

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 26.11.2019.</p> <p style="text-align: center;"><b>O.A.No.332 of 2017</b></p> <p><b>B. N. Jadhav</b> <span style="float: right;">....Applicant</span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. In present O.A. Applicant has challenged the impugned order of punishment whereby punishment of 10% reduction in pension permanently is imposed.</li> <li>3. Shri A. V. Bandiwadekar, learned Counsel for the Applicant submits that the punishment of 10% reduction of pension pertains to Single Bench.</li> <li>4. Whereby, Shri A. J. Chougule, learned P.O. submits that it is major punishment, and therefore, the matter pertains to Division Bench.</li> <li>5. There is no clarification in the office order as to whether punishment of permanent reduction in pension falls in the category of minor punishment or major punishment.</li> <li>6. In so far as minor punishments are concerned those are as follows :- <ol style="list-style-type: none"> <li>i) censure;</li> <li>ii) withholding of promotion;</li> <li>iii) recovery from pay of the whole or part of any pecuniary loss caused by employee to Government</li> <li>iv) withholding of increments of pay</li> </ol> </li> </ol> <p>Above are only minor penalties as per Rule 5(1) of Maharashtra Civil Services (Discipline &amp; Appeal) Rules, 1979.</p> <ol style="list-style-type: none"> <li>7. Whereas in the present case, punishment imposed is 10% permanent reduction of pension which does not fall in Rule 5 (1) of MCS (D &amp; A) Rules, 1979.</li> <li>8. In view of above, office is directed to examine the matter and place it before appropriate bench.</li> <li>9. 5.O. to 10.12.2019.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Date : 26.11.2019.

O.A.No.635 of 2017

S. S. Shivade .....Applicant  
Versus  
The State of Maharashtra & Ors. ...Respondents.

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
  2. In the present O.A., the Applicant has challenged the impugned order dated 30.06.2017 whereby he was transferred from Paighar to Sindhudurg. The Applicant was promoted (fortuitous promotion) to the post of PSI by order dated 21.01.2016. In order dated 21.01.2016, there was clear recital that during the period of his fortuitous promotion, he will not be transferred out of district. Despite this, the Applicant was transferred to Sindhudurg.
  3. Learned P.O. has pointed out that by order dated 14.06.2018 for promotion which was granted to the Applicant is withdrawn and now he is posted at Palghar itself, and therefore, grievance no more survives. The order dated 14.06.2018 is taken on record and marked as letter 'X' for identification.
  4. The Tribunal has already granted interim relief and the Applicant is continued at Palghar. However, during the pendency of O.A., by order dated 14.06.2018 fortuitous promotion granted to the Applicant is withdrawn and he is reverted to the post of ASI and accordingly again posted at Palghar. As such, by order dated 14.06.2018, in view of reversion, the Applicant is posted at Palghar itself. This being the position, challenge to the O.A. has become infructuous.
- Original Application is, therefore, disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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><b><u>26.11.2019</u></b></p> <p><b><u>M.A 641/2019 in O.A 1121 /2019</u></b></p> <p>Shri Sandip K. Bhitade &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. This Misc Application is filed to sue jointly as the issue involved is the same.</p> <p>3. Misc Application to sue jointly is allowed, subject to payment of Court Fees if not already paid.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

(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

26.11.2019O.A nos 229 & 1121/2019

Shri G.A Kiture &amp; Others

... Applicants

Vs.

The State of Maharashtra &amp; Ors

... Respondents

1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. In both these Original Applications, M.P.S.C has clarified to the Home Department on 22.7.2019 and sought policy decision in respect of issues which are being agitated before this Tribunal.

3. Today during hearing learned C.P.O submits that as per instructions received, four weeks' time is required for communicating the decision taken.

4. Learned advocate for the applicants submit that the matter is urgent and pending from March, 2019 and therefore request that urgent decision is required.

5. We, therefore, direct the Respondents to ensure that necessary policy decision is taken on priority and the progress regarding the same should be communicated on 12.12.2019.

6. S.O to 12.12.2019.

Sd/-

(A.P. Kurhekar)  
Member (J)

Akn

Sd/-

(P.N Dixit)  
Vice-Chairman (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><b><u>26.11.2019</u></b></p> <p><b><u>M.A 485/2019 in O.A 677/2019</u></b></p> <p>Shri H.T Shinde ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. At the request of learned C.P.O, adjourned to 5.12.2019.</p> <p style="text-align: center;">Sd/- <b>(A.P. Kurhekar)</b> Member (J)</p> <p style="text-align: center;">Sd/- <b>(P.N Dixit)</b> Vice-Chairman (A)</p> <p>Akn</p>

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.1126 of 2019</u></p> <p>S.A. Shewale ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In the present OA the applicant has prayed to quash the DE initiated against him by the Superintendent of Police (SP) on 10.7.2019. Ld. Advocate for the applicant refers to Rule 3 of the Bombay Police (Punishment &amp; Appeal) Rules, 1986. Rule 3 reads as under:</p> <p style="padding-left: 40px;"><i>"3(1-A)(i) The appointing authority or any authority to which it is subordinate or any other authority empowered by the State Government in this behalf may place, a Police Officer under suspension where-</i></p> <p style="padding-left: 80px;"><i>(a) an inquiry into his conduct is contemplated or is pending, or</i></p> <p style="padding-left: 80px;"><i>(b) a complaint against him of any criminal offence is under investigation or trial:</i></p> <p style="padding-left: 40px;"><i>Provided that where the order of suspension is made by an authority lower in rank than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order of suspension was made."</i></p> <p style="text-align: right;"><i>(Quoted from page 136 of OA)</i></p> <p>3. Rule referred by the Ld. Advocate for the applicant pertains to power of suspension and not about initiation of DE. Ld. Advocate for the applicant is therefore directed to satisfy this Tribunal how DE initiated by the SP is without jurisdiction and how he is not competent to initiate DE.</p> <p>4. S.O. to 19.12.2019.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____</p> <p style="text-align: center;">(A.P. Kurhekar) (P.N. Dixit) Member (J) Vice-Chairman (A) 26.11.2019 26.11.2019</p> <p>(sgj)</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><b>Date : 26.11.2019.</b></p> <p><b>O.A.No.1000 of 2019</b></p> <p><b>G. M. Kamble</b> ..... Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ... Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos.1 and 3, Shri M. B. Kadam, learned Counsel for the Respondent No.2.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 and 3. It is taken on record.</p> <p>3. Shri M. B. Kadam, learned Counsel for the Respondent No.2 has also filed reply. It is taken on record.</p> <p>4. Matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 12.12.2019.</p> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> Member(J)</p> <p>vsm</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 Memorondo of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 26.11.2019.</b></p> <p><b>D.A.No. 985 of 2019</b></p> <p><b>Dr. S. P. Godbole</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. Respondent No.2 is served but absent.</p> <p>4. Matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 18.12.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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><b>Date : 26.11.2019.</b></p> <p><b>O.A.No.954 of 2019</b></p> <p><b>R. R. Gharge</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. Two weeks time is granted for filing reply on behalf of the Respondent Nos.2 to 5, if any. No further time will be granted.</p> <p>4. 5.O. to 10.12.2019.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(A.P. Kurhekar)</b> <b>Member(J)</b></p> <p>vsm</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><b>Date : 26.11.2019.</b></p> <p><b>O.A.No.930 of 2019</b></p> <p><b>Dr. S. R. Gurav</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of Respondent Nos.1 and 2. It is taken on record.</p> <p>3. Matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 17.12.2019.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(A.P. Kurhekar)</b> <b>Member(J)</b></p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 26.11.2019.</p> <p>O. A. No.1133 of 2019</p> <p>A. J. Dange .....Applicant Versus The State of Maharashtra &amp; Ors....Respondents.</p> <ol style="list-style-type: none"><li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li><li>2. Issue notice before admission returnable on 02.01.2020.</li><li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li><li>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li><li>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.</li><li>6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li><li>7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</li><li>8. S.O. to 02.01.2020.</li></ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 26.11.2019.</p> <p>O. A. No.1130 of 2019</p> <p>K. R. Landge .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri. K.R. Jagdale, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. Issue notice before admission returnable on 10.12.2019.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>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.</li> <li>6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</li> <li>8. S.O. to 10.12.2019.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>
	<p><b>Date : 26.11.2019.</b></p> <p><b>R. A. No.19 of 2010 in O.A.No.817 of 2019</b></p> <p><b>The State of Maharashtra &amp; Ors. ....Applicants (Ori. Respondents)</b></p> <p><b>Versus</b></p> <p><b>S. R. Karande ...Respondent (ORI. Applicant)</b></p> <p>1. Heard Shri A. J. Chougule, learned Presenting Officer for the Applicants (Ori. Respondents) and Shri K. Gidh, learned Counsel for the Respondent (Ori. Applicant).</p> <p>2. Today, learned Counsel for the Respondent (Ori. Applicant) has filed reply to R.A. It is taken on record.</p> <p>3. Matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 11.12.2019.</p> <p style="text-align: right;">Sd/- _____ <b>(A.P. Kurhekar)</b> <b>Member(J)</b></p> <p>vsm</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 align="center"><u>O.A. No.1102 of 2019</u></p> <p>S.V. Khatavkar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.S. Anees, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant has sought limited relief of expeditious hearing of appeal filed against the order dated 28.10.2018 passed by the disciplinary authority thereby removing him from service. Being aggrieved by the punishment of removal from service the applicant has filed appeal on 5.12.2018. The applicant claims to be physically disabled. He was appointed on the post of Peon.</p> <p>3. In view of the above, the OA can be disposed off with suitable directions.</p> <p>4. In view of the above, OA is disposed off with a direction to the appellate authority to decide the appeal filed by the applicant as early as possible latest within six months from today. Order be communicated to the appellate authority. No order as costs.</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J) 26.11.2019 (sgj)</p> <p align="right">Sd/-  (P.N. Dixit) Vice-Chairman (A) 26.11.2019</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1044 of 2019</u></p> <p>N.L. Bhangre ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.C. Karmarkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. Advocate for the applicant adjourned to 10.12.2019.</p> <p align="center">Sd/- _____ Sd/- _____ (A.P. Kurhekar) (P.N. Dixit) Member (J) Vice-Chairman (A) 26.11.2019 26.11.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_ Applicant/s

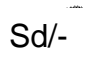
(Advocate .....)

*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><b><u>26.11.2019</u></b></p> <p><b><u>O.A 407/2016</u></b></p> <p>Shri S.S Chougule &amp; Others ... Applicants  Vs.  The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicants, Ms Swati Manchekar, learned P.O for the Respondents and Shri M.D Lonkar, learned Special Counsel for</p> <p>2. Learned Spl Counsel assisted by Learned C.P.O submits that the State wishes to file sur-rejoinder. At his request adjourned to 11.12.2019.</p> <p style="text-align: right;">Sd/- </p> <p style="text-align: right;"><b>(P.N Dixit)</b>  <b>Vice-Chairman (A)</b></p> <p>Aku</p>

(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><b>26.11.2019</b></p> <p><b><u>M.A 640/2019 in O.A 714/2016</u></b></p> <p>Shri V.V. Thakur ... Applicant                      Vs.                      The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.S Golegaonkar, learned advocate for the applicant and Shri S.D Dole, learned P.O for the Respondents.</li> <li>2. Issue notice returnable on 11.12.2019.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</li> <li>4. Applicants are 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.</li> <li>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.</li> <li>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file affidavit of compliance and notice.</li> <li>7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.</li> <li>8. S.O to 11.12.2019.</li> </ol> <p style="text-align: right;">Sd/-                      (P.N Dixit)                      Vice-Chairman (A)</p> <p>ako</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><b><u>26.11.2019</u></b></p> <p><b><u>M.A 639/2019 in O.A 714/2016</u></b></p> <p>Shri V.V. Thakur ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri A.S Golegaonkar , learned advocate for the applicant and Shri S.D Dole, learned P.O for the Respondents.</p> <p>2. Issue notice returnable on 11.12.2019.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>4. Applicants are 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.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file affidavit of compliance and notice.</p> <p>7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date. Original Application shall stand dismissed without reference and papers be consigned to record.</p> <p>8. S.O to 11.12.2019.</p> <p style="text-align: right;">Sd/- <b>(P.N Dixit)</b> <b>Vice-Chairman (A)</b></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><b><u>26.11.2019</u></b></p> <p><b><u>O.A 545/2019</u></b></p> <p>Shri W.H Suryawanshi ... Applicant  Vs.  The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned advocate files rejoinder. Learned P.O seeks time to file rejoinder.</p> <p>3. At her request adjourned to 10.12.2019.</p> <p style="text-align: right;">Sd/-   (P.N Dixit)  Vice-Chairman (A)</p> <p>Aka</p>

# 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><b><u>26.11.2019</u></b></p> <p><b><u>M.A 638/2019 in O.A 713/2016</u></b></p> <p>Shri V.M Thakur ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"><li>1. Heard Shri A.S Golegaonkar , learned advocate for the applicant and Shri S.D Dole, learned P.O for the Respondents.</li><li>2. Issue notice returnable on 11.12.2019.</li><li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</li><li>4. Applicants are 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.</li><li>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.</li><li>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file affidavit of compliance and notice.</li><li>7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.</li><li>8. S.O to 11.12.2019.</li></ol> <p style="text-align: right;">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

(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 data-bbox="656 495 792 522"><b>26.11.2019</b></p> <p data-bbox="792 533 1170 559"><b><u>M.A 637/2019 in O.A 713/2016</u></b></p> <p data-bbox="656 588 1214 614">Shri V.M Thakur ... Applicant</p> <p data-bbox="818 614 857 641">Vs.</p> <p data-bbox="656 641 1252 668">The State of Maharashtra &amp; Ors ... Respondents</p> <ol data-bbox="656 694 1312 1632" style="list-style-type: none"> <li>1. Heard Shri A.S Golegaonkar , learned advocate for the applicant and Shri S.D Dole, learned P.O for the Respondents.</li> <li>2. Issue notice returnable on 11.12.2019.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</li> <li>4. Applicants are 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.</li> <li>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.</li> <li>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file affidavit of compliance and notice.</li> <li>7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.</li> <li>8. S.O to 11.12.2019.</li> </ol> <p data-bbox="1159 1676 1284 1709">Sd/-</p> <p data-bbox="1062 1743 1279 1798"><b>(P.N Dixit) Vice-Chairman (A)</b></p> <p data-bbox="656 1804 688 1827">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 align="center"><b><u>26.11.2019</u></b></p> <p align="center"><b><u>O.A 960/2019</u></b></p> <p>Shri A.E Kerure ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.B Talekar, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for Respondents no 1 &amp; 2, Shri M.D Lonkar, learned advocate for the Respondent no. 4 and Shri Mishra, learned advocate for Respondent no. 3.</p> <p>2. Learned advocate Shri Lonkar, appearing on behalf of Respondent no. 4 submits his Vakalatnama and submits that copy of O.A and copy of affidavit including additional documents submitted on 6.11.2019 are yet to be received by him.</p> <p>3. Learned advocate Shri Mishra, submits that he is filing Vakalatnama on behalf of Respondent no. 3 and he seeks adjournment for filing reply.</p> <p>4. Learned advocate Shri Talekar submits that he is having acknowledged copy of petition which is served on Respondent no. 4. However, he is ready to provide additional copy to learned advocate for Respondent no. 4 today itself.</p> <p>5. Learned C.P.O seeks one week for filing reply.</p> <p>6. By consent, adjourned to 11.12.2019.</p> <p align="right">Sd/-</p> <p align="right"><b>(P.N Dixit)</b> <b>Vice-Chairman (A)</b></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><b><u>26.11.2019</u></b></p> <p><b><u>O.A 576/2016</u></b></p> <p>Shri A.P Patil &amp; Others ... Applicants  Vs.  The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.B Talekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that reply will be filed during the course of the day.</p> <p>3. Adjourned to 9.12.2019.</p> <p style="text-align: right;">Sd/-  (P.N Dixit)  <b>Vice-Chairman (A)</b></p> <p>Aka</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><b><u>26.11.2019</u></b></p> <p><b><u>O.A 558/2019</u></b></p> <p>Shri P.S Pereira ... Applicant  Vs.  The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned advocate for the applicant submits affidavit in rejoinder. The same is taken on record.</p> <p>3. Learned C.P.O seeks adjournment for filing sur-rejoinder.</p> <p>4. Adjourned to 9.12.2019.</p> <p style="text-align: right;">Sd/-  (P.N Dixit)  <b>Vice-Chairman (A)</b></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><b><u>26.11.2019</u></b></p> <p><b><u>O.A 546/2019</u></b></p> <p>Shri A.J Sawant ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.</p> <p>2. Admit to be heard in due course.</p> <p style="text-align: right;">Sd/-  <b>(P.N Dixit)</b> <b>Vice-Chairman (A)</b></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><b><u>26.11.2019</u></b></p> <p><b><u>O.A 776/2019</u></b></p> <p>Shri N.P Bhosale &amp; Others                      ... Applicants  Vs.  The State of Maharashtra &amp; Ors              ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned CPO request for one weeks' time.</p> <p>3. Adjourned to 5.12.2019.</p> <p style="text-align: right;">Sd/-   <b>(P.N Dixit)</b>  <b>Vice-Chairman (A)</b></p> <p>Akin</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><b><u>26.11.2019</u></b></p> <p><b><u>O.A 423/2019</u></b></p> <p>Shri V.B Patil &amp; Others ... Applicants  Vs.  The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri C.T Chandratre, learned advocate for the applicants and Ms Swati Manchekar, learned P.O for the Respondents.</p> <p>2. At the request of learned C.P.O adjourned to 28.11.2019.</p> <p style="text-align: right;">Sd/- _____  (P.N Dixit)  Vice-Chairman (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><b><u>26.11.2019</u></b></p> <p><b><u>O.A 915/2019</u></b></p> <p>Shri N V Bhadvle &amp; Others ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P O for the Respondents.</p> <p>2. Learned C.P.O on instructions submits that proposal has been sent in this regard by MPSC on 22.11.2019. She further submits that action regarding the same is expected to be taken by the Government within four weeks.</p> <p>3. Learned advocate for the applicant submits that copy of the proposal may be kept on record. Learned C.P.O submits that the decision is confidential. In this regard, learned C.P.O states that she will take instructions.</p> <p>4. At the request of learned C.P.O adjourned to 4.1.2020.</p> <p style="text-align: right;">Sd/-  <b>(P.N Dixit)</b> <b>Vice-Chairman (A)</b></p> <p>Aka</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><b><u>26.11.2019</u></b></p> <p><b><u>O.A 775/2019</u></b></p> <p>Shri S.B Khadtare ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O files reply on behalf of Respondent no. 2. The same is taken on record.</p> <p>3. Admit. To be heard in due course.</p> <p style="text-align: right;">Sd/- <b>(P.N Dixit)</b> <b>Vice-Chairman (A)</b></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 align="center"><b><u>26.11.2019</u></b></p> <p align="center"><b><u>O.A 256 &amp; 257/2019</u></b></p> <p>Dr S.D Kulkarni Dr P.D Shendge ..... Applicant/s Vs. The State of Maharashtra &amp; Ors ..... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Ms Kalyani Tulankar i/b Shri A. S. Pawar, learned advocate for the applicants and Ms Swati Manchekar, learned P.O for the Respondents.</li> <li>2. Learned advocate for the applicants files rejoinder.</li> <li>3. Learned C.P.O submits that she would like to file sur-rejoinder.</li> <li>4. Learned advocate for the applicants submits that the reply which has been filed by Assistant Director, Technical Education, Shri M.K Dawane, is totally silent about the order issued by this Tribunal on 20.3.2019 in para no. 9.</li> <li>5. Learned advocate for the applicants submit that identical reply was filed by Dy. Secretary, Dr Kiran Patil in O.A 387/2011 dated 31.10.2015. The Respondents are therefore directed to ensure that proper affidavit is filed to the issue raised in the O.A and particularly to the order passed by this Tribunal on 20.3.2019.</li> <li>6. At the request of learned C.P.O, adjourned to 13.12.2019 by way of last chance.</li> </ol> <p align="right">Sd/-  (P.N Dixit) Vice-Chairman (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><b><u>26.11.2019</u></b></p> <p><b><u>O.A 245/2019</u></b></p> <p>Shri R.B Matwandkar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None for the applicant. Heard M. Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admitted. To be heard in due course.</p> <p style="text-align: right;">Sd/-  (P.N Dixit) Vice-Chairman (A)</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	<b>26.11.2019</b> Tribunal's orders
	<p style="text-align: center;"><b><u>O.A 624/2019</u></b></p> <p>Shri B.C Tribhuvan ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for hearing on 9.1.2020.</p> <p style="text-align: right;">Sd/-  (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.39 of 2019 in O.A. No.216 of 2016</u></p> <p>A.P. Charate ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Anand Deshpande, learned Advocate i/b. Talekar &amp; Associates, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply on behalf of respondents no.1 &amp; 2 and the same is taken on record. Ld. PO submits that the State has moved the Hon'ble High Court and the next hearing is scheduled on 5.12.2019.</p> <p>3. By consent S.O. to 10.12.2019.</p> <p align="center">Sd/- _____ Sd/- _____ (A.P. Kurhekar) (P.N. Dixit) Member (J) Vice-Chairman (A) 26.11.2019 26.11.2019</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 align="center"><u>C.A. No.38 of 2019 in O.A. No.634 of 2017</u></p> <p>S.D. Sutar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate holding for Shri A.G. Ambekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO submits that the matter has been placed before the Hon'ble High Court and the hearing is scheduled on 29.11.2019. At her request adjourned to 5.12.2019.</p> <p align="center">Sd/- _____ Sd/- _____ (A.P. Kurhekar) (P.N. Dixit) Member (J) Vice-Chairman (A) 26.11.2019 26.11.2019</p> <p>(sgj)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="889 707 1133 741" style="text-align: center;"><u>O.A. No.1120 of 2019</u></p> <p data-bbox="680 775 1292 837">K.S. Jagtap ..Applicant Vs.</p> <p data-bbox="680 837 1321 871">The State of Maharashtra &amp; Ors. ..Respondents</p> <p data-bbox="680 900 1349 994">Heard Shri R.C. Panchal, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p data-bbox="680 1025 1349 1088">2. Id. Advocate for the applicant seeks time to convince on the point of jurisdiction.</p> <p data-bbox="680 1120 971 1153">3. S.O. to 28.11.2019.</p> <p data-bbox="764 1214 943 1375">Sd/- (A.P. Kurhekar) Member (J) 26.11.2019</p> <p data-bbox="1029 1214 1263 1375">Sd/- (P.N. Dixit) Vice-Chairman (A) 26.11.2019</p> <p data-bbox="680 1379 735 1413">(sgj)</p>

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

Tribunal's orders

M.A. No.642 of 2019 in O.A. No.1122 of 2019

E.J. Barshinge ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 11.12.2019.

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

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

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

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

7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, MA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-

(A.P. Kurhekar)  
Member (J)  
26.11.2019

Sd/-

(P.N. Dixit)  
Vice-Chairman (A)  
26.11.2019

(sgj)



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

Tribunal's orders

M.A. No.624 of 2019 in O.A. No.1124 of 2019

E.J. Barshinge ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 11.12.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.
7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, MA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-

(A.P. Kurhekar)  
Member (J)  
26.11.2019

Sd/-

(P.N. Dixit)  
Vice-Chairman (A)  
26.11.2019

(sgj)



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>M.A. No.646 of 2019 in O.A. No.1127 of 2019</u></p> <p>E.J. Barshinge ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Issue notice returnable on 11.12.2019.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, MA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(A.P. Kurhekar) <span style="float: right;">(P.N. Dixit)</span> Member (J) <span style="float: right;">Vice-Chairman (A)</span> 26.11.2019 <span style="float: right;">26.11.2019</span></p> <p>(sgj)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI  
ORIGINAL APPLICATION NO.1116 OF 2019**

Shri Ravindra U. Shinde ..Applicant

Versus

The State of Maharashtra & Ors. ..Respondents

Shri M.D. Lonkar – Advocate for the Applicant

Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM : Shri P.N. Dixit, Vice-Chairman (A)

Shri A.P. Kurhekar, Member (J)

DATE : 26<sup>th</sup> November, 2019

**ORDER**

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant claims interim relief for permission to participate in the examination to be conducted for appointment to IAS by selection as per select list of 2018. The appointment/selection to IAS is governed by IAS (Appointment by Selection) Regulations, 1997.

3. The applicant claims to be entitled for participation in written test as well as interview for short listing on the ground that he fulfills all the requirements of eligibility criteria. One of the requirement for short listing is that the candidate must have 9 ACR of Excellent Gradation (A+) out of 10 ACRs.

*W. Dixit*

4. In the present case the applicant's ACR for 2012-13 was of gradation 'A' and the same was communicated to him on 20.2.2015. He made representation for upgradation of ACR as A+ on 8.4.2015. His parent department i.e. Rural Development Department and Water Conservation by order dated 7.11.2016 upgraded ACR as A+ and communicated the same to him. However, the GAD did not forward the name of the applicant for short listing on the ground that representation for upgradation of ACR was made belatedly and therefore it cannot be considered.

5. Ld. Advocate for the applicant has pointed out that there is no delay on the part of applicant for making representation. It is explicit from order dated 7.11.2016 that ACR of 2012-13 was communicated to the applicant on 20.2.2015 only. As such there was delay on the part of department to communicate the ACR. The applicant made representation on 8.4.2015 i.e. within one and half month from the date of receipt of communication. This being the position delay, if any, was on the part of department for communication of ACR to the applicant.

6. Indeed in the impugned order (page 42) itself there is reference that department made delay in taking appropriate action. There is no undue delay on the part of the applicant so as to deny permission for participation in the examination. Delay was on the part of the department for which applicant cannot be blamed.

7. The submission advanced by the Ld. CPO that there is no provision for upgradation of ACR and therefore upgraded ACR cannot be considered is not supported by any circular or rules. She could not point out any provision which bar from making any representation for upgradation of ACR. Indeed para 28 of GR dated 1.11.2011 says that in case of any

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grievance of the applicant against ACR he can make representation within 30 days from date of communication of ACR. Clause 28 of GR reads as under:

“संबंधित अधिकारी/कर्मचारी यांना त्यांच्या गोपनीय अहवालाची प्रत मिळाल्यानंतर ३० दिवसांच्या कालावधीत त्यास त्यासंदर्भात कोणतेही अभिवेदन द्यावयाचे असल्यास ते संस्करण प्राधिका-याकडे सादर करतील. या कालावधीनंतर प्राप्त होणारी अभिवेदने विचारात घेण्यात येऊ नयेत.”

(Quoted from page 51 of OA)

8. In view of the above, in our considered opinion applicant cannot be denied opportunity to participate in the process. Prima facie he is entitled to appear in the process. He is entitled to participate provisionally subject to final outcome of this OA. Accordingly, interim relief is granted in terms of prayer clause 10(c) of OA.

9. Issue notice returnable on 19.12.2019.

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

11. 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.

12. 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.

*Indira*

13. 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.

14. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

15. Steno copy and hamdast granted.

Sd/-

**(A.P. Kurhekar)**  
**Member (J)**  
**26.11.2019**

Sd/-

**(P.N. Dixit)**  
**Vice-Chairman (A)**  
**26.11.2019**

Dictation taken by: S.G. Jawalkar.



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI  
ORIGINAL APPLICATION NO.1114 OF 2019**

Shri Rajul Krishnaji Sakore ..Applicant  
Versus  
The State of Maharashtra & Ors. ..Respondents

Smt. Punam Mahajan – Advocate for the Applicant  
Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM : Shri P.N. Dixit, Vice-Chairman (A)  
Shri A.P. Kurhekar, Member (J)  
DATE : 26<sup>th</sup> November, 2019

**ORDER**

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Ld. Advocate for the applicant claims interim relief for permission to participate in the examination to be conducted for appointment to IAS by selection as per select list of 2018. The appointment/selection to IAS is governed by IAS (Appointment by Selection) Regulations, 1997.
3. The applicant claims to be entitled for participation in written test as well as interview for short listing. One of the requirement for short listing is that the candidate must have 9 ACR of Excellent Gradation (A+) out of 10 ACRs.

*W. S. Manoj*


4. In the present case the applicant's ACR for 2012-13 was of gradation 'A' however, applicant made representation against it for upgradation on 11.8.2019 to his parent department i.e. Rural Development Department. Accordingly, Rural Development Department by order dated 10.10.2019 (page 59 of OA) upgraded his ACR as 'A+' for the year 2012-13. On the basis of this upgradation the applicant claims eligibility for short listing so as to appear in the written test and interview.

5. However, GAD has returned the proposal for sending his name for shortlisting on the ground that he has not made representation within time and secondly the representation against upgradation is not permissible.

6. Ld. Advocate for the applicant submits that once the ACR of the applicant for the year 2012-13 is upgraded as A+ by parent department by order dated 10.10.2019 then GAD cannot override it and further contend that the applicant is subjected to discrimination.

7. Whereas Ld. CPO submits that representation against ACR is permissible in case of adverse entries and there is no provision for representation for upgradation of ACR. She further submits that the applicant made representation in respect of ACR for the year 2012-13 quite belatedly on 11.8.2019 and therefore it being contrary to specific instructions given in this behalf in GR dated 1.11.2011, the applicant is not entitled for participation in process.

8. In so far as permissibility of representation against ACR is concerned, the Ld. CPO could not point out any provision which bar representation for upgradation of ACR. In absence of any such provision in GR dated 1.11.2011 it cannot be said that no representation can lie for



upgradation of ACR. In fact clause 28 of GR dated 1.11.2011 shows that employee can make representation in respect of any grievances about ACR and it is not restricted to representation against adverse ACR only.

Indeed Rural Development Department had considered the representation and upgraded it as A+.

9. However, we find merit in the contention raised by the Ld. CPO that the representation itself was quite belated. There is no denying that ACR of 2012-13 was communicated to the applicant immediately in 2013 itself as per scheduled programme. However, applicant has made representation on 11.8.2019 which is belated by 6 years. As per clause 28 of GR dated 1.11.2011 representation in respect of ACR is required to be made within 30 days from receipt of communication of the ACR. Clause 28 of GR reads as under:

“संबंधित अधिकारी/कर्मचारी यांना त्यांच्या गोपनीय अहवालाची प्रत मिळाल्यानंतर ३० दिवसांच्या कालावधीत त्यास त्यासंदर्भात कोणतेही अभिवेदन द्यावयाचे असल्यास ते संस्करण प्राधिकार-याकडे सादर करतील. या कालावधीनंतर प्राप्त होणारी अभिवेदने विचारात घेण्यात येऊ नयेत.”

(Quoted from page 77 of OA)

10. In view of the above, the stand taken by the GAD is that applicant has not made representation within time and therefore applicant's case cannot be considered for short listing cannot be prima facie faulted with.

11. For the aforesaid reasons in our considered opinion no prima facie case is made out for grant of interim relief.

12. Issue notice returnable on 19.12.2019.

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

14. 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.

15. 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.

16. 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.

17. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

18. Steno copy and hamdast granted.

Sd/-

**(A.P. Kurhekar)**  
**Member (J)**  
**26.11.2019**

Sd/-

**(P.N. Dixit)**  
**Vice-Chairman (A)**  
**26.11.2019**

Dictation taken by: S.G. Jawalkar.

# 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 data-bbox="727 712 889 745"><u>26.11.2019</u></p> <p data-bbox="1008 792 1208 831"><u>O.A 953/2019</u></p> <p data-bbox="735 913 1386 965">Shri P.L Palsamkar &amp; Ors ... Applicants</p> <p data-bbox="922 958 971 987">Vs.</p> <p data-bbox="735 981 1419 1032">The State of Maharashtra &amp; Ors ... Respondents</p> <p data-bbox="743 1032 1500 1137">1. None for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p data-bbox="743 1160 1500 1317">2. The applicant has filed the present O.A and challenged the G.R dated 11.7.2019. Subject matter challenging the G.R is assigned to Division Bench.</p> <p data-bbox="751 1346 1516 1496">3. Hence, the matter be placed before the Division Bench. Registrar is directed to take necessary steps and place the matter before Division Bench.</p> <p data-bbox="1349 1547 1409 1581">Sd/-</p> <p data-bbox="1235 1615 1500 1711"><u>26/11/19</u> (B.P Patil) (Acting-Chairman)</p> <p data-bbox="764 1765 802 1787">Akn</p>

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 data-bbox="722 694 885 728"><b><u>26.11.2019</u></b></p> <p data-bbox="998 784 1201 817"><b><u>O.A 876/2019</u></b></p> <p data-bbox="722 907 1364 974">Shri B.P Kamble ... Applicant Vs.</p> <p data-bbox="722 974 1404 1008">The State of Maharashtra &amp; Ors ... Respondents</p> <p data-bbox="722 1030 1485 1164">1. Heard Smt Punam Mahajan, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p data-bbox="722 1198 1494 1523">2. Learned advocate for the applicant submits that applicant has filed the present O.A before this Bench but the cause of action to file the Original Application arose within the jurisdiction of Bench of this Tribunal at Nagpur. Therefore, she has prayed that the O.A may be returned with liberty to the applicant to present the Original Application before Nagpur Bench.</p> <p data-bbox="722 1556 1494 1736">3. Leave as sought for is granted. Original Application be returned to the applicant to present the same before the Nagpur Bench. Registrar is directed to take necessary steps.</p> <p data-bbox="1315 1769 1380 1803">Sd/-</p> <p data-bbox="1209 1848 1469 1915"><b>(B.P Patil)</b> <b>(Acting-Chairman)</b></p> <p data-bbox="738 1960 779 1982">Akn</p>