgment could enure for the benefits of Applicant's husband so as to grant retrial benefits or appointment on compassionate ground.

8. As such the order of dismissal of husband is still in force, and therefore, the claim of family pension or appointment on compassionate ground is totally unsustainable in law.

9. O.A. is thus totally misconceived and not maintainable, therefore matter is dismissed summarily without issuing notice.

Sd/-
v
(A.P. Kurhekar)
Member (J)

**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>MA No.129/2020 in MA No.46/2020 in OA No.52/2020</u></p> <p>D.P. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Amruta Chalke holding for Shri Arjun Patil, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant has prayed for restoration of OA No.52 of 2020 along with MA No.46 of 2020 which was dismissed on 4.2.2020.</p> <p>3. It is dismissed on technical grounds. Hence, we recall the order dated 4.2.2020.</p> <p>4. OA No.52 of 2020 and MA No.46 of 2020 are restored to file.</p> <p>5. MA No.129 of 2020 is disposed off accordingly.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 24.9.2021 24.9.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders								
	<p align="center"><u>MA No.46/2020 in OA No.52/2020</u></p> <p>D.P. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Amruta Chalke holding for Shri Arjun Patil, 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 27.10.2021.</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">24.9.2021</td> <td align="center">24.9.2021</td> </tr> </table> </p> <p>(sgj)</p>	Sd/-	Sd/-	(Medha Gadgil)	(Mridula R. Bhatkar, J.)	Member (A)	Chairperson	24.9.2021	24.9.2021
Sd/-	Sd/-								
(Medha Gadgil)	(Mridula R. Bhatkar, J.)								
Member (A)	Chairperson								
24.9.2021	24.9.2021								

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


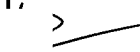
of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>MA No.45/2020 in OA No.51/2020</u></p> <p>K.B. Shivsharan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Amruta Chalke holding for Shri Arjun Patil, 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 27.10.2021.</p> <p align="center">Sd/-  (Medha Gadgil) Member (A) 24.9.2021</p> <p align="center">Sd/-  (Mridula R. Bhatkar, J.) Chairperson 24.9.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>MA No.128/2020 in MA No.45/2020 in OA No.51/2020</u></p> <p>K.B. Shivsharan . . .Applicant Vs. The State of Maharashtra & Ors. . .Respondents</p> <p>Heard Ms. Amruta Chalke holding for Shri Arjun Patil, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant has prayed for restoration of OA No.51 of 2020 along with MA No.45 of 2020 which was dismissed on 4.2.2020.</p> <p>3. It is dismissed on technical grounds. Hence, we recall the order dated 4.2.2020.</p> <p>4. OA No.51 of 2020 and MA No.45 of 2020 are restored to file.</p> <p>5. MA No.128 of 2020 is disposed off accordingly.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 24.9.2021</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 24.9.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.367 of 2019 in O.A. No.677 of 2019</u></p> <p>H.T. Shinde ..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 applicant has filed present MA for condoning the delay of 2 years and 6 months on account of pathetic condition of the applicant, who is a Class IV employee. However, he has failed to give any convincing reasons for condoning the delay. Ld. Advocate for the applicant submits that applicant was sick and he is suffering from chronic leg pain and hence was unable to file the appeal. Since he is a Class IV employee his financial position is poor and he was not in a position to prefer appeal.</p> <p>3. Ld. PO submits that applicant has not given any cogent reasons for the said delay.</p> <p>4. However, interest of justice and in view of the fact that applicant is a Class IV employee, the delay is condoned after imposing cost of Rs.1000/-.</p> <p>5. MA disposed off accordingly.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 24.9.2021 24.9.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20__

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p align="center">O.A.No.89 of 2021 with O.A.No.90 of 2021 with O.A.No.114 of 2021</p> <p>N.C. Koli & Ors. (O.A.89/2021) S.N. Gaikwad & Ors. (O.A.90/2021) S.K. Belbhandare (O.A.114/2021)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate of the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. for the Respondents submits that she will file affidavit-in-reply in all three Original Applications during the course of the day. It be taken on record. Copy be served upon learned Advocate for the Applicant.</p> <p>3. Adjourned to 21.10.2021 for rejoinder.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p align="center">O.A.No.207 of 2021</p> <p>G.G. More & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. V.A. Nagrani, 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. for the Respondents submits that she will file affidavit-in-reply during the course of the day. It be taken on record. Copy be served upon learned Advocate for the Applicant.</p> <p>3. Adjourned to 12.11.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p align="center">O.A.No.549 of 2020</p> <p>S.G. TandaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. for the Respondents submits that affidavit-in-reply is already filed.</p> <p>3. The learned Advocate submits that he will file rejoinder to the affidavit-in-reply filed by the learned P.O. during the course of the day.</p> <p>4. Admit. Adjourned to 17.11.2021.</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 : 24.09.2021

M.A.No.356 of 2021 in O.A.No.702 of 2021 with -
O.A.No.702 of 2021

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

1. Heard Mr. A.R. Joshi, learned Advocate holding for Mr. V.V. Joshi, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.

2. In O.A. the applicant challenges the termination order of 12.07.2010 of compulsory retirement from the post of Process Assistant on the ground that it is arbitrary and disproportionate.

3. During the course of the submission it is pointed that the appeal has not been decided on merit.

4. On directions learned P.O. produces the copy of letter dated 22.08.2018 wherein it states that the applicant's appeal was rejected on the ground that he has not filed an appeal within the stipulated period of 45 days of imposition of the penalty

5. On perusal of the papers it is found that the applicant has filed the letter for condonation of delay. As the appeal is filed on 29.08.2019 there is delay of only of 19 days which should have been considered. Hence matter is remanded back to the Director, Government Printing Press and Stationary for taking decision in the appeal. He is directed to take decision within 5 weeks from today. In view of the inordinate delay of 9 years delay which has already occurred no further extension will be granted.

6. In view of above, both M.A. and O.A. are disposed of.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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C.A.8 of 2021 in O.A.848 of 2018 with MA.344/2020


R.S. SalunkheApplicant
Vs.
The State of Maharashtra & Ors.Respondents

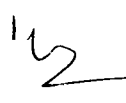
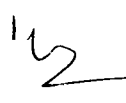
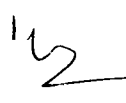
Heard Shri A.A. Gharte, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant files affidavit in rejoinder dated 24.9.2021 and the same is taken on record.
3. Ld. PO seeks time.
4. S.O. to 13.10.2021.

Sd/-
(Medha Gadgil)
Member (A)
24.9.2021

(sgj)

Sd/- 
(Mridula R. Bhatkar, J.)
Chairperson
24.9.2021

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.618 of 2021</u></p> <p>J.S. Sonawane ..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. 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 18.11.2021. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;"> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Sd/-</td> <td style="width: 50%; text-align: center;">Sd/- </td> </tr> <tr> <td style="text-align: center;">(Medha Gadgil)</td> <td style="text-align: center;">(Mridula R. Bhatkar, J.)</td> </tr> <tr> <td style="text-align: center;">Member (A)</td> <td style="text-align: center;">Chairperson</td> </tr> <tr> <td style="text-align: center;">24.9.2021</td> <td style="text-align: center;">24.9.2021</td> </tr> </table> </p> <p>(sgj)</p>	Sd/-	Sd/- 	(Medha Gadgil)	(Mridula R. Bhatkar, J.)	Member (A)	Chairperson	24.9.2021	24.9.2021
Sd/-	Sd/- 								
(Medha Gadgil)	(Mridula R. Bhatkar, J.)								
Member (A)	Chairperson								
24.9.2021	24.9.2021								


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.295 of 2021 in O.A. No.618 of 2021</u></p> <p>J.S. Sonawane ..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. This MA is filed for condoning the delay in filing the above OA.</p> <p>3. However, in view of order dated 23.3.2020 passed by the Hon'ble Supreme Court in Suo Motu Writ Petition (Civil) No.3 of 2020 the delay was condoned after 15.3.2020. Thereafter the Hon'ble Supreme Court in MA No.665/2021 in Suo Motu Writ Petition (Civil) No.3 of 2020 by order dated 27.4.2021 extended the period of limitation up to 19.7.2021.</p> <p>4. In view of the above, delay is condoned. MA is allowed.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 24.9.2021</p> <p align="center">Sd/-  (Mridula R. Bhatkar, J.) Chairperson 24.9.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p align="center">O.A.No.64 of 2021</p> <p>U.T. SarodeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate of the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this case Respondent No.3 being the office of the Hon'ble His Excellency the Governor of Maharashtra has instructed learned C.P.O. that the order dated 09.10.2020 is the speaking order and the because of the reasons given therein Respondent No.3 does not required to file affidavit-in-reply in view of Article 361 of the Constitution which give immunity to the Hon'ble His Excellency the Governor of Maharashtra. Respondents No.1 and 2 should file affidavit-in-reply by next date.</p> <p>3. Adjourned to 18.11.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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>Date : 24.09.2021</p> <p>O.A.No.369 of 2021</p> <p>G.S. ChavanApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadkar, learned Advocate of the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate for the Applicant seeks time to file rejoinder.</p> <p>3. Time granted. Adjourned to 14.10.2021.</p> <p>Sd/-) Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</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
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M.A. No.378 of 2021 in O.A. No.718 of 2021

G.V. Desale & 8 Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri Sandeep Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicant has filed the above MA for amending the above OA by permitting to add Arshan Nadeem Khan as party applicant no.10 in the above OA as per Schedule-I attached to the MA.

3. Ld. CPO submits to the orders of the Tribunal.

4. Permission granted. Amendment be carried out forthwith.

5. MA disposed off accordingly.

Sd/-

(Medha Gadgil)
Member (A)
24.9.2021

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
24.9.2021

(sgj)

**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
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M.A. No.372 of 2021 in O.A. No.718 of 2021

G.V. Desale & 8 Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri Sandeep Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

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.

Sd/-
(Medha Gadgil)
Member (A)
24.9.2021

Sd/- 
(Mridula R. Bhatkar. J.)
Chairperson
24.9.2021

(sgj)

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

Tribunal's orders

Date : 24.09.2021

O.A.No.755 of 2012

D.S. MujgondApplicant
Vs.
The State of Maharashtra & Ors.Respondents. →

1. Heard Mr. Rahul Khot, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. Bhushan A. Bandiwadekar, learned Advocate for the Respondents No.3 & 4.

2. The learned C.P.O. for the Respondents files short affidavit dated 24.09.2021 on behalf of Respondent No.2, through Mr. Yatin Pralhad Pargaonkar, Incharge Joint Director, Vocational Education and Training, Regional Office, Pune.

3. The learned C.P.O. request for permission to amend paragraph 7 of the said affidavit. Permission granted.

4. After going through this affidavit especially paragraph No.6.3 and 7 wherein equating the years of degree and diploma with practical experience are not convincing. At this stage it is very difficult for us to accept the interpretation of the Rules of 1983 which were of 15.12.1983 issued by the Education and Employment Department under the signature of Mr. B.K. Halve, Special Secretary to the Government.

5. The learned C.P.O. for the Respondents on enquiry submits that the Rules are to be interpreted by the State Government.

6. We, therefore, direct the Principal Secretary of Skilled Development and Entrepreneurship Department, Mantralaya to file affidavit stating especially whether the practical training which is given during the diploma and degree course of Engineering faculty can be equated or counted with the requirement of the practical experience for this particular post.

7. Adjourned to 01.10.2021 at 2.30 p.m. for filing affidavit.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p align="center">O.A.No.715 of 2021</p> <p>K.R. PatilApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.M. Patil, Power of Attorney of the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. on instructions submits that candidates in O.A.no.1355/2009 have not been sent for training. She seeks time to file affidavit-in-reply.</p> <p>3. Adjourned to 08.10.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/-¹² (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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>C.A. No.44 of 2019 in O.A. No.1134 of 2016</u></p> <p>B.R. Nalawade & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that the respondents have filed SLP (Civil) Dairy No.(s) 45904 of 2019 before the Hon'ble Supreme Court and the matter is listed on 27.9.2021.</p> <p>3. In view of the above, matter is adjourned to 13.10.2021.</p> <p align="center">Sd/- / Sd/- </p> <p align="center">(Medha Gadgi) (Mridula R. Bhatkar, J.) Member (A) Chairperson 24.9.2021 24.9.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

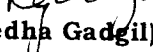
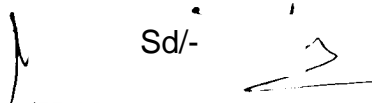
I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>24.09.2021</u></p> <p style="text-align: center;"><u>O.A 718/2021</u></p> <p>G.V Desale & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. In the course of submissions on the point of interim relief, it is found that it is necessary for the MPSC to take appropriate decision in respect of results of the examination for the post of Assistant Motor Vehicles Inspector, which was conducted on 15.3.2020, pursuant to advertisement dated 17.1.2020.</p> <p>3. Prima facie, we find that the MPSC by issuing the Circular dated 8.9.2020 has introduced a different criteria in respect of evaluation/assessment of the marks, specifically in respect of negative marking.</p> <p>4. We are of the view that MPSC cannot change the method/procedure/rules of the examination including the evaluation of the Answer Sheets, once the advertisement is issued. MPSC is to be consistent with the Rules, which are mentioned in the advertisement or which are made public in the Notification before the Examination. Not following this position is contrary to the ratio laid down in the case of Madan Mohan Sharma & Anr Vs. State of Rajasthan & ors (2008) 3 SCC 724. The Circular dated 8.9.2020 therefore, cannot be made applicable retrospectively for the evaluation of the marks in the examination which is subject matter of challenge before us.</p> <p>5. We are of the view that if appropriate decision is not taken at this stage, then it may have more complications and chaotic situation after the Main Examination as more similarly situated candidates may challenge the result in future.</p> <p>6. Learned counsel for the applicants Mr Dere pointed out that the last date for filling up the form for the Main Examination is extended up to 26.9.2021, and it is to be further extended, if interim relief is not granted today. Learned counsel for the applicants further submits that by way of interim relief he also prays for revising the result of the Preliminary Examination so that the candidature of the applicant would not be questioned at the time of the Main Examination.</p> <p>7. Learned C.P.O informs that she has contacted Smt Swati Mhasepatil, Secretary, MPSC, who has informed that MPSC is going to hold meeting of [REDACTED]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Commission on Monday, 27th September, 2021, where the Commission will take decision on this important issue.</p> <p>8. In view of the submissions made by the learned C.P.O, though we are inclined to grant interim relief at this stage, as it has larger implication, therefore, at this stage we keep our order of interim relief on hold and we will pass on 28.9.2021.</p> <p>9. S.O to 28.9.2021. Hamdast.</p> <p>Sd/-  (Medha Gadgil) Member (A)</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>Aku</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p style="text-align: center;">M.A.No.374 of 2021 in T.A.No.1 of 2021 With M.A.No.375 of 2021 in T.A.No.2 of 2021</p> <p>State of Mah & Ors.Applicants (Org. Respd.)</p> <p style="text-align: center;">Vs.</p> <p>S.T. Shinde & Anr. (M.A.374/2021 in T.A.1/2021) S.R. Chandrakar & Anr (M.A.375/21 in T.A.2/2021)Respondents (Org. Appli.)</p> <p>1. Heard Mr. B.S. Shinde, learned Counsel for Respondents No.4 to 9 in O.A.No.374/2021 and for Respondents No.6 to 11 in O.A.No.375/2021, Mr. Ajay Deshpande, the learned Counsel appearing for Original Applicant in M.A.No.374/2021 for Respondents No.1 & 2 and Mr. Avinash Deshmukh the learned Counsel appearing for Original Applicant in M.A.No.375/2021 for Respondents No.3 & 4 and Mr. R.S Apte, learned Senior Counsel with Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. The learned Senior Counsel Mr. Apte submits that the State has moved the application under Section 25 of the Administrative Tribunals Act for transfer of T.A.No.1/2021 and T.A.No.2 /2021 from Aurangabad Bench to Principal Seat at Mumbai.</p> <p>3. The learned Counsel for the Respondents No.1 and 2 in both the matters submits that they need 10 days time to file affidavit-in-reply. The learned Counsel for the Applicant to serve the respective learned Counsel, Mr. Ajay Deshpande and Mr. Avinash Deshmukh.</p> <p>4. The learned Counsel Mr. B.S. Shinde submits that the Respondents have also filed application for transfer of T.A.No.1/2021 and T.A.No.2 /2021 from Aurangabad Bench to Mumbai Bench.</p> <p style="text-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>Date : 24.09.2021</p> <p align="center">O.A.No.621 of 2021</p> <p>D. D. MadiwaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has initially challenged the transfer order dated 27.03.2021 transferring him from Bharti Vidyapeeth Police Station, Pune to Traffic Branch, Pune on the ground that it was on his request. 3. According to Applicant, he never made any such request for transfer, and therefore, challenged the transfer order. 4. Today, learned P.O. has tendered the order dated 23.09.2021 whereby the Applicant is reposted at Sinhgad Police Station, Pune. 5. It appears that the Respondents corrected their mistake by issuing transfer order dated 23.09.2021. 6. Learned Counsel for the Applicant on instructions from her client submits that his client is satisfied with the transfer order dated 23.09.2021 and O.A. be disposed of. 7. In view of above, O.A. is disposed of with no order as to costs. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p align="right">[P.T.O.]</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 24.09.2021</p> <p align="center">M. A. No.178 of 2021 in O.A.No.490 of 2020</p> <p>S. R Patil ...Applicant</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., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 01.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 24.09.2021</p> <p align="center">M.A. No.196 of 2021 in O.A.No.41 of 2021</p> <p>E. B. SayyedApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, two weeks time is granted.</p> <p>3. S.O. to 12.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p align="center">M.A. No.276 of 2021 in O.A.No.489 of 2021</p> <p>Dr. R. R. AsawaApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard the Applicant in person and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply in M.A. as well as O.A.</p> <p>3. S.O. to 08.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p align="center">O.A.No.65 of 2020</p> <p>S. P. KapdneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. B. Bhosle, 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., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 07.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p align="right">O.A.No.106 of 2021</p> <p>H. P. KateApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. R. Joshi holding for Shri V.V. Joshi, 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., two weeks time is granted for filing reply.</p> <p>3. S.O. to 07.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 24.09.2021</p> <p align="center">O.A.No.272 of 2021</p> <p>B. S. SuryawanshiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., three days time is lastly granted for filing reply.</p> <p>3. S.O. to 28.09.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 24.09.2021</p> <p align="center">O.A.No.672 of 2021</p> <p>A. G. SangarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. On request of learned P.O., two weeks time is granted for filing reply. 3. S.O. to 08.10.2021. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2021</p> <p align="center">O.A.No.525 of 2021</p> <p>S. S. RajadhyakshaApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 01.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>