

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

's orders

Date : 26.09.2023

O.A.No.952 of 2023

G. T. Patil

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. A. Devkhile, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Learned P.O. states that 'Deputy Director of Health Services, Thane' could not remain present today but 'Chief Administrative Officer' is present on behalf of 'Deputy Director of Health Services, Thane.'
3. Learned Advocate states that the Applicant who is a 'Dietician' came to be transferred often during the period of time from 2007 to 2023 to (i) Sub District Hospital, Dahanu, District. Palghar (ii) Central Hospital, Ulhasnagar, District Thane and (iii) Sub District Hospital, Jawahar, Dist. Palghar while the 'Respondent No.4' and 'Respondent No.5' have between them been posted by rotation amongst themselves all along in this period from 2007 to 2023 on the post of 'Dietician' at (i) District General Hospital, Thane and (ii) Regional Mental Hospital, Thane.
4. Learned P.O. seeks time to file 'Affidavit in Reply'. The 'Affidavit-in-Reply' must be filed personally by 'Deputy Director of Health Services, Thane' on what is (i) 'Normal Tenure' of 'Dietician' and (ii) 'Compelling Reasons' for 'Respondents No.4' and 'Respondent No.5' to be posted only at (i) District General Hospital, Thane and (ii) Regional Mental Hospital, Thane.
5. S.O. to 16.10.2023.

Sd/-

(Debashish Chakrabarty)
Member(A)

**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 align="center"><u>O.A.1204/2023</u></p> <p>Aasma M. Mulla ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri Rajesh Kolge, learned Advocate on behalf of the Applicant and Smt. A.B. Kololgi, learned Presenting Officer on behalf of the Respondent Nos.1 to 3.</p> <p>2. Learned Advocate of the Applicant stated that she was working on the post of API with ACB, Sindhudurg Unit. The Applicant was sanctioned 180 days of 'Maternity Leave' on 05.06.2023 by Dy. SP, ACB, Thane Region being supervisory officer of ACB, Sindhudurg Unit. Subsequently based on her earlier request for transfer to the ACB, Kolhapur Unit, she came to be transferred from ACB, Sindhudurg Unit to ACB, Kolhapur Unit on 05.07.2023 by 'SP, ACB, Thane Region' while on 'Maternity Leave'.</p> <p>3. Learned Advocate of the Applicant further stated that the Applicant therefore as per order of 'SP, ACB, Thane Region' reported to join duty on 06.07.2023 and gave letter to Dy. SP, ACB, Kolhapur. However, the Dy. SP, ACB, Kolhapur did not allow her to join for 'Administrative Reasons' and directed her to seek permission from 'the SP, ACB, Pune Region' to join at ACB, Kolhapur Unit. She accordingly sought permission to meet 'SP, ACB, Pune Region' but could not get 'Orderly Room' even after Two Months of waiting;but in the meanwhile came to be transferred from ACB, Kolhapur Unit to ACB, Mumbai Unit by 'Dy. SP (HQ-1), ACB, Maharashtra State, Mumbai' Order dated 29.08.2023.</p> <p>4. Learned PO was informed to take instructions from the 'Dy. SP (HQ-1), ACB, Maharashtra State, Mumbai' as to why the Applicant who had not been permitted to join as ACB, Kolhapur Unit as per order of 05.07.2023 of 'SP, ACB, Thane Region' was transferred again to ACB, Mumbai Unit, ostensibly on the request of the Applicant as mentioned in the order of Dy. SP (HQ-1), ACB, Maharashtra State, Mumbai dated 29.08.2023;when she had not made</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>any such request and was willing to join in ACB, Kolhapur Unit on 06.07.2023. The Applicant had been sanctioned 'Maternity Leave' of 180 days on 05.06.2023 and while being on 'Maternity Leave' was posted on her earlier request to ACB, Kolhapur on 05.07.2023 and then while awaiting 'Orderly Room' to meet 'SP, ACB, Pune Region' for more than Two Months transferred again without any request made by her and posted to ACB, Mumbai Unit on 29.08.2023.</p> <p>5. Learned PO in the context of peculiar facts and circumstances of the case especially considering that the Applicant has gender right to avail of 'Maternity Leave' of 180 days is directed to inform that the 'Dy.SP (HQ-1), ACB, Maharashtra State' to give appointment to the Applicant within 'One Week' to make personal representation of her case. The 'PEB' to then decide her case on compassionate consideration and to allow her to join as API in ACB, Kolhpaur Unit after availing of 'Maternity Leave' of 180 days and issue appropriate directions to the 'SP, ACB, Pune Region.'</p> <p>6. S.O. to 09.10.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member-A 26.09.2023</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____
Applicant/s

(Advocate for Applicant/s)

versus

The State of Maharashtra and other
Respondent/s

Presenting Officer: _____

Office Notes, Office Memoranda of Comm.
Appointments, Tribunal's orders or
Directives and Registrar's orders

Tribunal Date

Date : 26.09.2023

**O.A.No.1219 of 2023
(DB)**

S. S. PatilApplicant

Versus

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

1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. submits that Applicant was given 'NOC' to appear for 'NEET-PG:2023' examination on 23.02.2023.

3. The 'NOC' was sent by post to the Applicant by the Deputy Director of Health Services Mumbai Division, Thane and the copies of the 'NOC' were also endorsed to (i) Director of Health Services, Mumbai and (ii) District, Health Officer, Thane. Learned C.P.O. stated that the Applicant accordingly appeared for the examination of NEET-PG:2023.

Learned C.P.O. clarified that only this 'NOC' is required for completion of all subsequent stages relating to admission under NEET-PG:2023 and no separate 'NOC' is now required by Applicant.

4. Learned C.P.O. also stated that by letter dated 31.03.2023 addressed to Applicant by District Health Officer, Zilla Parishad, Thane she was asked to submit 10 documents by 31.03.2023 to calculate 'Incentive Marks'. However, the Applicant submitted that these 10 documents rather submitted late on 04.08.2023.

5. Learned C.P.O. further stated that FIR No.0487 of 2023 was filed at Police Station, Bhiwandi on 02.09.2023 against the Applicant regarding misappropriation of Rs.6,96,582/- and that Chief Executive Officer, Zilla Parishad, Thane has also forwarded the proposal to the Public Health Department to suspend the Applicant she being an officer of Group 'A'.
6. Learned Advocate for the Applicant stated that now belatedly the District Health Officer, Zilla Parishad, Thane has confided that 'NOC' for the 'NEET-PG:2023' examination was issued to the Applicant on 23.02.2023 but argued that it was not received by her till date resulting in filing of this O.A.No.1219/2023.
7. Learned Advocate for the Applicant states that since set of 10 documents have already been submitted to District Health Officer, ZP, Thane, on 04.08.2023, these documents should have been forwarded forthwith by District Health Officer, Zilla Parishad, Thane to Deputy Director of Health Services, Mumbai Division, Thane and subsequently by him to the Director of Health Services, Mumbai. This should have been done soon after these documents were received from the Applicant on 04.08.2023. The District, Health Officer, Zilla Parishad, Thane should handover 'Duplicate Copy' of the 'NOC' dated 23.02.2023 to day itself to the Applicant and thereafter by 27.09.2023 submit these 10 documents to the Deputy Director, Health Services, Mumbai Division, Thane who shall then forthwith forward them to Commissioner of Health Services also by 27.09.2023.
8. The Commissioner of Health Services to decide by 29.09.2023 as to whether the Applicant is eligible as 'In Service Candidate' for admission to Post Graduate Courses under NIIT-PG:2023 as per provisions of Public Health Department, G.R. dated 19th March, 2019.
9. S.O. to 29.09.2023.

Sd/-
(Debashish Chakrabarty)
Member(A)

**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><u>26.09.2023</u></p> <p><u>O.A 987/2023</u></p> <p>Shri A.T Jadhav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O states that affidavit in reply will be filed during the course of the day.</p> <p>3. S.O to 10.10.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>26.09.2023</u></p> <p><u>O.A 874/2023</u></p> <p>Shri A.A Raut ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit with liberty to file rejoinder, if any.</p> <p>3. S.O to 10.10.2023 for final hearing.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>26.09.2023</u></p> <p><u>O.A 610/2023</u></p> <p>Shri A.S Pophare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit with liberty to file rejoinder, if any.</p> <p>3. S.O to 7.11.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>26.09.2023</u></p> <p><u>C.A 80/2022 in O.A 879/2015</u></p> <p>Shri G.P Wadekar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that the proposal regarding upgradation of Medical Officer Group-B to Group-A is still pending before the Hon'ble Minister. She therefore, seeks two weeks' time.</p> <p>3. S.O to 10.10.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>26.09.2023</u></p> <p><u>O.A Nos 716, 717, 718, 719, 720 & 730/2022</u></p> <p>H.G Sapkal & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. S.O to 17.10.2023. Interim relief to continue till then.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____
Applicant/s

(Advocate _____)

versus

The State of Maharashtra and others

Respondent/s

Presenting Officer _____

Office Note, Office Memoranda of Comm.
Appearance, Tribunal's orders or
Directions and Registrar's orders

Tribunal's orders

Date : 26.09.2023

**O.A.No.810 of 2023
with
O.A.No.911 of 2023**

**R. B. Vaishnav & Ors
Vaibhav Pilare**

...Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri V. Golambade & Shri H. M. Inamdar, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Learned P.O. submits that 'Affidavit in Reply' is under preparation and she will file during the course of the day. Statement is accepted. It be taken on record. Copy be given to learned Advocate for the Applicant.
3. Liberty is granted to learned Advocate to file 'Affidavit in Rejoinder.'
4. S.O. to 06.10.2023.

Sd/-

**(Debashish Chakrabarty)
Member(A)**

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ Applicant/s

(Advocate _____)

versus

The State of Maharashtra and other

Respondent/s

Presenting Officer _____

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

Volume _____

Date : 26.09.2023

O.A.No.1132 of 2023

K. N. KhanekarApplicant

Versus

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

1. Heard Shri S. B. Gaikwad, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Learned P.O. seeks one week time to obtain instructions from the 'Secretary, Department of Social Justice and Special Assistance' about the decision to be taken on the proposal submitted by 'Commissioner, Social Welfare, Pune' on 24.08.2023.
3. Time as prayed for is granted.
4. S.O. to 06.10.2023.

Sd/-

**(Debashish Chakrabarty)
Member(A)**

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ 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 Order

Date : 26.09.2023

**O.A.No.1096 of 2023
with
O.A. No.1097 of 2023**

S. S. Khot

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. S. Raktade, learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondent Nos.1 to 3 and Shri R. Shinde, learned Counsel for Respondent No.4 in O.A.1096/2023.
2. Learned Advocate for the Applicant states that he will immediately serve the copy of O.A. No.1096/2023 to Respondent No.4.
3. Learned P.O. seeks time to file 'Affidavit in Reply.'
4. 'Interim Relief' granted in O.A.No.1097/2023 is continued till Next date.'
5. S.O. to 09.10.2023.

Sd/-
(**Debashish Chakrabarty**)
Member(A)

vsm

**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
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O.As. No.743 & 744 of 2022

Dr. K.S. Madar

..Applicant

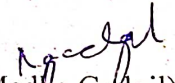
Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. S.O. to 26.10.2023. Interim relief to continue.


(Medha Gadgil)
Member (A)
26.9.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.995 of 2023</u></p> <p>D.D. Sherkhane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant prays that pensionary benefits of the applicant may be released and No Dues Certificate has been issued by the concerned department.</p> <p>3. Ld. PO is directed to seek instructions in the light of these facts.</p> <p>4. S.O. to 10.10.2023.</p> <p style="text-align: right;"><i>Medha Gadgil</i> (Medha Gadgil) Member (A) 26.9.2023</p> <p>(sgl)</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.938 of 2023</u></p> <p>S.U. Pathak ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Since this is a matter of retirement dues the Ld. PO is directed to file affidavit in this matter positively within two weeks from today.</p> <p>3. S.O. to 10.10.2023.</p> <p style="text-align: right;"> (Medha Gadgil) Member (A) 26.9.2023</p> <p>(sgj)</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.938 of 2023</u></p> <p>S.U. Pathak ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Since this is a matter of retirement dues the Ld. PO is directed to file affidavit in this matter positively within two weeks from today.</p> <p>3. S.O. to 10.10.2023.</p> <p style="text-align: right;"> (Medha Gadgil) Member (A) 26.9.2023</p> <p>(sgj)</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.838 of 2023</u></p> <p>T.K. Kate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply.</p> <p>3. Admit.</p> <p>4. S.O. to 10.10.2023 for final hearing.</p> <p style="text-align: right;"> (Medha Gadgil) Member (A) 26.9.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

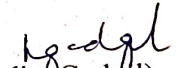
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.782 of 2023

S.T. Salunkhe ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Ld. PO seeks time to file reply.
3. S.O. to 10.10.2023 by way of last chance.


(Medha Gadgil)
Member (A)
26.9.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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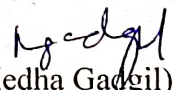
M.A. No.409 of 2023 in O.A. No.635 of 2023

S.V. Rathod ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officers for the Respondents.

2. Ld. PO seeks time to file reply.

3. S.O. to 4.10.2023 by way of last chance. If reply is not filed the matter will be proceeded without reply.


(Medha Gadgil)
Member (A)
26.9.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

O.A. No.780 of 2022 with M.A. No.472 of 2022

Sandip M. Chavan

..Applicant

Vs.


The State of Maharashtra & Ors.

..Respondents

Heard Ms. Savita S. Suryavanshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant produces copy of letter dated 22.9.2023 of the applicant for withdrawal of the above OA with permission to file fresh OA. Ld. Advocate for the applicant prays that she may be allowed to withdraw the above OA and MA with liberty to file fresh OA.

3. OA and MA are allowed to be withdrawn with liberty to file fresh OA and disposed off as such.


(Medha Gadgil)
Member (A)
26.9.2023

(sgj)

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

Tribunal's orders

O.A. No.1225 of 2023

D.G. Gawade

..Applicant

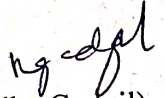
Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri D.H. Pawar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 10.10.2023. The respondents are directed to file reply.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may 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. 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.
7. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.


(Medha Gadgil)
Member (A)
26.9.2023

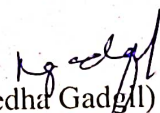
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.124 of 2023 with M.A. No.72 of 2023</u></p> <p>A.A. Mane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Applicant in person is absent.</p> <p>3. Ld. PO submits that the office of the Ld. CPO is not served.</p> <p>4. Applicant to serve the Ld. CPO.</p> <p>5. S.O. to 10.10.2023.</p> <p style="text-align: right;"> (Medha Gadgil) Member (A) 26.9.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>M.A. No.567 of 2023 in O.A. No.726 of 2023 (DB)</u></p> <p>Bhaktraj J. Ghortale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.V. Shinde, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The applicant has filed this MA for amending the OA as mentioned in the MA. Ld. Advocate for the applicant prays that this MA may be allowed and he may be permitted to carry out the amendment in the OA.</p> <p>3. Ld. PO has no objection.</p> <p>4. By consent MA for amendment is allowed. Amendment be carried out within one week and amended copy be served on all the respondents.</p> <p>5. OA adjourned to 17.10.2023.</p> <p>(sgj)</p> <p><i>Medha Gaekil</i> (Medha Gaekil) Member (A) 26.9.2023</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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of 20

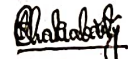
FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A.1224/2023</u></p> <p>P.B. Jagtap ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate on behalf of the Applicant and Shri A.J. Chougule, learned Presenting Officer on behalf of the Respondents.</p> <p>2. Learned Advocate for the Applicant came to be appointed on the post of Sub-Divisional Water Conservation Officer, Soil and Water Conservation, Sub Division, Satana, District Nashik on 17.04.2023. The Applicant joined on this post on 20.04.2023. The order of his predecessor - Respondent No.2 Shri Ramdas S. Pawar was also issued on 20.04.2023 by which he was repatriated to his parent 'Administrative Department' i.e. Water Resources Department as per 'Policy Decision' taken on 31st May, 2017 at the time of creation of Soil and Water Conservation Department out of Water Resources Department.</p> <p>3. Learned Advocate for the Applicant further stated that the Applicant came to be transferred by impugned order dated 21.09.2023 to the Vacant Post of Sub Divisional Water Conservation Officer, Z.P (MI) Sub Division, Satana, District Nashik and Shri Ramdas S. Pawar - Respondent No.2 has been posted in his place as Sub-Divisional Water Conservation Officer, Soil and Water Conservation, Sub Division, Satana, District Nashik; although the impugned order dated 21.09.2023 is unusually worded as "शासनाच्या पुढील आदेशापर्यंत तात्पुरत्या स्वरूपात मुदतवाढ देण्यात येत आहे."</p> <p>4. Learned PO is also heard on behalf of Respondents and as to produce the File Notings. The perusal of the File Notings clearly shows that the CSB had mentioned these facts and subsequently, when the proposal was submitted to the 'Competent Authority,' these facts were again mentioned in the proposal submitted through 'ACS, Soil Water Conservation Department.' However, the 'Competent Authority' directed that Shri Ramdas S. Pawar who stood repatriated to the Water Resources Department</p>

Office Notes, Office Memoranda of Coram,
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be posted back to the post of Sub-Divisional Water Conservation Officer, Soil and Water Conservation, Sub Division, Satana, District Nashik. The use of these words "शारानाच्या पुढील आदेशापर्यंत तात्पुरत्या स्वरूपात मुदतवाढ देण्यात येत आहे." suggests that these have been used to circumvent the provisions of 'Transfer Act 2005', and therefore, do not meet the benchmarks of transparency in decision making expected under the 'Transfer Act 2005' from all Competent Authorities. The Soil and Water Conservation Department after the directions of 'Competent Authority' re-submitted the proposal to the 'Minister Incharge' of the Soil and Water Conservation Department to reconsider the proposal approved by 'Competent Authority' and accept the recommendation of the CSB. However, the 'Minister Incharge' of Soil and Water Conservation Department did not agree and insisted that the earlier orders of Competent Authority should be implemented and thereafter the impugned order dated 21.09.2023 was issued by the Soil and Water Conservation Department. In the aforesaid context, the learned PO is informed to suggest to the Principal Secretary, Soil and Water Conservation to personally discuss the resubmitted proposal again with the 'Minister Incharge' of the Soil and Water Conservation Department and to inform through learned PO as to whether they are willing to withdraw the impugned order of 21.09.2023. Next hearing on 4th October, 2023 under the caption of 'Urgent Admission' Hamdast granted.



(Debashish Chakrabarty)

Member-A
26.09.2023

(skw)

**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
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O.As. No.743 & 744 of 2022

Dr. K.S. Madar

..Applicant

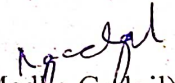
Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. S.O. to 26.10.2023. Interim relief to continue.


(Medha Gadgil)
Member (A)
26.9.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

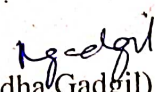
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Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.995 of 2023</u></p> <p>D.D. Sherkhane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant prays that pensionary benefits of the applicant may be released and No Dues Certificate has been issued by the concerned department.</p> <p>3. Ld. PO is directed to seek instructions in the light of these facts.</p> <p>4. S.O. to 10.10.2023.</p> <p style="text-align: right;"> (Medha Gadgil) Member (A) 26.9.2023</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.938 of 2023</u></p> <p>S.U. Pathak ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Since this is a matter of retirement dues the Ld. PO is directed to file affidavit in this matter positively within two weeks from today.</p> <p>3. S.O. to 10.10.2023.</p> <p style="text-align: right;"> (Medha Gadgil) Member (A) 26.9.2023</p> <p>(sgj)</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.938 of 2023</u></p> <p>S.U. Pathak ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Since this is a matter of retirement dues the Ld. PO is directed to file affidavit in this matter positively within two weeks from today.</p> <p>3. S.O. to 10.10.2023.</p> <p style="text-align: right;"> (Medha Gadgil) Member (A) 26.9.2023</p> <p>(sgj)</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.838 of 2023</u></p> <p>T.K. Kate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply.</p> <p>3. Admit.</p> <p>4. S.O. to 10.10.2023 for final hearing.</p> <p style="text-align: right;"> (Medha Gadgil) Member (A) 26.9.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET NO.

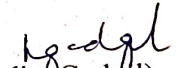
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.782 of 2023

S.T. Salunkhe ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Ld. PO seeks time to file reply.
3. S.O. to 10.10.2023 by way of last chance.


(Medha Gadgil)
Member (A)
26.9.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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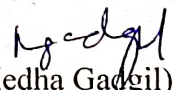
M.A. No.409 of 2023 in O.A. No.635 of 2023

S.V. Rathod ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officers for the Respondents.

2. Ld. PO seeks time to file reply.

3. S.O. to 4.10.2023 by way of last chance. If reply is not filed the matter will be proceeded without reply.


(Medha Gadgil)
Member (A)
26.9.2023

(sgj)

**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

O.A. No.780 of 2022 with M.A. No.472 of 2022

Sandip M. Chavan

..Applicant

Vs.


The State of Maharashtra & Ors.

..Respondents

Heard Ms. Savita S. Suryavanshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant produces copy of letter dated 22.9.2023 of the applicant for withdrawal of the above OA with permission to file fresh OA. Ld. Advocate for the applicant prays that she may be allowed to withdraw the above OA and MA with liberty to file fresh OA.

3. OA and MA are allowed to be withdrawn with liberty to file fresh OA and disposed off as such.


(Medha Gadgil)
Member (A)
26.9.2023

(sgj)

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

Tribunal's orders

O.A. No.1225 of 2023

D.G. Gawade

..Applicant

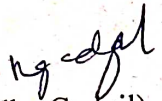
Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri D.H. Pawar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 10.10.2023. The respondents are directed to file reply.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may 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. 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.
7. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.


(Medha Gadgil)
Member (A)
26.9.2023

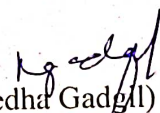
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET NO.

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	<p style="text-align: center;"><u>O.A. No.124 of 2023 with M.A. No.72 of 2023</u></p> <p>A.A. Mane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Applicant in person is absent.</p> <p>3. Ld. PO submits that the office of the Ld. CPO is not served.</p> <p>4. Applicant to serve the Ld. CPO.</p> <p>5. S.O. to 10.10.2023.</p> <p style="text-align: right;"> (Medha Gadgil) Member (A) 26.9.2023</p> <p>(sgj)</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><u>M.A. No.567 of 2023 in O.A. No.726 of 2023 (DB)</u></p> <p>Bhaktraj J. Ghortale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.V. Shinde, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The applicant has filed this MA for amending the OA as mentioned in the MA. Ld. Advocate for the applicant prays that this MA may be allowed and he may be permitted to carry out the amendment in the OA.</p> <p>3. Ld. PO has no objection.</p> <p>4. By consent MA for amendment is allowed. Amendment be carried out within one week and amended copy be served on all the respondents.</p> <p>5. OA adjourned to 17.10.2023.</p> <p>(sgj)</p> <p><i>Medha Gaekil</i> (Medha Gaekil) Member (A) 26.9.2023</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 align="center"><u>O.A.1204/2023</u></p> <p>Aasma M. Mulla ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri Rajesh Kolge, learned Advocate on behalf of the Applicant and Smt. A.B. Kololgi, learned Presenting Officer on behalf of the Respondent Nos.1 to 3.</p> <p>2. Learned Advocate of the Applicant stated that she was working on the post of API with ACB, Sindhudurg Unit. The Applicant was sanctioned 180 days of 'Maternity Leave' on 05.06.2023 by Dy. SP, ACB, Thane Region being supervisory officer of ACB, Sindhudurg Unit. Subsequently based on her earlier request for transfer to the ACB, Kolhapur Unit, she came to be transferred from ACB, Sindhudurg Unit to ACB, Kolhapur Unit on 05.07.2023 by 'SP, ACB, Thane Region' while on 'Maternity Leave'.</p> <p>3. Learned Advocate of the Applicant further stated that the Applicant therefore as per order of 'SP, ACB, Thane Region' reported to join duty on 06.07.2023 and gave letter to Dy. SP, ACB, Kolhapur. However, the Dy. SP, ACB, Kolhapur did not allow her to join for 'Administrative Reasons' and directed her to seek permission from 'the SP, ACB, Pune Region' to join at ACB, Kolhapur Unit. She accordingly sought permission to meet 'SP, ACB, Pune Region' but could not get 'Orderly Room' even after Two Months of waiting; but in the meanwhile came to be transferred from ACB, Kolhapur Unit to ACB, Mumbai Unit by 'Dy. SP (HQ-1), ACB, Maharashtra State, Mumbai' Order dated 29.08.2023.</p> <p>4. Learned PO was informed to take instructions from the 'Dy. SP (HQ-1), ACB, Maharashtra State, Mumbai' as to why the Applicant who had not been permitted to join as ACB, Kolhapur Unit as per order of 05.07.2023 of 'SP, ACB, Thane Region' was transferred again to ACB, Mumbai Unit, ostensibly on the request of the Applicant as mentioned in the order of Dy. SP (HQ-1), ACB, Maharashtra State, Mumbai dated 29.08.2023; when she had not made</p>

Office Notes, Office Memoranda of Coram,
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any such request and was willing to join in ACB, Kolhapur Unit on 06.07.2023. The Applicant had been sanctioned 'Maternity Leave' of 180 days on 05.06.2023 and while being on 'Maternity Leave' was posted on her earlier request to ACB, Kolhapur on 05.07.2023 and then while awaiting 'Orderly Room' to meet 'SP, ACB, Pune Region' for more than Two Months transferred again without any request made by her and posted to ACB, Mumbai Unit on 29.08.2023.

5. Learned PO in the context of peculiar facts and circumstances of the case especially considering that the Applicant has gender right to avail of 'Maternity Leave' of 180 days is directed to inform that the 'Dy.SP (HQ-1), ACB, Maharashtra State' to give appointment to the Applicant within 'One Week' to make personal representation of her case. The 'PEB' to then decide her case on compassionate consideration and to allow her to join as API in ACB, Kolhapur Unit after availing of 'Maternity Leave' of 180 days and issue appropriate directions to the 'SP, ACB, Pune Region.'

6. S.O. to 09.10.2023.


(Debashish Chakrabarty)
Member-A
2.6.09.2023

(skw)