

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

ORIGINAL APPLICATION NO.467 OF 2023

Smt. Reshma Ashok Vhorkate,

).. **Applicant**

Versus

State of Maharashtra & 2 Ors.

) ..**Respondents**

Smt. Punam Mahajan, learned Advocate for the Applicant.

Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

CORAM : A.P. KURHEKAR, MEMBER(J)

DATE : 25.04.2023.

ORDER

- 1) Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2) The Applicant has challenged order dated 19.04.2023 whereby additional charge for the post of Deputy Conservator of Forest is given to Mr. Mahesh Zhanjure instead of giving the said charge to her.
- 3) Learned Advocate for the Applicant prayed for interim relief contending that the Applicant being Sr. most Assistant Conservator of Forest the charge of Deputy Conservator of Forest ought to have been given to her during the leave period of Mr. Mahadeo Mohite who proceeded on E.L. from 18.04.2023 to 04.05.2023. She contends that in view of circular issued by G.A.D. dated 05.09.2018 the charge ought to have been kept with Sr. person otherwise it amount to humiliation.
- 4) Per Contra, learned P.O. submits that while keeping charge of the post of Deputy Conservator of Forest with Mr. Mahesh Zhanjure, Chief Conservator of Forest mentioned in the file that he has received one oral complaint against the Applicant while she was holding charge of Deputy

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Conservator of Forest, Satara in March 2023. She has also tendered Photostat copy of file noting.

5) Learned Advocate for the Applicant sought to contend that in absence of written compliant and it's nature mere mentioning of oral compliant cannot defeat entitlement of the Applicant to hold additional charge. She has further pointed out that in proposal forwarded by Chief Conservator of Forest to Principal Chief Conservator of Forest there is no mention of the reason. She has also tendered Photostat copy of proposal which seems to be proposal sent to Principal Chief Conservator of Forest for *expost-facto* sanction.

6) In first place additional charge cannot be claimed by Government servant as a vested right much less legally enforceable right. It is for the competent authority with whom to keep additional charge if required during leave of the concerned Government servant. True, as per circular issued by G.A.D. on 05.09.2018 charge is to be kept with the next person in that cadre or if no such person is available in that cadre then it needs to be kept with Sr. most employee in the below cadre and where competent authority do not want to give charge to the Sr. person reasons are required to be mentioned.

7) In present case Respondent No.3 – Chief Conservator of Forest (Regional), Kolhapur is a competent authority for keeping charge in absence of Mr. Mahadeo Mohite who proceeded on leave for 18 days. In file noting he mentioned about one complaint against the Applicant, and therefore declined to keep charge with her. Even if no details of the complaints are forthcoming the order of keeping charge with Mr. Mahesh Zhanjure need not ~~not~~ be interfered since some reasons are mentioned in the noting. It is not the case of absence of any reasons. At any rate such order does not affect service conditions of the Applicant

8) In this view of the matter, I am not inclined to grant interim relief.

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

10) Issue notice before admission returnable on 14.06.2023.

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

12) 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.

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

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

15) S.O. to 14.06.2023.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

Place: Mumbai

Date: 25.04.2023

Dictation taken by: N.M. Naik.

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**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 : 25.04.2023

O.A.No.52/2019

P.V. Shelke – Patil & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S.S. Dere, learned Advocate for the Applicants, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents, Mr. Y.P. Narvankar, learned Advocate for the Respondent No.6.

2. Learned Advocate Mr. Narvankar has submitted that pursuant to advertisement dated 16.05.2023 reference is made of only paragraph 4.3 of the said advertisement for the purpose of equivalence and educational qualification /eligibility. He has submitted that the said G.R. is alone to be taken into account.

3. Adjourned to 26.04.2023. at 11.30 a.m.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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 : 25.04.2023

C.A.No.80/2022 in O.A.No.879/2015

G.P. WadekarApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Applicant in person and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned P.O. has submitted that the file has been submitted to the Finance Department.

3. Adjourned to 13.06.2023 for compliance.

Sd/-

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

prk

Sd/-

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

**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 : 25.04.2023</p> <p>C.A.No.5/2023 in O.A.No.914/2022</p> <p>Dr. K.D. DayalApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K, learned Presenting Officer for the Respondents.</p> <p>2. At the request of P.O. adjourned to 13.06.2023.</p> <p>Sd/- (Medha Gadgil) Member(A) prk</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. _____ of 20 _____ DISTRICT _____
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(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 : 25.04.2023

O.A.No.303/2023

Dr. B.P. MoreApplicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Purva Pradhan, learned Advocate holding for Mr. D.B. Khaire, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Reply is already filed. Admit. Place for Final Hearing on 02.05.2023. HOB. Interim relief is to be continued till next date.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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 : 25.04.2023
	<p align="center">O.A.No.568/2022 with O.A.No.344/2022 with O.A.No.327/2022</p> <p>K.N. Dombale & OrsApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.P. Avhad, learned Advocate for the Applicants in O.A.No.568/2022, Mr. C.T. Chandratre, learned Advocate for the Applicants in O.A.No.344/2022 and Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant in O.A.No.327/2022, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Learned P.O. on instructions from M.P.S.C. has submitted that no date is fixed for the interview for the post of Deputy Education Officer. She has further submitted that the M.P.S.C. has received communication from the Government that there are certain ineligible candidates, so the M.P.S.C. needs to revisit the select list which is published.</p> <p>3. Learned Advocate Mr. Bandiwadekar has submitted that the Applicant has prayed for interim relief that the Applicants be allowed to appear for the interview subject to outcome of this O.As.</p> <p>4. It is necessary to hear the Respondent, M.P.S.C.. on this issue. Hence, matter is fixed for this particular issue.</p> <p>5. Adjourned to 03.05.2023. HOB. For Final Hearing.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p align="left">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 25.04.2023

O.A.No.625/2021

K.D. Binner & OrsApplicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents

2. Adjourned to 13.06.2023 H.O.B.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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 : 25.04.2023

O.A.No.1230/2022 with M.A.No.48/2023

B.M. Sonar & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Today learned C.P.O. will file affidavit-in-reply during the course of the day.

3. At the request of learned Advocate Adjourned to 28.04.2023 for hearing on Interim Relief.

Sd/-
(Medha Gadgil)
Member(A)

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

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.22 of 2023</u></p> <p>M.P. Bagul ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.B. Khaire, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 & 2 and Ms. K.T. Pawar, learned Advocate for Respondent No.3.</p> <p>2. Respondent No.3 produces copy of GR dated 18.4.2023 regarding equivalence. Ld. Advocate for the applicant submits that GR is prospective.</p> <p>3. The applicant is holding degree of Bachelors in Computer Engineering (BE). Rule 4(b)(ii) of the Recruitment Rules of 2014 for Scientific Officers & Ors. reads as under:</p> <p align="center"><i>“(ii) possess a degree and post graduate degree in science faculty with Physics or Computer Science or Electronics or Information and Technology at least in second class or possess Engineering Degree in Computer Science or Electronics or Information and Technology at least in second class or any other qualification declared by the Government to be equivalent thereto.”</i></p> <p>4. Respondent No.3 is holding degree of B.Sc. (Computer Science) and Masters in Computer Application (MCA). Respondent no.3 holds degree in science faculty and however does not hold PG degree in science faculty with computer science and it was argued that respondent no.3 was not eligible. However, it was pointed out by Ld. Advocate for respondent no.3 that applicant is also holding PG degree in MCA and not computer science. However, Ld. Advocate for respondent no.3 has pointed out corrigendum dated 11.5.2022. As per this corrigendum, MCA was considered as equivalent. The objection was raised whether</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>corrigendum issued by MPSC can be considered as a rule and therefore directions were given to the Home Department on 10.1.2023 by the Tribunal to take decision about equivalence of MCA for the purpose of eligibility for recruitment of Scientific Officer.</p> <p>5. Perused the GR dated 18.4.2023. Relevant portion reads as under:</p> <p style="text-align: center;"><i>“ B.Sc. in Computer Science ” and “ Master in Computer Application (MCA) ” awarded by recognized university. ”</i></p> <p>Therefore, B.Sc. and MCA awarded by the recognized university is equivalent to other educational qualification mentioned in the recruitment rules.</p> <p>6. A further objection that GR is issued on 18.4.2023 and GR is to be treated as prospective and it is not applicable retrospective.</p> <p>7. Ld. CPO meeting this query submits that issue was under consideration with the Government and therefore Govt. has directed MPSC to allow the persons having minimum qualification like respondent no.3 i.e. MCA and B.Sc. for the examination and therefore this GR is to be applicable. Though it is not mentioned specifically from which date it is considered as taken prospective. However, in this case our order is mentioned which is specific about it.</p> <p>8. We direct Shri Yogesh Gosavi, Under Secretary to remain present and clarify. Shri Yogesh Gosavi is present and informs that he will take instructions and do the needful on the point whether GR dated 18.4.2023 is made applicable retrospectively or not.</p> <p>9. S.O. to 3.5.2023.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>25.4.2023</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>25.4.2023</p> </div> </div> <p>(sgj)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>25.04.2023</u></p> <p style="text-align: center;"><u>O.A 408 & 409/2023</u></p> <p>Mahesh Y. Patil Ganesh U. Randhave ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Pranav Avhad, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicants pursuant to the advertisement dated 9.11.2022 have applied for the post of Police Constable, Police Constable (Driver) and SRPF Police Constable in Mira Bhayandar District.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 8.6.2023.</p> <p>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within seven days or service report on affidavit in not filed three days before returnable date, the Original/Miscellaneous Application shall be placed on board before the concerned Benches under the caption 'for Dismissal' and thereafter on the subsequent date the Original/Miscellaneous Applications shall stand dismissed."</p> <p>9. S.O to 8.6.2023. h 19, 11</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left; font-size: small;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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25.04.2023

M.A 282/2023 in O.A 460/2023

Shri B.B Pawar & Ors ... Applicants
Vs.

The State of Maharashtra & Ors ... Respondents

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

2. Misc Application to sue jointly is allowed, subject to payment of court fees, if not already paid.

Sd/-

(Medha Gadgil)
Member (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">O.A. No.658 of 2021 with M.A. No.316/2021 with O.A. No.671 of 2022 with M.A. No.409/2022</p> <p>P.R. Kshirsagar S.M. Chavan Vs. The State of Maharashtra & Ors.</p> <p align="right">..Applicants ..Respondents</p> <p>Heard Ms. Savita Suryawanshi, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants submits that she is filing Vakalantama in OA No.671/2022.</p> <p>3. S.O. to 13.6.2023 under the caption of For Due Admission For Reply/Rejoinder.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 25.4.2023</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 25.4.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.420 of 2023</u></p> <p>Dushyant M. Bhamray ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that DE was initiated against the applicant on 30.12.2013 for misconduct of excess distribution of Narcotic Substances. Applicant replied on 9.4.2018. The Govt. considered the reply and respondent no.1 sent letter to respondent no.2 on 16.4.2018 informing that applicant is no way concerned with the criminal case and charges leveled against the applicant in DE. Pursuant to that by letter dated 3.4.2023 respondent no.2 informed to respondent no.1 that name of the applicant is to be deleted from DE and prosecution.</p> <p>3. Ld. Advocate submits that in September, 2022 the process of promotion to the post of Joint Commissioner, Drugs was initiated. The applicant is at Sr. No.1 in the list of Assistant Commissioner, Drugs which is the feeder cadre for promotional post.</p> <p>4. Ld. PO on instructions from Shri Harshal P. Patil, Assistant Section Officer, Medical Education & Drugs Department, Mumbai in the office of respondent no.1, submits that respondent no.1 has sent the file of promotion to GAD on 30.3.2023 and it is pending. Ld. PO submits that it will take minimum two months for the scrutiny and DPC.</p> <p>5. We keep this matter on 6.6.2023 for reply of both the respondents. We inform both the respondents to take note of letters dated 16.4.2018 and 3.4.2023, at the time of DPC if held in between.</p> <p>6. S.O. to 6.6.2023. <i>h h //</i> Sd/- <i>/</i> (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 25.4.2023 25.4.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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25.04.2023

O.A 460/2023

Shri B.B Pawar & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. The applicants pray that the representation made by them be taken into consideration and the action taken by Respondent no. 2, M.P.S.C vide publications dated 29.3.2023 and 3.4.2023 be quashed and set aside.

3. Learned C.P.O states that the applicants have submitted representation and the same is under consideration and seeks time.

4. S.O to 3.5.2023.

Sd/-

(Medha Gadgil)
Member (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

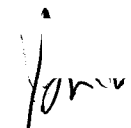
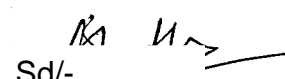
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center"><u>25.04.2023</u></p> <p align="center"><u>O.A 438 & 439/2023</u></p> <p>Dipak R. Jadhav Ganesh S. Salunkhe ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Pranav Avhad, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicants submits that he is pressing for interim relief as the written examination is not scheduled.</p> <p>3. Learned C.P.O is directed to inquire with the Commissioner of Police, Mumbai, whether the exercise of identifying the candidates who have applied in more than one place pursuant to the advertisement dated 9.11.2022 for the post of Police Constable-Driver, Police Constable and SRPF Constable, for short listing the candidates for the written examination is going to be conducted.</p> <p>4. S.O to 28.4.2023.</p> <p align="center">Sd/- </p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.04.2023</p> <p align="center">O.A. No.417 of 2023</p> <p>P.D. DondadkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired on 31.01.2021 but his retiral benefits are not paid fully. He was paid Gratuity except withholding of Rs.1,000/- (Rupees One Thousand Only). Provisional Pension was started and paid upto Jan-2022 and thereafter it was stopped.</p> <p>3. The Applicant has therefore filed this O.A. to release regular Pension, release amount of Rs.1,000/- (Rupees One Thousand Only), Leave Encashment and difference of 7th Pay Commission.</p> <p>4. Learned P.O. on instruction from Mr. Pradeep Dhoce, S.T.I. submits that there was objection from pay verification unit and now matter is under process.</p> <p>5. Indeed, the steps for verification of service book was required to be initiated before two years of retirement in terms of Rule 120,122 of M.C.S. (Pension) Rules, 1982. Thus apparently there is a huge delay on the part of Respondents to send service book for verification which resulted in such inordinate delay in releasing retiral benefits. Admittedly, there was no D.E. or judicial proceeding pending at the time of the retirement.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. As such, as of now nothing is to be adjudicated in the O.A. and it required to be disposed of with suitable direction.</p> <p>7. O.A. is disposed of with direction to the Respondent Nos.1 to 3 to take all necessary steps and to ensure the payment of remaining retiral benefits to the Applicant as per his entitlement within six weeks from today.</p> <p>8. In case if there is any objection from pay verification unit about the fixation of pay and allowances or about another aspect, in that event also Respondents are required to take further steps and to communicate the same to the Applicant within six weeks from today. If there is no any such objection from pay verification unit then all process to release remaining retiral benefits should be completed within six weeks from today.</p> <p>9. The Applicant is at liberty to redress the grievance of interest independently.</p> <p>10. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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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: 25.04.2023</p> <p align="center">O.A. No.469 of 2023</p> <p>E.P. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is seeking direction to give him posting either at Sinnar or Niphad as Assistant Registrar of Co-operative Societies.</p> <p>3. It appears that A.C.B. has registered offence under the provision of Prevention of Corruption Act, 1988 against the Applicant on 02.03.2023 and he came to be arrested. However, Respondents have not passed order of suspension. All that Respondents withdrew the charge from the Applicant and kept it with one Mr. Ranjit Patil.</p> <p>4. Indeed, in view of registration of crime under the provision of Prevention of Corruption Act, 1988 Respondents was required to take legal steps under the provision of M.C.S. (Discipline & Appeal) Rules, 1979 and free to do so.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 12.06.2023.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>11. S.O. to 12.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 25.04.2023</p> <p align="center">O.A. No.437 of 2023</p> <p>S.A. MominApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired in 2006. He filed this O.A. seeking direction to the Respondent No.2 to take necessary steps in pursuance of letter dated 01.07.2020 for re-fixation of pay and allowances from 01.02.1996.</p> <p>3. The perusal of record reveals that the Applicant retired from the establishment of Respondent No.1 in 2006. There appears some mistake in pay fixation during the implementation of 5th Pay Commission. Respondent No.1 therefore sent letter dated 01.07.2020 to Respondent No.2 – Deputy Conservator of Forest, Alibag to take necessary steps and return service book for further necessary action. However, no further steps are taken in this behalf and therefore the Applicant has filed this O.A.</p> <p>4. In view of above, at present nothing is to be adjudicated in the O.A. and since the Applicant is simply seeking direction to take final decision in terms of letter dated 01.07.2020.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. O.A. is disposed of with direction to Respondent No.2 - Deputy Conservator of Forest, Alibag to take necessary steps in pursuance of letter dated 01.07.2020 and to submit report to the Respondent No.1 within two weeks from today.</p> <p>6. Respondent No.1 – Conservator of Forest-cum-Field Director, Sahayadri Tiger reserve is also directed to pass appropriate order within further two weeks from the receipt of communication from Respondent No.2 and communicate the same to the Applicant within a week thereafter.</p> <p>7. If Applicant felt aggrieved he may avail further remedy in accordance to law.</p> <p>8. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.04.2023</p> <p align="center">O.A.No.631 of 2018</p> <p>R. M. Pandhare & Ors.Applicants</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 holding for Ms S. P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. On request of learned Counsel for the Applicants as well as learned P.O., the matter is adjourned for final hearing.</p> <p>3. O.A. be kept for hearing on 26.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p><u>L.O.</u></p> <p>4. Advocate Shri Jagdale states that he has not yet filed Vakalatnama on record and assures to take necessary steps in the matter.</p> <p>5. One week time is granted to file Vakalatnama.</p> <p>6. S.O. to 04.05.2023</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.04.2023</p> <p align="center">O.A.No.607 of 2018</p> <p>V.V. ChavanApplicant</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 Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. time till 28.04.2023 is granted to produce the statement of witnesses recorded in preliminary enquiry.</p> <p>3. S.O. to 28.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.04.2023</p> <p>O.A.No.538 of 2022</p> <p>B. H. GaikwadApplicant</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 Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant sought adjournment and requested to keep the matter along with O.A.No.539/2022 which is fixed on 09.06.2023.</p> <p>3. S.O.to 09.06.2023 with O.A.539/2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.04.2023</p> <p align="center">O.A.No.65 of 2023</p> <p>I. J. AswarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer holding for Ms S. P. Manchekar, learned C.P.O. for the Respondents. The Respondent No.2 through Shri Sunil Vare is present in person.</p> <p>2. In terms of order passed by the Tribunal on 21.04.2023, today, learned P.O. as well as Shri Sunil Vare has filed additional Affidavits which are taken on record.</p> <p>3. On request of learned Counsel for the Applicant, two days time is granted to file Rejoinder, if any.</p> <p>4. S.O. to 28.04.2023 for filing counter affidavit and hearing with specific directions that no further time will be granted since matter is Part-Heard.</p> <p>5. S.O. to 28.04.2023.</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: 25.04.2023</p> <p style="text-align: center;">M.A. No.239 of 2023 in O.A. No.378 of 2023</p> <p>K.S. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Junior Advocate, holding for Shri A.U. Pawar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This M.A is filed to condone delay of six months and 27 days caused in filing O.A. challenging order dated 03.09.2021. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 12.06.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 12.06.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.04.2023</p> <p align="center">M.A. No.41 of 2023 in M.A. No.42 of 2023 in O.A. No.84 of 2023</p> <p>S.E. Gangtire & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. 3. Since today Applicant's counsel is absent, adjourned for hearing. 4. S.O. to 16.06.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.04.2023</p> <p align="center">M.A. No.240 of 2023 in R.A. No.05 of 2023 in O.A. No.834 of 2019</p> <p>The State of Maharashtra & Ors. (Org. Resps.)....Appl. Versus S.B. Patil (Org. Appl.)Resps.</p> <p>1. Heard Smt. Archana B.K., learned Presenting Officer for the Applicants (Org. Respondents) and Smt. Anita Mukute, learned Advocate holding for Smt. R. Todankar, learned Advocate for the Respondent (Org. Applicant).</p> <p>2. M.A. along with R.A. is filed to condone delay and for review of order passed by the Tribunal on 30.09.2022 in O.A. No.834/2019.</p> <p>3. On request of learned Advocate for the Applicant (Org. Respondent) two weeks time is granted to file Affidavit-in-Reply to M.A. and R.A.</p> <p>4. S.O. to 13.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.04.2023</p> <p>O.A. No.178 of 2023</p> <p>S.R. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Reema Machhya, learned Advocate holding for Shri A.A. Gharte, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 03.05.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 25.04.2023</p> <p align="center">O.A. No.233 of 2023</p> <p>V.H. ShelkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 04.05.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.04.2023</p> <p align="center">M.A. No.208 of 2023 in M.A. No.155 of 2023 in O.A. No.137 of 2022</p> <p>V.S. ChouguleApplicant 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. These M.As are filed for condonation of delay of 23 days and for restoration of O.A. No.137/2022 which was dismissed in default on 13.01.2023.</p> <p>3. The Applicant has filed the O.A. for direction to Respondent to release retiral benefits, in O.A. , Office has raised certain objections which are not complied with, and therefore matter was listed before the Tribunal for necessary order. Before Tribunal also the Applicant and his Counsel were continuously absent, and therefore O.A. was dismissed in default on 13.01.2023. Now this M.As are filed for restoration of O.A. along with condonation of delay for 23 days.</p> <p>4. Since, O.A. pertains to retiral benefits in the interest of justice, I am inclined to condone delay and restore O.A. for decision on its own merit.</p> <p>5. Both M.As are accordingly allowed and disposed of with no order as to costs.</p> <p align="right">Sd/- ✓ (A.P. Kurhekar) Member (J)</p>

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 25.04.2023</p> <p align="center">O.A. No.137 of 2022</p> <p>V.S. ChouguleApplicant 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. This O.A. was dismissed in default on 13.01.2023 but it is restored today in view of order passed by the Tribunal in M.A. No.155/2023 which was filed for restoration, therefore this O.A. needs to be decided on merit. In O.A. no Reply was filed.</p> <p>3. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply on behalf of Respondent.</p> <p>4. S.O. to 07.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="left">NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.04.2023</p> <p align="center">O.A. No.1260 of 2022</p> <p>V.N. ThasaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Shri Shete, learned Advocate holding for Shri P.G. Lad, learned Advocate for Respondent No.4.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. S.O. to 15.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.04.2023</p> <p align="center">O.A. No.621 of 2018</p> <p>V.K. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri N.Y. Chavan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed Additional Affidavit on behalf of Respondent Nos.1 to 6. It is taken on record.</p> <p>3. O.A. be kept for hearing.</p> <p>4. S.O. to 09.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.04.2023</p> <p align="center">O.A. No.274 of 2023</p> <p>R.B. DongreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar along with A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents & Shri Pranil Sonawane, learned Advocate for Respondent No.2.</p> <p>2. Learned P.O. and Learned Advocate for Respondent No.2 submits that their Affidavit-in-Reply is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record. Copy be served to other side.</p> <p>3. Learned Advocate for the Applicant wants one week time to file Rejoinder.</p> <p>4. O.A. be kept for hearing at the stage of admission with liberty to file Rejoinder in the mean time.</p> <p>5. S.O. to 14.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.04.2023</p> <p align="center">O.A.No.466 of 2023</p> <p>Shri Swapnil A. RawadeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant has challenged the order dated 13.04.2023 as well as relieving order dated 20.04.2023 whereby he is relieved from the post of Tahsildar, Karveer, Dist. Kolhapur.</p> <p>2. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>3. The Applicant is serving in the cadre of Tahsildar. the Government by order dated 12.04.2023 transferred the Applicant from the post of Tahsildar, Mangalvedha, Dist. Solapur to the post of Tahsildar, Karveer, Dist. Kolhapur since he had completed normal tenure and was due for transfer. Accordingly, the Applicant joined as Tahsildar, Karveer, Dist. Kolhapur on 13.04.2023 as seen from joining report (page 31 of PB). However, in between Government on 13.04.2023 stayed the Applicant's transfer order dated 12.04.2023. In pursuance of it, the Collector, Kolhapur relieved the Applicant on 20.04.2023. It is on this background, the O.A. is filed challenging the order dated 13.4.2023 as well as 20.04.2023.</p> <p>4. Notably, in the meantime, the post of Tahsildar, Mangalvedha, Dist. Solapur has been also filled in and incumbent already joined there. Resultantly, because of this subsequent cancellation order and relieving order, the Applicant is kept in abeyance without giving him posting at anywhere.</p> <p>5. Today, learned P.O. has tendered file for perusal of the Tribunal. All that file noting shows that the Hon'ble Chief Minister gave directions to Additional Chief Secretary (Revenue) and in pursuance of it, the Minister of Revenue passed the order thereby staying transfer order dated 13.04.2023. There is no specific written approval by Hon'ble Chief Minister in writing about ^{while} staying of transfer order.</p>

[P.T.O.]

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	<p>6. Be that as it may, except directions by the Hon'ble Chief Minister, nothing is in the file to know why the Government has suddenly stayed the transfer order dated 12.04.2023 in respect of the Applicant. Once the Applicant was transferred and posted and joined at Karveer, Dist. Kolhapur, there was no reason to stay the order and to undo all the exercise. Apart there is no approval of CSB.</p> <p>7. In view of above, apparently the order dated 13.04.2023 is prima-facie arbitrary and liable to be stayed. Consequent to it, the relieving order dated 20.04.2023 is also liable to be stayed. Nobody is posted in place of the Applicant at Karveer, Dist. Kolhapur, therefore, he is entitled to continue as Tahsildar, Karveer, Dist. Kolhapur where he was posted in terms of order dated 12.04.2023.</p> <p>8. For the aforesaid reasons, interim relief as prayed in clause 10(a) is granted.</p> <p>9. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>10. Issue notice before admission returnable on 14.06.2023.</p> <p>11. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>12. 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>13. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>14. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>15. S.O. to 14.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>