

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

Tribunal's orders

Date: 25.07.2023

O.A. No.25 of 2017

S. N. Khade

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. During the course of hearing Tribunal raised query to learned Advocate for the Applicant for non-joining necessary parties i.e employees who are likely to be affected if his placement in Seniority list at Sr. No.176 instead at Sr.232 is accepted. He sought time to take instruction from the client as to whether these employees are required to be joined in the matter.

3. S.O. to 02.08.2023.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 899 & 900 OF 2023**

DISTRICT : PUNE

Shri C.R Pol
Shri V.A Kolekar)...**Applicants**

Versus

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

Smt Punam Mahajan, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

**CORAM : Justice Mridula Bhatkar (Chairperson)
Mrs Medha Gadgil (Member) (A)**

DATE : 25.07.2023

ORDER

1. The applicants pray that this Tribunal be pleased to hold and declare that as per Rule 4(1) of the Maharashtra Sub-Service Divisional Examination (for Talathi cadre) Rules, 1997, the applicants have passed the S.S.D departmental examination in three chances and four years. Further they have challenged the seniority list dated 6.7.2023 passed by Respondent no. 3.

2. The applicant in O.A 899/2023 is working as Talathi and joined the said post on 19.9.2013. The applicant who was shown at Sr. No. 58 in the provisional seniority list dated 1.3.2023, is

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pushed down at Sr. No. 223 in the final seniority list dated 6.7.2023.

3. Learned counsel for the applicants has submitted that the applicant was not given any opportunity to place the objections to the final seniority list. Learned counsel for the applicants submitted that the reason for pushing down in the seniority list has taken place on account of decision taken on the objections raised by three colleagues of the applicant. Further, it is also factually incorrect opinion of the authority which is contrary to the rules in respect of passing of the departmental examination. Learned counsel for the applicants relied on the Maharashtra Sub-Service Divisional Examination (for Talathi cadre) Rules, 1997, about passing the departmental examination for the post of Talathi. As per Rule 4 (1), the candidate should pass the departmental examination within 3 chances and 4 years from the date of appointment. Further, in Rule 9 of the said Rules, it is mentioned that if the examination is not conducted, the same, should not be counted in the total chances. Learned counsel for the applicant in O.A 899/2023 gave the factual dates of the examination. From 21.11.2013 to 11.12.2013, the applicant did not appear. For the period 18.11.2015 to 21.11.2015, first chance, applicant failed. For the period 19.12.2017 to 22.12.2017, second chance, applicant failed. For the period 2.3.2019 to 5.3.2019, third chance, applicant cleared the examination. Learned counsel for the applicant has pointed out the remarks wherein Respondents have held that applicant has appeared for four time in the departmental examination and he has exhausted four chances. Learned counsel for the applicants presses for interim relief.

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4. Learned counsel for the applicants relied on the judgment of the M.A.T, Aurangabad bench dated 30.3.2022 in O.A 390/2020, Aashatai P. Metkar Vs. The State of Maharashtra & Ors.

5. Learned C.P.O submitted that it is done as per the Rules and there was no need to give audience to the applicants.

6. We have gone through the judgment relied on by the learned counsel for the applicants. In the said case the issue of counting of the chances consecutively for the departmental examination are discussed. It is to be pointed out that the applicant in that case was promoted on 25.3.2011 and the last fifth examination was conducted in the year 2015 within four years. Thus, the examinations may be five or six, but period of four years is provided to clear the examination. The applicant is free to take chance in any three examinations within four years. Further, we have read the rules and we are of the prima facie view that considering the factual position we are not inclined to grant any interim relief.

7. Issue notice before admission returnable on 18.8.2023.

8. 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.

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



10. 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.

11. 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 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."

12. S.O to 18.8.2023.

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

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

Place : Mumbai
Date : 25.07.2023
Dictation taken by : A.K. Nair.

**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 : 25.07.2023</p> <p>O.A.No.312/2019 with M.A.No.26/2021 with O.A.No.355/2019 with O.A.No.1194/2019 with O.A.No.1195/2019 with O.A.No.1196/2019</p> <p>D.P. Koli & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. D.R. Irale Patil, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate has submitted short notes. He states that the matter is covered by the judgments of the Hon'ble High Court in Writ Petition No.5851/2023 with W.P.No.6323/2023 and High High Court Bench Aurangabad in W.P.No.5232/2023.</p> <p>3. Learned C.P.O. seeks time to consider whether the case of the applicants is covered by these judgments.</p> <p>4. Adjourned to 09.08.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.07.2023</p> <p>O.A.No.376/2023</p> <p>Dr. A.S. KudaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate adjourned to 10.08.2023. H.O.B.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.07.2023</p> <p>O.A.No.333/2023 with O.A.No.335/2023 with O.A.No.336/2023</p> <p>S.J. ShahaneApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate Mr. Bandiwadekar adjourned to 22.08.2023. Interim relief, if any, to be continued till next date.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p style="text-align: center;">Tribunal's orders Date : 25.07.2023</p> <hr/> <p style="text-align: center;">C.A.No.74/2023 in C.A.No.41/2020 in O.A.No.556/2007</p> <p>A.B. GhodeswarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to file reply.</p> <p>3. Time granted. Adjourned to 08.08.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">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><u>25.07.2023</u></p> <p><u>O.A 863/2023</u></p> <p>Shri M.H Sankhe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant, working as Junior Skill Development Employment & Entrepreneurship Guidance Officer, challenges the order of reversion dated 27.6.2023 thereby reverting him to the post of Senior Clerk. Learned counsel for the applicant submits that Respondent no. 6 is served.</p> <p>3. Learned P.O on instructions from Shri Dilipkumar R. Takle, Assistant Section Officer, Skill Development, Employment, Entrepreneurship Department, submits that the copy of the report of the Local Committee was not served on the applicant as provided under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.</p> <p>4. It is necessary that the copy of the report is to be made available to the concerned Parties. The applicant being delinquent Officer, is one of the concerned parties. Section 13 of the said Act reads as under:-</p> <p style="padding-left: 40px;">“13.Inquiry report:- (1) On the completion of an inquiry under this Act, the Internal Committee or the Local Committee, as the case may be, shall provide a report of its findings to the employer, or as the case may be, the District Officer within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.</p> <p>5. We are of the view that this compliance is based on the principles of natural justice. However, they are deviated.</p> <p>6. In view of the above, we pass the following order:-</p> <p>(a) The Original Application is allowed.</p> <p>(b) The impugned orders dated 27.6.2023 & 10.7.2023, issued by Respondents no. 1 and Respondent no. 2 are hereby quashed and set aside.</p> <p>(c) The copy of the report of the Local Committee is to be served on the applicant within two weeks from today. Thereafter, the enquiry and other requisite procedure shall commence. For further procedure matter is remanded back.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>25.07.2023</u></p> <p style="text-align: center;"><u>O.A 849/2023</u></p> <p>Shri S.D Bhagat ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Vaishali Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant prays that the Tribunal be pleased to direct the Respondents to allow the applicant to join the duties/reappoint the applicant on contract basis on the post of Lecturer, Mechanical Engineering at Government Polytechnic College, forthwith with all other consequential benefits.</p> <p>3. Issue notice before admission returnable on 22.8.2023.</p> <p>4. 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>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. 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>7. 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>8. S.O to 22.8.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 25.07.2023
	<p align="center">M.A.No.220/2023 in O.A.No.291/2023</p> <p>N.P. Bhosale & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. S. Vaidya, learned Advocate for the Applicant is absent. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. A.M. Misal, learned Advocate for the Respondent No.4.</p> <p>2. Learned Advocate Mr. Misal for Respondent No.4 has filed reply. It be taken on record. Copy be served upon the concerned.</p> <p>3. Learned P.O. seeks time to file reply.</p> <p>4. Time granted by way of last chance to file reply. Adjourned to 08.08.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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 : 25.07.2023</p> <p>O.A.No.265/2016</p> <p>P.J. GanjaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for 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 learned Advocate Ms. Mankoji adjourned to 31.08.2023.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.391 of 2023</u></p> <p>N.D. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.B. Gaikwad, 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 respondents no.2 & 3. No separate reply is filed on behalf of respondent no.1.</p> <p>3. Two weeks time is granted to file rejoinder.</p> <p>4. S.O. to 2.8.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J) 25.7.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.691 of 2023</u></p> <p>A.V. Kurhade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks short adjournment for hearing.</p> <p>3. S.O. to 27.7.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J) 25.7.2023</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.100 of 2023</u></p> <p>P.G. Gosavi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Since pleadings are complete OA be kept for hearing at the stage of admission.</p> <p>3. S.O. to 7.8.2023.</p> <p style="text-align: right;">Sd/- w (A.P. Kurhekar) Member (J) 25.7.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.870 of 2023

S.S. Umap ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. By order dated 21.7.2023 this Tribunal directed the Ld. PO to take instructions as to why applicant cannot be transferred to Dive Village.
3. Ld. PO sought time to take instructions.
4. 3 days time is granted.
5. S.O. to 28.7.2023.

Sd/-

(A.P. Kurhekar)
Member (J)
25.7.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 25.07.2023</p> <p align="center">O.A. No.192 of 2017</p> <p>P.B. PatilApplicant 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. Learned P.O. sought permission to file Affidavit-in-Sur Rejoinder on behalf of the Respondent No.1. It is taken on record. Copy be served to other side.</p> <p>3. This O.A. be kept along with O.A. No.40/17 for Final Hearing.</p> <p>4. S.O. to 26.07.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.766 of 2023</u></p> <p>P.D. Mohite ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO tenders affidavit in reply on behalf of respondent no.1. Office to verify about service on respondent no.2 and submit report to that effect by next date.</p> <p>3. S.O. to 3.8.2023.</p> <p style="text-align: right;">^ Sd/- (A.P. Kurhekar) Member (J) 25.7.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.702 of 2023</u></p> <p>M.B. Chougule ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. PO two weeks time is granted to file reply.</p> <p>3. S.O. to 2.8.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J) 25.7.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.As. No.618 & 676 of 2023

S.B. Gone ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Since pleadings are complete, both the OAs be kept for hearing at the stage of admission.
3. S.O. to 2.8.2023. Interim relief to continue.

Sd/-

(A.P. Kurhekar)
Member (J)
25.7.2023

(sgj)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.07.2023</p> <p style="text-align: center;">O.A. No.881 of 2023 with O.A. No.882 of 2023</p> <p>Dr. S.M.K. Borate A.H. MeshramApplicant 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. In O.A. Applicants have challenged Transfer order dated 13.07.2023. In O.A. No.881/2023, the Applicant is transferred from Grant Govt. Medical College Hospital, Mumbai to Government Medical College, Dharashiv (Osmanabad). Whereas, in O.A. No.882/2023 the Applicant is transferred from Grant Govt. Medical College Hospital, Mumbai to Government Medical College, Satara. In both the O.As common contention is that Transfer order dated 13.07.2023 ^{is a} is a ^{pro-tenure} pro-tenure character and mid-term transfer since it is not passed in the month of April or May as required under the provision of Transfer Act, 2005.</p> <p>3. In O.A. No.882/2023, Tribunal passed order on 21.07.2023 that nobody should be posted in place of the Applicant till 25.07.2023. Whereas, in O.A. No.881/2023 there is no such order. However, fact remains that nobody is posted in place of any of the Applicant.</p> <p>4. Learned Advocate for the Applicant therefore prayed for interim relief for continuation of the Applicants at present post and has pointed out the order passed by the Tribunal, Mumbai Bench on 21.07.2023 in O.A. No.884, 885 & 888 of 2023 ^{wherein} and in similar situation Tribunal granted interim relief staying the Transfer order and the Applicants were directed to be continued at their respective post. ^{This} This ^{O.As were} O.As were ^{adjoined to 18.08.2023 for filing Affidavit-in-Reply of} adjoined to 18.08.2023 for filing Affidavit-in-Reply of the Respondents.</p>

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

Tribunal's orders

5. Thus *prima-facie* Transfer order dated 13.07.2023 ^{onstake} ~~pretext~~ character of mid-term Transfer and no such special administrative exigencies is made out as contemplated under Section 4 (5) of Transfer Act, 2005.

6. Admittedly, nobody is posted in place of the Applicants at Mumbai.

7. In view of above, I am inclined to grant interim relief to stay Transfer order dated 13.07.2023 and they be continued at their existing post till returnable date.

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

9. Issue notice before admission returnable on 18.08.2023.

10. 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.

11. 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.

12. 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.

13. 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.

14. This O.A. be kept on 18.08.2023 along with connected O.As.

Sd/-

(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.07.2023</p> <p align="center">O.A. No.883 of 2023</p> <p>Dr. U.N. KhemaniApplicant 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 has challenged transfer order dated 13.07.2023 whereby she is transferred from Grant Govt. Medical College Hospital, Mumbai to Indira Gandhi Government Medical College, Nagpur in place of Dr. Sushil Rathi <i>inter-alia</i> contending that Transfer being mid-term and mid-tenure is in contravention of Provision of Transfer Act, 2005.</p> <p>3. Notably, by order dated 13.07.2023 itself Dr. Sushil Rathi is transferred from Indira Gandhi Government Medical College, Nagpur to Dr. Shankarrao Chavhan Govt. Medical College, Nanded. Dr. Sushil Rathi filed O.A. No.813/2023 before Maharashtra Administrative Tribunal, Nagpur Bench and Tribunal granted interim relief allowing Dr. Sushil Rathi to continue at Nagpur and O.A. was adjourned to 08.08.2023 for filing Affidavit-in-Reply.</p> <p>3. As such, since Dr. Sushil Rathi is continued at Indira Gandhi Government Medical College, Nagpur the present petitioner Dr. U.N. Khemani cannot go and join at Nagpur. Therefore interim relief for continuation of the Applicant at Grant Govt. Medical College Hospital, Mumbai needs to be granted till next date.</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

4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
5. Issue notice before admission returnable on 18.08.2023.
6. 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.
7. 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.
8. 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.
9. 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.
10. S.O. to 18.08.2023.

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

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.As. No.423 to 426 of 2023</u></p> <p>A.M. Kamble G.Y. Shelke K.G. Wamane S.D. Biranje Vs. The State of Maharashtra & Ors.</p> <p style="text-align: right;">..Applicants ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today Ld. PO tenders affidavit in reply on behalf of respondent no.2 in all these OAs. It is taken on record. No reply is filed on behalf of respondents no.1 & 3.</p> <p>3. S.O. to 9.8.2023 for hearing at the stage of admission with liberty to file rejoinder, if any.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J) 25.7.2023</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.897 of 2023</u></p> <p>Dr. A.R. Phadnis ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for Respondent No.1 and Shri S.B. Gaikwad, learned Advocate for Respondent No.2.</p> <p>2. The applicant has challenged the transfer order dated 30.6.2023 whereby the Govt. transferred and posted respondent no.2 in his place as Assistant Director, Health Services (Medical), Pune inter alia contending that he is displaced mid-term and mid-tenure.</p> <p>3. Applicant was posted as Assistant Director, Health Services (Medical), Pune by order dated 5.1.2022 and hardly within 6-7 months he is displaced in view of posting of respondent no.2 in his place by order dated 30.6.2023. The Govt. has not passed separate transfer order of the applicant. However, in view of order dated 7.7.2023 passed by Dr. Radhakishan Pawar, Dy. Director, Health Services, Pune the applicant is directed to remain present in his office till issuance of appropriate order by the Govt. so that he is not left without posting.</p> <p>4. When specific query is raised the Ld. Advocate for the applicant fairly concedes that applicant is relieved and in his place respondent no.2 has joined.</p> <p>5. Shri S.B. Gaikwad, Ld. Advocate for respondent no.2 also states that his client has joined in place of the applicant.</p>

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

Tribunal's orders

6. Thus since applicant is relieved and respondent no.2 has joined in his place at this juncture it would not be proper to grant interim relief and it is kept open.

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

8. Issue notice before admission returnable on 9.8.2023. The respondents are directed to file reply.

9. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

10. 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.

11. 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.

12. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

A A
Sd/-

(A.P. Kurhekar)
Member (J)
25.7.2023

(sgj)

**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: 25.07.2023</p> <p align="center">O.A. No.700 of 2023</p> <p>B.S. ManeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, 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. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 02.08.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 25.07.2023</p> <p align="center">O.A. No.793 of 2023</p> <p>S.A. SalunkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant one week time is granted to file Affidavit-in-Rejoinder.</p> <p>3. S.O. to 01.08.2023.</p> <p 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

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: 25.07.2023</p> <p align="center">O.A. No.853 of 2023 with O.A. No.854 of 2023</p> <p>Dr. V.S. Patil Dr. V.A. WaghApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant sought one week of time to file M.A. for amendment and learned P.O. also sought time to file Affidavit-in-Reply.</p> <p>3. S.O. to 02.08.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

**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: 25.07.2023</p> <p align="center">O.A. No.872 of 2023</p> <p>A.A. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, 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 02.08.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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

Tribunal's orders
C.A. No.898 of 2023

S.M. Deshmukh & Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. The applicants who are retired Govt. servants are challenging order dated 17.7.2023 whereby benefit of Time Bound Promotion given to them in 2013 is withdrawn resulting into downgrading of pay and recovery.
3. Considering the facts, there shall be no recovery till next date.
4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
5. Issue notice before admission returnable on 22.8.2023. The respondents are directed to file reply.
6. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
7. 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.
8. 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.
9. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

Sd/-
(A.P. Kurhekar)
Member (J)
25.7.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.471 of 2023 in O.A. No.898 of 2023</u></p> <p>S.M. Deshmukh & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J) 25.7.2023</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.589 of 2023</u></p> <p>M.K. Gadekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri O.M. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Id. PO submits that reply will be filed during the course of the day.</p> <p>3. Admit.</p> <p>4. S.O. to 9.8.2023 for final hearing. Interim relief to continue.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 25.7.2023</p> <p>(sgj)</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><u>O.A. No.557 of 2023 & O.A. No.558 of 2023</u></p> <p>Dr. A.E. Talekar Dr. A.K. Kolhe ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 9.8.2023 by way of last chance.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 25.7.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.As. No.743 & 744 of 2022</u></p> <p>Dr. K.S. Madar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 26.7.2023. Interim relief to continue.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 25.7.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A. No.1253 of 2022 & O.A. No.146 of 2023</u></p> <p>A.K. Agale & Ors. C.S. Bhor & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Reply is already filed. 3. Admit. 4. S.O. to 1.8.2023 for final hearing.</p> <p style="text-align: right;">Sd/- (Meha Gadgil) Member (A) 25.7.2023</p> <p>(sgj)</p>

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

Tribunal's orders

Date: 25.07.2023

O.A. No.25 of 2017

Dr. S.S. DeshpandeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. During the course of hearing Tribunal raised query to learned Advocate for the Applicant for non-joining necessary parties i.e employees who are likely to be affected if his placement in Seniority list at Sr. No.176 instead at Sr.232 is accepted. He sought time to take instruction from the client as to whether these employees are required to be joined in the matter.

3. S.O. to 02.08.2023.

Sd/-
(Debashish Chakrabarty)
Member (A)

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

NMN



**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: 25.07.2023</p> <p align="center">O.A. No.994 of 2022</p> <p>P.B. BagalApplicant Versus 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. Today matter is for filing Rejoinder but the same is not filed.</p> <p>3. Since pleading is complete, admit for Final Hearing.</p> <p>4. S.O. to 24.08.2023.</p> <p align="center">  (Debashish Chakrabarty) Member (A) </p> <p align="center">  (A.P. Kurhekar) Member (J) </p> <p>NMN</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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: 25.07.2023</p> <p align="center">O.A. No.105 of 2017</p> <p>S.Y. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. Perusal of record reveals that Applicant and his Advocate are not attending the matter regularly and matter was adjourned on some occasions because of their absence. Today also Applicant and his Advocate are absent. Thus they seem not interested in the matter. O.A. is dismissed in default. <p align="center">  (Debashish Chakrabarty) Member (A) </p> <p align="center">  (A.P. Kurhekar) Member (J) </p> <p align="center">NMN</p>

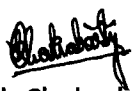

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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: 25.07.2023</p> <p align="center">O.A. No.1095 of 2022</p> <p>M.S. ThoraveApplicant 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. Today matter is for filing Rejoinder but the same is not filed. Since pleading is complete, O.A. be kept for Final Hearing. S.O. to 25.08.2023. <p align="center">  (Debashish Chakrabarty) Member (A) </p> <p align="center">  (A.P. Kurhekar) Member (J) </p> <p align="center">NMN</p>

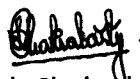

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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: 25.07.2023</p> <p align="center">O.A. No.809 of 2022</p> <p>N.D. TasgaonkarApplicant 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. On request of learned P.O. one week time is granted as most last chance with specific direction that not further time will be granted. 4. S.O. to 01.08.2023. <p align="center">  (Debashish Chakrabarty) Member (A) </p> <p align="center">  (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

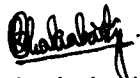

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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: 25.07.2023</p> <p align="center">O.A. No.164 of 2017</p> <p>Y.N. KapaseApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant adjourned till tomorrow for Final Hearing.</p> <p>3. S.O. 26.07.2023.</p> <p align="center">  (Debashish Chakrabarty) Member (A) </p> <p align="center">  (A.P. Kurhekar) Member (J) </p> <p align="center">NMN</p>

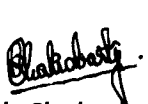

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.07.2023</p> <p align="center">O.A. No.271 of 2017</p> <p>M.R. DeshmukhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing learned Advocate for the Applicant has pointed out that matter is still pending before Hon'ble Supreme Court which have direct bearing over the issue involved in this present matter and requested to adjourn the matter.</p> <p>3. S.O. to 23.08.2023.</p> <p align="center">  (Debashish Chakrabarty) Member (A) </p> <p align="center">  (A.P. Kurhekar) Member (J) </p> <p align="center">NMN</p>

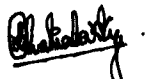

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.07.2023</p> <p align="center">O.A. No.729 of 2022</p> <p>G.N. Jadhav & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today matter is for filing Rejoinder but the same is not filed.</p> <p>3. Since pleading is complete, admitted for Final Hearing.</p> <p>4. S.O. to 24.08.2023.</p> <p align="center">  (Debashish Chakrabarty) Member (A) </p> <p align="center">  (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

Date: 25.07.2023

C.A. No.69 of 2022 in O.A. No.339 of 2020

M.V. MohiteApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned P.O. sought permission to tender Affidavit-in-Reply of Contemnor No.1 – Dr. Nitin Kareer. Infact Affidavit-in-Reply to Show Cause Notice ought to have been filed much earlier but not filed. However, in the interest of justice Affidavit-in-Reply is taken on record.

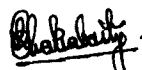
3. Learned P.O. again sought time *inter-alia* contending that necessary steps are being taken to finalized seniority so as to address the grievance of the Applicant.

4. Whereas, Shri K.R. Jagdale, learned Advocate for the Applicant submits that the Contemnor are not serious and requested to frame charge for the Contempt of the order of the Tribunal.

5. It appears that some steps are now being taken by the Contemnor belatedly, and therefore some more time is required to be given.

6. Two weeks time is granted to show further progress in the matter. If Tribunal is not satisfied with the progress, charge for the Contempt of the order of the Tribunal will have to be framed.

7. S.O. to 08.08.2023.



(Debashish Chakrabarty)
Member (A)



(A.P. Kurhekar)
Member (J)