

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

Tribunal's orders

Date: 24.12.2020

R.A. No.15 of 2020 in O. A. No. 1000 of 2019

G.M. KambleApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 18.01.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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 Original Application. Respondents are put to notice that the case would 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. 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.
7. In case notice is not collected within Seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 18.01.2021.

Sd/-

(A.P. Kurhekar)
Member (J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.12.2020</p> <p>O.A.No.663 of 2019</p> <p>S. S. PanindreApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Counsel both are absent. Heard Ms S. P. Manchekar, learned Presenting Officer for the Respondents. 2. In term of order passed by this Tribunal on 15.12.2020, today, learned C.P.O. has filed short Affidavit affirmed by Shri Kulwant Kumar Sarangal, Additional Director General of Police (Estt). 3. Shockingly in Affidavit, it is stated that in fact no such minutes were drawn about the meeting dated 10.02.2015 and it remains to be prepared by the then Desk Officer. 4. Initially stand was taken by the Respondent Nos.1 and 2 i.e. Director General of Police that the Minutes are not traceable due to shifting of the record. As the Minutes were relevant and material, the directions were given to trace the Minutes and to produce the same. 5. It is on this background, today Affidavit is filed that in fact no such Minutes of the meeting dated 10.02.2015 were prepared which is nothing but shocking and discloses very sorry state of affairs about the administration of the Respondent No.2. In affidavit, attempt was made to make clerks scapegoats stating that they have not prepared the Minutes forgetting that it was the responsibility and duty of the officials presided over the meeting to dictate the Minutes and it was not for clerk to prepare the Minutes. 6. Suffice to say, the stand taken by the Respondent No.2 that the clerk has not prepared Minutes is highly deplorable and shows very casual approach of the officials who attended the meeting. 7. As per the information tendered by the learned C.P.O., the meeting was attended by Shri D. Kanakratnam, Additional Director of General of Police (Estt), Shri Atulkumar Kulkarni, Special Inspector of General (Estt), Shri More, Additional Commissioner of Police and A.C.B. Mumbai and Shri Vijay Chavan, Additional Commissioner of Armed Force, Mumbai and except Shri Atulkumar Kulkarni all are retired. 8. In view of above, the O.A. needs to be decided on its own merit without Minutes. 9. The Tribunal hope that the Respondent No.2 should take remedial measures in this behalf and may take appropriate action against the concerned officials who are responsible for not recording the Minutes. The order shall be communicated to Director General of Police, State of Maharashtra, Mumbai. 10. In view of above, the matter will be heard on next date as today learned Counsel for the Applicant is absent. 11. S.O. to 07.01.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.12.2020</p> <p>O.A.No.209 of 2020</p> <p>P. R. PawarApplicant</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 Ms S. P.Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, learned C.P.O. has filed reply on behalf of the Respondents. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission with liberty to the Applicant to file Rejoinder, if any.</p> <p>4. S.O. to 15.01.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 21/12.2020</p>
	<p>O.A.No.949 of 2019</p> <p>Dr. B. N. PitaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant seeks permission to withdraw the O.A. on the ground that during the pendency of the matter, the Applicant has got posting as per his choice. Therefore, he does not want to proceed with the O.A.</p> <p>3. Allowed to withdraw the O.A.</p> <p>4. O.A. is accordingly disposed of with no order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>ysm</p>

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

Tribunal's orders

Date : 24.12.2020

O.A.No.1189 of 2019

D. J. AmbilwadeApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard the Applicant in person and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. During the course of argument, the Applicant in person submits that he has attained superannuation and stands retired.
3. Whereas, in Para No.8(c), he had claimed relief of reinstatement in service in the office of Additional Director, Pune.
4. As the Applicant had already attained the age of superannuation, the question of reinstatement has become infructuous.
5. The Applicant is ready to delete the relief of reinstatement. Accordingly, he is allowed to delete Para No.8(c) of O.A.
6. Now, O.A. remains about pay fixation of the Applicant and the legality of the order of recovery dated 31.07.2017 and 17.04.2018.
7. The Applicant has filed written notes of arguments.
8. Learned C.P.O. has pointed out that the Government has already initiated D.E. against the Applicant on the allegation that on 28.03.2005, the Applicant himself fixed his salary considering pay of Rs.2000/- in continuation as if he is entitled to continuity of service.
9. Learned C.P.O. has also pointed out that the Applicant has challenged initiation of D.E. and the matter is subjudice. She fairly stated that the D.E. is pending and still in progress.
10. In the present O.A., the issue pertains to fixation of pay-scale after the Applicant resigned University service in 2000 and joined the Government service in 2005. There is a charge in D.E. that the Applicant himself being Chief Administrative Officer fixed his pay considering to be entitled for continuity in service from 2000-2005.
11. As the same issue is involved in this matter as well as in D.E. which is also challenged before the Division Bench, there is a possibility of some conflicting findings.
12. In view of above, it would be appropriate to adjourned this matter so that in the meantime either D.E. is completed or O.A. where is D.E. is challenged is decided.
13. In view of above, the Applicant submits that he will take necessary steps for expeditious disposal of O.A. wherein D.E. is under challenged.
14. For the aforesaid reasons, the matter is adjourned to 29.01.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 24.12.2020

O.A.No.1104 of 2019

A. S. TejiApplicant

Versus

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

1. Heard Smt. Anita Murgude holding for Smt.Ranjana Todankar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents is present.

2. Today, the matter is fixed for hearing at the stage of admission without reply since the Respondents failed to file reply despite enough time.

3. However, learned P.O. requested to take Affidavit-in-Reply on behalf of the Respondent No.2 on record and has tendered the affidavit. It is taken on record in the interest of justice.

4. On request of learned Counsel for the Applicant, the matter is adjourned and it be kept for hearing at the stage of admission with liberty to file Rejoinder, if any.

5. S.O. to 08.01.2021.

Sd/-

✓
(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.133 of 2019

R.D. Pawar ..Applicant
 Vs.
 The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

- 2. Affidavit in rejoinder is filed by the applicant. It is taken on record.
- 3. Adjourned to 18.1.2021 for final hearing.

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Sd/-

(A.P. Kurhekar)
Member (J)
24.12.2020

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

Date : 24.12.2020

O.A.No.59 of 2020

K. B. Jagtap

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondent No.1 and Shri K.R. Jagdale, learned Counsel for the Respondent No.2.

2. This is Part-Heard matter wherein today, learned P.O. sought permission to file additional Affidavit on behalf of the Respondent No.1 to place on record the show cause notice given to the Applicant on 04.12.2020 which is during pendency of this O.A.. It is taken on record.

3. Learned Counsel for the Applicant has also filed additional Affidavit of the Applicant along with explanation to show cause notice. It is taken on record.

4. S.O. to 07.01.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 24.12.2020

O.A.No.229 of 2019 with O.A.No.1121 of 2019

G.A. Kiture & Ors. (O.A.229/2019)

S.K. Bhitade (O.A.1121/2019)Applicant

Versus

The State of Maharashtra & Ors.Respondents

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

2. The learned Advocate for the applicant has produced praecipe dated 18.12.2020 for speaking to minutes of the judgment dated 10.12.2020 passed in the above Original Applications.

3. The following corrections are to made in page 26, paragraph 31,

(i) Forth line from bottom a coma (,) is put after the word vacancies.

(ii) Third line from bottom the word 'devoid' is replaced by the word 'decide'.

"The Governments needs to take decision regarding a group of 45 de-recommended candidates who have undergone the training but not covered under 57 vacancies whether to be absorbed or not. We do not devoid the same."

Is to be read as

"The Governments needs to take decision regarding a group of 45 de-recommended candidates who have undergone the training but not covered under 57 vacancies, whether to be absorbed or not. We do not decide the same."

4. Praecipe dated 18.12.2020 is disposed off.

Sd/-

(P.N Dixit)
Vice-Chairman (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><u>24.12.2020</u></p> <p align="center"><u>O.A Stamp No. 1438/2020 (Aurangabad)</u></p> <p>Kalidas B. Choudhari ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Kiran Salunkhe, learned advocate for the applicant and Shri Madhav Gude, learned P.O for the Respondents (Aurangabad) and Ms Archana B.K, learned P.O for the Respondents (Mumbai)</p> <p>2. The applicant, Medical Superintendent is challenging the order of transfer dated 18.12.2020 transferring him from his present posting as Medical Superintendent, Women's Hospital, Parbhani to Rural Hospital, Pishore, Tal-Kannad, Dist-Aurangabad. The learned counsel for the applicant states that applicant was transferred to Parbhani on 5.8.2017 and hence he was due for transfer.</p> <p>3. The learned counsel for the applicant challenges the order on following grounds:-</p> <p>(i) The Respondents have not considered the case of the applicant under Section 7 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred as 'ROT Act 2005' for brevity) ROT Act, as the applicant is going to retire in June, 2021.</p> <p>(ii) The Respondents have not followed the provisions section 4(4)(ii) & 4(5) of the ROT Act, 2005.</p> <p>(iii) The meeting of the Civil Services Board was not held and his name was not placed before the Civil Services Board.</p> <p>(vi) In the present case, the Hon'ble Chief Minister is the competent transferring authority. However, his approval is not obtained.</p> <p>(vii) Learned counsel further submits that till today nobody is posted in place of the applicant.</p> <p>4. Learned P.O while opposing the application submits that the case of the applicant was placed before</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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the Civil Services Board and all necessary procedure was followed. The reason for transferring the applicant recorded in the minutes of the meeting of C.S.B is the complaint against him. Learned P.O submitted that the applicant is already relieved and the charge of his post is given to Dr Puri, Superintendent, Parbhani.

5. As the matter is heard by Video Conference, the file of the transfer of the applicant is produced by the officers from the Public Health Department, Mantralaya, Mumbai and Ms Archana B.K, learned P.O has attended the matter, who pointed out that there was a complaint by Ex. M.L.A that he has received complaints against the applicant from the people and patients.

6. On query made to learned P.O, about consideration of Section 5 of ROT Act, 2005, it is informed that nothing is mentioned about it in the minutes of the meeting of the Civil Services Board. The complaints made by the people or the patients were also not placed before the competent transferring authority, Civil Services Board and nor before the supervising authority, i.e. Dy. Director, Public Health.

7. In view of the judgment of Hon. Bombay High Court, dated 16.12.2020, in Dr. Saudamini Chaudhari Vs. State of Maharashtra, W.P 2585/2019, where the issue of transfer of a Medical Officer was considered by the Frist Court and especially in para 22 of the said judgment, the affidavit in reply of the Respondent is invited along with the papers of C.S.B and noting of the transfer of the applicant with a view to find out whether proper consideration of the complaints of the people or patient was taken into account at the time of transfer of the applicant.

8. The post of the applicant at Parbhani is still now vacant. Therefore, though applicant is relieved, he is directed to continue to work at Parbhani. Hence the said order of transfer is stayed till filing of the reply. The matter can be decided at the interim stage after receiving the affidavit in reply.

9. S.O to 28.1.2021.

Sd/-

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

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

Tribunal's orders

Date : 22.12.2020

O.A.No.791of 2020

N.P. Bhoyar

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

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

2. The Applicant, Deputy Superintendent of Police, challenges the order dated 10.12.2020 transferring him to Deputy Superintendent of Police, ACB Pune to Police Training Center , Jalna.

3. The learned Advocate prays for amendment.

4. Amendment granted. Amended copy be served upon learned P.O. till 19.12.2020 to enable them to file reply till 11.01.2021.

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

6. Issue notice before admission returnable on 11.01.2021.

7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

9. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

10. Adjourned to 11.01.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 22.12.2020</p> <p>O.A.No.510 of 2020</p> <p>G.R. More ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms. Archana B.K., learned P.O. for the Respondents.</p> <p>2. The learned P.O. submits that reply will be filed during the course of the day.</p> <p>3. S.O. to 08.02.2021.</p> <p style="text-align: right;">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>LATER ON</p> <p>1. Heard Shri Pankaj Pandey, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. files affidavit-in-reply. The same is taken on record.</p> <p>3. Adjourned to 08.02.2021.</p> <p style="text-align: right;">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
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Date : 22.12.2020

O.A.No.659 of 2020

S.P. Aher ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant, Police Inspector who was transferred by order dated 29.10.2020 from Thane to Dhule was not due for transfer.

3. The learned Counsel submits that the applicant has a clean record and he is going to retire within 5 months. The Respondent No.4 who is transferred from Bhiwandi to Dombivali i.e. the place where applicant was posted. However, the post of Respondent No.4 at Bhiwandi Shantinagar is still vacant, so the applicant be allowed to work at his earlier posting only.

4. The learned Counsel further submits that the Respondent No.3, Commissioner of Police, than has send a request letter to Respondent No.2 on 02.11.2020 to cancel the order of the transfer of the applicant as he is going to retire within 5 months let him continue on the same post. She produces the chart of the officers from Thane who were given the extension.

5. The learned P.O. pointed out the noting dated 23.12.2020 and informs that Additional D.G. (Establishment) has taken decision to cancel the transfer of the applicant subject to vacancy. On query learned P.O. informs the Tribunal that as on today there are 25 vacancies in District Thane and Applicant will be accommodated in those vacancies.

6. Considering all these aspects, Respondent No.2 is directed to take decision till 02.01.2021.

7. O.A. is accordingly disposed off.

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.

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Date : 22.12.2020

O.A.No.739 of 2020

S.S. Shelke ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The learned P.O. submits that the written instructions are received from the Department and hence he needs time.

3. Adjourned to 19.01.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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.

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24.12.2020

O.A 568/2020

S.V Pawar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned P.O states that affidavit in reply is ready and is sent for affirmation.

3. S.O to 4.1.2021.

Sd/-

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

Akn

**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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24.12.2020

O.A 534/2020

M.V Patil ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O files affidavit in reply. The same is taken on record.

3. Learned counsel for the applicant submits that she will file the rejoinder. It is necessary to go through the transfer file of the applicant when he was transferred from Gadchiroli to Ratnagiri.

4. The applicant to join the duty at Bhandara without prejudice. However, if the order of posting at Ratnagiri of any officer is not passed till yesterday, then the post is to be kept vacant till next date.

5. S.O to 4.1.2021.

Sd/- _____

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

Akn

**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.

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24.12.2020

O.A 366/2020

Smt R.V Solankhe ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
2. Learned C.P.O prays for time to file reply. Time granted. The Respondents are directed to file reply without fail before next date.

3. S.O to 19.1.2021.



Sd/-

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

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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24.12.2020

O.A 318/2020

D.P Kharmate ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.

2. Learned P.O prays for time to file reply. Time is granted.

3. S.O to 9.2.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

**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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O.A. No.829 of 2019 with M.A. No.331 of 2020

A.P. Ghadge & Ors. ..Applicants

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri M.S. Bhandari, learned Advocate with Shri M.M. Deshmukh, learned Advocates for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents No.1 to 4.

2. The matter was fixed for final hearing today. Shri P.A. Kulkarni, learned Advocate for Respondents No.5 to 10 from Aurangabad informed that he would not be available till 23.12.2020.

3. Today Shri M.S. Bhandari, learned Advocate for the Applicants informed that he had spoken to Shri P.A. Kulkarni, Ld. Advocate for respondents no.5 to 10 who had informed him that the junior of Shri Kulkarni would reach with written notes. However, when junior did not appear Shri M.S. Bhandari again contacted Shri Kulkarni to find out. Shri Kulkarni informed him that his junior is also not appearing today and he seeks another date in the month of January, 2021. On enquiry Shri Kulkarni informed that he will appear on 22.1.2021. Shri Bhandari has no difficulty regarding the same.

4. By consent adjourned to 22.1.2021 for final hearing and there will be no further extension. All the concerned advocates to note.

Sd/-

(P.N. Dixit)
Vice-Chairman
24.12.2020

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
24.12.2020

**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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24.12.2020

O.A 625/2019 with 626 /2019

Shri Y.V Kesarkar [O.A 625/2019]
Shri B.J Ghayal [O.A 626/2019] ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned counsel for the applicant submits that similar issue in O.A 221/2019 is already kept on 22.1.2021 for final hearing. Therefore both the present O.As be placed on 22.1.2021 along with O.A 221/2019 for final hearing.

3. S.O to 22.1.2021 for final hearing.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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24.12.2020

C.A 35/2020 in O.A 770/2019

Shri S.B Mahajan ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt Kranti S.Gaikwad, learned P.O for the Respondents.
2. Learned P.O submits that she will be filing affidavit during the day. Affidavit is to be taken on record.
3. In view of this and the order dated 18.12.2020, the Contempt Application stands disposed of.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar J.)
Chairperson

**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.

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24.12.2020

O.A 177/2020

M.S Nigewan ... Applicant

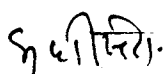
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.

2. Learned advocate for the applicant files rejoinder. The same is taken on record.

3. Admit. S.O to 26.3.2021 for final hearing.



**(P.N Dixit)
Vice-Chairman (A)**

Sd/-

**(Mridula Bhatkar J.)
Chairperson**

Sd/-

**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><u>24.12.2020</u></p> <p align="center"><u>O.A 370/2020</u></p> <p>Shri S.U Jawale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan , learned advocate for the applicant and Smt K.S Gaikwad , learned P.O for the Respondents.</p> <p>2. Learned P.O files affidavit in reply on behalf of Respondents 1, 3 & 4. The same is taken on record.</p> <p>3. Respondent no. 2, G.A.D has not yet filed reply. Respondent no. 2 is directed to file reply by way of last chance.</p> <p>4. S.O to 21.1.2021.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(P.N Dixit) (Mridula Bhatkar J.) Vice-Chairman (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

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24.12.2020

O.A 455/2019

Shri A.T Patil ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. None for the applicant. Heard Ms Swati Manchekar learned P.O for the Respondents.

2. It appears that reply is already filed in January, 2020.

3. S.O to 18.2.2021 for final hearing.

Sd/-

(P.N^lDixit)
Vice-Chairman (A)

Sd/-

(Mridula Bhatkar J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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24.12.2020

O.A 453/2019

Shri S.T Patil ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. None for the applicant. Heard Ms Swati Manchekar learned C.P.O for the Respondents.

2. Learned C.P.O states that reply is not filed till today. Learned C.P.O to take note that reply is to be filed by 29.1.2021 and copy to be served on the applicant before the next date.

3. S.O to 19.3.2021.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Sd/-

(Mridula Bhatkar J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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24.12.2020

C.A 40/2020 in O.A 992/2019

Shri P.N Chandhari ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned counsel submits that he has served notice on all the Respondents, i.e. Contemnors. The order in issue was passed on 9.1.2020, thereby directing the Respondents to release the retiral benefits to the applicant within a week from the date of the order, i.e. on or before approximately 17.1.2020. Till today, the amount is not paid and hence this is contempt. As per the said order, the Respondents were saddled cost of Rs. 10,000/-.

3. Learned P.O submits that cost of Rs. 10,000/- is deposited and receipt is placed on record. Learned P.O further submits that the file was sent to Law & Judiciary in the month of January, 2020 for the opinion as the applicant was dismissed from service on account of corruption charges. He was dismissed on the ground of charges of corruption and prosecuted under Prevention of Corruption Act. Learned Sessions judge had convicted him. However, his appeal was allowed and he was acquitted. Learned P.O submits that the opinion of Law & Judiciary so also opinion of MPSC is required before disbursing the retiral benefits to the applicant. Learned P.O further submits that on 15.12.2020, the department has received the opinion from Law & Judiciary wherein permission is given for cancellation of dismissal order of the applicant. Now this file will be sent to MPSC for their

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>opinion and thereafter the order can be complied with. Learned P.O submits that there is no deliberate disobedience on the part of the Respondents and therefore the delay caused to be condoned. She further submits that within one month MSPC will give their opinion.</p> <p>4. In view of the submissions of learned P.O, the time for compliance of the order of this Tribunal is extended till 20.2.2021. In the meanwhile, MPSC shall give opinion on or before 20.1.2021.</p> <p>5. With these directions, C.A stands disposed of. .</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- (Mridula Bhatkar J.) Chairperson</p> <p>Akt</p>