

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.05.2021</p> <p align="center">O.A.No.228 of 2021</p> <p>S.V. Destewad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that she has received para-wise reply. However, she needs short time to file affidavit-in-reply.</p> <p>3. Adjourned to 18.06.2021.</p> <p align="center">Sd/- (P.N Dixit) Vice-Chairman (A) prk</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.297 OF 2021

Shri Sanjay Benjamin Kemkar **... Applicant**

Versus

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

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

**CORAM : JUSTICE MRIDULA BHATKAR, (CHAIRPERSON)
SHRI P.N. DIXIT, VICE-CHAIRMAN**

DATE : 25.05.2021

PER : JUSTICE MRIDULA BHATKAR, (CHAIRPERSON)

O R D E R

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

2. The learned Advocate for the Applicant pressed for urgency to grant interim relief in this matter as the applicant is retiring on 31.05.2021. On perusal it is found that the applicant is challenging the order dated 22.02.2021 whereas the O.A. is filed on 18.05.2021.


✓

3. The learned Advocate submits that he is taking support of the policy of the Government dated 20.07.2015 and also judgment of the Tribunal in O.A.No.117 of 2013 & 1108 of 2013, dated 20.07.2015, wherein the applicant claims the benefit of the age of retirement i.e. from 58 years to 62 years because they were also librarians. The applicant is also Librarian. He further submits that his other colleagues namely, Smt. Dhanlaxmi Subramaniam, working as Sr. Librarian in the same Department and Smt. Leena N. Soni, Librarian (also Petitioner in O.A.No.1108/2013) are also given the benefit of this policy by extending their age.

4. The learned C.P.O. for the Respondents submits that she needs some time to take specific instructions regarding the Government policy in respect of extension of age from 58 years to 62 years in respect of librarians working in Government Medical Colleges. She submits that pursuant to Government Resolution (G.R.) dated 30.10.2010, the G.R. dated 29.04.2014 relied by the applicant is only regarding Deans and Professors working in Government Medical Colleges and not for the Librarians working in Government Medical Colleges.

5. On perusal of the matter we find that for interim relief also we need to go through the judgments given by this Tribunal in O.A.No.117 of 2013 & 1108 of 2013 & Ors (Mrs. Vasudha Kallur Versus The State of Maharashtra & Ors.), dated 20.07.2015 and so

also judgment of the Hon'ble Bombay High Court at Nagpur Bench in **Ramrao Bele Versus State of Maharashtra in Writ Petition No.722 of 1991 dated 12.07.2004** and Bombay High Court judgment in **Writ Petition No.3838/2007 (Shri Vaijanath M. Kadam Vs. (Government of Maharashtra & Ors. dated 03.03.2008.** We need some time and also assistance of learned C.P.O. in this matter. The learned C.P.O. submits that there is change in the definition of 'Teacher' and 'Librarian' in the Maharashtra Health University Act.

6. Though the Applicant is retiring on 31.05.2021, we note that :-
- (a) The Applicant who is challenging the order of February 2021, though he has made representation on 19.03.2021 for the consideration of the Respondents, has filed the present O.A. on 18.05.2021, he should have approached the Tribunal earlier in view of his date of retirement.
 - (b) Mantralaya is working with 15% of manpower. Therefore, it is not possible for learned C.P.O. to get necessary instructions and assistance from the office of Respondents.
 - (c) If at all we find that there is merit and the legal position is in his favour the services of the applicant can be restored and he will be entitled to get back wages and pecuniary benefits.
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7. The learned C.P.O. to file affidavit-in-reply on or before 08.06.2021 and copy to be served to the learned Advocate in advance. The orders passed by the Government in between, if any, pertaining to the post of the applicant will be subject to the outcome of this interim relief as well as final order.

8. In view of this, the matter is adjourned to 11.06.2021.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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 : 25.05.2021</p> <p align="center">M.A. No.521 of 2019 in O.A.No.962 of 2016</p> <p>M. P. KhadilkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A., the Applicant has challenged the impugned communication dated 17.02.2016 whereby her representation dated 17.06.2015 was rejected declining her request to promote her on the post of Assistant.</p> <p>3. Initially, the Applicant had filed O.A.No.842/2011 for promotion in the cadre of Assistant. However, O.A. was dismissed on merit by order dated 07.07.2014.</p> <p>4. Later, the Applicant came to know that the Respondents had misrepresented the Tribunal while deciding O.A.No.842/2011. According to learned Counsel for the Applicant correct facts as per record were not placed before the Tribunal and had correct facts as recorded in file noting were produced before the Tribunal, she would have been held entitled to the relief claimed. She allegedly came to know about the misrepresentation subsequent to the decision in O.A.No.842/2011, and therefore, made representation dated 17.06.2015 to the Government to reconsider the same but it was rejected.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Thus, according to learned Counsel for the Applicant, the O.A. since filed within one year from the impugned order dated 17.02.2016 is well within the limitation and in alternatively the Applicant prayed for condonation of two years delay.</p> <p>6. The Respondents resisted the O.A., and raised the issue of limitation amongst others. Therefore, during the pendency of O.A., the Applicant has filed M.A.No.521/2019 for condonation of delay on 25.09.2015, if any.</p> <p>7. On hearing learned Counsel as well as learned P.O., we are of the considered opinion that in peculiar facts and circumstances of the matter, it would be appropriate to decide the M.A. as well as O.A. together on merit.</p> <p>8. At this juncture, it is noticed out that the Applicant had worked as P.A. with one of us (Smt. Medha Gadgil, Member) while working as Joint Secretary in Home Department. Therefore, it is desirable to place the matter before another bench of which Smt. Medha Gadgil is not the Member.</p> <p>9. The above order for deciding the M.A. and O.A. together is therefore recalled.</p> <p>10. Registrar is therefore directed to place the matter before another bench.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</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>Date: 25.05.2021</p> <p style="text-align: center;">O.A. No.1120 of 2018 with M.A. No.139 of 2021</p> <p>S.N. Salve @ S.P. DetheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate holding for Shri M.B. Kadam, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Presenting Officer for the Respondent.</p> <p>2. Heard Shri A.V. Bandiwadekar, learned Advocate for the Respondent No.4.</p> <p>3. O.A. No.1120/2018 pertains to selection process for the post of Superintendent Prison of 2009, In the said process the Respondent No.4 was selected. The Applicant was next in merit after the Respondent No.4.</p> <p>4. The Applicant has filed the O.A. challenging the selection of the Respondent No.4 on the ground that she has played fraud by surpassing that she has three children which is in breach of M.C.S. (Declaration of Small Family) Rules, 2005.</p> <p>5. During the pendency of O.A. the Respondent No.4 has filed M.A. No.139/2021 to modify order dated 18.02.2019 passed by the Tribunal in O.A.</p> <p>6. Shri S.S. Dere, learned Advocate for the Applicant has submitted that the Respondent No.4 is already removed ^{Dismissed} from service recently by letter dated 26.04.2021, Since, she was found ineligible for selection in view of breach of M.C.S. (Declaration of Small Family) Rules, 2005, and therefore, O.A. deserves to be allowed and M.A. is required to be disposed of since it ^{it} has become infructuous.</p>

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	<p>7. Shri A.V. Bandiwadekar, learned Advocate for the Respondent No.4 however requested for grant of short time to argue the matter.</p> <p>8. Learned P.O. has tendered order dated 26.04.2021 passed by the Government dismissing the Applicant from service. It is taken on record and marked by letter 'X'.</p> <p>9. S.O. to 09.06.2021.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

Date: 25.05.2021

O.A. No.687 of 2020

Dr. V.R. PatilApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents, and Shri K.R. Jagdale, learned Advocate for the Respondent No.2.
2. The Respondent No.2 though served did not appear earlier. Today Shri K.R. Jagdale appeared on behalf of Respondent No.2 and seeks permission to file Affidavit-in-Reply.
3. Since, no Reply was filed earlier, matter was heard partly and adjourned. However, today Shri K.R. Jagdale appeared on behalf of Respondent No.2, the appearance ^{of} filing of Reply is quite belated. However, in the interest of justice the Respondent No.2 is allowed to file Affidavit-in-Reply, subject to payment of cost of Rs.1000/- in office. The cost to be paid within three days.
4. On request of learned P.O. two weeks time is granted as last chance for filing detail Reply on behalf of S.D.O.
5. Adjourned to 08.06.2021.

^
Sd/-

vw

(A.P. Kurhekar)
Member (J)

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	<p>Date: 25.05.2021</p> <p>M.A. No.68 of 2021 in M.A. No.69 of 2021 in O.A. No.112 of 2018</p> <p>J.P. MadyeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent is present. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply in both M.As by way of last chance. S.O. to 11.06.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.05.2021</p> <p>O.A. No.284 of 2021 to O.A. No.287 of 2021</p> <p>N.M. Gopale S.M. Kadam K.K. Pawar S.D. DalviApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondent in O.A. 284/21 & 285/21, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent in O.A. 286/21 & 287/21.</p> <p>2. Today, learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2, no Reply is filed on behalf of Respondent No.1.</p> <p>3. Learned P.O. submits that there is no necessity for filing Reply on behalf of Respondent No.1.</p> <p>4. Today matter is for filing Reply as well as for considering interim relief. However, Shri M.D. Lonkar fairly states that matter to be heard on merit to avoid repetition of submissions, since Reply is already on record.</p> <p>5. In view of above, matter is adjourned for hearing at the stage of admission.</p> <p>6. S.O. to 28.05.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 25.05.2021</p> <p align="center">O.A. No.218 of 2021</p> <p>S.K. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. On request of learned P.O. three weeks time is granted for filing Reply by way of last chance. S.O. to 18.06.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 25.05.2021</p> <p align="center">O.A. No.194 of 2021 with O.A. No.287 of 2020</p> <p>Dr. A.S. Bendre Dr. P.N. KakadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri N.K. Ukey, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Reply in O.A. No.194/2021 and for filing Sur-Rejoinder in O.A. 287/2020.</p> <p>3. S.O. to 11.06.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 25.05.2021</p> <p>O.A. No.39 of 2021</p> <p>M.M. JawadekarApplicant 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. Today, learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. Pleading is complete.</p> <p>4. Admit.</p> <p>5. Adjourned for Final hearing.</p> <p>6. S.O. to 22.06.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 25.05.2021</p> <p align="center">O.A. No.122 of 2021</p> <p>D.D. RaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted for filing Rejoinder, if any.</p> <p>4. S.O. to 08.06.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 25.05.2021</p> <p align="center">O.A. No.737 of 2020</p> <p>S.R. GaudApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three weeks time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 15.06.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 25.05.2021</p> <p align="center">O.A. No.725 of 2020 with O.A. No.738 of 2020</p> <p>S.R. GaudApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant in O.A. No.725/2020. It is taken on record. 3. In O.A. No.738/2020, Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record. 4. Learned Advocate for the Applicant has also filed Affidavit-in-Rejoinder on behalf of the Applicant and same is taken on record. 5. Both O.As are adjourned for hearing at the stage of admission. 6. S.O. to 01.06.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 25.05.2021</p> <p style="text-align: center;">O.A.No.289 of 2021</p> <p>S. R. GavandeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R. L. Kulkarni, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the transfer order dated 04.09.2020 whereby he was transferred from Special Branch-II to Local Arms Branch, Taddev. Since the transfer order is challenged belatedly, the question of interim relief does not survive. 3. Issue notice before admission returnable on 22.06.2021. 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 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. 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. 8. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 9. S.O. to 22.06.2021 <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p style="text-align: left;">vsm</p>

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	<p>Date: 25.05.2021</p> <p align="center">O.A. No.01 of 2021</p> <p>P.G. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent and Shri K.R. Jagdale, learned Advocate for the Respondent No.2.</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. Adjourned for hearing at the stage of Admission.</p> <p>4. S.O. to 10.06.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 25.05.2021</p> <p align="center">O.A. No.274 of 2021 (Through Video-Conference)</p> <p>S.A. KoliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today matter is taken on board for withdrawal of O.A. Learned counsel for the Applicant submits that the Applicant does not want to continue the proceeding and requested for permission to withdraw the O.A. She has also tendered letter of the Applicant which is taken on record and marked by letter 'X'.</p> <p>3. In view of above, allowed to withdraw the O.A.</p> <p>4. O.A. is accordingly disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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
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	<p>Date: 25.05.2021</p> <p align="center">O.A. No.227 of 2021 (Through Vide-Conference)</p> <p>V.S. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. time is granted till 01.06.2021 for filing Reply, if any.</p> <p>3. S.O. to 01.06.2021.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 25.05.2021</p> <p align="center">O.A. No.256 of 2021</p> <p>Dr. U.D. MundeApplicant 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 Respondent.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 08.06.2021.</p> <p align="right">Sd/- WV (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p>Date: 25.05.2021</p> <p align="center">O.A. No.591 of 2020</p> <p>D.N. GunjalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Smt. K.S. Gaikwad, learned P.O. for the Respondent is present. Today matter is for filing Rejoinder, but the same is not filed. Hearing ^{Pleadings} is complete. Admit. Adjourned for Final Hearing on 22.06.2021. <p align="right">A Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p style="text-align: center;"><u>O.A.294/2021</u></p> <p>Shri J.K. Shinde ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned P.O. for Respondents. 2. The Applicant has challenged the suspension order dated 30.04.2021 mainly on the ground of competency of authority which suspended the Applicant. 3. Shri Jagdale, learned Advocate for the Applicant seeks interim stay on the ground that the suspension order is passed without competency and secondly, the Applicant is retiring at the end of this month. 4. Whereas, Smt. K.S. Gaikwad, learned P.O. sought time to take instructions and opposed interim relief. 5. Issue notices to the Respondents returnable on 28th May, 2021. 6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 7. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 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.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>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. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. The learned P.O. is also directed to take instructions on the point of competency so as to consider the issue of interim relief.</p> <p>11. Adjourned to 28th May, 2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member-J 25.05.2021</p> <p>(skw)</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: 25.05.2021</p> <p align="center">O.A. No.314 of 2021</p> <p>S.N. TembeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent and Shri M.D. Lonkar, learned Advocate for the Respondent No.2.</p> <p>2. The Applicant has challenged Transfer order dated 05.04.2021. Shri A.V. Bandiwadekar, learned Advocate for the Applicant sought interim relief contending that impugned Transfer order dated 05.04.2021 is mid-tenure without making any case under section 4(5) of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Transfer Act 2005' for brevity).</p> <p>3. Learned P.O. as well as Shri M.D. Lonkar, learned Advocate for the Respondent No.2 has requested for grant of time to take instructions and to argue the matter on the point of interim relief.</p> <p>4. Shri A.V. Bandiwadekar, learned Advocate for the Applicant fairly concedes to hear the matter of 1st June 2021.</p> <p>5. Issue notice before admission returnable on 01.06.2021.</p> <p>6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p align="right">[P.T.O.]</p>

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 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.</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. 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>10. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>11. S.O. to 01.06.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

O.A. No.6 of 2021

U.R. Barmalkar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Advocate for the Applicant is absent. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. In spite of having been given number of opportunities, the Ld. PO has not been able to submit reply. On perusal of record it remains unexplained with reference to Exhibit 'E' page 20 of OA as to what has been the basis of regularization of the applicant w.e.f. 1.6.2012 vide office letter No.Kaksh-5/Astha/2013-14/952 dated 8.1.2014.

3. At page 2 of the said letter it has been mentioned as under:

“तथापि वनक्षेत्र स्तरावरून वेळीच हजर दिवसाबाबतची माहिती या कार्यालयास प्राप्त झाली नसल्यामुळे त्यांची माहिती इतर पात्र रोजंदारी मजुराप्रमाणे विभागीय स्तरावरून वरीष्ठांना सादर झाली नाही.

The above stated ground prima facie does not seem to be tenable as without having details of attendance sheet for the relevant period the orders of regularization could not have been passed.

4. Moreover, referring to Exhibit D page 18 of OA which comprises of office communication by CCF, Kolhapur Region dated 31.5.2014 it appears that office of CCF ought to have been aware of the format and contents of seniority list (Exhibit B) and communications between applicant and DCF and RFO Sawantwadi in Annexure E had it called for records for scrutiny instead of wholly depending on reports received from his subordinates. Therefore, original seniority list prepared and relied upon by the authority for the year 1989-94 and the relevant files at the level of RFO and DCF, Sawantwadi should be presented by the concerned authority before the Tribunal to enable this Tribunal to conform the veracity of the documents and the claim that there was bonafide reason for not fixing the responsibility. Based on the merit and facts which will get revealed a decision can be taken on the relief sought by the applicant based on correct facts and merit of the matter.

5. S.O. to 28.5.2021. Hamdast.

Sd/-

(Bijay Kumar)
Member (A)
25.5.2021

(sgj)

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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 : 25.05.2021</p> <p align="center">O.A.No.230 of 2021</p> <p>R.R. JirepatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, Learned Counsel for the Applicant has filed Affidavit of Service. The copy of same is furnished to learned P.O.</p> <p>3. On perusal of record, it appears that there has been contributory delay in completion of service book for the reason that the Applicant has not passed required qualified examination for shorthand and typing. Applicant has passed the two examinations during the period around the date of his retirement i.e. May-June, 2020. However, it has been brought to notice that the provisional pension has been paid only for the first six months.</p> <p>4. Shri A.J. Chougule, learned P.O. has been advised to convey to Competent Authority that pending finalization of pension, the provisional pension for another six months should be approved preferably by 11.06.2021 and the Principal Secretary, Accounts & Treasury may be advised to get pay verification completed within four weeks time. The Principal Secretary, Cooperation is hereby required to ensure release of payment to the Applicant for items of which pay fixation and completion of service is not a pre-condition.</p> <p>5. S.O. to 11.06.2021.</p> <p align="right">Sd/-</p> <p align="right">(Bijay Kumar) Member(A) [P.T.O.]</p> <p>vsm</p>

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	<p style="text-align: center;"><u>O.A. No.199 of 2021</u></p> <p>Dr. S.B. Baralay ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Advocate for the Applicant is absent. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply on behalf of respondents no.1 to 3 and the same is taken on record. Copy of which is yet to be furnished to the Ld. Advocate for the applicant.</p> <p>3. Attention has been drawn to contents of Exhibit B page 15 wherein para 1 it has been mentioned that:</p> <p style="text-align: center;">“दि.०१.०९.२००८ पासुन तीन अतिरिक्त वेतनवाढी देय केलेले असल्याचे नमूद केले आहे. तसेच आपणास नियुक्ती पासुन सुध्दा अतिरिक्त वेतनवाढी देवून वेतन निश्चिती केली आहे असे नमूद केलेले आहे.”</p> <p>4. Ld. PO is advised to present copy of orders passing payment of these additional increments and records evidencing that these additional payments were made with full understanding given to the applicant that they are likely to be decided otherwise pending receipt of clarification from the competent authority.</p> <p>5. S.O. to 29.6.2021.</p> <p style="text-align: right;">Sd/- 21 (Bijay Kumar) Member (A) 25.5.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.198 of 2021</u></p> <p>R.M. Belsare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply on behalf of respondent and the same is taken on record. Copy is provided to Ld. Advocate for the applicant.</p> <p>3. The applicant has been advised to submit in what manner he complied with Section 5(c) of the MCS (Discipline & Appeal) Rules, 1979 and Section 20 of the Administrative Tribunals Act, 1985 and also like to comment on conduct of aggrieved applicant with respect to situation revealed by facts mentioned on point 11 and 12 at page 30 of OA and applicant approaching Mr. Murugavel Thevar for contradicting allegations against him which may prima facie, amount to influencing the witnesses of the complainant.</p> <p>4. S.O. to 10.6.2021.</p> <p align="right">Sd/- 2) (Bijay Kumar) Member (A) 25.5.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.169 of 2021</u></p> <p>H.R. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Advocate for the Applicant is absent. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The matter is pending from 2.3.2021. Prima facie it appears that alternative remedy has not been availed under Rule 5(c) of the MCS (Discipline & Appeal) Rules, 1979 and the matter needs to meet the requirement stipulated under Section 20 of the Administrative Tribunals Act, 1985.</p> <p>3. S.O. to 28.5.2021 on this legal point.</p> <p align="right">Sd/- (Bijay Kumar) Member (A) 25.5.2021</p> <p>(sgj)</p>



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	<p><u>25.05.2021</u></p> <p align="center"><u>M.A 82/2021 in O.A 158/2021</u></p> <p>M.M.Dawane & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte with Dr Jayshree Patil, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents no 1 & 2, Shri V.Sangvikar, learned advocate for Respondent no. 16. Shri M. Bhandari, learned advocate for Respondent no. 261 and Shri C.T Chandratre, learned advocate for Respondent no. 256.</p> <p>2. Misc Application to sue jointly allowed, subject to payment of court fees, if not already paid.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(Bijay Kumar) Member (A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>25.05.2021</u></p> <p align="center"><u>O.A 16/2021</u></p> <p>M.M.Dawane & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte with Dr Jayshree Patil, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents no 1 & 2.</p> <p>2. Learned counsel for the applicants appearing in O.A 16/2021 and O.A 158/2021 submits that the relief sought in both the Original Applications are one and the same as the applicants are challenging Government Circular dated 4.4.2018 pertaining to the promotion for the post of P.S.I of 2017 batch through Limited Departmental Examination. Therefore, he submits that he was not pressing the present O.A, as the applicants are same in the both the O.A Nos 16/2021 and O.A 158/2021 and wants to withdraw the present O.A.</p> <p>3. It is made clear that after going through the affidavit in reply dated 24.3.2021 filed by Shri V.M Bhat, Deputy Secretary, in the office of Addl. Chief Secretary, Home Department, in para 5 that in O.A 16/2021 no arguments on interim relief was neither rejected nor granted, it appears that applicants have also preferred Writ Petition before the Hon'ble High Court for the same relief.</p> <p>4. Be that as it may, permission granted to the learned advocate for the applicant to withdraw the present O.A.</p> <p>5. Accordingly, O.A stands disposed of as withdrawn.</p> <p align="center">Sd/- Sd/-</p> <p align="center"> (Bijay Kumar) Member (A) <small>Akn</small> </p> <p align="center"> (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><u>25.05.2021</u></p> <p style="text-align: center;"><u>O.A 158/2021</u></p> <p>M.M.Dawane & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte with Dr Jayshree Patil, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents no 1 & 2, Shri V. Sangvikar, learned advocate for Respondent no. 16, Shri M. Bhandari, learned advocate for Respondent no. 261 and Shri C.T Chandratre, learned advocate for Respondent no. 256.</p> <p>2. Affidavit in reply is filed by Respondents. This matter also pertains to reservation in promotion.</p> <p>3. Mr Bhandari, learned advocate for Respondent no. 261 states that he has already filed affidavit in reply. Mr Bhandari, pointed out that there are some G.Rs issued in between 18.2.2021 and 7.5.2021 and states that if at all they are not subject matter of the O.A and there is no challenge to these G.Rs, then the Respondents are open to take defence accordingly.</p> <p>4. Shri V. Sangvikar, learned advocate for Respondent no. 16 has moved intervention application in the present Original Application. Learned advocate submits that the issue involved in O.A 311/2021 and the present O.A is one and the same. However, G.R dated 18.2.2021 up to G.R dated 7.5.2021 is not the subject matter in the present O.A. However, this G.Rs are subject matter in O.A 311/2021.</p> <p>5. Learned counsel for the applicant seeks permission to amend the present O.A. Permission granted. Amendment to be carried out forthwith.</p> <p>6. If Respondents want to file affidavit in reply to the extent of amendment, i.e. challenge to the G.Rs, they should filed the same on or before 3.6.2021 and copy to be served on the learned counsel for the applicants.</p> <p>7. Learned counsel Mr Sadavarte states that affidavit of service is filed in respect of all 338 private Respondents. Shirestedar, is directed to verify whether all the Respondents are served or not.</p> <p>8. Last chance is given to all the private Respondents, who are serve to file their affidavit in reply. If the affidavit in reply is not filed, then the matter will proceed. It is made clear that pleadings are to be completed on or before 5.6.2021 so that the matter can be heard either for interim relief or finally.</p> <p>9. S.O to 10.6.2021. Hamdast granted.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Bijay Kumar) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p style="text-align: center;">Akn</p>

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	<p><u>25.05.2021</u></p> <p align="center"><u>O.A 456/2020</u></p> <p>D.K Shinde & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte with Dr Jayshree Patil, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents no 1 to 3 and Shri K.R Jagdale, learned advocate for Respondent no. 4.</p> <p>2. Learned counsel Mr Jagdale points out that as per para 4 of order dated 19.3.2021, no information is given from the Respondents, whether MPSC has decided the representation dated 28.10.2020.</p> <p>3. Learned C.P.O on instructions from MPSC submits that the representation made by the Respondent no. 4 is already decided and the MPSC has communicated their decision that the post identified for the Disabled cannot be filled up if such person is not available but it is carried forward.</p> <p>4. Learned counsel Mr Jagdale seeks three weeks' time to file affidavit in reply.</p> <p>5. S.O to 15.6.2021.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Bijay Kumar) Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>25.05.2021</u></p> <p align="center"><u>O.A 755 & 756/2020</u></p> <p>A.P Sonawane & Ors M.R Sawant & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte with Dr Jayshree Patil, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O seeks tile to file detail affidavit in reply.</p> <p>3. Time granted till 31.5.2021.</p> <p>4. By consent, the matter is fixed for final hearing on 10.6.2021.</p> <p align="right">Sd/-</p> <p align="right">Sd/-</p> <p>(Bijay Kumar) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p>



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	<p><u>25.05.2021</u></p> <p align="center"><u>O.A 223/2021</u></p> <p>A.V.Dudhal & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that she will file affidavit in reply on or before 3.6.2021.</p> <p>3. Learned counsel for the applicants seeks permission to amend the Original Application. Permission granted. Amendment to be carried out forthwith.</p> <p>4. S.O to 10.6.2021.</p> <p>Sd/- </p> <p>(Bijay Kumar) Member (A) Ak</p> <p>Sd/- </p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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	<p style="text-align: center;"><u>25.05.2021</u></p> <p style="text-align: center;"><u>O.A 311/2021</u></p> <p>Madhukar D. Bandgar & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte with Dr Jayshree Patil, learned advocate for the applicants and Mrs Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicants who are Sub Divisional Engineers Public Works Department, Road Project, Sub Division at various Districts had moved this Original Application seeking implementation of the policy of reservation in promotion.</p> <p>3. Learned counsel for the applicants mainly relied on the ratio laid down in the case of Jarnail & Ors Vs. Lachmi Narain Gupta & Ors, reported in (2018) 10 SCC 396 and so also the ratio laid down in the case of State of Maharashtra & Ors Vs. Vijay Ghogre & Ors (2018) 15 SCC 64. He also further relied on the judgment of this Tribunal in O.A 394/2018 with M.A 472/2018 in M.A 586/2018 dated 6.11.2018, wherein the Original Application opposing reservation in promotion was dismissed by the Tribunal. Learned counsel for the applicants submits that the subject matter was subsequently challenged before the Hon'ble High Court and also Hon'ble Supreme Court. However, the order of the Tribunal was maintained.</p> <p>4. Learned counsel for the applicant further relied on the judgment of the Hon'ble Supreme Court in the case of R.K Sabharwal & Ors Vs. State of Punjab & Ors, (1995) 2 SCC 745. Learned counsel also relied on the decision of the Hon'ble Supreme Court in B.K Pavitra Vs. State of Karnataka, (2019) 16 SCC 129.</p> <p>5. Learned C.P.O seeks four weeks' time to file affidavit in reply. Time granted.</p> <p>6. Issue notice returnable on 28.6.2021.</p> <p>7. 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 may be taken up for final disposal at the stage of admission hearing.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<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. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>10. S.O to 28.6.2021. Hamdast granted.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p>(Medha A. Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.05.2021</p> <p align="center">M.A.No.53 of 2021 in O.A.No.96 of 2021 with O.A.No.96 of 2021</p> <p>Dr. M.M. Mahind & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant and learned Advocate for the Applicant both are absent.</p> <p>3. This is an application for leave to sue jointly.</p> <p>4. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>5. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>6. M.A. is allowed.</p> <p>7. The learned C.P.O. seeks adjournment in O.A. for filing affidavit-in-reply.</p> <p>8. O.A. is adjourned to 16.07.2021.</p> <p>Sd/- _____ (P.N. Dixit) Vice-Chairman (A)</p> <p>Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p align="right">prk</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 : 25.05.2021</p> <p align="center">M.A.No.355 of 2020 in O.A.No.794 of 2020</p> <p>N.N. Chavan & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant and learned Advocate for the Applicant both are absent.</p> <p>3. The learned C.P.O. seeks time to file affidavit-in-reply.</p> <p>4. Adjourned to 25.06.2021.</p> <p align="center">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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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 : 25.05.2021</p> <p align="center">O.A.No.118 of 2021</p> <p>S.S. Khaple ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that the instructions have been received and seeks two weeks time to file affidavit-in-reply.</p> <p>3. Adjourned to 22.06.2021.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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 : 25.05.2021</p> <p align="center">C.A.No.34 of 2020 in O.A.No.404 of 2018 with M.A.No.95 of 2021</p> <p>V.P. Pawar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.P. Sangikar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned Advocate is directed to serve the copy of O.A. to the Respondents as well as the office of C.P.O.</p> <p>3. Respondents to file reply in M.A. by taking into account G.R. dated 24.05.2021.</p> <p>4. Respondents-State to make a specific statement in writing whether the post for which the applicant is asking for his promotion under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 is identified by this recent G.R. and if so, then the Respondent to take steps accordingly.</p> <p>5. Adjourned to 22.06.2021.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram,
Appearances, Tribunal's orders or
Directions and Registrar's orders

Tribunal's orders

Date : 25.05.2021

O.A.No.293 of 2021

Dr. B.G. Phalke ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The O.A. pertains to final seniority list with prayer for the correction of his qualification, date of birth, date of joining, etc.

3. The learned C.P.O. seeks time to file affidavit-in-reply as the case of the applicant is under consideration by the Respondents.

4. The learned Advocate files affidavit of service. The same is taken on record.

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 22.06.2021.

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. Applicant is directed to file Affidavit of compliance and notice.

10. Adjourned to 22.06.2021.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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>Date : 25.05.2021</p> <p align="center">C.A.No.26 of 2020 in O.A.No.1125 of 2019</p> <p>P.S. Sakhare & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. files affidavit-in-reply dated 05.03.2021 on behalf of Respondents No.1 and 2, through Mr. Appaso Balappa Dhulaj, Commissioner, Employees State Insurance Scheme Hospital, Mumbai and Dr. Yesayya Obayya Shrishetty, Medical Superintendent, Employees State Insurance Scheme Hospital, Solapur respectively. The same is taken on record.</p> <p>3. In view that affidavit-in-replies of Respondents No.1 and 2 are filed by the Respondents we would like to hear the matter finally. Applicants to make statement whether they have participated in the selection process or not.</p> <p>4. As the pleadings are complete, we will hear the C.A. finally on 25.06.2021.</p> <p>5. Adjourned to 25.06.2021.</p> <p>Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="right">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p align="right">[P.T.O.]</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 align="center">Date : 25.05.2021</p> <p align="center">O.A.No.1234 of 2019</p> <p>Dr. D.S. Sawant ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant and learned Advocate for the Applicant both are absent.</p> <p>3. The learned P.O. submits that affidavit-in-reply is filed by the Respondents on 18.03.2021.</p> <p>4. The learned P.O. is directed to find out whether the provisional pension of the Applicant is released.</p> <p>5. At the request of learned P.O. adjourned to 07.06.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</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 : 25.05.2021</p> <p align="center">O.A.No.983 of 2019</p> <p>J.W. Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that affidavit-in-reply is already filed.</p> <p>3. The learned Advocate Mr. Kadam is unable to come because of COVID-19 pandemic.</p> <p>4. Adjourned to 06.07.2021 with liberty to file rejoinder, if any.</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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MUMBAI**

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Original Application No. _____ of 20 _____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.05.2021</p> <p align="center">O.A.No.217 of 2021</p> <p>Dr. D.R. Deore ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.B. Deore, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that no instructions are received and the matter may be adjourned for filing reply.</p> <p>3. Adjourned to 22.06.2021 by way of last chance.</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="right">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

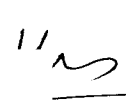
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 25.05.2021</p> <p align="center">C.A.No.8 of 2021 in O.A.No.848 of 2018</p> <p>R.S. Salunkhe & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant and learned Advocate for the Applicant both are absent.</p> <p>3. The present matter be clubbed with M.A.No.344/2020 in O.A.848/2018, wherein M.A.No.344/2020 is filed by the State for extension of time.</p> <p>4. Adjourned to 16.07.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N. Dixit)¹ Vice-Chairman (A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

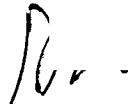
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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>Date : 25.05.2021</p> <p align="center">O.A.No.775 of 2020</p> <p>Y.M. Budhwant ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits on instructions from Shri Prashant Sheler, Section Officer, General Administration Department, Mantralaya that the seniority list for the post of Under Secretary has been published in May 2021. The learned C.P.O. furnishes that the name of the Applicant appears in the said seniority list. The learned C.P.O. further states that the process will be completed as soon as DPC is held.</p> <p>3. The learned Advocate submits that the Applicant is retiring on 30.06.2021 and hence there is urgency.</p> <p>4. In view of the same, we direct the Respondents to complete the process of conducting the D.P.C. by 07.06.2021 and take the necessary decision.</p> <p>5. Adjourned to 11.06.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="right">Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

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

Tribunal's orders

Date : 25.05.2021

O.A.No.247 of 2021

M.A. Amgaonkar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

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

2. The learned C.P.O. for the Respondents submits that Shri Vinayak Lawate, Under Secretary, Water Resources Department, Mantralaya is present and has produced few letters dated 25.01.2018, 22.03.2018 and 05.04.2018. The same are marked 'Exhibit-1', 'Exhibit-2' and 'Exhibit-3' and taken on record. In the said letters the Respondents have informed the applicant to produce his Caste Verification Certificate. The learned C.P.O. on instructions from Shri Lawate submits that the Applicant has neither produced the caste verification certificate nor the order of Hon'ble High Court, Nagpur Bench in Writ Petition No.1361/1985, decided on 19.09.1985 for perusal to the Respondents. The Applicant is hence directed to answer why he did not produce these documents.

3. Matter was initially fixed on 28.05.2021 as the applicant is retiring on 30.06.2021. However, as learned Advocate is not available on 28.05.2021, the matter is now fixed on 15.06.2021. Respondents to file affidavit-in-reply on next date.

4. The Applicant is directed to produce the copy of application which he has made to the Caste Scrutiny Committee for obtaining Caste Verification Certificate.

5. In view of this matter is Adjourned to 15.06.2021.

Sd/-

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

Sd/-

(Mridula Bhatkar, J.)
Chairperson