

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 27.07.2021 O.A. No.482 of 2021</p> <p>A.P. ValviApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for direction to the Respondents to complete Departmental Enquiry (D.E.) within stipulated period and to release retiral benefits which are withheld due to pendency of D.E. though he stands retired on 31.01.2020.</p> <p>3. Perusal of record reveals that Respondent No.1 had issued charge-sheet on 29.09.2015 attributing some mis-conduct by the Applicant but no further effective steps were taken for expeditious completion of D.E. Ultimately, the Applicant stands retired on 31.01.2020 and till date he his deprived of his retiral benefits. He therefore compelled to file the present O.A.</p> <p>4. Learned P.O. submits that she has received letter dated 26.07.2021 from Respondent No.1 stating that inquiry report is not yet received.</p> <p>5. As observed by this Tribunal in order dated 23.07.2021 despite various Circulars and Judgments rendered by this Tribunal it has become common phenomenon that D.Es are kept for years together without bothering to complete it within stipulated period. Indeed, in terms of Circular dated 07.04.2008. D.E. ought to have been completed maximum within one year and where it is not completed within one year extension are required to be sought from the competent authority. Circular further provides that where D.E. remains pending for five years the Government is required to see who is responsible for delay and Departmental action against the concerned needs to be taken.</p>

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6. In present case no such care was taken to comply requirement of Circular dated 07.04.2008. In other words there is total inaction and negligence on the part of concerned to complete D.E. within stipulated period.

7. Had the Applicant not approached the Tribunal D.E. would have continued for years together thereby depriving the Applicant from getting his legitimate retiral benefits. It is only after filing of O.A. Respondent No.1 is come up with a letter that inquiry report is not yet received. Indeed, it was obligatory on the part of Respondent No.1 to find out who is responsible for delay and to take necessary action against him. However nothing is done to that effect which is nothing but abdication of duties and insensitiveness on the part of Respondent No.1 to the plight of pensioners.

8. In view of above, O.A. is required to be disposed of with suitable direction.

9. Respondent No.1 is directed to ensure completion of D.E. including passing final order therein in accordance to law, within three months from today and then release retiral benefits subject to the final decision in D.E. within a month thereafter.

10. Respondents are also liable to pay cost to the Applicant since he is deprived of his legitimate retiral benefits due to sheer inaction and negligence on the part of concerned. Despite various orders of the Tribunal no remedial measure are taken by the Government which unnecessarily burden this Tribunal with similar types of O.A. I am therefore constrained to imposed cost of Rs.20,000/- (Twenty Thousand Only) on Respondent No.1. Cost be deposited in the Tribunal within a month and it be paid to the Applicant thereafter.

11. Respondent No.1 is at liberty to recover cost of Rs.20,000/- (Twenty Thousand Only) from the person who is responsible for delay in completion of D.E.

Sd/-

(A.P. Kurhekar)
Member (J)

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.487 of 2021</p> <p>P.N. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. On request of learned P.O. two weeks times is granted for filing Affidavit-in-Reply. 3. S.O. to 12.08.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.454 of 2021</p> <p>L.Y. BhagaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three days time is granted for filing Affidavit on behalf of Commissioner Cum Director, Municipal Administration Directorate, Worli in terms of order passed by the Tribunal on 20.07.2021. Affidavit to be filed without fail.</p> <p>3. S.O. to 30.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.368 of 2021</p> <p>J.R. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Respondent No.2 though appeared and served is absent.</p> <p>3. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply as last chance.</p> <p>4. S.O. to 12.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.366 of 2021</p> <p>Y.U. ShaikhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.A. Siddique & Asso., learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply on behalf of Respondents will be filed during the course of the day. Statement is accepted. It will be taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 26.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.347 of 2021</p> <p>S.S. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 12.08.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.241 of 2021</p> <p>R.N. ManeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondents No.1 & 2. It is taken on record. 3. Three weeks time is granted for filing Rejoinder, if any. 4. S.O. to 17.08.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.240 of 2021</p> <p>R.P. PimpalgaonkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.G. Ligade, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.3. It is taken on record. No separate Reply is filed on behalf of Respondents No.1 & 2.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 17.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[PTO.]</p>

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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.234 of 2021</p> <p>V.E. MhatreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. One week time is granted for filing Affidavit-in-Reply as last chance.</p> <p>3. S.O. to 03.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.100 of 2021</p> <p>Y.K. PotekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today matter is for filing Reply on behalf of Respondents No.1 to 4 & 6. However no reply is filed on their behalf, Respondent No.5 has already filed Reply.</p> <p>3. Thus it appears that remaining Respondents do not want to file separate Reply though enough time is availed.</p> <p>4. Thus in view above, O.A. is kept for hearing at the stage admission.</p> <p>5. S.O. to 03.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 89, 90 and 114/2021</u></p> <p>N.C Koli & Ors S.N Gaikwad & Ors S.K Belbhandare ... Applicants Vs. The State of Maharashtra & 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 counsel for the applicant states that the matter is pending since last six months and in support of the case, he has relied on the decision of the Nagpur Bench of this Tribunal dated 13.2.2020 in O.A 953/2019, Shri B.P Kamble Vs. State of Maharashtra & Ors.</p> <p>3. Learned C.P.O states that remarks from G.A.D have been obtained and she needs to file reply before the matter is finally heard. She prays for three weeks' time to file reply.</p> <p>4. Respondents are directed to prepare the affidavit in reply within a period of two weeks and communicate the same to the learned counsel for the applicant within a week thereafter.</p> <p>5. S.O to 31.8.2021.</p> <p align="center">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 88/2021</u></p> <p>Mr U.V Deokule ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.</p> <p>2. Learned C.P.O today produces a communication dated 20.7.2021 from Respondent no. 1 (Revenue and Forest Department), stating that the D.P.C recommended the name of the applicant, namely U.V Deokule, Awal Karkun for promotion to the post of Naib Tahsildar and G.A.D has given approval to the same. The communication further mentions that after getting the recommendation from the Civil Services Board, the promotion order of the applicant will be issued. Copy of the said communication dated 20.7.2021 is taken on record and marked as Exh. 'A'.</p> <p>3. Learned C.P.O, therefore, seeks four weeks' time for the same.</p> <p>4. In view of the above, Original Application stands disposed of with liberty to the applicant to approach this Tribunal, if the orders of the promotion are not issued.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>


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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.745 of 2020 with M.A. No.186 of 2021</p> <p>L.Z. NewadkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Shri C.T. Chandratre, learned Advocate for the Applicant in M.A..</p> <p>2. On 13.07.2021 time was granted to learned P.O. to take instructions from Respondent No.1 about the decision on the issue of seniority as stated in Reply.</p> <p>3. Today again learned P.O. has requested for four weeks time, since the file is already in process.</p> <p>4. Three weeks time is granted for Respondent No.1 to take appropriate decision on the issue as referred in para. 17.</p> <p>5. S.O. to 17.08.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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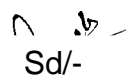
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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.553 of 2020</p> <p>J.J. KhaireApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Tejal Disalkar, leaned Advocate holding for Shri D.S. Pagare, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents No.1 to 3. 2. None is present on behalf of Respondent No.4. 3. Today matter is for filing Reply on behalf of Respondent No.4, but no Reply is filed. 4. Respondents No.1 & 2 have already filed Affidavit-in-Reply long back. 5. No Rejoinder is filed. 6. Adjourned for hearing at the stage of admission. 7. S.O. to 24.08.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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	<p>Date: 27.07.2021</p> <p>O.A. No.258 of 2021</p> <p>R.A. GholapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri D.K. Chavan, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged order dated 02.02.2021, whereby appointment on the ground of compassionate ground has been rejected. 3. Issue notice before admission returnable on 24.08.2021. 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 5. 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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 6. 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. 7. 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. 8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 9. S.O. to 24.08.2021. <p style="text-align: right;">  Sd/- (A.P. Kurhekar) Member (J) </p>

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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.166 of 2020</p> <p>U.S. JagtapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Surav Mandik, learned Advocate holding for Smt Ranjana Todankar, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondents No.2&3. It is taken on record. No separate Reply is filed on behalf of Respondent No.1.</p> <p>3. Two weeks time is granted for filing Rejoinder, if any.</p> <p>4. S.O. to 12.08.2021.</p> <p align="right"> [^] Sd/- (A.P. Kurhekar) Member (J) </p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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	<p>Date : 27.07.2021</p> <p style="text-align: center;">M.A. No.642 of 2019 in O.A.No.1122 of 2019 with M.A.643 of 2019 in O.a.1123 of 2019 With M.A. No.624 of 2019 in O.A.1124 of 2019 with M.A.No.646 of 2019 in O.A.1127 of 2019 with M.A.No.647 of 2019 in O.A.No.1128 of 2019</p> <p>E. L. BarshingeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. All these Misc. Applications are filed for 1 ½ months delay caused in filing O.A. wherein the Applicant has challenged the orders of punishment imposed against him. 3. In one of the O.A., the Applicant is subjected to punishment of removal from service. 4. Needless to mention that while considering application for condonation of delay, the Court should adopt justice oriented approach so that the matter be decided on merit. 5. In the present case, the Applicant is subjected to serious punishment. Therefore, in the interest of justice delay in all these Misc. Applications are condoned. 6. Misc. Applications are accordingly disposed of with no order as to costs. 7. Learned P.O. is directed to file reply in O.A. on next date. 8. S.O. to 12.08.2021. <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</p>

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	<p align="center">Date: 27.07.2021</p> <p align="center">O.A. No.497 of 2021</p> <p>V.M. ChandanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In present O.A. the Applicant has challenged transfer order dated 15.07.2021, whereby he is transferred from Mundwa Police Station to Special Branch within Police Commissionerate, Pune City.</p> <p>3. Shri S.S. Dere, learned Advocate for the Applicant challenged the Transfer order <i>inter-alia</i> contending that it is mid-tenure without proper compliance of Section 22 (N) 2 of Maharashtra Police Act and also on the ground of competency of the transferring authority.</p> <p>4. Whereas, learned P.O. sought short time to take instructions from the department and to produce minutes of Police Establishment Board to find out the reason for transfer.</p> <p>5. Indeed, learned Advocate for the Applicant ought to have served copy of O.A. well in advance so that Respondents would come with records.</p> <p>6. On request of learned P.O. adjourned to 30.07.2021.</p> <p>7. Issue notice before admission returnable on 30.07.2021.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram,
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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 Original Application. 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 30.07.2021.

14. Private notices are allowed.

Sd/-

(A.P. Kurhekar)
Member (J)

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	<p align="center"><u>O.A. No.224 of 2021</u></p> <p>B.N. Sathe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks two weeks time for filing rejoinder.</p> <p>3. S.O. to 10.8.2021.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 27.7.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p align="center"><u>O.A. No.151 of 2021</u></p> <p>V.B. Taskhedkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. Advocate for the applicant adjourned to 29.7.2021.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 27.7.2021</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.265 of 2021</u></p> <p>A.B. Nyaynit ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Applicant in person and Smt. Archana B.K.. learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO on instructions from Ms. Vrushali Banodkar, Advocate, Law Officer, Grade 'A', North Region, Mumbai, states that there are certain discrepancies in the record submitted by the applicant and seeks time.</p> <p>3. S.O. to 13.8.2021.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 27.7.2021</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.896 of 2019</u></p> <p>S.P. Bidarkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate are absent. Heard Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. In the interest of justice the OA is adjourned to 17.8.2021 by way of last chance.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 27.7.2021</p> <p>(sgj)</p>

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	<p>LATER ON</p> <p>Date : 27.07.2021.</p> <p>O.A.No.236 of 2021 with O.A.No.237 of 2021</p> <p>1. After the pronouncement of the order rejecting the interim relief the learned Counsel Mr. Dubey for the Applicant prays for stay of the order.</p> <p>2. The learned Senior Counsel Mr. Apte and other Counsel appearing for the Respondents and private Respondents opposed the same.</p> <p>3. In view of the detailed reasons mentioned in the order we do not find any reason and good ground to stay our order of rejecting interim relief. Hence, the prayer to stay the order is rejected.</p> <p align="center">Sd/-</p> <p align="center">(P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- </p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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directions and Registrar's orders

Date : 27.07.2021

Tribunal's orders

O.A.No.512 of 2016

D. A. Gavade

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. The O.A. has been filed claiming relief to set aside the D.E. initiated by charge sheet dated 07.05.2012 to grant regular promotion as Deputy Secretary and accord him seniority suitably in final seniority list for the cadre of Deputy Secretary.

3. Whereas, learned P.O. submits that D.E. is already closed and secondly, the Applicant is already promoted to the post of Joint Secretary in the selection list of 2016.

4. Thus, the Applicant's grievances seem to have been redressed.

5. Learned Counsel for the Applicant however submits that though he tried to contact the Applicant, he is not responding.

6. Thus, apparently since the grievances of the Applicant are redressed, he seems to be not responding his Counsel.

7. Be that as it may, since D.E. is already closed, the Applicant is already promoted to the post of Joint Secretary of select list of 2016. O.A. has become infructuous and accordingly disposed of.

8. No order as to costs.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

[P.T.O.]

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 27.07.2021</p> <p align="center">O.A.No.1063 of 2015</p> <p>C. V. AlsatwarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Ms N. G. Gohad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents is present.</p> <p>2. Shri Ajay Deshpande, learned Counsel for the Applicant has sent note for adjournment stating that due to pandemic situation, he is unable to undertake journey from Aurangabad to Mumbai. He also submits that issue of reservation in promotion is being being subjudice before the Hon'ble Supreme Court, and therefore, this O.A. be adjourned.</p> <p>3. S.O. to 30.07.2021.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(A.P. Kurhekar)</p> <p>Member(J)</p> </div> </div> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 27.07.2021</p> <p align="center">O.A.No.89 of 2016</p> <p>S. S. RakhApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that after 2018, the matter is first time listed for final hearing, and therefore, she requested for adjournment to prepare the brief.</p> <p>3. S.O. to 13.08.2021.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 27.07.2021</p> <p align="center">O.A.No.117 of 2016</p> <p>D. B. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Learned P.O. requested for grant of two days time to file reply to amendment in O.A. 3. S.O. to 29.07.2021. 4. Learned P.O. is also directed to keep the record of inquiry ready for final hearing. <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar)</p> <p align="center">Member (A) 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 : 27.07.2021</p> <p>M.A. No.248 of 2021 in O.A.No.701 of 2016</p> <p>D. R. DigholeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Vaishali Jagdale holding for Shri K. R. Jagdale, learned Counsel for the Applicant and Ms N. G Gohad, learned Presenting Officer for the Respondents. 2. In O.A. challenge is to the compulsory retirement order. The Applicant contends that he was suffering from mental ailment and therefore could not remain present for long period. Long absence seems to be the reason for imposing punishment of compulsory retirement in D.E. 3. Now, M.A. is filed for amendment to incorporate one more ground <i>inter-alia</i> contending that in view of the provisions of Rights of Persons with Disability Act, 2016, The Applicant's services could not have been dispensed with since he was suffering from mental disability. In O.A. this ground was not raised, and therefore, M.A. is filed for amendment. 4. Since the Applicant is adding legal ground, we are inclined to allow the amendment, whether the Applicant is entitled to the benefit of the said Act will be looked into on merit. 5. As such, there will be no prejudice to the Respondents if the Applicant is allowed to add legal ground. 6. In view of above, M.A. is allowed. 7. Amendment be carried out within a week. 8. Learned P.O. is at liberty to file reply to the amendment in O.A. by next date. 9. S.O. to 12.08.2021. <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p>

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	<p>Date : 27.07.2021</p> <p align="center">O.A.No. 574 of 2016</p> <p>P.A. PagareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A. challenge is to the communication dated 24.06.2013.</p> <p>3. During the course of argument, learned Counsel for the Applicant has pointed out that the course of action adopted by Respondents to fill in the vacancies from waiting list from open category though it was reserved for Scheduled Tribe is totally impermissible.</p> <p>4. What is stated in impugned order is " अनुसूचीत जमाती करिता राखीव असलेल्या जागेकरिता त्या प्रवर्गाचा उमेदवार उपलब्ध न झाल्याने सदरील जागा सर्वसाधारण उमेदवारातून भरण्यात आली आहे."</p> <p>5. Learned P.O. submits that there is a typographical error in the impugned communication dated 24.06.2013 and no such post was filled in from the open category. According to her, it should have been mentioned as " सर्वसाधारण उमेदवारातून भरण्यात आली नाही."</p> <p>6. Learned P.O., therefore, seeks short adjournment to clarify the position and to file affidavit, if necessary.</p> <p>7. S.O. to 03.08.2021.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p>

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27.07.2021

C.A 18/2021 in O.A 154/2020 with C.A 19/2021 in O.A 242/2020 with O.A 243/2020

H.G Holmukhe ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O holding for Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned P.O produces communications dated 13.1.2021, 24.3.2021, 17.5.2021, 25.5.2021, 23.6.2021, 22.7.2021 and 22.7.2021 issued by the Respondents, complying with orders of the Tribunal.

3. Learned counsel for the applicant states that the increment of the applicant are yet to be released as per orders issued by the Tribunal on 13.10.2020.

4. On instructions from Shri Rajendra D. Mahamuni, Assistant Administrative Officer, in the office of Divisional Joint Director of Agriculture, Thane-4, learned P.O seeks two weeks to complete the process regarding fixing of increments.

5. S.O to 12.8.2021

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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IN

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>27.07.2021</u></p> <p align="center"><u>C.A 11/2020 in O.A 1112/2018</u></p> <p>Shri A.M. Mali ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O produces order dated 22.6.2021, issued by S.D.P.O.</p> <p>3. Today, learned counsel for the applicant is absent. Learned P.O is directed to communicate the same to the learned counsel /applicant by email, if available.</p> <p>4. Matter is adjourned to 29.7.2021 as it will be disposed of on that date.</p> <p align="center">Sd/- _____ Sd/- ² _____</p> <p align="center">(P.N Dixit) (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>27.07.2021</u></p> <p><u>C.A 23/20231 in R.A 21/2019 in O.A 238/2016</u></p> <p>M.A Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicant. Heard Mrs Kranti S. Gaikwad, holding for Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned P.O submits that the Respondents have filed W.P 3118/2021 before the Hon'ble Bombay High Court and the scheduled hearing was on 20.7.2021. The matter could not reach on 20.7.2021 and the same is kept on 30.7.2021.</p> <p>3. S.O to 10.8.2021.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(P.N Dixit) Vice-Chairman (A)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p> </div> </div> <p style="font-size: small; margin-top: 10px;">Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>27.07.2021</u></p> <p align="center"><u>C.A 37/2019 in O.A 322/2017</u></p> <p>Dr P.W Khandezod ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that the bill of the applicant is submitted to the Treasury on 26 .7.2021.</p> <p>3. Respondents are directed to intimate the progress in the matter on the next date.</p> <p>4. S.O to 3.8.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>27.07.2021</u></p> <p align="center"><u>M.A 64/2021 in O.A 126/2021</u></p> <p>V.P Vhanmane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Gajanan Kukde, i/b Shri M.V Thorat, learned advocate for the applicant and Mrs Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time for filing reply in the Misc Application seeking condonation of delay of 5 years and 2 days.</p> <p>3. S.O to 17.8.2021.</p> <p align="center">Sd/-) Sd/- (P.N Dixit) (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>27.07.2021</u></p> <p align="center"><u>M.A 128/2021 in O.A 212/2021</u></p> <p>V.G Dawari ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant states that applicant retired in the year 2018 and has filed this Original Application for grant of time bound promotion.</p> <p>3. The present Misc Application is filed seeking condonation of delay of one year and four months.</p> <p>4. Learned P.O seeks time to file reply.</p> <p>5. Issue notice returnable on 7.9.2021.</p> <p>6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>7. 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>8. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>9. S.O to 7.9.2021.</p> <p align="center">Sd/- _____</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- _____</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 448/2021</u></p> <p>V.R Mane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicant. Heard Mrs Kranti S.Gaikwad, learned P.O holding for Ms Swati Manchekar, learned C.P.O for the Respondents 1 & 2 and Shri K.R Jagdale, learned advocate for Respondent nos 5, 6 & 7.</p> <p>2. Learned P.O Mrs K.S Gaikwad for Respondents no 1 & 2 and Learned counsel Mr Jagdale for Respondents no 5, 6 & 7 seeks five weeks' time to file reply</p> <p>3. S.O to 7.9.2021.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 409/2021</u></p> <p>S.P Pathak ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Mrs Kranti S. Gaikwad, holding for Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant states that on the last date of his retirement, charge sheet has been served on him and he is seeking interim relief in the matter.</p> <p>3. Learned P.O seeks four weeks' time to file reply.</p> <p>4. Respondents are directed to ensure that reply is filed within the stipulated period.</p> <p>5. S.O to 24.8.2021.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 349/2021</u></p> <p>V.E Mhatre ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Mrs Kranti S. Gaikwad, holding for Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks four weeks' time to file reply.</p> <p>3. S.O to 24.8.2021.</p> <p>Sd/-) Sd/- (P.N Dixit) (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 319/2021</u></p> <p>D.L Chavan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.L Kulkarni, learned advocate for the applicant and Mrs Kranti S. Gaikwad, holding for Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time to file reply.</p> <p>3. S.O to 17.8.2021.</p> <p align="center">Sd/- / Sd/-</p> <p align="center">(P.N.Dixit) Vice-Chairman (A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**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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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 73, 74 and 75/2021</u></p> <p>R.M Rathod S.B Machale S.D Patil</p> <p align="right">... Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors</p> <p align="right">... Respondents</p> <p>1. Heard Shri A.S Kulkarni, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O holding for Ms Swati Manchekar , learned C.P.O for the Respondents.</p> <p>2. Learned P.O seeks two weeks' time to file reply.</p> <p>3. S.O to 10.8.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="right">Sd/-</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

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	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 146/2021</u></p> <p>S.A Bhosale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks four weeks' time for filing reply.</p> <p>3. Learned counsel for the applicant states that last chance was given to the Respondents on 12.4.2021 for filing reply.</p> <p>4. Respondents are directed to file their reply expeditiously.</p> <p>5. S.O to 17.8.2021.</p> <p>Sd/-) (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/-) (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 364/2020</u></p> <p>R.D Kandekar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri C.T Chandratre, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O holding for Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned P.O seeks two weeks' time to file reply.</p> <p>3. S.O to 31.8.2021.</p> <p>Sd/- _____ Sd/- _____ (P.N Dixit) (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 1119/2019</u></p> <p>J.P Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicant. Heard Mrs K.S. Gaikwad, holding for Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that the reply has been filed by the Respondents on 15.6.2021 by Sudhir V. Kodag, Assistant Commissioner (Labour), Dairy Development Department, Worli, Mumbai.</p> <p>3. S.O to 17.8.2021.</p> <p>Sd/- _____ (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>27.07.2021</u></p> <p align="center"><u>O.A 507/2018</u></p> <p>A.S Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicant. Heard Mrs Kranti S.Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks two weeks' time for filing reply.</p> <p>3. S.O to 17.8.2021.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>