

**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 style="text-align: center;"><u>O.A.No.68/2023</u></p> <p>Dr. V.P. Kale ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents is present.</p> <p>2. Learned P.O. tendered Sur-rejoinder on behalf of Respondent No.1. It is taken on record.</p> <p>3. S.O. to 5th June, 2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 26.04.2023</p> <p>(skw)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.Nos. 1239, 1153 & 1289/2022</u></p> <p>Dr. N.R. Sabu & Ors. ... Applicants Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Shri M.D. Lonkar, Smt. Punam Mahajan and Shri M.R. Kulkarni, learned Advocates for the Applicants and Smt. S.P. Manchekar, learned Chief Presenting Officer for Respondents is present.</p> <p>2. Today, learned Advocate for the Applicant in O.A.1153/2022 has filed Affidavit-in-rejoinder. It is taken on record.</p> <p>3. When matter was taken up for hearing, it is noticed that Applicants have not produced their appointment orders, which are necessary to see as to what pay and allowances they were entitled in terms of appointment orders. The Applicants are directed to produce appointment orders.</p> <p>4. Interim relief to continue till the decision of O.A.</p> <p>5. S.O. to 12th June, 2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 26.04.2023</p> <p>(skw)</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 : 26.4.2023</p> <p align="center">O.A.No.49 of 2023</p> <p>B. S. LambhateApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The O.A. is already ^{Processed} processed without reply as per order passed by the Tribunal on 03.04.2023 and today O.A. is for hearing. However, learned P.O. again sought time to file reply stating that reply in the present matter is necessary. He further submits that he sent various letters to District Collector, Satara for filing Affidavit in reply but he is not responding.</p> <p>3. Learned P.O. requested for one week time to file reply.</p> <p>4. Indeed, in view of communication made by learned P.O., the Collector, Satara ought to have responded and reply should have been filed at least today. The Collector, Satara seems not serious about the matter.</p> <p>5. However, in the interest of justice, one week time is granted by way of last chance subject to cost of Rs.2000/- to be paid on or before next date.</p> <p>6. S.O. to 04.05.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

**O.A.No.440/2023 with O.A.No.441/2023 with O.A.No.442/2023 with
O.A.No.443/2023 with O.A.No.444/2023 with O.A.No.445/2023 with
O.A.No.446/2023 with O.A.No.447/2023 with O.A.No.448/2023 with
O.A.No.449/2023 with O.A.No.450/2023 with O.A.No.451/2023 with
O.A.No.452/2023 with O.A.No.453/2023 with O.A.No.454/2023 with
O.A.No.455/2023**

A.V. Kanake & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

Mr. V.A. Nagrani, learned Advocate for the Applicants.

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

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

DATE : **24.04.2023.**

O R D E R

1. All the 16 Applicants challenge order dated 30.01.2023 wherein they were terminated in service. Learned Advocate has requested that out of these 16 O.As, O.A.No.449/2023 is to be taken as the lead case.


2. Learned Advocate has submitted that now the charge-sheet dated 08.03.2023 is issued to all the candidates and therefore the prayer of interim relief for staying the issue of notice of termination to all the Applicants may be passed. Learned Advocate for the Applicant has relied on the judgment of Hon'ble High Court dated 20.09.2022 passed in Writ Petition No.280/2019 & Anr. Arun Nagnath Sontakke and Ors. Versus The State of Maharashtra and Ors.



3. Respondent has taken the decision to order of initiating the process of terminating the services of the respective applicants. Applicants have joined services as Junior Clerk w.e.f. 2009. Pursuant to the advertisement dated 22.03.2008 all the applicants are appointed in the year 2009. In the said examination there was incidence of mass copying and the Tribunal by order dated 22.12.2020 passed in O.A.No.1355 /2009, Shri Mehmud K. Subhedar Versus The State of Maharashtra & Ors. directed the Respondents No.1 to 3 to take appropriate action including segregation of tainted candidates from untainted after providing opportunity of hearing to the candidates and then pass fresh order in accordance to law in view of reports dated 22.04.2010 and 30.04.2014. Pursuant to the report dated 16.09.2022, of tainted and untainted candidates, and on the basis of that report the applicants were considered as tainted. Resultantly, Respondents have issued notice of initiating the process of termination of services of tainted candidates. Learned P.O. by oral instructions points out to the order dated 13.03.2023 in Writ Petition No.3159/2023 passed by the Hon'ble High Court, Mahadev G. Dhapate Versus The State of Maharashtra & Ors.

4. The Hon'ble High Court in the case of Sontakke (supra) it is held that,

“28. Thus, based on the above discussion, we hold that the Commissioner was required to maintain an open-mind till such time he received the representation of Arun against the inquiry report. Since the inquiry report is an important documents that the Commissioner, as the disciplinary authority, seeks to rely on the nail Arun, such a document could not have been considered without furnishing a copy thereof to Arun. The Commissioner has proceeded in breach of the principles of natural justice and pre-judged the issued.”



5. We have gone through the order dated 13.03.2023 wherein it is held that,

“4. Stand over to 18.04.2023.

5. Under the order dated 20.02.2023, Respondents have initiated enquiry,

6. We are not inclined to stall the enquiry. The enquiry may proceed further.

7. However, till the next date, the adverse orders with regard to the service of the Petitioner may not be issued.”

6. All applicants are similarly situated persons to whom orders are issued about initiation of termination order was issued on 20.02.2023. Hon'ble High Court has expressly mentioned not to stay the D.E. Hence we are not inclined to grant interim relief in these O.As. The learned Advocate has placed reliance on the judgment of Sontakke (supra) wherein it is stated as the candidates are not tainted. It is also necessary for the enquiry Officer to be open minded and that the Committee which was Disciplinary Authority in Sontakke's case has committed error in findings of the Enquiry Officer.

7. We direct enquiry officer to keep his mind open and follow the orders of Hon'ble High Court. We direct, if enquiry proceeds in between and concluded speedily, the enquiry report is to be kept in sealed cover.

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 12.06.2023.

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 Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.

14. Adjourned to 12.06.2023.

(Medha Gadgil)
Member(A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

prk

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26.04.2023

**M.A 38/2023 in C.A 7/2023 in O.A 1012/2016 with
M.A 63/2023 in C.A 11/2023 with O.A 1013/2016
with O.A 642/2016 & O.A 764 to 766/2017**

S.S Mirgal & Ors

B.D Kadam & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

1. Heard Ms Preeti Walimbe, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.

2. The Respondents are directed to file affidavit in reply by way of last chance.

3. S.O to 5.7.2023.

Sd/-

Sd/-

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

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

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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..... Applicant/s

(Advocate))

versus

The State of Maharashtra and others

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(Presenting Officer.....)

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Date : 26.04.2023

M.A.No.287/2023 in O.A.No.470/2023

P.R. Kairnar & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. M.A.No.287/2023 is filed seeking for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.

5. M.A.No.287/2023 is allowed.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.973 of 2022</u></p> <p>Dr. Neelofar S. Bhorl ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 & 2 and Shri D.B. Khaire, learned Advocate for Respondent No.3.</p> <p>2. The Ld. Advocate for the applicant submits that applicant applied for the post of Associate Professor (Pediatrics) on contractual basis pursuant to advertisement dated 11.3.2022, which was for 364 days. By order dated 9.6.2022 the Applicant was selected and appointed to the post of Associate Professor (Pediatrics) on contractual basis at Govt. Medical College (GMC), Satara, after interview. The applicant submitted a representations dated 13.6.2022, 18.6.2022 & 22.6.2022 to respondent no.2 for change in posting to Solapur sympathetically. However, his request was rejected on 8.8.2022. Hence, this OA.</p> <p>3. Ld. Advocate for the applicant referred to a chart (page 29A) as to how marks are to be allotted. She challenges the appointment of respondent no.3 as Associate Professor at Solapur on the ground that he does not hold requisite qualification. She submits that applicant has got 25 marks whereas respondent no.3 has got 21 marks out of 100. She submits that applicant has got 7 marks and respondent no.3 has got 5 marks out of 10 in the interview. The next column refers to mandatory marks. There is no clarification as to what constitutes mandatory marks. Ld. Advocate submits that if the column of mandatory marks is removed, the applicant has highest marks. The reason given for non selection in Solapur is that she has scored less mark than respondent no.3. She states that applicant has more experience. She refers to sr. no.2 in the chart for PG teaching experience in concerned specialty (1 mark for every year). She refers to 5 years PG experience. She refers to letter dated 23.9.2013 issued by Maharashtra University of Health Sciences, Nashik and states that respondent no.3 did not attend the Research Methodology Workshop conducted by Regional Center, Pune and according to the terms his recognition stands automatically cancelled. She therefore submits that 10 marks given to respondent no.3 should be deducted. Ld. Advocate therefore submits that applicant is</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>eligible to be appointed by giving choice posting at Solapur. Ld. Advocate submits that selection process is malafide and illegal.</p> <p>4. Ld. PO submits that posting is not given on the basis of marks and seniority since appointments are on contract basis. She refers to chart showing selection of the candidates itself shows that post has not been given on the basis of marks. She refers to advertisement where the terms and conditions are prescribed and there is no mention of choice as per marks. So the selection process is valid. Ld. PO submits that representations of the applicant were rejected by letter dated 8.8.2022 as the applicant has not joined in time.</p> <p>5. Ld. Advocate for respondent no.3 submits that OA is not maintainable as the applicant did not join the post and therefore he has no locus to challenge the appointment of respondent no.3.</p> <p>6. Ld. PO relied on the affidavit dated 26.4.2023 filed by Vivek K. Pakhmode, Joint Director (Dental), DMER, Mumbai. In response to our query she states that mandatory marks were given on the basis of teaching experience and publication which is mandatory for the post.</p> <p>7. In this case it is very clear that postings are not decided on the basis of rank in the merit list. The applicant was offered a contractual appointment in GMC, Satara and she was directed to join within 15 days otherwise she would lose the claim. However, she did not join and made three representations to respondent no.2 that she should be given appointment at Solapur because she is more meritorious than respondent no.3. However, on instructions from Ms. Neha Bagwe, Office Superintendent, DMER office, Mumbai, Ld. CPO submits that respondent no.3 has more marks in publication. Applicant has got 2 marks whereas respondent no.3 has got 5 marks for publication. The word 'mandatory' is explained in para 2 and 2.1 of the affidavit dated 26.4.2023. There is no nexus between posting and marks obtained and the result about performance. The posting or transfer is a separate issue.</p> <p>8. In view of the facts and circumstances mentioned above, we find no merit in this OA as the applicant was offered contractual appointment and nowhere in the advertisement was it mentioned that applicant would get choice posting based on merit. Hence, OA is dismissed.</p> <p style="text-align: right;">Sd/- _____</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 26.4.2023 26.4.2023</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>Date : 26.4.2023</p> <p style="text-align: center;">O.A.No.60 of 2023</p> <p>Manjusha A. GhavateApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is serving as Forester , Social Forestry Department, Solaur from 2019. She has completed three years on the said post and was due for transfer, therefore, she made representations on 13.06.2022 and 17.10.2022 and requested for posting at Mohol Forest Range, Solapur on the ground that her father in law is suffering from paralysis and bedridden. Her parents in law seem to be residing at Solapur and, therefore, she requested for transfer to Mohol which is 30 k.m. away from Solapur. In this behalf, she made reference to G.R. dated 09.04.2018. However, her request was rejected by Respondent No.2 -Chief Conservator of Forest (Territorial), Pune by communication dated 18.01.2023. However, in the said communication he has categorically stated that Applicant's request will be considered in general transfer of 2023.</p> <p>3. In view of above, learned Counsel for the Applicant submits that O.A. be disposed of with liberty to Applicant to make representation afresh for her transfer in ensuing general transfer of 2023 since the Applicant is already due for transfer.</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>4. Learned P.O. also fairly concedes that request of the Applicant will be considered in general transfer of 2023.</p> <p>5. Now, the general transfers of 2023 are in process. The Applicant has already completed more than 3 years as a Forester, Karnala, Solapur. The post of Mohol is already filled in the meantime. Therefore, it would be appropriate to give opportunity to Applicant to make representation afresh giving her options so that it could be considered by the Respondent No.2 in general transfers of 2023.</p> <p>6. In view of above, the O.A. is disposed of with liberty to Applicant to make representation giving options within a week since the process of general transfer of 2023 is already begun. The Respondent No.2 - Chief Conservator of Forest (Territorial), Pune is directed to consider the representation and to pass appropriate order in accordance to rules while effecting general transfers of 2023 and it be communicated to the Applicant.</p> <p>7. In case, general transfers are not affected by the end of April and May as required, in that event also Applicant's representation shall be considered appropriately as individual case and necessary orders be passed by the end of 31.05.2023 and it be communicated to the Applicant.</p> <p>8. No order as to costs.</p> <p style="text-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 : 26.4.2023</p> <p align="center">O.A.No.1151 of 2022</p> <p>P. S. Kadam ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. S. Gaikwad, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing, learned Counsel for the Applicant sought permission to correct prayer clause 11(d) in respect of communication dated 25.02.2019. He stated that the date is wrongly mentioned as 25.02.2019 and permission be granted to correct it as 30.06.2020.</p> <p>3. Allowed to correct the date as 30.06.2020 in place of 25.02.2019. It be corrected forthwith.</p> <p>4. S.O. to 15.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 26.4.2023</p> <p align="center">O.A.No.374 of 2023</p> <p>K.M. SuravaseApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondent No.2 and Shri A. V. Bandiwadekar, learned Counsel for the Respondent No.1.</p> <p>2. In terms of order passed by the Tribunal on 12.04.2023, interim relief was granted to Applicant that he should not be displaced for two weeks from the date of order in view of filing of W.P. against the order passed by the Tribunal on 28.03.2023 in O.A.No.63/2023.</p> <p>3. Today, learned P.O. submits that Government has filed W.P. on 25.04.2023 and had taken circular for interim relief on 02.05.2023. He, therefore, requested to keep the matter on 03.05.2023 so as to avail necessary orders from the Hon'ble High Court.</p> <p>4. In view of above, by way of interim relief, the Applicant should not be displaced from present post till 03.05.2023.</p> <p>5. S.O.to 03.05.2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date: 26.04.2023</p> <p align="center">O.A. No.1114 of 2022</p> <p>R.P. MarekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. sought permission to file Affidavit-in-Reply since O.A. is already proceeded without Reply on 24.01.2023.</p> <p>3. In the interest of justice allowed to file Affidavit-in-Reply. It is taken on record and copy be given to other side.</p> <p>4. Since pleading is complete, O.A. be kept for Final Hearing with liberty to file Rejoinder.</p> <p>5. S.O. to 15.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 26.4.2023</p> <p align="center">O.A.No.197 of 2022</p> <p>D. S. Tike & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. The perusal of record reveals that Applicant and their Counsel are not attending the matter regularly and their absence is noted by the Tribunal in various orders. On previous date i.e. 06.04.2023, the matter was adjourned in view of leave note of the Advocate for the Applicants. However, today again the Applicants and their Advocate are absent.</p> <p>3. Thus, they seem not interested in the matter.</p> <p>4. The Original Application is, therefore, dismissed in default with no order as to costs.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p align="right">P.T.O. → [P.T.O.]</p>

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

LATER ON

5. In afternoon session Shri S.D. Patil, learned Advocate for the Applicant appeared and requested to restore the matter on the ground that he was busy in another court.

6. In the interest of justice order of dismissal is recalled and O.A. is restored. It be kept tomorrow for Final Hearing.

7. S.O. to 27.04.2023.

^
Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 26.4.2023</p> <p align="center">O.A.No.198 of 2022</p> <p>C. S. Lokhande & 0Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer holding for Ms S. P. Manchekar, learned C. P.O. for the Respondents is present.</p> <p>2. The perusal of record reveals that Applicant and their Counsel are not attending the matter regularly and their absence is noted by the Tribunal in various orders. On previous date i.e. 06.04.2023, the matter was adjourned in view of leave note of the Advocate for the Applicants. However, today again the Applicants and their Advocate are absent.</p> <p>3. Thus, they seem not interested in the matter.</p> <p>4. The Original Application is, therefore, dismissed in default with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p align="right">P. T. O. → [P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="760 363 889 394">LATER ON</p> <p data-bbox="760 427 1490 607">5. In afternoon session Shri S.D. Patil, learned Advocate for the Applicant appeared and requested to restore the matter on the ground that he was busy in another court.</p> <p data-bbox="760 651 1490 788">6. In the interest of justice order of dismissal is recalled and O.A. is restored. It be kept tomorrow for Final Hearing.</p> <p data-bbox="760 839 1105 878">7. S.O. to 27.04.2023.</p> <p data-bbox="1208 878 1268 947">Sd/-</p> <p data-bbox="1159 999 1360 1069">(A.P. Kurhekar) Member (J)</p> <p data-bbox="776 1123 821 1148">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 style="text-align: center;">Date: 26.04.2023</p> <p style="text-align: center;">O.A. No.421 of 2023</p> <p>M.T. AhireApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is retired Government servant and filed this O.A. for deciding appeal filed before Respondents in 2018.</p> <p>3. The Applicant was subjected to punishment. Chief Conservator of Forest and Director, Sanjay Gandhi National Park, Mumbai by order dated 29.12.2017 imposed punishment of reduction of lower time scale of pay for one year in terms of Rule 5 (v) of M.C.S. (Discipline and Appeal) Rules, 1979. Being aggrieved by it he filed appeal before Respondent – Additional Principal Chief Conservator of Forest (Administration - Subordinate Cadre), Nagpur on 20.02.2018. However, Respondents fail to decide the appeal though period of more than five years is over.</p> <p>4. Learned P.O. is directed to take instruction from the Additional Principal Chief Conservator of Forest, (Administration - Subordinate Cadre), Nagpur about the status of appeal and apprise the Tribunal at 02.30 p.m.</p> <p style="text-align: right; margin-right: 100px;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: right; margin-right: 50px;">[PTO.]</p> <p style="text-align: right; margin-right: 20px;">F.T. D →</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>L.O.</u></p> <p>5. In the afternoon session, learned P.O. on instructions submits that appeal is still pending with the Respondent - Additional Principal Chief Conservator of Forest (Administration-Subordinate Cadre), Nagpur for want of record.</p> <p>6. As stated above, the appeal is filed on 20.02.2018 and the period of more than five years is over. The Respondents in fact is under obligation to decide the appeal expeditiously within reasonable time so that Applicant could get his retiral benefits in case he succeeded in appeal. At present, the Applicant is 62 years old, therefore, the Respondent ought to have expedited hearing and decision of appeal but there is inordinate delay of on his part.</p> <p>7. In view of above, the O.A. is disposed of with directions to Respondent to decide the appeal filed by the Applicant within six weeks from today in accordance to law and the decision be communicated to the Applicant within two weeks thereafter.</p> <p>8. If the Applicant felt aggrieved by the decision in appeal, he is free to avail further legal remedy.</p> <p>9. No order as to costs.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</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: 26.04.2023</p> <p align="center">O.A. No.413 of 2023</p> <p>S.N. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has filed this O.A. for direction to the Respondents to release his Gratuity, Pension and other retiral benefits.</p> <p>3. At the very outset, disgusting to note total inaction, lethargy and negligence on the part of the Respondents to take appropriate decision in the matter which needs serious cognizance. The Applicant stands retired as Administrative Officer on 31.05.2020 but till date no final order is passed in the D.E. initiated against him while he was in service.</p> <p>4. The perusal of record reveals that D.E. was initiated for serious / misconduct and negligence causing huge financial loss to the Government. Enquiry officer conducted enquiry and held the Applicant guilty. Disciplinary Authority received report of enquiry officer on 03.10.2016. Thereafter, Disciplinary Authority / Respondent No.2 issued Show Cause Notice to the Applicant on 16.12.2016 calling his explanation as to why punishment of dismissal from service should not be imposed upon him. The Applicant submitted reply on 26.12.2016 denying the charges and correctness finding of the enquiry officer. However, no further action was taken in the matter and it was simply kept in cold storage. Ultimately, the Applicant stands retired on 31.05.2020 but no order was passed in D.E. till his retirement.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. It is only after retirement Respondent No.1 – Government issued Show Cause Notice on 23.10.2020 and proposed punishment of 30% deduction of Pension permanently and directed the Applicant to submit his explanation. He submitted his explanation on 16.12.2020. However, no further action is taken. Even thereafter the Applicant made various representations from time to time but in vain.</p> <p>6. It is on the above background, the Applicant is constrained to file the O.A. Indeed, in terms of various G.R. and instructions issued by Government, D.E. was required to be completed within six months or latest within a year. In present matter despite the positive report by the enquiry officer, for four years no final order was passed by the Respondent - Disciplinary Authority and the Applicant was allowed to retire on 31.05.2020. After his retirement quite belatedly Show Cause Notice was issued as to why 30% Pension should not be deducted permanently to which he submits Reply on 16.12.2020 and thereafter for more than two years no final order is passed by the Respondent No.1 which clearly shows total lethargy, inaction and sheer negligence on the part of Respondent No.1. There is huge inordinate delay to take matter to the legal conclusion.</p> <p>7. In view of above, Additional Chief Secretary, Revenue & Forest Department, Stamps & Registration (Revenue 1) is directed to file his Affidavit and to explain why no final order is passed in D.E. till date and he should also explain the reasons for such huge and inordinate delay. He should further explain why interest on retired dues should not be granted to the Applicant and why cost of O.A. should not be saddled upon him. Affidavit should be filed on Friday.</p> <p>8. Learned P.O. is directed to communicate this order to the Additional Chief Secretary, Revenue & Forest Department, Stamps & Registration (Revenue 1) immediately and Affidavit should be filed on Friday without fail.</p> <p>9. S.O. to 28.04.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</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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26.04.2023

M.A 682/2022 in O.A 760/2017

Shri S.R Yadav ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri D.B Khaire, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Misc Application is filed seeking direction to the Respondents to consider his case for grant of temporary promotion to the post of Additional Collector.

3. Learned C.P.O submits that she has not received any instructions in the matter.

4. We are of the view that sufficient time was granted to the Respondent-State. We direct that the case of the applicant be considered for grant of temporary promotion earlier or at the time of next D.P.C meeting, as per provisions of G.Rs dated 15.12.2017 and 1.8.2019.

5. Misc Application stands disposed of.

6. O.A 760/2017 to be placed on Board on 5.7.2023.

Sd/-

(Medha Gadgil)
Member (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Date : 26.04.2023 Tribunal's orders O.A.No.364/2023
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A.U. Raskar & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

OPERATIVE ORDER

1. Heard Mr. S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. We direct the Respondent to open the link today qua Applicants.
3. Adjourned 19.07.2023.

Sd/-

(Medha Gadgil)
Member(A)

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 26.04.2023

O.A.No.272/2023 with O.A.No.89/2023

N.B. Kolekar & Ors.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant in O.A.No.272/2023, Mr. S.S. Dere, learned Advocate for the Applicant in O.A.No.89/2023, Mr. M.D. Lonkar, learned Advocate for Respondent No.3 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents No.1 and 2.

2. Preliminary objection is raised by learned Advocate Mr. Lonkar on the point of territorial jurisdiction in O.A.No.272/2023 on the ground of maintainability of the O.A. We need to decide this issue finally for which Division Bench is not available.

3. Learned Advocate Mr. Bandiwadekar, par contra, submits that in the order dated 30.03.2023 it is stated that,

"2. It appears from the matter that this OA and another O.A.No.89/2023 (S.P. Kolte Vs. The State of Maharashtra Ors.) which is on today's board and interlined as both of them claim the seniority and the issue involved is of passing examination belatedly but not within the period of two years. Therefore, it is appropriate to hear both the matters together."

4. Learned Advocate Mr. Bandiwadekar relies on the order dated 30.03.2023 wherein this Tribunal has taken view that O.A.No.89/2023 and O.A.No.272/2023 are identical and therefore both the matters are tagged together.

5. We find that the appearance of learned Advocate Mr. Lonkar appearing for Respondent No.3 is not shown on that day and therefore in all fairness we need to hear learned Advocate Mr. Lonkar on this issue of maintainability of O.A on the territorial jurisdiction as the applicant was working at Nanded, by reversion he is brought to Mumbai

6. Adjourned to 07.06.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.364 OF 2023

A.U. Raskar & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

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

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

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

DATE : **26.04.2023.**

O R D E R

1. The three Applicants pray to direct the Respondent to accept the online application form and further direct the Respondent to allow the applicants to participate at all stages of selection on the basis of qualifications prescribed by the Central Government of India and also appoint them. By way of interim relief applicants pray that the Respondent be directed to accept their online application forms for the post of Assistant Commissioner (Food), Group-A pursuant to the advertisement dated 17.03.2023.

2. Learned Advocate for the Applicant has submitted that the advertisement was issued by the M.P.S.C. for various Departments in Group-A and Group-B Officers and in that advertisement the post of Assistant Food Safety Officer was not mentioned and thereafter by way of



corrigendum dated 17.03.2023 the post of Assistant Food Safety Officer was added. Learned Advocate for the Applicant relies on the judgment of the Hon'ble Supreme Court in the case of **Ashish Kumar Versus State of Uttar Pradesh reported in (2018) 3 SCC 55.**

3. Learned C.P.O. for the Respondents seeks time to file affidavit-in-reply.

4. We have gone through the advertisement so also corrigendum dated 17.03.2023, Notification dated 08.06.2022 for the recruitment of Food and Safety Officer, Group-A & Group-B and also Notification of the Government of India dated 16.01.2023. We reproduce the basic requirement of eligibility criteria for the post of Food and Safety Officer,

"1. in sub-rule 2.1.2 relating to 'Designated Officer',

(a) in clause 1 relating to qualification, -

(i) for sub-clause (i), the following clause shall be substituted, namely :-

"(i) The Designated Officer shall be a whole time Officer, not below the rank of Sub-Divisional Officer or equivalent and shall possess a Bachelor's or Master's or Doctorate degree in Science with chemistry as one of the subjects or shall possess at at least one of the educational qualifications prescribed for the Food Safety Officers under these rules or who has possessing not less than five years of experience as Food Safety Officers or has not less than seven years combined experience as Food Safety Officer and Food Inspector of which minimum four years as Food Safety Officer after commencement of the Food Safety and Standards Act;"

5. The Notification dated 08.06.2022 of the State of Maharashtra reads,

"4. Appointment to the post of Assistant Commissioner (Food)-cum-Designated Officer (Group-A) shall be made either -

(ii) by nomination, on the basis of result of competitive examination held by the Commission from amongst the persons who,

(b) possesses the educational qualification as may be prescribed by the Central Government from time to time under this Act.”

6. Thus, for the purpose of educational qualification and experience we need to look into the Statutory Rules dated 16.01.2023. It is to be noted that as per Notification persons holding different qualifications are covered under number of categories by conjunction ‘OR’. Thus, the Applicants who are possessing not less than 5 years’ experience as Food and Safety Officer are eligible under Notification of 16.01.2023 and so also eligible as per State of Maharashtra Recruitment Rules dated 08.06.2022.

7. Prima facie, the applicants are found qualified to appear for the examination. Applicants are allowed to fill up the forms and appear for the examination subject to their eligibility criteria and the results thereof will be subject to the out come of this O.A.

8. In the judgment of **Ashish Kumar (supra)**, the Hon’ble Supreme Court has held that there is difference in the advertisement and Recruitment Rules, the Recruitment Rules prevail and also has explained how the word ‘OR’ is to be read while interpreting the sentence.

9. We direct the Respondent to open the link today qua Applicants.

10. Adjourned 19.07.2023.

(Medha Gadgil)
Member (A)

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

prk

**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>26.04.2023</u></p> <p style="text-align: center;"><u>O.A 205/2023</u></p> <p>Shri C.D Tambe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O placed on record copy of G.Rs dated 1.8.2011 and 17.5.2015 from G.A.D and Finance Department respectively. We would like to place the reality before the concerned Principal Secretary of the concerned Department that the procedure laid down for the disposal of the dead stock appears to be too stringent, lengthy and complicated. Hence the old dead stocks are not disposed of often in the Government departments. The concerned Departments to take note and accordingly the necessary rules could be framed.</p> <p>3. Learned counsel for the applicant submits that the Principal Secretary, Skill Development has visited the office on 27.4.2015 and has directed the applicant to right off the dead stock. He submits that thereafter the applicant has initiated the process and formed the Committee and he has not done anything of his own.</p> <p>4. We are informed by learned P.O, Shri Chougule, that as on today two witnesses are examined and the applicant has moved application before the Enquiry Officer that two witnesses are to be examined and the matter is now fixed on 23.5.2023. Learned P.O submits that one Government witness Mr A.M Jadhav and two witnesses cited by the applicant are to be examined.</p> <p>5. We direct the Enquiry Officer to prepone the date of enquiry and complete the enquiry on or before 31.5.2023. The applicant is directed to remain present and cooperate in the enquiry and no adjournment should be sought. The applicant should be informed the date of enquiry, two days in advance.</p> <p>6. S.O to 5.6.2023.</p>

Sd/-
(Medha Gadgil)
Member (A)

Akn

Sd/-
(Mridula Bhatkar, J.)
Chairperson

**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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26.04.2023

O.A 1162/2022

Savita A Pathare ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Learned counsel for the applicant presses for interim relief. However, on account of paucity of time, we are unable to hear the matter today.

3. We direct the Respondents to file affidavit in reply by way of last chance.

4. S.O to 5.7.2023.

Sd/-

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

Akn

Sd/-

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

**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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26.04.2023

O.A 82/2023

B.M Makwana & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Learned counsel Mr Lonkar submits that the applicants who are present in Court have engaged another lawyer and he has given his No Objection Certificate. Learned Counsel Mr S.S Dere holding for Shri M.V Thorat states that today he will be filing Vakalatnama in the Registry.

3. The Registry is directed to delete the name of Mr M.D Lonkar, A.M Lonkar and O.M Lonkar from the file and the same be substituted by the name of Mr M.V Thorat, learned counsel for the applicants.

4. S.O to 19.7.2023.

Sd/-

(Medha Gadgil)
Member (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 26.04.2023

O.A.No.383/2023

S.R. ThombareApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. Last chance is granted to learned C.P.O. to file reply.

3. Adjourned to 19.07.2023.

Sd/-
(Medha Gadgil)
Member(A)

prk

Sd/-
(Mridula Bhatkar, J.)
Chairperson

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.883 of 2022</u></p> <p>Shivani R. Zanzurne ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. V.K. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that as per advertisement dated 3.9.2019, 66 posts of Constables were advertised and out of which 3 were for Bandsman. Merit list was prepared including Bandsman for 66 posts. Ms. Rekha More is the topper in 66 candidates. As per 30% reservation, 21 posts are reserved for Women and in that 5 posts were for Open Female. Rekha More was selected in the Bandsman general category. Including Rekha More 30% reservation is completed. Subsequently Rekha More did not join as Bandsman and she joined as Police Constable.</p> <p>3. Ld. Advocate for the applicant submits that as per advertisement there were 66 posts. Rekha More has joined as Police Constable not from this recruitment process but from some other recruitment process.</p> <p>4. Ld. PO clarifies that applicant has never filed up form in the category of Bandsman therefore she cannot be considered in the vacancy of Rekha More. Whereas Rekha More has applied for Bandsman and selected for Bandsman and respondent no.2 has also applied in the Bandsman category. As Rekha More did not join the said post fell vacant and it was rightly given to respondent no.2 as he has applied in the said category. She further clarifies that there are 3 posts of Bandsman and not a single post was reserved for female and therefore she submits that this OA is not maintainable. Under such circumstances no order can be passed against respondent no.2.</p> <p>5. Ld. Advocate for the applicant seeks leave to delete the name of respondent no.2 and include the name of last male candidates as party respondent as she is submitting that 30% quota of female is not filled up.</p> <p>6. On proper application to the respondents authority, address be provided to the Ld. Advocate for the applicant.</p> <p>7. S.O. to 21.6.2023 at the request of Ld. Advocate.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 26.4.2023</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 26.4.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 26.04.2023</p> <p>O.A.No.388/2023 with M.A.No.247/2023 with M.A.No.248/2023</p> <p>K.N. Bhosale & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. P.S. Phagnekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A.No.247/2023 is filed seeking for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A.No.247/2023 is allowed.</p> <p>6. M.A.No.248/2023 is filed seeking condonation of delay of 15 years, 11 months and one day.</p> <p>7. Learned Advocate has submitted that she has substantial reasons to justify the delay and seeks time to file affidavit stating reasons for 15 years delay.</p> <p>3. Learned C.P.O., par contra, relies on the ratio laid down in the case of <u>State of Rajasthan & Ors. Versus Surji Devi</u> reported in (2022) 1 SCC 17. In the said case there was delay of 15 years delay on the date of which the employee had superannuated and therefore on that ground of delay alone it was dismissed and appeal was allowed by the Hon'ble Supreme Court</p> <p>5. M.A.No.247/2023 is allowed. M.A.No.248/2023 in O.A.No.388/2023 adjourned to 22.06.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) 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 : 26.04.2023</p> <p align="center">C.A.No.73/2022 in O.A.No.119/2019 with O.A.No.705/2020 with O.A.No.576/2020</p> <p>A.T. SakoreApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. for the Respondents produces letter dated 25.04.2023 issued by the Additional Labour Commissioner, Pune Region to the Commissioner Labour, Mumbai that two persons from Enkei Wheels India Limited, Shikrapur, Pune, namely Mr. Santosh Naik, Deputy Manager and Mr. Chandgude, H.R. Representative have appeared before the Additional Commissioner, Pune on 21.04.2023 and they sought time of seven days to ask their legal consultant about the certificate issued to the Applicant. The said letter dated 25.04.2023 is taken on record and marked as Exhibit-A.</p> <p>3. In view of above, Adjourned to 07.06.2023.</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
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Date : 26.04.2023

M.A.No.287/2023 in O.A.No.470/2023

P.R. Kairnar & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. M.A.No.287/2023 is filed seeking for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.

5. M.A.No.287/2023 is allowed.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p align="center">Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p align="center">Tribunal's orders Date : 26.04.2023</p>
	<p align="center">C.A.No.8/2023 in O.A.No.287/2020 with C.A.No.9/2023 in O.A.No.197/2021</p> <p>Dr. P.N. Kakade & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. U.Y. Ukey, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. seeks time in view that the Respondent-State is in the process of implementation of the order dated 15.06.2022 passed by this Tribunal.</p> <p>3. Last chance is granted to the Respondents to comply with the order. If order is not complied with, contempt notice will be issued in the name of the concerned Respondents.</p> <p>4. Adjourned to 21.06.2023.</p> <p align="center">Sd/- (Medhā 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

Date : 26.04.2023

C.A.No.76/2022 in O.A.No.489/2021

Dr. R.R. AsawaApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. Applicant in person produces judgment of Hon'ble Supreme Court dated 11.04.2023 passed in Civil Appeal No.2471/2023 (SLP (C) No.6185/2020), the Director (Admn. and HR) KPRCL & Ors. Versus C.P. Mundinamani & Ors. wherein the issue of granting increment by which Civil servants who are retiring on 30th June are entitled to annual increment of that accrued on 1st July is decided affirmatively. Party in person states that the State of Haryana and Tamil Nadu have already taken decision in favour of the persons who retire on 30th June.

3. Learned C.P.O. has submitted that she needs time to as the State is waiting for the directions from the Central.

4. Adjourned to 14.06.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1205 of 2022</u></p> <p>Ashok M. Sapkal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Madhavi Ayyappan i/b Talekar & Associates, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The matter is fixed on 15.6.2023 and till then the State not to take any coercive action.</p> <p>3. S.O. to 15.6.2023. HOB.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 26.4.2023 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 26.4.2023</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>26.04.2023</u></p> <p align="center"><u>O.A 1078/2016 (O.A 443/2014-Nagpur)</u></p> <p>Shri R.D Wardhane & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.Y Sakhare with Shri K.R Jagdale, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondent no. 1, Shri B.A Bandiwadekar, learned counsel for Respondents no 2 & 3 and Shri Mahesh Deshmukh, learned counsel for Respondent no. 15 & 16.</p> <p>2. Learned counsel for Respondents no 15 & 16 submits that he wants to file reply to the additional affidavit. That reply is to be filed on or before 23.6.2023 and it is to be served on the applicants as the matter is fixed on 5th & 6th July, 2023. Liberty is also given to the Respondent-State to file reply, if any on or before 23.6.2023. All the pleading should be completed before 23.6.2023.</p> <p>3. S.O to 5.7.2023 for final hearing.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>26.04.2023</u></p> <p align="center"><u>O.A 92/2023</u></p> <p>Dr D.K Landge ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.V Thorat, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant state that the applicant wants to withdraw the Original Application as the prayer has become infructuous.</p> <p>3. Original Application stands disposed of as withdrawn.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</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><u>26.04.2023</u></p> <p align="center"><u>O.A 1016/2021</u></p> <p>Shri S.R Kasar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.S Gaikwad, learned advocate for the applicant, Smt K.S Gaikwad, learned P.O for the Respondents no 1, 2 & 3. Shri E.R Dhokale and S. Dhongade learned counsel for Respondent no. 4 absent.</p> <p>2. Shri E.R Dhokale and S. Dhongade learned counsel for Respondent no. 4 is directed to remain present on the next date.</p> <p>3. S.O 8.6.2023.</p>

Sd/-

(Medha Gadgil)
Member (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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: 26.04.2023</p> <p align="center">O.A. No.372 of 2023</p> <p>S.V. PhadkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Advocate for the Applicant has sent his leave note. 2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. 3. In view of leave note sent by learned Advocate for the Applicant O.A. be kept on 07.06.2023 as requested by him. 4. S.O. to 07.06.2023. <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

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>Date: 26.04.2023</p> <p>O.A. No.373 of 2023</p> <p>A.A. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Advocate for the Applicant has sent his leave note.</p> <p>2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>3. In view of leave note sent by learned Advocate for the Applicant O.A. be kept on 07.06.2023 as requested by him.</p> <p>4. S.O. to 07.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 26.04.2023</p> <p>M.A. No.107 of 2023 in O.A. No.192 of 2023</p> <p>D.V. SawantApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri A.S. Dhannawat, learned Advocate for the Applicant has sent his leave note.</p> <p>2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. Shri P. Singh, learned Advocate for the Respondent No.2 is absent.</p> <p>3. On request of learned P.O. one week time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>4. S.O. to 04.05.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 26.04.2023</p> <p align="center">O.A. No.213 of 2023</p> <p>P.S. GharatApplicant 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. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 07.06.2023.</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____

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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: 26.04.2023</p> <p align="center">O.A. No.279 of 2023 with O.A. No.281 of 2023 with O.A. No.282 of 2023</p> <p>S.R. Mate D.R. Shinde V.W. MarneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. last chance is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 09.06.2023.</p> <p align="right">Sd/- v (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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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: 26.04.2023</p> <p align="center">O.A. No.337 of 2023 with O.A. No.338 of 2023</p> <p>N.R. Shinde V.C. PadoleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondent Nos.1 & 2.</p> <p>2. Learned P.O. sought time to file Affidavit-in-Reply. Mr. Nikhil Agrawal learned Advocate holding for Mr. Pranil Sonawane, learned Advocate for the Respondent No.3 submits that he undertake to file Vakalatnama and Affidavit-in-Reply on next date.</p> <p>3. Adjourned for filing Affidavit-in-Reply of Respondents.</p> <p>4. S.O. to 09.06.2023.</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 align="center">Date: 26.04.2023</p> <p align="center">O.A. No.417 of 2022</p> <p>R.P. GageApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Junior Advocate holding for Shri V. Sangvikar, 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 by way of last chance.</p> <p>3. S.O. to 03.05.2023.</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: 26.04.2023</p> <p align="center">O.A. No.427 of 2018</p> <p>R.J. SawantApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted to file Affidavit-in-Reply to the amendment as last chance.</p> <p>3. S.O. to 04.05.2023.</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____

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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: 26.04.2023</p> <p align="center">O.A. No.381 of 2021</p> <p>D.B. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. Since matter is already proceeded without Reply, learned P.O. sought permission to file Affidavit-in-Reply. In the interest of justice allowed to file the same. It be taken on record. Perusal of record reveals that the Applicant and his Advocate are repeatedly absent in O.A. The Applicant has challenged suspension order dated 02.06.2021. Learned P.O. has pointed out that subsequently the Applicant is dismissed from service by order dated 21.06.2022. Copy of order of dismissal is filed along with Affidavit-in-Reply. Thus, in view of dismissal of the Applicant from service, challenge to the order dated 02.06.2021 does not survive. O.A. has become infructuous and disposed of with no order as to costs. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">[PTO.]</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 : 26.4.2023</p> <p align="center">O.A.No.736, 737 & 738 of 2022</p> <p>J. B. Patil & Ors.Applicants</p> <p align="center">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Ujwala Patil, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicants requested for adjournment on the ground that these Original Applications be kept with connected O.A.s after vacation.</p> <p>3. S.O. to07.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 26.4.2023</p> <p align="center">O.A.No.1278 of 2022</p> <p>P. S. SalviApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Samrudhi holding for Shri S. Lavte , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., the matter is adjourned for final hearing.</p> <p>3. S.O. to 02.05.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 26.4.2023</p> <p align="center">O.A.No.49 of 2023</p> <p>B. S. LambhateApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The O.A. is already processed ^{PROCESSED} without reply as per order passed by the Tribunal on 03.04.2023 and today O.A. is for hearing. However, learned P.O. again sought time to file reply stating that reply in the present matter is necessary. He further submits that he sent various letters to District Collector, Satara for filing Affidavit in reply but he is not responding.</p> <p>3. Learned P.O. requested for one week time to file reply.</p> <p>4. Indeed, in view of communication made by learned P.O., the Collector, Satara ought to have responded and reply should have been filed at least today. The Collector, Satara seems not serious about the matter.</p> <p>5. However, in the interest of justice, one week time is granted by way of last chance subject to cost of Rs.2000/- to be paid on or before next date.</p> <p>6. S.O. to 04.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 26.4.2023</p> <p align="center">O.A.No.197 of 2022</p> <p>D. S. Tike & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. The perusal of record reveals that Applicant and their Counsel are not attending the matter regularly and their absence is noted by the Tribunal in various orders. On previous date i.e. 06.04.2023, the matter was adjourned in view of leave note of the Advocate for the Applicants. However, today again the Applicants and their Advocate are absent.</p> <p>3. Thus, they seem not interested in the matter.</p> <p>4. The Original Application is, therefore, dismissed in default with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 26.4.2023</p> <p align="center">O.A.No.197 of 2022</p> <p>D. S. Tike & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. The perusal of record reveals that Applicant and their Counsel are not attending the matter regularly and their absence is noted by the Tribunal in various orders. On previous date i.e. 06.04.2023, the matter was adjourned in view of leave note of the Advocate for the Applicants. However, today again the Applicants and their Advocate are absent.</p> <p>3. Thus, they seem not interested in the matter.</p> <p>4. The Original Application is, therefore, dismissed in default with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>