

**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: 25.03.2021</p> <p align="center">O. A. No.763 of 2020</p> <p>S.S. KokaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. is directed to take instructions without fail and to file Reply.</p> <p>3. S.O. to 20.04.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

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	<p>Date: 25.03.2021</p> <p align="center">O.A. No.139 of 2021</p> <p>R.R. KoliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The issue raised is the Applicant who are working on the post which are regular post are continued and are to be given protection at that post only. 3. However, P.O. submits that the protection is granted that their posts are to be considered as supernumerary post. Thus, the protection is only to that effect, and the continuation is not for the regular post. 4. The learned P.O. further submits that she wants to file Affidavit-in-Reply, which is based on G.R. dated 21.12.2019. She submits that the services of all the persons from Koli Community who are given employment in Government services in S.T. categories are in-fact protected as per the order of <i>Hon'ble High Court in W.P. No.1963 of 2020, dated 29.01.2020, Vasant G. Nikam v/s. The State of Maharashtra & ors..</i> 5. Thus, it appears that there is confusion in granting what type of interim relief to be granted either protecting such Government Servant to the post of regular post or interim relief protection to be given to such Government servant only for the supernumerary post. <p align="right">[P.T.O.]</p>

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	<p>6. The previous order of the Hon'ble High Court so also the G.R. is needed to be looked into though earlier interim relief protection is granted in some matters for supernumerary post and hence, the matter is to be heard before interim relief.</p> <p>7. Affidavit-in-Reply to be filed by next date.</p> <p>8. S.O. to 19.04.2021.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p style="text-align: right;">Sd/- <i>[Signature]</i> (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

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	<p align="center">Date : 25.03.2021</p> <p align="center">O.A.No.155 of 2021</p> <p>N.K. Parakhe & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri L.S. Deshmukh, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. files affidavit-in-reply, dated 23.03.2021 on behalf of Respondent No.2 through Smt. Bharti V. Paithankar, working as State Nursing Superintendent in the office of Director of Medical and Research, Mumbai.</p> <p>3. The learned P.O. on instructions from the office of Director of Medical Education submits that there is already the order of the Government for not sending any Nurses staff for the post graduation, Msc. Nursing Course</p> <p>4. S.O. to 30.03.2021.</p> <p align="right">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p align="right">[P.T.O.]</p>

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	<p>Date: 25.03.2021</p> <p align="center">O. A. No.27 of 2021</p> <p>Y.G. LawandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Learned Advocate for the Applicant seeks three weeks time to file Affidavit-in-Rejoinder. Time as prayed is granted.</p> <p>3. S.O. to 16.04.2021.</p> <p align="right">Sd/-</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="right">(Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

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	<p>Date: 25.03.2021</p> <p align="center">O. A. No.944 of 2004</p> <p>G.R. GharuleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. The address of the Applicant is not mentioned in the O.A. Hence, learned Advocate for the Applicant to communicate the Applicant on his residential address which can be available in the office of the learned Advocate.</p> <p>3. Respondents-State also to find out what is the result of the Session Court case which was pending against the Applicant and also to furnish the residential address of the Applicant and to inform the Department to attend the Tribunal on 08.04.2021.</p> <p>4. S.O. to 08.04.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p> <p align="right">[P.T.O.]</p>

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	<p align="center">Date: 25.03.2021</p> <p align="center">O. A. No.983 of 2019</p> <p>J.W. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate for the Applicant seeks four weeks time to file Affidavit-in-Rejoinder. Time as prayed is granted.</p> <p>3. S.O. to 23.04.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p align="center">NMN</p>

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	<p align="center">Date: 25.03.2021</p> <p align="center">O. A. No.749 of 2020</p> <p>J.T. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. has filed Affidavit-in-Reply on behalf of Respondent, through Gajanan B. Gurav dated 24.03.2021. It is taken on record.</p> <p>3. The learned Advocate for the Applicant seeks four weeks time to file Rejoinder. Time as prayed is granted.</p> <p>4. S.O. to 27.04.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

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	<p align="center">Date: 25.03.2021</p> <p align="center">O. A. No.550 of 2020</p> <p>M.D. VadajeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. 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 learned P.O. has filed Affidavit-in-Reply on behalf of Respondent, through Sampat B. Kamble dated 15.02.2021. It is taken on record.</p> <p>3. The learned Advocate for the Applicant seeks three weeks time to file Affidavit-in-Rejoinder. Time as prayed is granted.</p> <p>4. S.O. to 17.04.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

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	<p>Date: 25.03.2021</p> <p>O. A. No.395 of 2015</p> <p>S.R. Dharmale & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In this matter Group of Applicants, Assistant Engineer, Grade-II, has challenged G.R. dated 26.02.2015 & 24.04.2015 issued by Respondent No.1, by which the Applicants were to be transferred from Electrical Inspectorate Wing, P.W.D. to Energy Department, as it is violative of Article 14 and 16 of the Constitution of India, and therefore, prays that the said G.R. to be quashed and set aside.</p> <p>3. There is a note dated 23.06.2016, which states that the Applicant Nos.6 & 10 want to withdraw their names from the O.A., the letter dated 25.04.2016 is received on 22.06.2016 and is taken on record.</p> <p>4. The said application M.A. No.324/2015 in O.A. No.395/2015 was allowed and the new parties were added as Respondents for whom Shri V.P. Potbhare was representing them.</p> <p>5. Learned Advocate for the Applicants and the Respondent allowed to take the photocopy of the documents in the presence of Court person.</p> <p>6. In the year 2017 this matter is admitted and thereafter did not appeared.</p> <p>7. S.O. to 06.04.2021.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

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	<p>Date : 25.03.2021</p> <p>M.A.No.125 of 2021 in O.A.No.167 of 2021 with M.A.No.91 of 2021</p> <p>State of Maharashtra & Ors. ... Applicants (Org. Respd.) Vs. A.A. Deshmukh & Ors ... Respondents (Org. Appl)</p> <p>1. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants (Org. Respondents) and Dr. Gunratan Sadavarte, learned Advocate for the Respondents (Org. Applicants).</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 22.04.2021.</p> <p>4. Applicants (Org. Respondents) are authorized and directed to serve on Respondents (Org. Applicants) 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 (Org. Applicants) are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants (Org. Respondents) are directed to file Affidavit of compliance and notice.</p> <p>7. Adjourned to 22.04.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/ (Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.03.2021</p> <p>O.A.No.223 of 2021 with M.A.No.123 of 2021</p> <p>A.V. Dudhal & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. This M.A.No.123/2021 is for leave to sue jointly. 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately. 4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid. 5. M.A.No.123/2021 is allowed. 6. Issue notice in O.A.No.223/2021 made returnable on 22.04.2021 7. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 8. Applicants are 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. 9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 10. 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. 11. Adjourned to 22.04.2021. This O.A. is to be tagged with O.A.No.16/2021 with O.A.No.158/2021 with M.A.No.82/2021 as the issue involved is same. <p style="text-align: right;">Sd/- _____</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p>

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	<p>Date : 25.03.2021</p> <p align="center">O.A.No.16 of 2021 with O.A.No.158 of 2021 with M.A.No.82 of 2021</p> <p>M.M. Dawane & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. Kranti L.C., learned Advocate for the Applicants in O.A.No.16/2021, Dr. G. Sadavarte with Shri Jayshree Patil, learned Advocates for the Applicant in O.A.No.158/2021, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents No.1 & 2 and Shri C.T. Chandratre, learned Advocate for the Respondent No.256.</p> <p>2. The learned C.P.O. files affidavit-in-reply, dated 24.03.2021 on behalf of Respondent no.1 through Shri Venkatesh M. Bhat, Deputy Secretary, Additional Chief Secretary, Home Department, Mantralaya. Taken on record. Copy is served to learned Advocate for the Applicant in O.A.No.158/2021.</p> <p>3. Shri C.T. Chandratre, learned Advocate for the Respondent No.256 seeks time to file reply.</p> <p>4. Time granted. Adjourned to 19.04.2021. These Original Applications are to be tagged with O.A.No.223 of 2021 as the issue involved is same.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date: 25.03.2021</p> <p align="center">O. A. No.88 of 2021 with O.A. No.89 of 2021 with O. A. No.90 of 2021 with O.A. No.114 of 2021</p> <p>U.V. Deokule N.C. Koli & Ors. S.N. Gaikwad & Ors. S.K. BelbandareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. submits that she has received letter seeking one month time to verify the position as per para. 2 in the order dated 09.02.2021 in all the matters.</p> <p>3. The learned C.P.O. submits that she will file Reply within four weeks. Time as prayed is granted.</p> <p>4. S.O. to 27.04.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p align="center">NMN</p>

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	<p>Date : 25.03.2021</p> <p align="center">O.A.No.544 of 2018 with O.A.No.513 of 2019 <u>Suo motu taken on record.</u></p> <p>V.B. Shende (O.A.544/2018) S.V. Rane (O.A.513/2019) ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.G. Panchal, learned Advocate for the Applicant in O.A.No.544/2018, Shri C.T. Chandratre, learned Advocate for the Applicant in O.A.No.513/2019, Shri Bhushan A. Bandiwadekar, learned Advocate for the Respondent No.3 in O.A.No.544/2018, Shri K.R. Jagdale, learned Advocate for the Respondent No.4 in O.A.No.513/2019 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Mentioned by learned Advocate for the Applicant and taken on board.</p> <p>3. The following dates are to be corrected in order dated 22.03.2021 :-</p> <p align="center">"In paragraph 4, the date "१३ ऑगस्ट, २०१८" be read as "१३ ऑगस्ट, २०१४".</p> <p align="center">"In paragraph 5, the date "13.08.2019" be read as "13.02.2019".</p> <p>4. Adjourned to 01.04.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p style="text-align: center;">Date : 25.03.2021</p> <p style="text-align: center;">O.A.No.975 of 2019 with O.A.No.976 of 2019 with O.A.No.977 of 2019</p> <p>G.S. Bhajbhujje (O.A.975/2019) B.A. Karale (O.A.976/2019) K.G. Dhanvijay & Ors. (O.A.977/2019) ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri J.V. Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today during the hearing the learned Counsel mentions that in O.A.No.975/2019 service has not been done to Respondent No.5, Shri Satish Ramesh Rao Zampalwar, and Respondent No.6, Shri Ankush Dnyanehswar Bondre. He mentions that he has received the correct addresses from the Respondent No.2. He will serve the respondents accordingly. In addition he also mentions that service has been done on Shri Sadanand Purushottam Dhudase, (Respondent No.4) on 16.03.2021.</p> <p>3. In O.A.No.976/2019, learned Counsel mentions that he has received the address of Respondent No.4, Shri Shahadat Shamrao Puyed, and notice will be served on him.</p> <p>4. The learned C.P.O. on instructions Mr. Uttam Damu Gaikwad, Upper Commissioner, Tribal Development, Nashik submits that email addresses of Respondent No.5, Shri Satish Ramesh Rao Zampalwar, and Respondent No.6, Shri Ankush Dnyanehswar Bondre in O.A.No.975/2019 and also email address of Respondent No.4, Shri Shahadat Shamrao Puyed in O.A.No.976/2019 would also be provided to learned Counsel within 24 hours on the email address of the learned Counsel.</p> <p style="text-align: right;">[P.T.O.]</p>

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	<p>5. In O.A.No.977/2019, Respondent No.6, Smt. Pratibha Santosh Salunkhe, Respondent No.7, Smt. Trishalya Kashinathrao Khune, Respondent No.11, Smt. Swati Venkatrao Kapale, Respondent No.12, Smt. Mamata Krushnrao Munjamkar and Respondent No.13, Dipti Sunil Nikam, services has not been done. Thus service is to be done on Respondents No.6, 7, 11, 12 and 13.</p> <p>6. Email addresses in respect of above should be supplied by Respondent No.2 to the learned Counsel on the email address of learned Counsel.</p> <p>7. The learned Counsel further states that service has been done in O.A.977/2019, in respect of remaining Respondents i.e. Respondent No.4, Madhuri Ashok Pawar, Respondent No.5, Minakshi Waman Nandeshwar, Respondent No.8, Pranalee Dnyaneshwar Satdive, Respondent No.10, Sonali Bhusaheb Gaikwad, Respondent no.14, Minakshi Suresh Sonawane, Respondent No.15, Trupti Ashok Tayade</p> <p>8. The learned Counsel further mentions that in O.A.No.976/2019, out of 3 posts for SCBC, two posts according to him are vacant. In O.A. 977/2019, out of 84 posts, 4 posts were for SC and the applicant belongs to SC category. According to him 3 posts are vacant.</p> <p>9. Adjourned to 08.04.2021. F.O.B.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N Dixit) Vice-Chairman (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">prk</p>

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	<p>Date : 22.03.2021</p> <p style="text-align: center;">O.A.No.544 of 2018 with O.A.No.513 of 2019 (Corrected as per order dated 22.03.2021)</p> <p>V.B. Shende (O.A.544/2018) S.V. Rane (O.A.513/2019) ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.G. Panchal, learned Advocate for the Applicant in O.A.No.544/2018, Shri C.T. Chandratre, learned Advocate for the Applicant in O.A.No.513/2019, Shri Bhushan A. Bandiwadekar, learned Advocate for the Respondent No.3 in O.A.No.544/2018, Shri K.R. Jagdale, learned Advocate for the Respondent No.4 in O.A.No.513/2019 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, after extensive hearing of the learned Counsel for the applicant and the learned C.P.O. for the Respondents, the learned C.P.O. points out the affidavit filed by Mr. Sudam Bhivaji Tavhare, Under Secretary, M.P.S.C. on behalf of Respondent no.1 (MPSC). As per his affidavit the case of the applicant did not fulfill the shortlisting criteria fixed for SC category and as he cannot be considered for the post in Open (female) category as per the provisions of the Government Circular dated 13.08.2014, therefore he could not be allowed to be interviewed for the post.</p> <p>3. The learned Counsel refers to the corrigendum issued by G.A.D. on 19.12.2018, the decision reads as under :-</p> <p style="text-align: center;">“(अ) - प्रथम टप्पा : खुल्या प्रवर्गातील (अराख्रीव पदे) उमेदवारांची गुणवत्तेच्या निकषानुसार निवडयादी तयार करावी. या यादीत खुल्या प्रवर्गात गुणवत्तेच्या आधारावर मागासवर्गीय उमेदवारांचाही (अनुसूचित जात अनुसूचित जमाती, वि.जा.भ.ज., वि.मा. प्र., इ.मा.व. व एसईबीसी) समावेश होईल. या यादीत समांतर आरक्षणानुसार उमेदवारांची संख्या पर्याप्त असेल तर कोणताही प्रश्न उद्भवणार नाही आणि त्यानुसार पदे भरावीत. जर या यादीत समांतर आरक्षणानुसार आवश्यक उमेदवारांची संख्या पर्याप्त नसेल तर समांतर आरक्षणाची पदे भरण्याकरीता सदर यादीतील आवश्यक पर्याप्त संख्येइतके शेवटचे उमेदवार वगळून पात्र उमेदवारांपैकी आवश्यक पर्याप्त संख्येइतके समांतर आरक्षणामधील गुणवत्तेनुसार पात्र उमेदवार घेणे आवश्यक आहे. हे शासन शुध्दीपत्रक निर्गमित झाल्याच्या दिनांकापासून अंमलात येईल.”</p> <p style="text-align: right;">[P.T.O.]</p>

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	<p>4. It is significant to note that this circular is dated 19.12.2018. The learned Counsel refers to Ghoshana (घोषणा) made by MPSC on 27.03.2019 (observation) the same reads as under :</p> <p style="text-align: center;">“-घोषणा-</p> <p>शासन शुध्दीपत्रक दि. १९ डिसेंबर, २०१८ नुसार समांतर आरक्षण कार्यान्वित करण्याबाबतच्या कार्यपध्दतीबाबत.</p> <p>शासनाच्या समांतर आरक्षणासंदर्भात दिनांक - १३ ऑगस्ट, २०१४ रोजीच्या शासन परिपत्रकास अनुसरून निर्गमित केलेल्या शासन शुध्दीपत्रक क्रमांक : संकीर्ण - १११८/प्र.क्र.३९/१६-अ, दिनांक १९ डिसेंबर, २०१८ मधील तरतुदी विचारात घेता ज्या पदाच्या परीक्षांची जाहिरात प्रसिध्द करण्यात आली आहे. तथापि, कोणतेही निकाल घोषित झालेले नाहीत, अशा परीक्षांचे तसेच यापुढील विज्ञापित होणा-या सर्व परीक्षांची निकाल प्रक्रिया शासनाच्या दिनांक - १९ डिसेंबर, २०१८ रोजीच्या शुध्दीपत्रकातील तरतुदी विचारात घेवून राबविण्यात येणार आहेत.</p> <p>तसेच ज्या पदाच्या परीक्षा दिनांक - १९ डिसेंबर, २०१८ पुर्वी झाल्या आहेत. परंतु सदर परीक्षांचे पूर्व /मुख्य /अंतिम अशा कोणत्याही टप्प्यावरील निकाल घोषित झालेले नाहीत. अशा परीक्षांची निकाल प्रक्रिया शासनाच्या दिनांक - १९ डिसेंबर, २०१८ रोजीच्या शुध्दीपत्रकातील तरतुदी विचारात घेवून राबविण्यात येत आहे.”</p> <p>5. The affidavit made by the MPSC on first reading indicates that the clarification issued by 19.12.2018 has not been applied in the present case even though the interview was held on 27.06.2018 and the results was declared on 13.02.2019. Ghoshana (घोषणा) made by MPSC has not been implemented.</p> <p>6. We therefore, direct the MPSC to make this exercise as per the clarification issued on 19.12.2018 and Ghoshana (घोषणा) made by MPSC on 27.03.2019. The outcome of this particular implementation should be reported to the Tribunal on 25.03.2021. Hamdast and Steno copy is allowed.</p> <p>7. S.O. to 25.03.2021.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N Dixit) Vice-Chairman (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>

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	<p>Date: 25.03.2021</p> <p align="center">M.A. No.11 of 2012 in O. A. No.293 of 2009</p> <p>The State of Maharashtra & Ors. (Org. Resp.)....Appl. Versus Dr. A.N. Galdhar (Org. Appl.).....Resps.</p> <p>1. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Applicants (Org. Respondents) and Shri B.A. Bandiwadekar, learned Advocate for the Respondent (Org. Applicant).</p> <p>2. This matter is already fixed on 08.04.2021. The learned Advocate for the (Ori. Applicant) Respondents and the (Org. Respondents) Applicants are directed to be ready with all instructions and also with the legal submission on that date.</p> <p>3. In the present M.A. the State has requested to modify the order of order dated 30.03.2009 on the point of condoning technical breaks to the Applicant who was appointed as Ad-hoc for the number of years. It is further pointed out that this Tribunal earlier by order dated 17.03.2011 in Dr. (Ms.) Jyoti G. Choudhari v/s. Smt. Sharwari Gokhale, State of Maharashtra, M.A.No.495/2009 in O.A. No.823/2008 with C.A.No.45/2009 in O.A. No.823/2008, same bench has taken the view that, "<i>we had not intended that the Applicant should be continued without any technical break. Ad hoc employee is appointed only for a fixed period and is again continued by another ad hoc appointment, as such there is bound to be technical break. Our order does not in any manner indicate that there should be no such technical break.</i>"</p> <p>4. In the order which is subject matter of proposed modification by the (Org. Respondents) Applicants the Tribunal has relied and referred on Judgment of Hon'ble</p>

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	<p>Supreme Court in the case <i>Hargurpratap Singh Vs. State of Punjab and Others, (2007) 13 SCC 292 : (2008) 2 SCC (L&S) 618.</i></p> <p>5. The Learned Advocate for the (Ori. Applicant) Respondents and the (Org. Respondents) Applicants both parties to be ready on legal submission on this point.</p> <p>6. S.O. to 08.04.2021.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

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	<p align="center"><u>O.A. No.152 of 2021 (Aurangabad Bench)</u> (Through Video Conference)</p> <p>Vishnu S. Misal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.B. Jadhav, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer (Aurangabad Bench) for the Respondents.</p> <p>2. The applicant stand retired on 30.9.2020 from the post of Head Constable. He has challenged order dated 23.2.2021 whereby recovery towards excess payment is sought.</p> <p>3. Ld. Advocate for the applicant prays for interim relief contending that applicant being Group 'C' employee, recovery after retirement is not permissible in view of decision of the Hon'ble Supreme Court in the case of <u>State of Punjab & Ors. Vs. Rafiq Masih (White Washer) reported in (2015) 4 SCC 334.</u></p> <p>4. Prima facie applicant being Group 'C' employee after retirement recovery is impermissible in view of decision of the Hon'ble Supreme Court in Rafiq Masih (cited supra).</p> <p>5. In view of the above, I am inclined to grant interim relief to the extent of recovery as sought by the impugned order dated 23.2.2021 till filing of affidavit in reply.</p> <p>6. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 20.4.2021.</p>

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	<p>8. 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>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>10. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J) 25.3.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.179 of 2021</u></p> <p>R.A. Marathe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today, Ld. PO files affidavit in reply on behalf of respondent. It is taken on record.</p> <p>3. On the request of Ld. Advocate for the applicant time is granted to file rejoinder.</p> <p>4. S.O. to 6.4.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J) 25.3.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.601 of 2019</u></p> <p>S.J. Mandare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. In this OA applicant has challenged suspension order dated 28.2.2019.</p> <p>3. Today Shri R.M. Kolge, Ld. Advocate for the applicant however, fairly stated that during pendency of OA, applicant is reinstated in service and nothing survives in the matter.</p> <p>4. Thus, in view of reinstatement in service, challenge to the suspension order does not survive and OA has become infructuous.</p> <p>5. Accordingly, OA is disposed of.</p> <p>6. No orders as to cost.</p> <p align="right">^ Sd/- v~ (A.P. Kurhekar) Member (J) 25.3.2021</p> <p>(sgj)</p>

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	<p align="center"><u>25.03.2021</u></p> <p align="center"><u>O.A 93/2019</u></p> <p>Shri R.J Kamane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Applicant and learned counsel for the applicant are both are absent. Heard Ms Archana B.K, lerned P.O for the Respondents.</p> <p>2. Learned P.O has requested for one weeks time to file reply.</p> <p>3. In the present O.A applicant has challenged order dated 31.10.2018, whereby punishment of 25% deduction in pension permanently has been imposed.</p> <p>4. The subject of punishment of permanent reduction in pension pertains to Division Bench and not Single Bench, since it is not minor punishment.</p> <p>5. In view of above, Registry is directed to place the matter before Division Bench</p> <p>6. S.O 31.3.2021.</p> <p align="right">Sd/- (A.P Kurhekar) Member (J)</p> <p>Akn</p>

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	<p align="center">25.03.2021</p> <p align="center"><u>M.A 341/2019 in O.A 603/2019</u></p> <p>Shri R.S Kadam & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Applicant and learned counsel are both absent. Heard Shri K.R Jagdale, holding for Shri S.S Dere, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Shri Jagdale submits that learned counsel Shri Dere is busy in Hon'ble High Court.</p> <p>3. Perusal of record reveals that on earlier occasion also, applicant and his advocate both were absent and therefore matter was removed from Board.</p> <p>4. In view of the above, adjourned to give an opportunity to the applicant and his counsel.</p> <p>5. S.O to 29.4.2021</p> <p align="right">Sd/- v (A.P Kurhekar) Member (J)</p> <p>Akn</p>

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	<p align="center"><u>25.03.2021</u></p> <p align="center"><u>O.A 164/2020</u></p> <p>Shri A.D Khandare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, holding for Shri M.B Kadam, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Though enough time is granted, no reply is filed. However, learned P.O requested for short time to file reply as a last chance.</p> <p>3. S.O to 30.3.2021 by way of last chance to file reply.</p> <p align="right">Sd/- (A.P Kurhekar) Member (J)</p> <p>Akn</p>

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	<p align="center"><u>25.03.2021</u></p> <p align="center"><u>O.A 424/2020</u></p> <p>Dr K.B Batte ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Though enough time is granted, no reply is filed. Period of more than six months is already availed for filing reply. Hence, I am not inclined to grant more time.</p> <p>3. Mater is kept for hearing at the time of admission without reply.</p> <p>4. S.O 22.4.2021.</p> <p align="right">Sd/- (A.P Kurhekar) Member (J)</p> <p>Akn</p>

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	<p><u>25.03.2021</u></p> <p align="center"><u>O.A 723/2020</u></p> <p>Smt Amruta M Hate ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, holding for Shri M.B Kadam and Ms Archana holding for Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Two weeks time is granted by way of last chance for filing affidavit in reply.</p> <p>3. S.O to 8.4.2021.</p> <p align="right">Sd/- (A.P Kurhekar) Member (J)</p> <p>Akn</p>

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	<p align="center"><u>25.03.2021</u></p> <p align="center"><u>O.A 01/2021</u></p> <p>Shri P.G Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant, Ms Archana B.K, learned P.O for Respondent no. 1 and Shri K.R Jagdale, learned advocate for Respondent no. 2.</p> <p>2. On request for the Respondents two weeks' time is granted for filing affidavit in reply of Respondents.</p> <p>3. S.O to 8.4.2021.</p> <p align="right">Sd/- (A.P Kurhekar) Member (J)</p> <p>Akn</p>

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	<p align="center"><u>25.03.2021</u></p> <p align="center"><u>O.A 06/2021</u></p> <p>Shri U.R Harmalkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Sadhna Singh, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. On request of learned P.O, one weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O to 5.4.2021.</p> <p align="right">Sd/- (A.P Kurhekar) Member (J)</p> <p>Akn</p>

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	<p align="center"><u>25.03.2021</u></p> <p align="center"><u>O.A 12/2021</u></p> <p>Shri P.M Auti ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shr A.V Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant has filed affidavit in rejoinder. Same is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission on 26.4.2021.</p> <p align="right">Sd/- (A.P Kurhekar) Member (J)</p> <p>Akn</p>

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	<p align="center"><u>25.03.2021</u></p> <p align="center"><u>O.A 45/2021</u></p> <p>Shri H.D Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. No rejoinder is filed today. Mater is kept for hearing at the stage of admission with liberty to file rejoinder, in the meantime, if any.</p> <p>3. S.O to 26.4.2021.</p> <p align="right">Sd/- (A.P Kurhekar) Member (J)</p> <p>Akn</p>