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

Date : 26.10.2021.

M. A. No.398 of 2021 in M.A. No.220 of 2021 in M.A.103 of 2021 in O.A.No.796 of 2018

S. V. Mohite Versus The State of Maharashtra & Ors.

....Applicant

Ors. ...Respondents.

1. Heard Shri D. S. Pagare , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. O.A.796/2018 filed for appointment on compassionate ground was dismissed by the Tribunal on account of absence of Applicant and his Advocate on 05.02.2021. Thereafter, M.A.No.103/2021 was filed on 04.03.2021 for restoration of O.A.

3. M.A.No.103/2021 for restoration was filed on 04.03.2021 and it was listed before the Tribunal on 08.03.2021 but the Applicant and his Counsel were absent. It was adjourned to 10.03.2021 on that day also the Applicant and his Counsel were absent, therefore, M.A. was dismissed in default.

4. Now, M.A.220/2021 is filed to restore M.A.103/2021 along with M.A.No.398/2021 for condonation of delay of 60 days.

5. Learned Counsel for the Applicant has pointed out that in fact in M.A.No.103/2021 circulation was granted for 26.03.2021 but it was listed on 10.03.2021, and therefore, could not remain present.

6. Learned Counsel further submits that due to Covid-19 pandemic situation thereafter he could not move application within limitation, and therefore, M.A.398/2021 for condonation of delay.

7. In view of above factual aspect, I am inclined to restore O.A.No.796/2018 so as to decide the same on merit.

8. M.A.No.103/2021, M.A.No.220/2021 and M.A.No.398 /2021 are allowed and O.A. is restored to file.

9. Misc. Applications are accordingly disposed of with no order as to costs.

(A.P. Kurhekar) Member(J)

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

of 20

ΙN

Original Application No. of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date : 26.10.2021. O.A.No.796 of 2018 S. V. MohiteApplicant Versus The State of Maharashtra & OrsRespondents.		
	 Heard Shri D. S. Pagare, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. This O.A. was dismissed in default on 05.02.2021 but in view of the order passed today in M.A.No.103/2021, M.A.No.220/2021 and M.A.No.398/2021, O.A. is restored. O.A. is, therefore, kept for final hearing. S.O. to 22.11.2021. 		
	Sd/- (A.P. Kurhekar) Member(J)		

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		
	Date : 26.10.2021. M. A. No.196 of 2021 in O.A.No.41 of 2021		
	E. B. SayyedApplicant		
	Versus		
	The State of Maharashtra & OrsRespondents.		
	1. Heard Shri A. V. Bandiwadekar , learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.		
	2. This M.A. is filed for condonation of delay in O.A.		
	which is filed for retiral benefits.		
	3. After filing of O.A., the Applicant's Counsel has		
	carried out certain amendments in O.A. but there is no reply		
	by the Respondents.		
	4. However, the reply is already filed to M.A. as well as		
	original O.A. before amendment.		
	5. Learned Counsel for the Applicant submits that it is		
	the case of continuous cause of action, It being the matter		
	pertaining to denial of pension.		
	6. Having considered the pleading and submissions, in		
	my considered opinion, M.A. and O.A. is required to be heard		
	and decide together. It be kept for hearing at the stage of admission.		
	7. In the meantime, the Respondents are at liberty to		
	file reply to amendment carried out in O.A.		
	8. S.O. to 24.11.2021.		
	N 1 N		
	Sd/-		
	(A.P. Kurhekar) Member(J)		
	vsm [<i>P.T.O.</i>		

ORIGINAL APPLICATION NO.509 OF 2015

P.G. Kolapte Vs.		Applicant	
The State of Maharashtra & OrsResponde			
Mr. D.B. Khaire, learned Advocate for the Applicant.			
Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.			
CORAM	: Justice Ms. Mridula Bhatkar, (Ms. Medha Gadgil, Member(A)	Chairperson,	
DATE	: 26.10.2021		
PER	: Justice Ms. Mridula Bhatkar, (Chairperson	

ORDER

Heard Mr. D.B. Khaire, learned Advocate for the Applicant and Ms.
 K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. In the midst of the arguments on the point of Recruitment Rules the learned P.O. relies on the Recruitment Rules dated 09.08.1994 and paragraph 6 of the affidavit-in-reply dated 08.06.2017 filed by Mr. Ishu Sindhu, Assistant Resident Commissioner (Administration) in the office of Resident Commissioner of Maharashtra Sadan, Copernicus Marg, New Delhi.

3. In the present case, the implementation of 100 point roster and the promotion of the Receptionist to the post of Assistant Manager, Maharashtra Sadan is involved. In the affidavit the officer has mentioned

that the feeder cadre of the posts of Assistant Manager is Receptionist/ Protocol Officer / Deputy Accountant having not less than 3 years' experience; so also the posts can be filled-up by deputation or transfer.

4. The learned P.O. while explaining the paragraph 6 of the affidavit pointed out Rule No.3 and also Rule No.8 of the Recruitment Rules of 09.08.1994. The learned P.O. on instructions given by the officer from G.A.D. Mr. Sudam Mangle, Under Secretary, who is present in the Court submitted that this post is also to be filled-up by nomination and for that purpose she relied on Rule 8 where two channels of the appointment to the posts in Rules No.3, 5, 6 and 7 are mentioned i.e. first by promotion and second by nomination in the ratio of 67:33 and in proviso the powers to relax the ratio vests with the Government in the exigency of service.

5. We have gone through the Rules 3, 4, 5, 6 and 7 minutely. We found that Rule 4 is for the post of Receptionist, Protocol Officer and Deputy Accountant, Rule 6 is for the Telephone Operator and Rule 7 is for the post of Lower Division Clerk, Junior Clerk, Clerk, Store Clerk and Clerk-typist. Under Rules 4, 6 and 7, there are 2 Channels mentioned by promotion and nomination, and separate provision is made as Rule (c) in those, Rules 4, 6 and 7 are the Rules wherein the eligibility of the candidates who are going to be appointed by nomination is specifically stated. In the Rule 3 the higher post to be filled up by promotion or deputation. Similarly, Rule 5 the post is for the Senior Clerk and Telax Operator. There is no mention of other channel i.e. by nomination.

2

Thus, the posts which are to be filled as per Rules 3 and 5 are carved out at different level posts and they are to be filled-up only by promotion, deputation or transfer and there is no nomination available in the Rules.

6. The State could not adopt any other method in the recruitment except which is mentioned in the Rules as the rules are framed by way of delegated legislature under Article 309 of the Constitution. Thus, no other method can be adopted in filling up the posts which are mentioned under Rules 3 and 5.

7. Thus, we are of the considered view that Rule 8 of the Recruitment Rules dated 09.08.1994 states of the ratio of 67:33 in the promotion and nomination respectively is for the posts mentioned in Rules 4, 6 and 7. We are therefore of the opinion that the Rule 3 and Rule 5 mentioned in the Rules is a bonafide mistake committed by the person who has drafted the Rules.

8. We therefore call upon the General Administration Department (G.A.D) :-

(a) To look into this matter and after verifying the legal position, communicate the same to us.

(b) To inform whether the appointment to the posts filled-in under Rules 3 and 5 are made through nomination are made till today.

(c) To produce the proposal sent by the Maharashtra Sadan to G.A.D. for seeking approval for the implementation of G.R. dated 18.10.1997 or the suggestions given by G.A.D. for implementation of the 100 point roster to that proposal.

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(d) The G.A.D. is also called upon to answer the query, how the reservation of a particular point can be extended after three years, when it can be protected only for three years in view of the ratio laid down in the judgment of Hon'ble Supreme Court in **R.K.** Sabharwal Versus Union of India reported in (1995) 2 SCC 745.

9. We further call upon G.A.D. to comply the directions by tomorrow i.e. 27.10.2021 at 2.00 p.m. :-

(a) To bring scanned copy of the proposal and the approval a

(b) To inform whether in Maharashtra Sadan before 2015 any promotion was given or any post was filled up on the basis of reservation and the G.A.D. has given approval for the reservation or implementation of Government Resolution dated 18.10.1997 in 2015.

10. Adjourned to 27.10.2021.

Sd/-

(Medha Gadgil) Member(A)

(Mridula Bhatkar, J.) Chairperson

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No. of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date: 26.10.2021. O.A.No.663 of 2021 With M.A.No.407 of 2021 in M.A.No.425 of 2021		
	K. S. Adhe	Applicant	
	Versus		
	The State of Maharashtra & Ors.	Respondents.	
	1. The Applicant in person is present. Smt. Mahajan, learned Counsel for Applicant is on leave note. The Applicant in person, therefore, requested for adjournment.		
	2. Smt. Kranti Gaikwad, learned the Respondents and Ms Rekha Musa Respondent No.2 as well as learned Co in M.A.No.407 & Shri S. S. Dere (Interveners) are present.	ale, learned Counsel for ounsels Shri A. B. Tajane	
	3. On request of learned P.O., tw to file reply in O.A.	o weeks time is granted	
	4. The Applicant is at liberty to 425/2021.	file reply to M.A.407 &	
	5. These Misc. Applications will with O.A.	be considered along	
	6. S.O. to 16.11.2021.		
		Sd/-	
		urhekar) ber(J) [<i>P.T.O</i> .	

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
directions and Registrar's orders	Date : 26.10.2021. O.A.No.599 of 2021 with O.A.No.600 of 2021 A. T. Chowdhar P.L. Shinde Wersus The State of Maharashtra & Ors. Respondents. 1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.		
	 Smt. Punam Mahajan, learned Counsel for the Applicant is on leave note. On request of learned P.O., two weeks time is granted for filing reply. 		
	4. S.O. to 17.11.2021. Sd/- (A.P. Kurhekar)		
	vsm		

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

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

I N

Original Application No. of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date: 26.10.2021		
	O.A. No.1110 of 2019		
	B.R. SangleApplicant		
	Versus The State of Maharashtra & OrsRespondents.		
	1. Applicant and his Advocate both are absent.		
	2. Smt. Archana B. Kologi, learned Presenting Officer for the Respondents is present.		
	3. Today matter is for hearing at the stage of admission.		
	 Perusal of record reveals that the Applicant and his Advocate both are not attending the matter regularly. 		
	5. However, in the interest of justice adjourned for hearing to give one more opportunity.		
	6. S.O. to 28.10.2021.		
	N Sd/-		
	(A.P. Kurhekar) Member (J)		
	NMN		
-			
	[<i>P.T.O.</i>		

|Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No. of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date : 26.10.2021.	
	0.A.N	lo.254 of 2021
	S. B. Gavit	Applicant
	Versus	
	The State of Maharashtra	& OrsRespondents.
	1	Bandiwadekar, learned Counsel fo Archana B. K., learned Presenting s.
	2. Today, learned I	P.O. has filed Affidavit in Sur
		Respondent Nos.1 & 2. It is taken
	on record.	
	3. S.O. to 29.11.2021	
		» Sd/-
		(A.P. Kurhekar)
	vsm	Member(J)
		[<i>P.T.O.</i>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No. of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date : 26.10.2021. O.A.No.646 of 2021 S. I. Abbas Applicant Versus The State of Maharashtra & Ors. Respondents. 1. Heard Shri Nagnath Bhumkar, learned Counsel for the Applicant and Smt. Archana B. K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. On request of learned P.O., two weeks time is granted for filing reply by way of most last chance.	
	3. S.O. to 17.11.2021	
	Sd/- (A.P. Kurhekar) Member(J)	

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>MA.244/19 in OA.1080/18 &12 Ors.</u>		
	MA.244/19 in OA.1080/18 & L2 Ofs.A.S. Kharbude(MA.244/19 in OA.1080/18)A.J. Shinde(MA.245/19 in OA.1081/18)D.P. Salunkhe(MA.246/19 in OA.1082/18)V.V. Shivade(MA.247/19 in OA.1083/18)P.K. Patil(MA.248/19 in OA.1098/18)H.I. Shaikh(MA.248/19 in OA.1099/18)N.S. Tathavadekar(MA.250/19 in OA.1100/18)R.N. Deshpande(MA.251/19 in OA.1103/18)M.R. Kelkar(MA.253/19 in OA.1103/18)M.R. Kelkar(MA.255/19 in OA.1103/18)M.R. Kelkar(MA.255/19 in OA.1105/18)D.B. Misal(MA.256/19 in OA.1107/18)ApplicantsApplicantsVs.The State of Maharashtra & OrsRespondentHeard Smt. Archana B.K., learned Presenting Offifor the Respondents.2.Smt. Punam Mahajan, learned Advocate forApplicants has filed Leave Note.3.Ld. PO submits that additional reply will be fiduring the course of the day.4.S.O. to 23.11.2021.Sd/- (Medha Gadgil) Member (A) 26.10.2021(sgj)		
	Member (A)Chairperson26.10.202126.10.2021		

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date : 26.10.2021 O.A.No.469 of 2012 with O.A.No.682 of 2013		
		12 with O.A.No.682 of 2013 A.No.879 of 2015	
	Dr. A.R. Tarale & Ors. Dr. M.B. Deolikar & C Dr. G.P. Wadekar & C	Drs. (O.A.682/2013)	
	Vs. The State of Maharasl	ntra & OrsRespondents.	
	 The State of Maharashtra & OrsRespondents. 1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant in O.A.No.469/ 2012, Mr. R.M. Sarda, learned Advocate for the Applicant in O.A.No.682/2013, Mr. Rahul Khot, learned Advocate i/b. Mr. N.Y. Chavan, learned Advocate for the Applicant in O.A.No.879/2015 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The learned P.O. seeks time as there is request from the concerned Secretary, G.A.D. that the affidavit will be filed after two days. 3. Time granted. 4. At the request of learned Advocate Mr. Sarda adjourned to 29.10.2021. 		
I	•	Sd/-	
	Sd/- (Medha Gadgil)	/ * / Mridula Bhatkar, J.)	
	Member (A)	(Mildula Bhatkar, J.) Chairperson	
	prk		

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No. of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders			
	25.10.2021			
	O.A 469/2012 with O.A 682/2013 with O.A 897/2015			
	Dr A.R Tarale & Ors Applicants Vs.			
	The State of Maharashtra & Ors Respondents			
	1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants in O.A 469/2012, Shri Rajendra Sarda, learned advocate for the applicants in O.A 682/2013 and Smt K.S Gaikwad, learned P.O for the Respondents.			
	2. Learned counsel for the applicants submits that they have come from Beed, Buldhana and Pune. In view of this, we don't want to cause further inconvenience to the Members of the Bar as the matter was already fixed for informing progress in the matter.			
	3. Hence, we are constrained to direct the concerned Secretary, G.A.D to file affidavit in reply taking into account the judgment of the Hon'ble Bombay High Court dated 16.3.2017 in Dr Maruti L. Chougale Vs. The State of Maharashtra & Ors.			
	4. We would like to mention that this matter is pending on the file of this Tribunal since 2012 and in the special drive which is taken up by this Tribunal, this matter is to be decided before 28.10.2021.			
	5. S.O to 26.10.2021 at 12.00 noon.			
	Sd/- Sd/-			
	(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson			

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders			
		<u>O.A. N</u>	No.344 of 2021	
	M.M.	Pawar		Applicant
	The S	Vs. State of Maharashtra	& Ors.	Respondents
	Applicant and Advocate both are absent. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.			
	2. Ld. CPO states that reply will be filed during the course of the day.			
	3.	S.O. to 14.12.2021		
		Sd/-	Sd/	2
		(Medha ^l Gadgil) Member (A) 26.10.2021	' (Mridula R. I Chairg 26.10	berson
	(sgj)			

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal' s	orders
	<u>M.A. No.330 of 2021</u>	in O.A. No.676 of 2021
	S.B. Patil & 40 Ors. Vs. The State of Maharashtra & C Heard Shri Sandeen I	Applicants DrsRespondents Dere, learned Advocate for the
	Applicants and Ms. S.P.Presenting Officer for the Res2. The applicants are pro-	Manchekar, learned Chief pondents.
	as prayed for is granted, sul	in the MA, leave to sue jointly bject to the Applicants paying ready paid. MA disposed off
	Member (A) 26.10.2021	Sd/ (Mridula R. Bhatkar, J.) Chairperson 26.10.2021
	(sgj)	
		[<i>P.T.O.</i>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

Original Application No. of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>M.A. No.454 of 2021 in O.A. No.676 of 2021</u>
	S.B. Patil & 40 OrsApplicants Vs.
	The State of Maharashtra & OrsRespondents Heard Shri Sandeep Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
	2. The applicants have filed this MA praying for permission to replace prayer (a) in the OA as per Schedule-I.
	3. Ld. CPO submits to the order of the Tribunal.
	4. MA for amendment is allowed. Amendment be carried out within one week and amended copy be served on all concerned.
	Sd/- Sd/- (Medha Cładgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 26.10.2021 26.10.2021 (sgj)
	[PTO.

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

of 20

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>O.A. No.818 of 2021</u>
	V.S. HipparkarApplicant
	Vs. The State of Maharashtra & OrsRespondents
·	Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
	2. Ld. Advocate for the applicant seeks extension of time by 15 days from today for filing reply to the show cause notice.
	3. Time is extended by 15 days from today for filing reply to the show cause notice.
	4. Ld. PO seeks time.
	5. S.O. to 28.10.2021.
	Sd/- Sd/- (Medhal/Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 26.10.2021 26.10.2021 (sgj)

[*P.T.O.*

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders			
	<u>O.A. No.144 of 2021</u>			
	S.S. KhaladkarApplicant Vs.			
	The State of Maharashtra & OrsRespondents			
	Heard Shri M.B. Kadam holding for Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.			
	2. Reply and rejoinder are filed.			
	3. Admit.			
	4. Place the above matter for final hearing on 21.12.2021.			
	Sd/- (Meäha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 26.10.2021 26.10.2021			
	(sgj)			

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

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			
	<u>O.A. No.744 of 2021</u>			
	R.S. Funde Vs.	Applicant		
	The State of Maharashtra & Ors.	Respondents		
	Heard Shri V.P. Potbhare, le Applicant and Ms. S.P. Manchekar, Officer for the Respondents.			
	2. The office objections, if any court-fees to be paid, if not already p			
	3. Issue notice before admission returnabl 7.12.2021. The respondents are directed to file reply.			
	4. Applicant is authorized and Respondents intimation/notice of authenticated by Registry, along wi of O.A. Private service is allowed COVID-19 Pandemic situation. R notice that the case would be taken the stage of admission hearing.	date of hearing duly th complete paper book in view of this present despondents are put to		
	5. This intimation/notice is ord the Maharashtra Administrative Trib 1988, and the questions such as remedy are kept open.	ounal (Procedure) Rules,		
	6. The service may be done be post/courier and acknowledgement produced along with affidavit of con- within one week. Applicant is direct compliance and notice.	ent be obtained and mpliance in the Registry		
	· · · · · · · · · · · · · · · · · · ·	Sd/- lla R. Bhatkar, J.) Chairperson 26.10.2021		

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders			
	<u>O.A. No.730 of 2021</u>			
	R.G. Jadhav Vs.	Applicant		
	The State of Maharashtra & Ors.	Respondents		
	Heard Shri K.R. Jagdale, Applicant and Ms. S.P. Mancheka Officer for the Respondents.	, learned Advocate for the ar, learned Chief Presenting		
	2. The office objections, if a court-fees to be paid, if not alread	any, are to be removed and y paid.		
	3. Issue notice before a 7.12.2021. The respondents are d	admission returnable on irected to file reply.		
	4. Applicant is authorized Respondents intimation/notice authenticated by Registry, along of O.A. Private service is allow COVID-19 Pandemic situation. notice that the case would be tak the stage of admission hearing.	with complete paper book ved in view of this present Respondents are put to		
	5. This intimation/notice is the Maharashtra Administrative T 1988, and the questions such a remedy are kept open.			
	6. The service may be done post/courier and acknowledge produced along with affidavit of within one week. Applicant is a compliance and notice.	compliance in the Registry		
	Sd/-	Sd/-		
	(Medha Gadeil) (Mr Member (A) 26.10.2021	idula R. Bhatkar, J.) Chairperson 26.10.2021		
	(sgj)			

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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		O.A. No.351 of 20	21 with O	<u>A No.663 of 2</u> (<u>020</u>
		Yadav Vs. State of Maharashtra		Resp	licants oondents
	learne Smt.	Heard Shri B.A. B icant in OA No.35 ed Advocate for Ap K.S. Gaikwad, lea ondents.	51/2021 a oplicant ir	nd Shri K.R n OA No.663	. Jagdale, /2020 and
	2. contin	Interim relief g nue till next date.	ranted in	OA No.663	3/2020 to
	3.	S.O. to 23.11.2021			,
	(sgj)	Sd/- (Medha Gadgil) Member (A) 26.10.2021	! (Mridu	Sd/- lla R. Bhatkar, Chairperson 26.10.2021	2 J.)
					[<i>P.T.O.</i>

Sol.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	<u>O.A. No.832 of 2021</u>		
	G.H. Giramkar Vs.	Applicant	
	The State of Maharashtra & Ors.	Respondents	
	Heard Shri S.V. Waghmare, learned Applicant and Ms. S.P. Manchekar, learned Officer for the Respondents.		
	2. The office objections, if any, are to court-fees to be paid, if not already paid.	be removed and	
	3. Issue notice before admission 24.11.2021. The respondents are directed to		
	4. Applicant is authorized and direct Respondents intimation/notice of date authenticated by Registry, along with com of O.A. Private service is allowed in vie COVID-19 Pandemic situation. Respond notice that the case would be taken up for the stage of admission hearing.	of hearing duly plete paper book w of this present lents are put to	
	5. This intimation/notice is ordered u the Maharashtra Administrative Tribunal (F 1988, and the questions such as limitati remedy are kept open.	Procedure) Rules,	
	6. The service may be done by hand post/courier and acknowledgement be produced along with affidavit of compliance within one week. Applicant is directed to compliance and notice.	obtained and the Registry	
	Sd/-	,	
	(MedHa Gadgil) ' (Mridula R. B Member (A) Chairpe 26.10.2021 26.10.2 (sgj)	erson	

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
	CA No.37 CA No.38 CA No.39 CA No.40 CA No.39 CA No.40 CA	5/2021 in OA No.1029/2014 with 7/2021 in OA No.1030/2014 with 8/2021 in OA No.1031/2014 with 0/2021 in OA No.1032/2014 with 0/2021 in OA No.1033/2014 with No.5/2021 in TA No.1/2020 (CA.36/2021) (CA.37/2021) (CA.38/2021) (CA.39/2021) . Shelke (CA.40/2021) (CA.5/2021)Applicants
	Vs. The State of Mahar	1
	Applicants in C Bandiwadekar for A	R.G. Panchal, learned Advocate for a CAs No.36 to 40/2021, Shri B. Applicant in CA No.4/2021 and Smt. K Presenting Officer for the Respondents.
	with. As regards p	mits that order has been partly compli- becuniary benefits the State has filed w tters and they are in the process of fili aining matters.
	3. S.O. to 30.1	1.2021.
	Sd/- (Medha/Gaa Member (26.10.202 (sgj)	A) Chairperson
		[<i>P.T.O.</i>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribu	nal's crders
	<u>O.A.</u>	<u>No.676 of 2021</u>
	S.B. Patil & 40 Ors. Vs.	Applicants
	The State of Maharashtra	& OrsRespondents
		eep Dere, learned Advocate for t S.P. Manchekar, learned Ch Respondents.
	2. The office objecti court-fees to be paid, if no	ions, if any, are to be removed a ot already paid.
		efore admission returnable ents are directed to file reply.
	Respondents intimation/r authenticated by Registry of O.A. Private service COVID-19 Pandemic si	norized and directed to serve notice of date of hearing du , along with complete paper bo is allowed in view of this prese ituation. Respondents are put d be taken up for final disposal aring.
	the Maharashtra Administ	otice is ordered under Rule 11 trative Tribunal (Procedure) Rule such as limitation and alterna
	post/courier and acknown produced along with affid	be done by hand delivery/ spe owledgement be obtained a davit of compliance in the Regist cant is directed to file affidavit
	Sd/-	Sd/
	(Medha Gadgil) Member (A) 26.10.2021 (sgj)	¹ (Mridula R. Bhatkar, J.) Chairperson 26.10.2021

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		<u>M.A. No.226 of 2</u>	<u>020 in O.A. 1</u>	No.495 of 2020	
	S.A.	Shaikh & Ors. Vs.		Applicat	nts
	The	vs. State of Maharashtra	& Ors.	Respond	lents
		Heard Shri Sande licants and Ms. enting Officer for the	S.P. Manch	ekar, learned	
	2.	Ld. CPO seeks tii	me to file rep	ly.	
	3.	S.O. to 24.11.202	1 by way of la	ast chance.	
	3. (sgj)	Sd/- (Medha Gadgil) Member (A) 26.10.2021	[/] (Mridula C	Sd/- a R. Bhatkar, J.) hairperson 6.10.2021	
				[<i>P.T</i>	

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribuna	al's orders		
		<u>0.A. N</u>	10.916 of 2019		
	S.D.	Haral & Ors.		Applicant	c
		Vs. State of Maharashtra &			
	the A	Heard Shri B.A. Ba Applicants and Smt. I er for the Respondent	ndiwadekar, lear S.S. Gaikwad, le s.	arned Prese	te for enting
	passe	Ld. PO to verify v d by Nagpur Bench o is applicable in the pr	of this Tribunal i	n OA No.40	.2020 66 of
	3.	S.O. to 29.10.2021.			
	(sgj)	Sd/- (Medha/Gadgil) Member (A) 26.10.2021	Sd/ (Mridula R. Bl Chairpe 26.10.2	hatkar, J.) erson	Z
				[<i>P.T.C</i>	<u>)</u> .

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal'	s orders
	<u>O.A. No</u>	<u>.650 of 2020</u>
	G.G. Barathe Vs.	Applicant
	The State of Maharashtra &	OrsRespondents
	Heard Shri B.A. Ban the Applicant and Ms. S Presenting Officer for the Re	diwadekar, learned Advocate for .P. Manchekar, learned Chief espondents.
	2. Ld. Advocate for the rejoinder will be filed during	e applicant states that affidavit in the course of the day.
	3. Admit.	
	4. Place the above 1 7.12.2021.	matter for final hearing on
	Sd/- (Medha Gadyil) Member (A) 26.10.2021	Sd/- (Mridula R. Bhatkar, J.) Chairperson 26.10.2021
	(sgj)	20.10.2021

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FARAD CONTINUATION SHEET No.

	Tribun	al's orders	
			······································
	<u>O.A.</u> N	No.138 of 2021	
S.G.	Koli Vs.		Applicant
The S	State of Maharashtra	& Ors.	Respondents
the A Offic	Applicant and Smt. I	K.S. Gaikwad,	arned Advocate for learned Presenting
2.	Interim relief to co	ontinue till next	date.
3.	S.O. to 30.11.2021		
(sgj)	Sd/- (Medha'Gadgfl) Member (A) 26.10.2021	(Mridula R.) Chair	
	The S the A Offic 2. 3.	<u>O.A. N</u> S.G. Koli Vs. The State of Maharashtra Heard Shri B.A. Ba the Applicant and Smt. H Officer for the Respondent 2. Interim relief to co 3. S.O. to 30.11.2021 Sd/- (Medha'Gadg/I) Member (A) 26.10.2021	Vs. The State of Maharashtra & Ors. Heard Shri B.A. Bandiwadekar, lea the Applicant and Smt. K.S. Gaikwad, Officer for the Respondents. 2. Interim relief to continue till next of 3. S.O. to 30.11.2021. Sd/- (Medha Gadgfl) (Mridula R. I Member (A) Chairg 26.10.2021 26.10

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Appearance, Tribunal's orders or directions and Registrar's orders		Tribu	nal's crders		<u> </u>
		<u>O.A.</u>]	No.139 of 20	<u>21</u>	
	R.R. K	Koli Vs.		Applica	nt
	The St	tate of Maharashtra	& Ors.	Respond	dents
		Heard Shri B.A. B pplicant and Smt. r for the Responden	K.S. Gaikwa		
	2021 (adopte	Ld. Advocate for 19.3.2021 passed it (S.G. Koli Vs. Stat ed and same interim was passed in OA N	n similar ma e of Mahara relief may l	tter i.e. OA No. Ishtra & Ors.) 1 be granted. Fol	.138 c nay b lowin
		"2. Ld. Advoc Bandiwadekar poi of OA No.682, 68. was decided by or and hence similar	nted out tha 3, 684, 685, der dated 26	661, 703/2020, 5.11.2020 are th	ie cas whic
		3. Interim rel post can be grante		ect of supernu	merar <u>.</u>
		4. Ld. PO con case and all tho identical and she order is passed.	se matters		ve ar
		5. In view of granted and we su the respondent no.	ay the impu	C/ 1	•
	3.	Ld. PO submits to	the order of	the Tribunal.	
		Hence, in view of ns of prayer clause ned order is stayed t	10(a) of the	e present OA a	-
	5.	S.O. to 30.11.2021		.) .	9 [
	(sgj)	Sd/- (Medda Gadgil) Member (A) 26.10.2021	Cl	Sd/- R. Bhatkar, J.) hairperson 6.10.2021	_

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 26.10.2021 O.A. No.575 of 2021 to O.A. No.579 of 2021 S.A. Panchal R.R. Kolse A.R. Shinde R.B. Lanjekar P.B. PatilApplicant Versus The State of Maharashtra & OrsRespondents.
	1. Heard Shri Sandeep S. Dere, learned Advocate along with Shri Manohar B. Kadam, learned Advocate for the Applicant, Smt. Kranti S. Gaikwad, learned Presenting Officer for the Respondents, Shri Makarand D. Lonkar, learned Advocate for the Respondent No.3 in O.A. No.576/2021 and Ms. Purva Pardhan, learned Advocate holding for Shri Dinesh B. Khaire, learned Advocate for the Respondent No.3 in O.A. No.575/2021, 577/2021 & 579/2021.
	 In so far as Private Respondent No.3 in O.A. No.578/2021 is concerned, he was after filing of O.A. and he was also served with the notice but absent. Today learned P.O. has filed Affidavit-in-Reply separately in all these O.As. It is taken on record. Shri M.D. Lonkar, learned Advocate for Respondent No.3 in O.A. No.576/2021 seeks two weeks time to file Reply.
	[P.T.O.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
- -	5. Shri D.B. Khaire, learned Advocate fo Respondent No.3 in O.A. No.579/2021 has Affidavit-ir Reply and sought time to file Reply in remaining tw O.As.
	6. Time is granted to file Reply by privat Respondents and it be filed before next date in advance with service of copies of the same on the counsel for the Applicant.
	7. S.O. to 18.11.2021.
	N Sd/-
	(A.P. Kurhekar) Member (J)
	VSM
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 25.10.2021
	O.A.No.262 of 2020 with O.A.No.263 of 2020
	L.J. Thakur (O.A.262/2020) K.J. Mhatre (O.A.263/2020)Applicants Vs. The State of Maharashtra & OrsRespondents.
	1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned
	Presenting Officer for the Respondents.
	2. The learned P.O. seeks time to file affidavit-
	in-reply.
	3. Registrar is directed to place the matter as
	per the new office order.
	• 1
	Sd/- / Sd/- (Medha Gadigil) (Mridula Bhatkar, J.) Member(J) Chairperson
	prk

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	25.10.2021
	<u>M.A 448/2021 in O.A 1460/2021(Nagpur)</u>
	Smt Babita A. Kosarkar Applicant Vs.
	The State of Maharashtra & Ors Respondents
	1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.
	2. The application is filed under Section 25 of the Administrative Tribunals Act, 1985. Learned counsel submits that the applicant is from Yevatmal, which comes under the territorial jurisdiction of M.A.T, Nagpur Bench. However, other similarly situated persons have filed applications which are before the M.A.T, Principal Bench at Mumbai and the same is fixed on 16.11.2021.
	3. Learned P.O submits to the order of the Court.
	4. Misc Application is allowed. The record and proceedings in O.A 1460/2021 (Nagpur) be transferred to the Principal Bench at Mumbai.
	/ Sd/- (Mridula Bhatkar, J.) Chairperson
	Akn

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 25.10.2021
	O.A.No.204/2021 with O.A.No.205/2021 with O.A.No.429/2021 with O.A.No.642/2021 with O.A.No.693/2021 with O.A.No.674/2021 with O.A.No.675/2021 with O.A.No.754 of 2021 with O.A.No.755/2021 with O.A.No.767/2021 with O.A.No.798/2021
	 B.B. Nimgire (O.A.204/2021) S.J. Katkar (O.A.205/2021) A.R. Ghemud & Ors. (O.A.429/2021) R.H. More (O.A.642/2021) S.V. Ghanwat (O.A.693/2021) L.M. Ragji & Ors. (O.A.674/2021) K.A. Pagare (O.A.675/2021) S.M. Nigave (O.A.754/2021) S.D. Dhumal (O.A.755/2021) S.A. Bansode (O.A.767/2021) M.S. Giri (O.A.798/2021)Applicants Vs. The State of Maharashtra & OrsRespondents.
	1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants in O.A.No.204/2021, O.A.No.205/2021, O.A.No.429/2021, O.A.No.674/ 2021, O.A.No.675/2021, O.A.No.754/2021, O.A. No.755/2021, O.A.No.767/2021 and O.A.No.798 /2021, Mr. A.B. Chalak, learned Advocate for the Applicant in O.A.642/2021 and O.A.693/2021 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
	2. The learned P.O. on instructions from G.A.D. and Finance Department submits that the Government needs two weeks time to comply with the order of Tribunal dated 05.10.2021.
	3. Time granted by way of last chance. We however, make it clear that as the time extension has been asked by the Government, it will be excluded from the period of limitation.
	4. The learned P.O. to file affidavit-in-reply.
	5. Adjourned to 16.11.2021.
	Sd/- Sd/- (MedWa Gadgil) (Mridula Bhatkar, J.) Member(J) Chairperson

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	Date : 25.10.2021 M.A.No.443 of 2021 in O.A.No.647 of 2020
	 S.D. ShelarApplicant Vs. The State of Maharashtra & OrsRespondents. 1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today officers are present without the concerned files. Though it is specifically directed that the affidavit-in-reply is to be filed today itself. 3. Today 2.30 p.m. for bringing file and also to file affidavit in reply.
	Sd/- (Meäha Gaagu) Member(J) (Mridula Bhatkar, J.) Chairperson

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Date : 25.10.2021 M.A.No.443 of 2021 in O.A.No.647 of 2020 S.D. ShelarApplicant
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S.D. ShelarApplicant
 Vs. The State of Maharashtra & OrsRespondents. 1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The learned Advocate for the Applicant submits that though 833 posts were advertised there are number of vacancies due to various reasons. He further points out that the Home Department (Transport) had written letter dated 31.07.2020 to the M.P.S.C. requesting for extension of the waiting list for the post of Assistant Motor Vehicle Inspector in view of the pandemic. However, he further pointed out that the M.P.S.C. by their letter dated 12.10.2020 rejected the claim of the Government quoting the G.A.D. circular. They also referred to two Government Resolutions dated 31.05.2016 and 02.08.2019 which referred to the period where there is no pandemic. He further pointed out the judgment of Hon'ble Supreme Court in M.A.No.665/ 2021 in SMW(C)No.3/2020 dated 23.09.2021, wherein paragraph 8 reads as below :- 8. Therefore, we dispose of the M.A.No. 665/2021 with the following directions :- I. In computing the period of limitation for
any suit, appeal, application or proceeding, the period from 15.03.2020 till 02.10.2021 shall stand excluded. Consequently, the balance period of limitation remaining as on 15.03.2021, if any, shall become available with effect from 03.10.2021.
II. In cases where the limitation would have expired during the period between 15.03.2020 till 02.10.2021, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 03.10.2021. In the event the actual balance period of limitation remaining, with effect from 03.10.2021, is greater than 90 days, that longer period shall apply. [P.TO.

 23(4) and 29A of the Arbitration and Conclusion Act, 1996, Section 12A of the Commercial Courts Act, 2015 and provisos (b) and (c) of Section 13B of the Negotiable Instruments Act, 1881 and any other laws, which prescribe period(s) of limitation for instituting proceedings, outer limits (within which the court or tribunal can condone delay) and termination of proceedings. IV. The Government will be allowed for medical emergencies, provision og essential goods and services, and other necessary functions, such as, time bound promotions, including for lega purposes, and educational and job related requirements." 3. In the present case, there is a balance of six months for the wait list of the above mentioned posts which can be extended. 4. The learned P.O. seeks time to verify the position and check the number of vacancies. 5. Adjourned to 29.10.2021. 	Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
months for the wait list of the above mentioned posts which can be extended. 4. The learned P.O. seeks time to verify the position and check the number of vacancies. 5. Adjourned to 29.10.2021.		 Interpretend from fourther bencher and operations 02.10.2021 shall also stand excluded in computing the periods prescribed under Sections 23(4) and 29A of the Arbitration and Conciliation Act, 1996, Section 12A of the Commercial Courts Act, 2015 and provisos (b) and (c) of Section 138 of the Negotiable Instruments Act, 1881 and any other laws, which prescribe period(s) of limitation for instituting proceedings, outer limits (within which the court or tribunal can condone delay) and termination of proceedings. IV. The Government of India shall amend the guidelines for containment zones, to state. "Regulated movement will be allowed for medical emergencies, provision of essential goods and services, and other necessary functions, such as, time bound promotions, including for legal purposes, and educational and job-
 4. The learned P.O. seeks time to verify the position and check the number of vacancies. 5. Adjourned to 29.10.2021. Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J. Member(J) (Mridula Bhatkar, J. Chairperson) 		months for the wait list of the above mentioned
position and check the number of vacancies. 5. Adjourned to 29.10.2021. Sd/- (Medha Gadgil) (Mridula Bhatkar, J. Member(J) Chairperson		posts which can be extended.
5. Adjourned to 29.10.2021. Sd/- (Medha Gadgil) (Mridula Bhatkar, J. Member(J) Chairperson		4. The learned P.O. seeks time to verify the
Sd/- Sd/- (Medh# Gadgil) (Mridula Bhatkar, J. Member(J) Chairperson		position and check the number of vacancies.
Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J. Member(J) Chairperson		5. Adjourned to 29.10.2021.
(Medha Gadgil) (Mridula Bhatkar, J. Member(J) Chairperson		•
(Medha Gadgil) (Mridula Bhatkar, J. Member(J) Chairperson		Sd/- Sd/-
prk		(Medha Gadgil) (Mridula Bhatkar, J.)
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	Date : 26.10.2021.
	O.A.No.731 of 2021
	S. I. AbbasApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri Nagnath Bhumkar, learned Counsel for the Applicant and Smt. Archana B. K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.
	2. On request of learned P.O., two weeks time is granted
	for filing reply.
	3. S.O. to 17.11.2021
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	Sd/-
	(A.P. Kurhekar) Member(J)

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	Date : 26.10.2021.
	O.A.No.716 of 2021
	V. D. GuravApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. The Applicant and his power of attorney are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.
	2. On request of learned P.O., two weeks time is granted for filing reply.
	3. S.O. to 22.11.2021.
	Sd/-
	(A.P. Kurhekar) Member(J)

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	Date : 26.10.2021. O.A.No.698 of 2021 A. R. Uttare Applicant Versus The State of Maharashtra & Ors. Respondents. 1. Heard Shri S. A. Kasar, learned Counsel for the Applicant and Smt. Archana B. K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondent
	Nos.1 to 3. Respondent No.4 though served but absent.2. On request of learned P.O., two weeks time is granted
	for filing reply.
	3. S.O. to 26.11.2021.
	Sd/-
	(A.P. Kurhekar) Member(J) vsm

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	Date : 26.10.2021. O.A.No.585 of 2021
	S. S. DapkeApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B. K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.
	2. Enough chances are granted for filing reply but the
	same is not filed.
	3. However, learned P.O. assures to file reply on
	opening day after vacation without fail.
	4. S.O. to 15.11.2021.
	Sd/-
	(A.P. Kurhekar) Member(J)
	vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 26.10.2021.
	O.A.No.541 of 2021
	S. R. KakadApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
	2. On request of learned P.O., one week time is granted
	for filing reply by way of last chance.
	3. S.O. to 29.10.2021.
	Sd/-
	(A.P. Kurhekar) Member(J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

Original Application No. of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders			Tribunal's ord	ers
	Date	: 26.10.2021.		
	Date	. 20.10.2021.	O.A.No.522 of	2021
	V.V.	Tamhankar	0.4.10.522 01	Applicant
				Applicant
	Vers	us		
	The S	State of Mahar	ashtra & Ors.	Respondents.
		icant and Smt	. Archana B. I	learned Counsel for the K. holding for Shri A. J. er for the Respondents.
	2.	Learned P.C). submits that	during the course of the
	day,	reply on beł	alf of Respon	dent No.2 will be filed.
	State	ement is accept	ed. It be taken	on record.
	3.	No reply is	being filed on	behalf of the Respondent
	No.1	, 3 and 4.		
	4.	On request	of learned Cour	sel for the Applicant, two
				y by way of last chance.
	5.	S.O. to 29.10	0.2021.	
				Sd/-
				P. Kurhekar)
	vsm		M	ember(J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 26.10.2021. O.A.No.510 of 2021
	S. J. PendharkarApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.
	2. On request of learned P.O., two weeks time is granted for filing reply.
	3. S.O. to 18.11.2021.
	Sd/-
	(A.P. Kurhekar) Member(J) vsm

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 26.10.2021.
	O.A.No.501 of 2021
	D. K. GawaliApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
	2. Affidavit-in-Reply on behalf of the Respondent No.3
	was filed.
	3. On previous date, O.A. is for filing for remaining
	REsponent Nos.1,2, 4 and 5. However, no reply is filed on
	their behalf. Therefore, I am not inclined to grant further
	time. 4. O.A. be kept for hearing at the stage of admission
	4. O.A. be kept for hearing at the stage of admission with liberty to file reply on behalf of Respondent Nos.1, 2, 4
	and 5, if any in the meantime.
	5. S.O. to 26.11.2021.
	Sd/-
	(A.P. Kurhekar) Member(J)
	vsm

Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No. of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 26.10.2021.
	O.A.No.328 of 2021
	P. A. BodekarApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
	2. Today, the matter is for filing Rejoinder but the same
	is not filed by the Applicant.
	3. O.A. is, therefore, be kept for hearing at the stage of
	admission with liberty to file Rejoinder in the meantime, if
	any.
	4. S.O.to 26.11.2021.
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	Sd/-
	(A.P. Kurhekar)
	Vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

of 20

I N

Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 26.10.2021.
	M.A. No.178 of 2021 in O.A.No.490 of 2020
	S. R. PatilApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.
	2. Though enough time is granted, no reply is filed in M.A
	 Insofar as the O.A. is concerned, the reply is already filed.
	4. I am, therefore, not inclined to grant time to file reply
	to M.A. M.A. shall proceed without reply
	5. M.A. and O.A. will be heard together and it be kept
	for hearing at the stage of admission.
	6. S.O. to 26.11.2021.
	Sd/-
	(A.P. Kurhekar) Member(J) vsm

|Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

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	
	Date: 26.10.2021	
	O.A. No.1112 of 2019	
	K.B. Solanki & OrsApplicant Versus The State of Maharashtra & OrsRespondents.	
	 Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. Learned P.O. submits that Affidavit along with Annexure will be filed during the course of the day, in pursuance of the order dated 18.10.2021, whereby time was granted to produce the same. Statement is accepted. It be taken on record. Adjourned for hearing on 15.11.2021. 	
	Sd/- (A.P. Kurhekar) Member (J)	
	[<i>P.T.O.</i>	

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

of 20

ΙN

Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
- 11-2		
	Date: 26.10.2021	
	O.A. No.225 of 20)21
	S.D. Gawade Versus	Applicant
	The State of Maharashtra & Ors.	Respondents.
	1. Heard Shri R.G. Patil, learne Applicant, Smt. Archana B. Kologi, Officer for the Respondents and learned Advocate for the Responder	learned Presenting Shri P.M. Khankar,
	2. Today learned Advocate fo has filed Affidavit-in-Reply on bel No.2. It is taken on record.	
	3. Adjourned for hearing at the	stage of admission.
	4. S.O. to 24.11.2021.	
	(A.P. K	Sd/- Curhekar) 1ber (J)
	NMN	.,
		[<i>P.T.O</i> .

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

of 20

ΙN

Original Application No.

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 26.10.2021.
	O.A.No.844 of 2021
	C. S. LokhandeApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
	2. The Applicant stands retired on 31.07.2017 but till
	date some of the retiral benefits are withheld. He was
	granted GPF, GIS and Leave Encashment. The Provisional
	Pension was initially granted for six months and it was
	continued for another six months only and stopped. He was
	not paid Gratuity.
	3. Learned Counsel for the Applicant submits that at the
	time of retirement, there was neither D.E. nor criminal
	prosecution against the Applicant but his retiral benefits are
	withheld without any reason.
	4. It is really surprising and disgusting that for four
	years, the Applicant is deprived of Gratuity and regular
	Pension though there seems to be no legal hurdle to release
	the same.
	5. The O.A., therefore, requires to be decided
	expeditiously.
	6. Learned P.O. is directed to take instructions as to why
	Gratuity and regular Pension is not granted.

[*P.T.O.*

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

7. In the meantime, issue notice before admission returnable on 29.10.2021.

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

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

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

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

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

13. S.O. to 29.10.2021.

14. Respondent No.1 – Joint Director of Vocational Education & Training, Mumbai is directed to depute some responsible officer to remain present in the Tribunal on next date to apprise the Tribunal as to why Gratuity and regular Pension is withheld.

Sd/-(A.P. Kurhekar)

(A.P. Kurnekar) Member(J)

vsm