

**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"><b>Date : 25.11.2021</b></p> <p align="center"><b>O.A.No.496 of 2021</b></p> <p>R.H. Kazi .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this O.A. the Applicant, working as Assistant Police Inspector is dismissed from services by the order dated 21.05.2021. The Affidavit-in-reply is yet to be filed by the Respondent-State.</p> <p>3. The learned Advocate Mr. Lonkar submits that in this matter interim relief be granted in view of prayer clause 10(C) i.e. he be allowed to retain his residential Government accommodation allotted to him.</p> <p>4. The learned Advocate produces the notice dated 06.09.2021 thereby directing the applicant to vacate the said residential Government accommodation at Beharambag, Jogeshwari and if not vacated then penal rent will be charged from 23.11.2021. The learned Advocate in view of this has submitted that the applicant has challenged the said order of dismissal in O.A. He is innocent. The said matter is pending. He has responsibility of 75 years old mother, wife and two school going children. He does not have accommodation in Mumbai either his own or in the name of his wife. Thus, if the applicant is displaced it will be difficult for him to find out the accommodation since he is dismissed from service, and has no source of income. Hence, he prays for interim relief.</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**

5. We have considered the reasons mentioned in the O.A. and arguments made by the learned Advocate for the Applicant. The Applicant is dismissed by order dated 22.05.2021. Whether the dismissal is legal or not will be decided in due course of time by this Tribunal as the O.A. is filed challenging the dismissal order. To keep the service quarter is the facility and it is not the right of the Government servant. So long as the Government servant is in service or he renders the service at the place of his posting he can avail the said facility of the service quarter. However, the applicant is dismissed from service and therefore we are not inclined to grant interim relief in respect of the service quarter to the applicant.

6. Time granted to learned C.P.O. to file affidavit-in-reply.

7. Adjourned to 09.12.2021.

Sd/-

(Medha Gadgil)  
Member(A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

**ORIGINAL APPLICATION NO.551 OF 2020**

Pratap R. Shinde & Ors.

**....Applicants**

**Versus**

The State of Maharashtra & Ors.

**....Respondents.**

Mr. S.S. Dere, learned Advocate for the Applicant.

Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : Justice Ms. Mridula Bhatkar, Chairperson,  
Ms. Medha Gadgil, Member(A)

DATE : 25.11.2021

PER : Justice Ms. Mridula Bhatkar, Chairperson

**O R D E R**

1. The learned Advocate Mr. S.S. Dere appearing for the Applicant submits that all the 14 Applicants who appeared for the selection process of PSI-2019 conducted by the Respondents No.1, Maharashtra Public Service Commission (M.P.S.C.) have successfully passed the main written examination. However the Applicants were not called for the physical test while maintaining the ratio of 1:4.

2. The learned Advocate at clause 6.12, page 10 of the O.A. has given the table that in the year 2016, out of 3085 candidates who were eligible for physical test and interview, 540 candidates remained absent. In the year 2017, out of 2763 candidates who were eligible for physical test and

interview, 1014 candidates remained absent. In the year 2018, out of 1659 candidates who were eligible for physical test and interview, 571 candidates remained absent. The learned Advocate submits that in the present case the advertisement was given for 496 posts.

3. The learned Advocate submits that the physical test and interview of the examination of 2019 has started from 20.11.2021 and further physical test and interview will be conducted from 29.11.2021 to 02.12.2021 and from 06.12.2021 to 09.12.2021.

4. The learned Advocate submits that in the year 2019 for physical test and interview many eligible candidates did not appear or might have not come. There is a reasonable apprehension on the basis of the history of the candidates remaining absent so therefore those candidates who are held eligible were not called for the interview and this lacuna can be rectified this year by calling the next eligible candidate for the physical test and interview, since the Maharashtra Public Service Commission Rules of Procedure, 2014 (hereinafter referred as 'M.P.S.C. Procedure Rules 2014' for brevity) is silent about it. Therefore as per the provisions of Article 16(1) the Applicants' claim that they should be given reasonable opportunity, as the applicants being meritorious are to be called for interview. He further prayed that the applicants be allowed to appear for the physical test and interview and alternatively the recommendations which are going to take place in respect of these examinations by the M.P.S.C. be stayed.



5. The learned Chief Presenting Officer Ms. S.P. Manchekar for the Respondents opposes for grant of interim relief. She submits the M.P.S.C has followed the M.P.S.C. Procedure Rules 2014. The affidavit-in-reply dated 02.02.2021 is filed on behalf of Respondent No.1, through Mr. Devendra V. Tawde, Under Secretary, in the Office of the Maharashtra Public Service Commission which states that whenever there is physical test the ratio of 1:4 is applied as the Rule 8 (viii) of the M.P.S.C. Procedure Rules 2014 is maintained. So in present case it is more than normal ratio of the interview which is 1:3.

6. We have considered the submissions. The applicants have approached the Tribunal on guesswork and the speculations. There is no clear data before the Tribunal. We have no power to entertain Public Interest Litigation. We cannot arrive at the conclusion that how many candidates remained absent for the physical test and interview as the applicants have not come out with specific number. Secondly, the Rule No.8(viii) of keeping ratio of 1:4 of calling candidates is followed by the M.P.S.C. Procedure Rules 2014. It is not contemplated that in such an eventuality of somebody remaining absent to maintain this ratio what should be done by the M.P.S.C. Thirdly, the Tribunal giving directions which are prayed for or argued by the Applicant is as good as writing the additional Rule which is not at all legal. Detailed affidavit-in-reply is filed and as per the arguments advanced by the learned Advocate that Article 16(1) of the Constitution is to be invoked. We need sufficient time to go through the relevant law on Article 16(1) of the Constitution and so also to hear learned C.P.O.. The learned C.P.O. has informed that at this stage

she is unable to get assistance and instructions from the M.P.S.C. today because they are busy in conducting the interview and the physical test. Further the stage of sending the recommendations is not yet arrived. We are not inclined to grant interim relief and hence prayer for interim relief is rejected.

7. The learned C.P.O. is requested that on next date the M.P.S.C. to furnish the list of eligible candidates who remained absent for physical test and interview for the examination of PSI 2019. Matter is already admitted and is fixed on 27.01.2022.

Sd/-

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

Sd/-

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

prk

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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 align="center"><u>M.A. No.449 of 2021 in O.A. No.88 of 2020</u></p> <p>Dr. V.R. Bhailume ..Applicant Vs. The State of Maharashtra &amp; 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 seeks time to file reply in MA.</p> <p>3. S.O. to 2.12.2021 by way of last chance. If reply is not filed the matter will be proceeded.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 25.11.2021 25.11.2021</p> <p>(sgj)</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"><u>O.As. No.173 &amp; 174 of 2021</u></p> <p>M.A. Tapase R.M. Kalaskar ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Pleadings are complete.</p> <p>3. Admit.</p> <p>4. S.O. to 4.1.2022 for final hearing. Subject-matter being appointment place the matters High on Board.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 25.11.2021 25.11.2021</p> <p>(sgj)</p>



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

**Date : 25.10.2021**

**O.A.No.469 of 2012 with O.A.No.682 of 2013  
with O.A.No.879 of 2015**

Dr. A.R. Tarale & Ors. (O.A.469/2012)  
Dr. M.B. Deolikar & Ors. (O.A.682/2013)  
Dr. G.P. Wadekar & Ors. (O.A.879/2015)  
.....Applicants

Vs.

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

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant in O.A.No.469/2012 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Mr. R.M. Sarda, learned Advocate for the Applicant in O.A.No.682/2013 and Mr. Rahul Khot, learned Advocate i/b. Mr. N.Y. Chavan, learned Advocate for the Applicant in O.A.No.879/2015 are absent.
3. Ms. Neelima. Kerketta, Principal Secretary, Public Health Department to file affidavit-in-reply taking into consideration the submissions made by the Joint Secretary, Mr. Atra that as per the recruitment Rules, the Applicants i.e. Doctors from Z.P. should have been placed from Group C to Group A directly, entry No.43 of the Notification dated 11.12.2013 and G.R. dated 17.10.2014 and so also the observations made by the Hakim Committee.
4. We need this affidavit-in-reply for the better assistance to adjudicate the issue.
5. Adjourned to 03.12.2021. P.H.

Sd/-

(Medha Gadgil)  
Member (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

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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"><u>M.A. No.450 of 2021 in O.A. No.780 of 2020</u> <u>With</u> <u>M.A. No.451 of 2021 in O.A. No.746 of 2020</u></p> <p>S.M. Bhagwat ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar with Shri M.V. Thorat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO states that Respondent is not served with the copy of MAs.</p> <p>3. Copies of both the MAs to be served on the respondent.</p> <p>4. Ld. Advocate for the applicant handed over copy of both the MAs to the respondent and Ld. PO.</p> <p>5. S.O. to 2.12.2021.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 25.11.2021 25.11.2021</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date: 25.11.2021
	<p align="center"><b>O.A. No.323 of 2021</b></p> <p><b>D.G. Vasgadekar</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant claims for Deemed Date of Promotion of Police Inspector (P.I.) w.e.f. 21.05.2004 instead of 21.10.2005 granted to him. Secondly he also claims for Deemed Date of Promotion in cadre of Dy. Superintendent of Police w.e.f. 27.05.2011. He was promoted to the post of Dy. S.P. on 12.05.2016.</p> <p>3. Learned Advocate for the Applicant submits that Applicant was due for promotion to the post of P.I. in the batch of 2004 and eligible for the promotion. That time seven post were vacant from the category of S.C. The Applicant belongs to S.C., he was at Sr. No.8. However that time instead of giving promotion to the Applicant, promotion was given to one Shri N.V. Koli though he was belonging to S.T. But in seniority list his caste was shown as S.C. This also gets support from the proposal sent by Director General &amp; Inspector General of Police to the Government dated 06.10.2021.</p> <p>4. Indeed, Respondent No.1-Director General &amp; Inspector General of Police in Affidavit-in-Reply in para 8 (pg. 71 of P.B.) states as follows.</p> <p align="center"><i>"(viii) Thus, in view of the aforesaid position, had the promotion to the post of Armed P.I. was not given to Shri N. V. Koli from the S.C. category on the D.P.C. held for the year 2004, the next number from the S.C. category on that D.P.C. was of the applicant herein and as stated hereinabove, the seniority of Shri N.V.Koli has been refixed, from the S.B.C. category, and hence, now, it is found necessary to this office to review the decision of grant of deemed date of promotion to the post of Armed P.O. on the basis of the D.P.C. 2004 and then on that basis, a proposal to the State Government for examining his eligibility and fitness, for grant of deemed date of promotion to the post of Armed Dy.S.P. will have to be submitted, being a competent authority.</i></p>

*Hence, for doing all these exercise this office is seeking suitable time in this matter."*

5 As such there is clear admission of Respondent No.1 that there was mistake in not granting promotion to the Applicant in 2004 from S.C. category. In Affidavit it is further stated that office will take necessary suitable steps to take remedial measures. However, till date no such steps are taken.

6. Later Respondent No.1 sent proposal dated 06.10.2021 to the Government again admitting the Applicant's entitlement for Deemed Date of Promotion in 2004 batch. He sent proposal to the Government in respect of claim of granting for Deemed Date of Promotion to the post of Dy. S.P. Indeed, for granting of promotion for the post of P.I., Respondent No.1 is the competent authority and he should have taken remedial measures firstly for the claim of the Applicant for Deemed Date of Promotion in 2004 batch and then only ought to have sent proposal to the Government in respect of Deemed Date of promotion for the post of Dy. S.P. If the Applicant's claim for Deemed Date of Promotion from 01.06.2004 is accepted then it would further change his entitlement for Deemed Date of Promotion in the cadre of Dy. S.P. Therefore the issue of the Applicant for entitlement for Deemed Date w.e.f. 01.06.2004 ought to have determined first.

7. In view of above, and particularly specific admission in para 8 of written statement, O.A. deserves to be disposed of with suitable direction.

8. Respondent No.1 is hereby directed to consider the claim of the Applicant for Deemed Date of Promotion as claimed from w.e.f. 01.06.2004 for the post of P.I. and shall pass appropriate order within a month from today.

9. Thereafter, Respondent No.1 shall consider the Applicant's claim for Deemed Date of Promotion the post of Dy. S.P. and shall accordingly forward proposal to that effect to the Government within one month from the date of decision in the matter of Deemed Date of Promotion for the post of P.I.

10. Respondent No.1 shall communicate his decision to the Applicant within two weeks from the date of decisions.

11. No order as to costs.

Sd/-

(A.P. Kurhekar)

Member (J)

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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 : 25.11.2021</p> <p align="center">O.A.No.462 of 2021</p> <p>R. M. Koshelkar <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 14.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 25.11.2021</b></p> <p align="center"><b>O.A. No.746 of 2021</b></p> <p><b>K.D. Baraf &amp; Ors. ....Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply is under preparation and the same will be filed during the course of the day or latest by tomorrow. Statement is accepted. It be tendered in office with copy to the other side.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 09.12.2021.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p align="center">NMN</p> <p align="right">[P.T.O.]</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 : 25.11.2021</p> <p align="center">O.A.No.919 of 2021</p> <p>A. B. Chavan <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar , learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. This O.A. is filed simpliciter for direction to the appellate authority to decide the appeal at the earliest since it is pending for three years.</li> <li>3. The Applicant was subjected to punishment by Government in D.E. by order dated 02.01.2018. The punishment of 'Censure' was imposed invoking Rule 5(1)(i) of Maharashtra Civil Services (Discipline &amp; Appeal) Rules, 1979.</li> <li>4. Against the said order, the Applicant has filed appeal before the Respondent No.3 but the same is not heard for three years which in fact ought to have been decided expeditiously.</li> <li>5. In view of above, O.A. is disposed of with request to Respondent No.3 to decide the appeal filed by the Applicant earliest preferably within three months from today and the decision shall be communicated to the Applicant within two weeks thereafter.</li> <li>6. No order as to costs.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 25.11.2021</p> <p align="center">O.A.No.486 of 2020</p> <p>S. D. Tajane <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B.K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the matter is being conducted Shri A.K. Chougule but he is unable to remain present today and requested for adjournment.</p> <p>3. S.O. to 09.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



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	<p>Date : 25.11.2021</p> <p align="center">O.A.No.06 of 2021</p> <p>U. R. Harmalkar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</p> <p>2. The matter is adjourned to give one opportunity of hearing to Applicant and his Counsel.</p> <p>3. S.O. to 23.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p><b>Date: 25.11.2021</b></p> <p align="center"><b>M.A. No.497 of 2021 in O.A. No.388 of 2021 with M.A. No.498 of 2021 in O.A. No.389 of 2021 with M.A. No.499 of 2021 in O.A. No.390 of 2021</b></p> <p><b>A.B. Kohtekar &amp; Ors.</b>  <b>A.C. Mantri</b>  <b>D.M. Vishwasrao</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate holding for Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This application is for Condonation of delay caused in filing O.A.</p> <p>3. Issue notice before admission returnable on 23.12.2021.</p> <p>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>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 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p align="right">[P.T.O.]</p>

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<p>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.</p> <p>8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>9. S.O. to 23.12.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 25.11.2021</p> <p>O.A.Nos.80/2021 with 81/2021 with 632/ 2021</p> <p>Dr. J. K. Pagare &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri J. S. Deshmukh, learned Counsel for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Enough chances are already granted to file reply. However, on request of learned P.O., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 09.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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><b>Date : 25.11.2021</b></p> <p style="text-align: center;"><b>O.A.No.739 of 2021</b></p> <p><b>D. B. Sul</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <ol style="list-style-type: none"> <li>1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. This O.A. is restored in view of order passed in M.A.No.523/2021 today.</li> <li>3. On request of learned P.O., two weeks time is granted for filing reply to O.A.</li> <li>4. S.O. to 09.12.2021.</li> </ol> <p style="text-align: right; margin-right: 50px;">Sd/- v <b>(A.P. Kurhekar)</b> <b>Member(J)</b></p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.11.2021</p> <p align="center">M.A.No.523 of 2021 in O.A.No.739 of 2021</p> <p>D. B. Sul <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. This M.A. is filed for restoration of O.A. which is dismissed in default for non filing of affidavit of service within three days before returnable date.</li> <li>3. The Applicant has filed affidavit of service late, and therefore, requested to restore the O.A.</li> <li>4. Delay caused in filing of affidavit of service is condoned. The order of dismissal of O.A. is recalled.</li> <li>5. M.A. is accordingly allowed with no order as to costs.</li> </ol> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.11.2021</p> <p align="center">O.A.No.913 of 2021</p> <p>R. M. Mahajan <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Ms Asawari Ghate holding for Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted for filing reply since very short issue is involved in the present O.A.</p> <p>3. S.O. to 02.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 25.11.2021</p> <p align="center">O.A.No. 398 of 2021</p> <p>Dr. B. M. Dahiphale <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri M. B. Kadam holding for Shri U. V. Bhosale , learned Counsel for the Applicant and Smt. Archana B.K. holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that Shri U. V. Bhosale, learned Counsel is unable to remain present and seeks adjournment.</p> <p>3. The matter is adjourned for final hearing.</p> <p>4. S.O. to 17.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



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	<p>Date : 25.11.2021</p> <p align="center">O.A.No.112 of 2020</p> <p>D. W. Patil <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri C. W. Mane, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondents. It is taken on record.</p> <p>3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder, if any.</p> <p>4. S.O. to 09.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 25.11.2021</p> <p align="center">O.A.No.735 of 2021</p> <p>J. K. Mazgaonkar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Shri K. R. Jagdale, learned Counsel for Respondent No.2.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 30.11.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 25.11.2021</b></p> <p align="center"><b>O.A. No.404 of 2021</b></p> <p><b>A.C. More</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Smt. Archana B.K., 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. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 17.12.2021.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>

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	<p>Date : 25.11.2021</p> <p align="center">O.A.No.197 of 2021</p> <p>V. E. Jog <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Since the pleading is complete, O.A. be kept for hearing at the stage of admission.</p> <p>3. S.O. to 06.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.11.2021</p> <p align="center">O.A.No.485 of 2021</p> <p>P. R. Abhang &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Smt. Archana B.K. holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply . It is taken on record.</p> <p>3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 09.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 25.11.2021</p> <p align="center">M. A. No.347 of 2021 in O.A.No.498 of 2021</p> <p>M. S. Chavan <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A. V . Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., three weeks time is granted for filing reply.</p> <p>3. S.O. to 16.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 25.11.2021</p> <p align="center">O.A.No.589 of 2021</p> <p>G. R. Waghmode <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri K. R. Jagdale , learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that reply will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. On request of learned Counsel, two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 09.12.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.11.2021</p> <p align="center">O.A.No.741 of 2021</p> <p>C. P. Yelve <span style="float: right;">...Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B.K., 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., three weeks time is granted for filing reply.</p> <p>3. S.O. to 16.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.11.2021</p> <p align="center">O.A.No.819 of 2021</p> <p>V. R. Katkar <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri A. V Bandiwadkar, learned Counsel for the Applicant and Smt. Archana B.K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A., challenge is to the suspension order dated 21.10.2020 as well as posting order dated 31.03.2021 to the extent of posting of the Applicant at Nagpur instead of Pune. At the time of revocation of suspension, the Applicant was given posting at Nagpur on the ground that there are no vacancies in Nagpur Division.</p> <p>3. Now, the Applicant contends that there are several vacant post at Nagpur and Pune and also made representation to the Government on 21.10.2021 to accommodate him in Nagpur and Pune Division. The Applicant is ready to work on Executive/Non Executive post also in Pune or Mumbai Region.</p> <p>4. In view of above, it is <sup>expected</sup><del>expected</del> that Respondents should take the decision on the <sup>re</sup>representation dated 21.10.2021 at the earliest and learned P.O. should apprise the Tribunal about the same by next date.</p> <p>5. S.O. to 09.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p>Date : 25.11.2021</p> <p align="center"><b>O.A.No.830 of 2021</b></p> <p>D. V. Ghag <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B.K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply.</p> <p>3. S.O. to 16.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Tribunal's orders

Date : 25.11.2021

O.A.No.920 of 2021

A. B. Chavan

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar , learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 22.12.2021.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

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

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

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

7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 22.12.2021.

Sd/-

(A.P. Kurhekar)  
Member(J)

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 25.11.2021</b></p> <p align="center"><b>O.A.No.818 of 2021</b></p> <p>V.S. Hipparkar. ....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. request for time to file affidavit-in-reply.</p> <p>3. Time granted. Status quo to continue till next date. Adjourned to 13.01.2022.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center"><b>(Medha Gadgil)</b> / <b>(Mridula Bhatkar, J.)</b> <b>Member(A)</b> <b>Chairperson</b></p> <p>prk</p>

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	<p align="center"><b>Date : 25.11.2021</b></p> <p align="center"><b>O.A.No.682 of 2021</b></p> <p>Dr. K.J. Kuwar &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Ms. Punam Mahajan, learned Advocate for the Respondents No.3 to 7.</p> <p>2. Today learned Advocate Ms. Punam Mahajan has requested for adjournment to file reply.</p> <p>3. Adjourned to 16.12.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p 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><b>Date : 25.11.2021</b></p> <p align="center"><b>O.A.No.664 of 2021</b></p> <p>B.Y. Hegade .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today learned C.P.O. files affidavit-in-reply. Taken on record.</p> <p>3. Adjourned to 30.11.2021. Status quo to continue till next date.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p><b>Date : 25.11.2021</b></p> <p align="center"><b>O.A.No.503 of 2021</b></p> <p>D.S. Hande .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Reply is already filed.</p> <p>3. Admit and adjourned to 27.01.2022 with liberty to file rejoinder.</p> <p align="center">Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

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	<p><b>Date : 25.11.2021</b></p> <p><b>O.A.No.245 of 2021</b></p> <p>J.S. Sathe .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. Sandip A. Kotalwar, learned Advocate appearing for Respondent No.2.</p> <p>2. Today learned P.O. for the Respondents files affidavit-in-reply. Taken on record.</p> <p>3. Respondent No.2 request for time to file affidavit-in-reply.</p> <p>4. Adjourned to 13.01.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>





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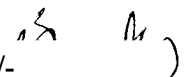
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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>CA No.8/2021 in OA No.848/2018 with MA No.344/2020</u></p> <p>R.S. Salunkhe &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.A. Gharte, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant prays for adjournment.</p> <p>3. S.O. to 20.1.2022.</p> <p align="center">  Sd/-  Sd/-  (Medha Gadgil) / (Mridula Bhatkar, J.)  Member (A) Chairperson  25.11.2021 25.11.2021 </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.936 of 2021</u></p> <p>S.B. Bhadre &amp; 2 Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 20.1.2022 The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 25.11.2021 25.11.2021</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><b>Date : 25.11.2021</b></p> <p style="text-align: center;"><b>O.A.No.496 of 2021</b></p> <p>R.H. Kazi .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. the Applicant, working as Assistant Police Inspector is dismissed from services by the order dated 21.05.2021. The Affidavit-in-reply is yet to be filed by the Respondent-State.</p> <p>3. The learned Advocate Mr. Lonkar submits that in this matter interim relief be granted in view of prayer clause 10(C) i.e. he be allowed to retain his residential Government accommodation allotted to him.</p> <p>4. The learned Advocate produces the notice dated 06.09.2021 thereby directing the applicant to vacate the said residential Government accommodation at Beharabag, Jogeshwari and if not vacated then penal rent will be charged from 23.11.2021. The learned Advocate in view of this has submitted that the applicant has challenged the said order of dismissal in O.A. He is innocent. The said matter is pending. He has responsibility of 75 years old mother, wife and two school going children. He does not have accommodation in Mumbai either his own or in the name of his wife. Thus, if the applicant is displaced it will be difficult for him to find out the accommodation since he is dismissed from service, and has no source of income. Hence, he prays for interim relief.</p> <p style="text-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>5. We have considered the reasons mentioned in the O.A. and arguments made by the learned Advocate for the Applicant. The Applicant is dismissed by order dated 22.05.2021. Whether the dismissal is legal or not will be decided in due course of time by this Tribunal as the O.A. is filed challenging the dismissal order. To keep the service quarter is the facility and it is not the right of the Government servant. So long as the Government servant is in service or he renders the service at the place of his posting he can avail the said facility of the service quarter. However, the applicant is dismissed from service and therefore we are not inclined to grant interim relief in respect of the service quarter to the applicant.</p> <p>6. Time granted to learned C.P.O. to file affidavit-in-reply.</p> <p>7. Adjourned to 09.12.2021.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> <b>Member(A)</b></p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>