

ORIGINAL APPLICATION NO. 233 OF 2021
(Balasaheb K. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Shri P.A. Kulkarni, learned Advocate for the applicant (**Absent**).

Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3. Same is taken on record.

3. Await service of notice on respondents except respondent No. 3.

4. S.O. to 01.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 234 OF 2021
(Rameshwar E. Chadidar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Shri P.A. Kulkarni, learned Advocate for the applicant (**Absent**).

Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3. Same is taken on record.

3. Await service of notice on the respondents except respondent No. 3.

4. S.O. to 01.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 335 OF 2021
(Dnyaneshwar B. Bulbule & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri K.B. Bhise, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 16. Nobody is present on behalf of respondent Nos. 17 to 20 (private respondents), though duly served.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 16.

3. S.O. to 29.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 392 OF 2021
(Pravin R. Hivrle & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants submits that during the course of the day he would file service affidavit.

3. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.

4. S.O. to 29.09.2021.

MEMBER (A)

MEMBER (J)

**M.A. No. 179/2021 in O.A. St. No. 695/2021
(Ashok K. Bhalerao & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 26.08.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate holding for Shri Ashish Rajkar, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 09.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 436 OF 2020
(Indrasen M. Tikare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 3. Same is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer submits that Departmental Enquiry initiated against the applicant is closed down. He further submits that after closing down the Departmental Enquiry against the applicant, amount of G.P.F. and provisional pension is given to the applicant.

4. Learned Advocate for the applicant submits that the grievance of the applicant in respect of prayer clause X (B) is redressed. So far as prayer clause X (C) is concerned, he submits that Original Application can be disposed of by giving suitable directions to the respondents.

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O.A. No. 436/2020

5. In the circumstances, the respondents are directed to release the requisite gratuity amount, leave encashment amount, amount of commutation value of pension and regular pension in accordance with law within a period of three months from the date of this order.

6. Accordingly, the Original Application stands disposed of with no order as to costs.

MEMBER (A)

MEMBER (J)

M.A. No. 263/2021 in O.A. St. No. 1134/2021
(Ganesh K. Chate & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The Original Application is filed for seeking relief of correction in the seniority list by publishing separate seniority list of 5% of Civil Engineering Assistants.

3. The applicant No. 1 belongs to NT-D category, whereas the applicant No. 2 belongs to Open category. They were appointed initially on 19.01.2010 & 24.09.2008 respectively. Both of them are working on the post of Civil Engineering Assistant. Their grievances are of similar nature and they are seeking relief against the same respondents. In view of the same, permission is granted to the applicants to sue the respondents jointly, subject to payment of court fee stamps, if not paid.

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MA 263/2021 in
OA St. 1134/2021

4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 26.08.2021

**ORIGINAL APPLICATION ST. NO. 1134 OF 2021
(Ganesh K. Chate & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 26.08.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 30.09.2021.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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

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O.A. St. No. 1134/2021

(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 acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 30.09.2021.

8. Steno copy and Hamdast is allowed to both parties.

9. The present matter be placed on separate board.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 473 OF 2021
(Manisha S. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 26.08.2021

ORAL ORDER :

Heard Shri P.B. Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Pursuant to the advertisement dated 21.02.2019 (Annexure- A) issued by the respondent No. 2, the applicant applied for the post of Statistical Investigator, Class-C. By making online application (Annexure A-1), she applied for the said post in the category of OBC (Female).

3. It is stated that the applicant is holding degree of B.Sc. with Mathematics and Statistics, the Statistics being optional subject. Mathematical Statistics was also optional subject. The main subjects of B.Sc. degree were Chemistry, Computer Science and Mathematics. The applicant was selected for the said post in the category of OBC (Female). As per select list (Annexure A-5), she was called for documents verification. As per letter dated 07.06.2021 (Annexure

A-4), she presented documents of her educational qualification.

4. In the degree certificate, there is mention of main subjects only Chemistry, Computer Science and Mathematics. The respondent No. 2 by issuing letter dated 28.06.2021 (Annexure A-7), sought clarification from the Registrar, Dr. Babasaheb Ambedkar Marathwada University, Aurangabad, wherefrom the applicant had completed her degree course of B.Sc. The said University by letter dated 26.06.2021 (Page no. 39 of paper book) informed the respondent No. 2 that one of the additional subjects was Mathematical Statistics, but it is not mentioned in the degree certificate. However, the respondent No. 2 did not accept the said explanation and issued impugned letter dated 26.07.2021 (Annexure A-8) informing the applicant that the documents produced by the applicant would not show that she is B.Sc. with Mathematics, as well as, Statistics.

5. Hence, the applicant was disqualified for the said post. The said communication is challenged in the present Original Application and the applicant is

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O.A. No. 473/2021

seeking interim relief in terms of prayer clause 16 (d), which reads as under:-

“(d) Pending the hearing and final disposal of this Application, be pleased to direct the respondents not to appoint any other person pursuant to the advertisement dated 21.02.2019 for the post of Statistical Investigator OBC (female) category;”

6. Learned Presenting Officer opposed the submissions made on behalf of the applicant and invited our attention to the impugned communication dated 26.07.2021 (Annexure A-8), whereby it is recorded that even in mark sheet produced by the applicant separate subject of Statistics is not mentioned and it is only mentioned Mathematics XIII (503).

7. After having considered rival submissions as above, prima-facie, we find that the applicant has secured degree of B.Sc. with subjects of Chemistry, Computer Science and Mathematics as main subjects and Mathematical Statistics as optional subject. At this primary stage, we cannot discard the educational qualification of the applicant where one of the subjects

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O.A. No. 473/2021

is Mathematical Statistics. Perusal of the impugned communication dated 26.07.2021 (Annexure A-8) also do not prima-facie say that there is substantial difference in the subject of Mathematical Statistics and Statistics. In view of the same, at this stage, we are of the opinion that the interest of the applicant would be duly protected by directing the respondents to keep one post vacant in the category of OBC (Female) till filing of the affidavit in reply by the respondents. Ordered accordingly.

8. Issue notice to the respondents, returnable on 01.10.2021.

9. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

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

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O.A. No. 473/2021

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. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

13. S.O. to 01.10.2021.

14. Steno copy and Hamdast is allowed to both parties.

15. The present matter be placed on separate board.

MEMBER (A)

MEMBER (J)

C.P. No. 25/2020 in O.A. No. 284/2020
(Sidram M. Koli Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri K.P. Rodge, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The present C.P. is arising out of order dated 24.08.2020 passed in O.A. No. 284/2020. By the said order, the respondent Nos. 2 and 3 were directed to consider the application dated 23.06.2020 made by the applicant for his transfer at Aurangabad in view of guidelines of couple convenience, as his wife is working in MSRTC at Aurangabad. At the relevant time, the applicant was working at Vaijapur. According to the applicant, the respondent Nos. 2 and 3 have not considered his application dated 23.06.2020 favourably. It is noticed that there is no mention in the said application dated 23.06.2020 as to since when wife of the applicant is working at Aurangabad. In view of above, hearing of the present O.A. is postponed, so that the learned Advocate for the applicant can take necessary instructions from the applicant and make submission on that.

3. S.O. to 20.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 931 OF 2016
(Chudaman D. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri Shrikant S. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present Original Application was filed challenging the issuance of charge-sheet dated 16.05.2016 against the applicant by the respondent No. 2.

3. Today the learned Advocate for the applicant placed on record a copy of Government Order dated 10.08.2020 and submitted that by the said Government order, the charge-sheet issued against the applicant is withdrawn. Copy of the said order is taken on record and marked as document 'X' for the purpose of identification. In view of the same, the grievance of the applicant made in the present Original Application can be said to have been redressed. Hence, the Original Application stands disposed of with no order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 930 OF 2016
(Chudaman D. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri Shrikant S. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present matter be placed before the Single Bench on 24.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.829 OF 2018
(Kiran Pranav Prabhakar Kolte Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Ms. Pradnya Talekar, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Pleadings are complete. The matter is admitted and kept for final hearing on 16.09.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.96 OF 2020
(Kiran Kolte Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 26.08.2021

ORAL ORDER :

Heard Ms. Pradnya Talekar, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicant and Smt. M.S. Patni, learned Presenting Officer for the Respondents.

2. Pleadings are complete. The matter is admitted and kept for final hearing on 16.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.320 OF 2020
(Santosh N. Dhongde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. Pleadings are complete. The matter is admitted and kept for final hearing on 15.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.424 OF 2020
(Anil D. Kondhare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri Suhas R. Shirsat, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. By consent of both the parties, S.O. to 01.09.2021 for hearing at the stage of admission.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.454 OF 2020
(Ambadas P. Lagad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 26.08.2021

ORAL ORDER :

Heard Shri Suhas R. Shirsat, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. By consent of both the parties, S.O. to 01.09.2021 for hearing at the stage of admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.183 OF 2021
(Satyajeet M. Ambhore Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri Vishal P. Bakal, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Record shows that the affidavit-in-reply on behalf of Respondent Nos.2 & 3 is already filed separately.

3. Learned P.O. for the Respondents places on record the copy of communication dated 05.08.2021 addressed from the office of Respondent No.2 to the office of Respondent No.1 requesting that the separate reply of Respondent No.1 is necessary considering that the G.R. is challenged. The same is taken on record and marked as document 'X' for the purpose of identification.

4. In view of same, in our opinion, it would be just and proper to grant some time to enable the Respondent No.1 to file affidavit-in-reply.

5. S.O. to 15.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.537 OF 2019
(Narendra R. Thakur Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Ms. Pradnya Talekar, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. The present case be treated as part heard.
3. At the request and by consent of both the parties, S.O. to 15.09.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 497/2020
(Bhujang V. Godbole Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time for filing affidavit in reply of the respondents. Time granted as a last chance.

3. The record shows that in the present O.A. the applicant has challenged the communication dated 15.7.2019 issued by the respondent, whereby the absence period of the applicant for 112 days was treated as leave without pay, however, in the said communication the place of posting of the applicant is not mentioned. From the order dated 6.6.2017 (Annex. A-1) it seems that the applicant was transferred from Police Station, Jintur to Mumbai City. However, it is not clear that during those 112 days the posting of the applicant was at Police Station, Jintur or in Mumbai City. In view of the same, the issue of territorial jurisdiction also arises, which is kept open.

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4. S.O. to 23.9.2021.

MEMBER (J)

ARJ ORAL ORDERS 26.08.2021

ORIGINAL APPLICATION NO. 306/2021
(Smt. Suwarna s. Bedre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 24.9.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 319/2021
(Netaji G. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 26.08.2021

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Affidavit in reply is already filed by the respondent nos. 1 to 4. The matter was fixed for filing rejoinder affidavit on behalf of the applicant. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.

3. In the circumstances, S.O. to 24.9.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 484/2021
(Shrimant M. Ubale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 26.08.2021

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. During the course of the arguments, it is noticed that the Coordinate Single Bench has dealt with the similar matters arising out of the general transfer order dated 23.8.2021 issued by the Superintendent of Police, Beed in O.A. nos. 406/2021 and 471/2021.

3. In view of the same, in order to avoid conflicting orders, the present matter be placed before the Coordinate Single Bench.

4. In the circumstances, S.O. to 27.8.2021 before Shri Bijay Kumar, Hon'ble Member (A).

MEMBER (J)

ORIGINAL APPLICATION NO. 481/2020
(Sunil G. Machewad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has placed on record the withdrawal pursis signed by the applicant and submits that the applicant does not wish to proceed with the present O.A. and intends to withdraw the same. It is taken on record and marked as document 'x' for the purpose of identification. Therefore, the learned Advocate seeks leave of the Tribunal to withdraw the present O.A.

3. This Tribunal has no reason to refuse the permission to withdraw the present O.A. Hence, leave as prayed for by the learned Advocate for the applicant is granted.

4. Accordingly, the present O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION NO. 479/2019
(Khobraji L. Bele Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 26.08.2021

ORAL ORDER :

Shri N.R. Thorat, learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 9.9.2021 for dismissal.

MEMBER (J)

ORIGINAL APPLICATION NO. 486/2021
(Dr. Vishnudas D. Kale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The applicant has been working on the present post of Medical Officer at Ayurvedic Dispensary, Ghatnandra, Tq. Sillod, Dist. Aurangabad from 22.7.2019 as per his joining report (Annex. A-3 page 20). Thereafter, the applicant made representation on 18.1.2020 (Annex. A-4 page 21) requesting his transfer at Ayurvedic Dispensary, Wadapokhran, Tq. Dahanu, Dist. Palghar on the post of Medical Officer Group-B, which would be vacant on retirement of Officer working there on 31.1.2020. The said request of the applicant was not considered by the respondents in the year 2020. The said request was made by the applicant as his parents were residing in a village in Palghar District and nobody else was there to look after them. In the O.A., however, the applicant has stated that his wife and school going children were also residing with his parents at village Manor, Tq. and

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ORIGINAL APPLICATION NO. 486/2021

Dist. Palghar. As the request of the applicant in January, 2020 was not considered by the respondents, the applicant shifted his family at Aurangabad in January, 2021 and his children are taking education at Aurangabad. However, thereafter by the impugned order dated 24.8.2021 (Annex. A-1 page 12), the applicant has been transferred from the post of Medical Officer Group-B, Ayurvedic Dispensary, Ghatnandra, Tq. Sillod, Dist. Aurangabad to Zilla Parishad / Ayurvedic Dispensary, Wadapokharan, Dist. Palghar. In the said order it is mentioned that the applicant has been transferred as per his request. However, document dated 28.7.2019 (Annex. A-6) issued by the res. no. 1 would show that the proposal of transfer was not made to the Civil Services Board and Civil Services Board also did not accept the request transfer of the applicant stating that the proposal is not accepted. Despite that the applicant has been transferred by the impugned transfer order being it as 'request transfer'.

3. Learned Advocate also pointed out that by the said report dtd. 28.7.2021 (Annex. A-6) the res. no. 5 – Dr. Sunil Karbhari Pallhal – has been transferred at

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ORIGINAL APPLICATION NO. 486/2021

the post held by the applicant in Ayurvedic Dispensary, Ghatnandra, Tq. Sillod, Dist. Aurangabad. In view of the same, the learned Advocate for the applicant submits that the impugned order of transfer of the applicant as well as the respondent no. 5 are in contravention of the provisions of section 4(4) and 4(5) of the Transfer Act, 2005.

4. Learned P.O. for the respondents submitted that the request application of the applicant dated 18.1.2020 (Annex. A-4) has been considered by the respondents and the applicant has been transferred and as such it cannot be said that the said transfer order dtd. 24.8.2021 (Annex. A-1) is passed in contravention of the provisions of the Transfer Act, 2005.

5. After having considered the submissions of both the sides, the documents placed on record it is evident that the applicant as well as the res. no. 5 have made applications requesting the respondents to transfer them from the respective places. However, the Civil Services Board's report dtd. 28.7.2021 (annex. A-6) shows that the said request transfers of the applicant

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ORIGINAL APPLICATION NO. 486/2021

and the res. no. 5 were not accepted by the Civil Services Board as well as by the Department. Despite that by the impugned order dtd. 24.8.2021 (Annex. A-1) both of them have been transferred. Due to transfer of the res. no. 5 on the post held by the applicant, the applicant is being suffered.

6. In view of above, the question arises as to whether once the Civil Services Board does not accept the request made by the applicant as well as by the res. no. 5, the competent transferring authority can pass the transfer order U/s 4(4) and 4(5) of the Transfer Act, 2005. Perusal of the transfer order dtd. 24.8.2021 would show that though the transfers are shown U/s 4(4) & 4(5) of the Transfer Act, in fact, said transfers are made as per the request of the applicant as well as the res. no. 5. It is the fact that the res. no. 5 has not made any request for his transfer at Ghatnandra, Tq. Sillod, Dist. Aurangabad, still he is transferred there. Even in the case of the applicant, though the competent authority did not recommend his transfer as per the request and though the Civil Services Board also did not accept the said request

::-5-:: **ORIGINAL APPLICATION NO. 486/2021**

transfer of the applicant, the applicant has been transferred by the impugned order.

7. In view of the same, prima-facie, it seems that the impugned transfer order dated 24.8.2021 (Annex. A-1) of the applicant is prejudicial. Hence, this is a fit case to grant interim stay to the execution and operation of the impugned transfer order till filing of affidavit in reply by the respondents. It is ordered accordingly.

8. Issue notices to the respondents, returnable on 23.9.2021.

9. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

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

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ORIGINAL APPLICATION NO. 486/2021

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. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

13. S.O. to 23.9.2021.

14. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 1082/2019
(Naresh W. Sakpal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri L.V. Sangit, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 1.9.2021 for hearing at the admission stage.

MEMBER (J)

**ORIGINAL APPLICATION NO. 144/2021
(Vithal T. Jadhav Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned Presenting Officer files affidavit in reply on behalf of res. nos. 1 to 3. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 23.9.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 683/2019
(Shivaji M. Ghantewad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 16.9.2021 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.941 OF 2019
(Dr. Shukracharya G. Dudhal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Ms. Pradnya Talekar, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. At the request and by consent of both the parties, S.O. to 15.09.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.471/2021
(Shankar Galdhar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri J.S.Deshmukh, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents.

2. Learned P.O. submits photocopy of minutes of meeting of Police Establishment Board dated 29th July, 2021 accompanied by forwarding letter signed by Superintendent of Police, Beed dated 26-08-2021. It is apparent on the face of record that Police Establishment Board has made the transfer of the applicant following guidelines issued by the Government of Maharashtra for effecting transfers under the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 ("Transfer Act" for short) according to which any member of Police Constabulary which includes the rank of applicant, is due for transfer outside of Taluka on completion of 12 years of service in a Taluka. Posting of the applicant has been in Georai Taluka since 2008 and for total 13 years he has served there. Therefore, this transfer is according to the guidelines issued by the Government of Maharashtra.

3. The case of the applicant is that he has been transferred to the office of Sub Divisional Police Officer,

Georai on 07-09-2020 on administrative ground and has spent about 10 months at there and therefore his transfer is mid-term and as per the provisions of S.22-N(1)(b) of the Maharashtra Police Act, 1951 as amended in 2015 he is not due for transfer. Contentions of the applicant are a matter of record and at the same time arguments advanced by the learned P.O. that this transfer order is according to the model guidelines and a member of police constabulary should not stay for more than 12 years in one Taluka as overstay may be detrimental in maintaining discipline in the police force, in which discipline is of utmost importance also hold good.

4. Considering the arguments advanced by both the sides, it is inferred that it is in larger public interest to allow giving effect to the transfer order of Police Establishment Board subject to outcome of this O.A.

5. Issue notices to the respondents, returnable on 24.09.2021.

6. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

7. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case

would be taken up for final disposal at the stage of admission hearing.

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

9. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

10. S.O. to 24.09.2021.

11. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION NO.483/2021
(Dr. Shivaji Bhise Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.K.Chavan, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has not prayed for any interim relief however he has made prayer for issuing direction in like nature thereby the respondent no.1 i.e. Secretary, Health Department, Mumbai may be directed to consider the request transfer application of the applicant dated 24-02-2021 for ensuing request transfers of medical officers scheduled on or before 31-08-2021 and take decision thereon, in the interest of justice.

3. Learned P.O. in the meantime submitted the order issued by the Public Health Department, Government of Maharashtra dated 23-08-2021 by which the transfer of the applicant from Gangapur to Jarandi has been cancelled. This has provided redressal of grievance of the applicant expressed in paragraph 6(V) (page 5 of the paper book) in O.A. in which the applicant has stated as under:

“Inadvertently instead of considering the request transfer application dated 24-02-2021 the name of the applicant is shown in the general transfer order dated 09-08-2021 at Sr.No.305.”

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O.A.NO.483/2021

4. The applicant has already submitted his application for request transfer. There is no merit in the prayer of the applicant to issue direction to transferring authority to consider the request of transfer of applicant. Therefore, O.A. is disposed of as there is no cause of action.

5. Accordingly, the O.A. stands disposed of in above terms with no order as to costs.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

M.A.NO.256/2021 IN O.A.ST.NO.836/2021
(Prfull Suryavanshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri Rakhi V. Sundale, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A. for condonation of 6 days delay, returnable on 27.09.2021.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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 acknowledgment be obtained and

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M.A.NO.256/2021 IN O.A.ST.NO.836/2021

produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 27.09.2021.

8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

ORIGINAL APPLICATION ST. NO.1136/2021
(Smt. Abhilasha Mhaske Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri V.B.Wagh, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant prays for time for satisfying the Tribunal on the point of maintainability of the O.A. as the alternate remedy available to the applicant is not exhausted.

3. S.O. 06-09-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.558/2019
(Udalsingh Bohara Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.P.Sonawane, learned Advocate holding for Shri A.L.Kanade, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents.

2. Learned P.O. states that the respondent no.3 has already filed affidavit in reply on 9th August, 2019 and separate reply for respondent nos.1, 2, 4 and 5 is not required.

3. Learned Advocate for the applicant confirms that he has received affidavit in reply of respondent no.3 and he does not wish to file rejoinder.

4. Pleadings are complete. Matter is fixed for final hearing.

5. S.O. 01-10-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.07/2021
(Arun Thakur Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri V.B.Wagh, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. 16-09-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.30/2021
(Kedarnath Budhwant Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri V.B.Wagh, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondent nos.1 and 2. Time is granted.

3. S.O. 16-09-2021.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

M.A.NO.286/2020 IN O.A.ST.NO.1059/2020
(Prabhakar Kawathekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05-10-2021.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

M.A.NO.287/2020 IN O.A.ST.NO.1061/2020
(Bhalchandra Dharurkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 05-10-2021.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

M.A.NO.288/2020 IN O.A.ST.NO.1063/2020
(Pratap Sontakke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05-10-2021.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

M.A.NO.289/2020 IN O.A.ST.NO.1065/2020
(Pandharinath Dhorge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05-10-2021.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

M.A.NO.290/2020 IN O.A.ST.NO.1067/2020
(Vilas Sathe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 05-10-2021.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

M.A.NO.291/2020 IN O.A.ST.NO.1070/2020
(Jilani Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant, Shri D.R.Patil, learned Presenting Officer for the respondents and Shri S.D.Dhongde learned Advocate for respondent no.2.

2. At the request of learned Advocate for the applicant, S.O. to 05-10-2021.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

M.A.NO.292/2020 IN O.A.ST.NO.1072/2020
(Shaikh Rahim Shaikh Chand Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 05-10-2021.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

M.A.NO.312/2020 IN O.A.ST.NO.1351/2020
(Ajgar Ali Nohiddin Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.08.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 05-10-2021.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

ORIGINAL APPLICATION NO.184/2019
(Keshav Wable Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 26.08.2021
ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents.

2. Learned P.O. has submitted two documents dated 25-08-2021, one of which is written by one Shri Umesh Hembade, Deputy Chief Officer, Municipal Council, Hingoli and second one by Dr. Rajendra Suryavanshi, Civil Surgeon, District Hospital, Hingoli addressed to the Presenting Officer Office, Aurangabad, those are marked as document X-1 and X-2 for the purpose of identification.

3. Learned P.O. asserts submissions made in affidavit in reply on behalf respondent nos.1 to 4 paragraph 8, 9 and 10 and submitted that change in the date of birth should not be allowed.

4. On the other hand, learned Advocate for the applicant states that Birth and Death Register of Municipal Council, Hingoli has been referred to and as per then prevailing practice only name of mother is recorded without full details as is prevalent today. He states that applicant has a brother and applicant is not able to present extract of Birth and Death Register for younger brother as evidence in the present matter.

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O.A.No.184/2019

5. **One week's time is given to the applicant i.e. till 02-09-2021** as per his request to submit extract of entry in Birth and Death Register of birth of his younger brother as he is not able to produce any document of the hospital where the applicant claims that he was born.
6. Matter is closed for order.

MEMBER (A)

Date :26.08.2021

M.A.NO.266/2021 IN O.A.ST.NO.942/2021

(Shri Mangilal Nathu Shirsath V/s The State of Maharashtra & Ors.)

Per :- Standing directions of Hon'ble Chairperson, M.A.T., Mumbai

1. Smt. Suchita A. Dhongde, Id. Advocate for the applicant and Shri N.U. Yadav, Id. P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A.No.266/2021, returnable on 27.09.2021. The case be listed for admission hearing on 27.09.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 26.8.2021

O.A. 487/2021

**(Chatrabhuj G. Jagtap V/s State of Maharashtra
& Ors.)**

**Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai**

1. Shri Vivek Pingle, learned Advocate for the applicant and Shri M.P. Gude, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 24.9.2021. The case be listed for admission hearing on 24.9.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 26.08.2021

ORIGINAL APPLICATION NO.488/2021

(Sayed Naimuddin V/s State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai**

1. Shri Kakasaheb B. Jadhav Id. Advocate for the applicant and Smt. Sanjivani Ghate Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 24.09.2021. The case be listed for admission hearing on 24.09.2021.
3. Tribunal may take the case for final disposal at this stage and a 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 case. 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

26.08.2021/yuk registrar notice/