

**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>M.A. No.193 of 2020 in O.A. No.690 of 2018</u></p> <p>P.S. Vetal & 211 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Kranti L.C., learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. 211 Medical Officers holding degree of BAMS seek declaration that the practice of respondents State Government of not treating National Rural Health Mission employees as State Govt. employees and in effect denying them wages, employment benefits service conditions at par with State Govt. employees is illegal and bad in law. Thus the applicants seek parity with the other medical officers in pay and post.</p> <p>3. The applicants have moved MA No.193 of 2020 in OA No.690 of 2018 seeking parity in pay and post and also seek interim relief that respondent authorities not to recruit a commensurate rate of Medical Officers, Pharmacist and Auxiliary midwife Nurses in upcoming Megha Bharti until the pendency of OA.</p> <p>4. Ld. Advocate for the applicants submits that the new Medical Officers holding degree of BAMS are appointed in June 2020 who are getting pay scale of Rs.28000/- per month however the applicants who have put in 3-6 years as Medical Officers with BAMS degree have been retained at the scale of Rs.18000/-.</p> <p>5. Ld. Advocate for the applicants points out that the Govt. has made some arrangement of adjustment of the payment of the difference however it is unjust.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6 Ld. PO to obtain instructions on this disparity at State level.</p> <p>7 Amendment to be made in the title forthwith.</p> <p>8 Ld. Advocate for the Applicants state that there are 7 other OAs. namely OAs No.690/2018, 947/2018, 1087/2018, 769/2019, 1052/2019, 1053/2019 and 1054/2019 on the same issue. So they are to be clubbed. Ld. Advocate for the applicants file affidavit in rejoinder in OA and the same is taken on record.</p> <p>9 S.O. 15.10.2020.</p> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <p>Sd/- </p> <p>(R.N. Dixit) Vice-Chairman 27.8.2020</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula R. Bhatkar, J.) Chairperson 27.8.2020</p> </div> </div> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.398 of 2020</u></p> <p>R.L. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant challenges the provisional seniority list prepared on 1.8.2019 at State level instead it should have been prepared at Divisional level.</p> <p>3. There are 6 Divisions in the State of Maharashtra. The applicant was appointed as Supply Inspector in 2013 in Nagpur Division and he continued to work there till 2017. As per the rules if a person opts for the transfer from one division to other division then he loses his seniority and his seniority is counted from the date on which he takes charge in the new division. The applicant therefore lost his seniority from 2013 as he was transferred from Nagpur Division to Nashik at his request. The applicant made representation to the Divisional Commissioner for maintaining his seniority 8.8.2019 but it was rejected and not communicated.</p> <p>4. The applicant thereafter in the month of February approximately obtained the relevant correspondence and decision from the file of Food and Civil Supplies Department as his colleague has secured those document under RTI. The date of rejection of representation thus discloses as 21.8.2019.</p> <p>5. Our attention is drawn by Ld. Advocate for the applicant and also Ld. PO to the notings prepared by the Food and Civil Supplies Department wherein the Principal Secretary on 21.8.2019 has expressly mentioned his opinion</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>that the Desk Officer has prepared a provisional seniority list at State level which is not acceptable as the cadre of Supply Inspector is not at State Level. The Principal Secretary has also expressed that the challenge are to be made before the Divisional Commissioner of the concerned divisions.</p> <p>6. On query made by us Ld. Advocate for the applicant informed that after 25.8.2019 the applicant has not made any other representation to the Divisional Commissioner. In view of these notings and the facts placed before us and the rules in respect of preparation of the seniority list at State Level and Divisional Level the applicant should not have directly approached this Tribunal but skipped one step i.e. before the Divisional Commissioner. The applicant may approach the Divisional Commissioner for his grievances on the Provisional Seniority list and if such representation is made then the Divisional Commissioner to decide the same preferably within two months from the date of the representation. OA disposed off. Hamdast granted.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 27.8.2020</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 27.8.2020</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
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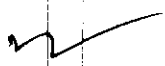
O.A. No.387 of 2020

K.U. Patil ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant states that the applicant who is working as a Forester at Bhore in Pune is now transferred to Social Forestry, Pune by order dated 10.8.2020 and challenges the order on the ground that the applicant's case was not placed before Civil Services Board. She states that the applicant is a Group C employee and therefore she is due for transfer after 6 years. She further states that the applicant has completed only 3 years in the present post and no rules are followed. The GR dated 9.4.2018 regarding counseling and giving choice posting is also not followed. She further submits that as per the GR of Forest Department dated 22.5.2017 if employee has worked in one division for 6 years, she should not be posted there again. The applicant has worked in Social Forestry for 7 years from 2010 to 2017 at Pune. No reasons are mentioned for transfer which is required under the Transfer Act.

3. Ld. PO submits that applicant's case was placed before CSB and there were complaints against the applicant and therefore after considering the complaints the CSB has transferred the applicant. She shows the notings. Ld. Counsel submits that the order was not issued by the competent authority. Ld. PO submits that the person in charge respondent no.2 was notified as competent authority by GR of 2011.



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Issue notice returnable on 10.9.2020. Ld. PO waives service of notice. As no other person is appointed to taken charge in place of the applicant <u>the applicant to work there till 10.9.2020.</u> Hamdast.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</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 would 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 style="text-align: right;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 27.8.2020</p> <p>(sg)</p>

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

Tribunal's orders

O.A. No.394 of 2020

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

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 29.10.2020. Ld. CPO waives service of notice.

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 O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

7. Respondents to file reply well in advance, at least one week before the returnable date and it is to be served on the applicants.

Sd/-

(P.N. Dixit)
Vice-Chairman
27.8.2020

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
27.8.2020

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;">O.A. No.380 of 2020</p> <p>Amruta Karvande & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar with Shri Rupesh Geete and Ms. Saylee Dhayalkar, learned Advocates for the Applicants i/b. Parinam Law Associates and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This matter was initially filed in the Hon'ble High Court and DB of High Court has directed the respondents not to issue appointment letter to any candidate by order dated 9.7.2020. Thereafter on 30.7.2020 W.P. St. No.5508/2020 was withdrawn wherein stay granted earlier was extended by four weeks.</p> <p>3. The stay granted by the Hon'ble High Court is hereby extended by a week till 3.9.2020. Id. CPO undertakes to file reply on 3.9.2020 and copy of the same will be served to the applicants preferably a day in advance before the next date. The applicants in this OA claim their selection to the post of Tahsildar and Naib Tahsildar in one percent Orphan reservation quota in general category.</p> <p>4. Issue notice returnable on 3.9.2020.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</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 would 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 style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 27.8.2020</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 27.8.2020</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1355 of 2009</u></p> <p>M.K. Subedar ..Applicant Vs. The State of Maharashtra & 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. Ld. Advocate for the applicant submits that this matter was heard 80% by the earlier Division Bench consisting of Hon'ble Vice-Chairman Shri P.N. Dixit and Hon'ble Member (J) Shri A.P. Kurhekar. He submits that it was argued for almost 20 days and it is old matter of 2009. Hence the same bench can be constituted.</p> <p>3. Ld. CPO confirms the situation and my Brother Judge who was one of the Member of the earlier Bench also confirms the position. In view of this I constitute bench of Hon'ble Vice-Chairman Shri P.N. Dixit and Hon'ble Member (J) Shri A.P. Kurhekar to hear the present matter and all counsel in the matter shall remain present on the next date.</p> <p>4. S.O. to 7.9.2020.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 27.8.2020 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 27.8.2020</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.286 of 2020</u></p> <p>Rajan Y. Reddiyar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is filed in this matter and the Ld. CPO submits that no junior of the applicant is promoted as it is contended by the applicant. Ld. CPO submits that there are four channels for promotion however applicant submits that there are only three channels and the persons who are going to be promoted are junior to the applicant. At this stage no interim relief can be granted however we make it clear to the respondents that the order of promotion of other persons will be subject to the outcome of this OA. We also make it clear to the respondents State to point out this order to the persons who are going to be promoted because they are going to be effected and they are not before this Tribunal if OA is decided in favour of the applicant.</p> <p>3. Admit. Place the above matter for final hearing on 13.10.2020.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman 27.8.2020</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula R. Bhatkar, J.) Chairperson 27.8.2020</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20 _____

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>Q.A. No.34 of 2020</u></p> <p>S.B. Salunke ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 to 4 and Shri A.V. Bandiwadekar, learned Advocate for Respondent No.5.</p> <p>2. Affidavit in person dated 27.8.2020 is filed by Shri S.S. Dere, learned Advocate as per the order dated 11.8.2020 of this Tribunal in the above OA. Affidavit is taken on record.</p> <p>3. By earlier order dated 11.8.2020 Shri H.L. Bhalerao (Applicant No.1 in OA No.933/2018) was directed to file affidavit but he is taking training at Nashik. Therefore this order is to be communicated to Shri Bhalerao to enable him to file his affidavit.</p> <p>4. Id. CPO submits that officer of MPSC has informed Govt. Shri L.N. Sargar (Applicant in MA.198/2020 in OA.933/2018) that he is not eligible and this application is made after cut-off date and therefore now the Govt. will take steps accordingly. Progress in this regard should be informed on the next date.</p> <p>5. S.O. to 24.9.2020.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 27.8.2020 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 27.8.2020</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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M.A. No.198 of 2020 in O.A. No.933 of 2018

L.R. Sargar ..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. Shri Bandiwadekar, Ld. Advocate for the applicant in MA No.198 wants to take instructions and file reply.

3. S.O. to 24.9.2020.

Sd/-
(P.N. Dixit)
Vice-Chairman
27.8.2020

Sd/-
(Mridula R. Bhatkar, J.)
Chairperson
27.8.2020

(sgj)

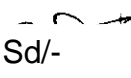
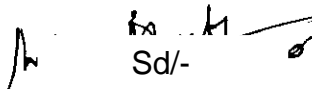
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.421 of 2020</u></p> <p>S.B. Chavan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. No orders in respect of promotions as mentioned in the OA should be issued till 31.8.2020. Hamdast.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- </p> <p>(P.N. Dixit) Vice-Chairman 27.8.2020</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula R. Bhatkar, J.) Chairperson 27.8.2020</p> </div> </div>

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

Tribunal's orders

O.A. No.368 of 2020

B.D. Patil ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

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

2. The applicant who is a Senior Clerk working in the office of respondent no.3 seeks transfer to Kolhapur. Ld. Advocate for the applicant submits that his transfer is approved by respondent no.1 and 2 and one Mr. Chavan a Senior Clerk from Kolhapur is transferred by order dated 3.7.2020 to Sangli in the place of the applicant. Ld. PO seeks time to seek instructions.

3. Issue notice returnable on 3.9.2020. Ld. PO waives service of notice.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

/s/ Sd/- 20
(Mridula R. Bhatkar, J.)
Chairperson
27.8.2020

(sgj)

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

Tribunal's orders

O.A. No.376 of 2020

M.S. Dhere ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

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

2. The applicant claims she has meritoriously qualified to be posted in Mantralaya as a Section Officer and in fact she was given posting on 17.1.2020 in Mantralaya. However, by order dated 6.2.2020 her posting was changed from Mantralaya to MPSC, Mumbai unilaterally where the candidates who have secured lesser marks are posted. Ld. Advocate for the applicant has joined MPSC under protest on 16.3.2020.

3. Issue notice returnable on 10.9.2020. Ld. PO waives service of notice.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.



Sd/-

(Mridula R. Bhatkar, J.)

Chairperson

27.8.2020

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.388 of 2020</u></p> <p>A.S. Adke ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that as per circular dated 21.5.2020 this matter is filed at Mumbai however the applicant be allowed to carry it physically to Aurangabad.</p> <p>3. Permission granted.</p> <p style="text-align: right;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 27.8.2020</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 Q.A. No.290 of 2020

FARAD CONTINUATION SHEET No. ..Applicant
Vs.

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

The State of Maharashtra & Ors. ..Respondents

Tribunal's orders
Heard Shri Tanveer Nizam, learned Counsel for the
Applicant and Ms. S.H. Manchekar, learned Chief Presenting
Officer for the Respondents.

2. The respondents-Police Officers to inform the date
on which the applicant is required to attend the Preliminary
Enquiry and the date is to be communicated to the I.d.
Counsel for the applicant today itself.

3. S.O. to 1.10.2020.

Sd/- *[Signature]* Sd/- *[Signature]*

(P.N. Dixit)
Vice-Chairman
27.8.2020

(Mridula R. Bhatkar, J.)
Chairperson
27.8.2020

(sgj)

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

Tribunal's orders

O.A. No.391 of 2020

V.S. Jadhav ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicant is suspended on 7.12.2019 under corruption charges. The Ld. CPO to file reply taking steps as per the ratio laid down in the case of Ajay Kumar Choudhari Vs. Union of India (2015) 7 SCC 291. There is no bar for State Government to take review in between.

3. Issue notice returnable on 8.10.2020. Ld. CPO waives service of notice.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
27.8.2020

(sgj)

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

Tribunal's orders

O.A. No.407 of 2020

D.M. Shirke ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.

2. The applicant challenges the transfer order dated 10.8.2020 on the ground that it was not placed before Civil Services Board and GR dated 9.4.2019 was not followed. Ld PO submits that applicant has already joined at Mumbai without protest on 20.8.2020.


3. Issue notice returnable on 1.10.2020. Ld. PO waives service of notice.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

 Sd/-
(Mridula R. Bhatkar. J.)
Chairperson
27.8.2020

(sgj)

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

Tribunal's orders

O.A. No.409 of 2020

D.S. Aswale ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicant who is Naib Tahsildar seeks transfer on the vacant post as per the preference given in the request application.

3. Issue notice returnable on 10.9.2020. Ld. CPO waives service of notice.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

Jh

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
27.8.2020

(sgj)

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

Tribunal's orders

O.A. No.410 of 2020

A.S. Sali ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.

2. The applicant who is Naib Tahsildar seeks transfer on the vacant post as per the preference given in the request application.

3. Issue notice returnable on 10.9.2020. Ld. PO waives service of notice.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.



Sd/-

(Mridula R. Bhatkar, J.)

Chairperson

27.8.2020

(sgj)

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

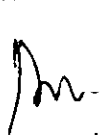
Tribunal's orders

Date: 27.08.2020

O. A. No.322 of 2020

P.A. ChavanApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Respondents have filed Affidavit-in-Reply through Mr. Rajendra M. Najan, Tahsildar Revenue, Collector office, Nashik. In para 7.5 of the application the Applicant has given the list of four vacancies which are yet to be filed up as per her preferential choice (G.R. dated 09.04.2018). Learned P.O. pointed out in para. 20 of the reply of the Respondent vacancy at Sr. No. 'a' in para. 7.5 of the Application is already filed up.
3. P.O. to inform who are posted at Sr. No. b, c & d.
4. On query learned P.O. after taking instructions from Mr. V.M. Bagul, Clerk, C.S.T. Collector Office Branch informs that the three post i.e. b) Awal Karkoon, Jamabandi, Igatpuri. c) Awal Karkoon, Employment Guarantee Scheme (E.G.S.), Dindori, Nashik. d) Awal Karkoon, Jamabandi, Dindori, Nashik.
5. In view of this the Respondents to take proper decision to accommodate the Applicant as per the G.R. dated 09.04.2018 of preferential choices.
6. S.O. 03.09.2020.


Sd/- 20
25/8/20
(Mridula R. Bhatkar, J.)
Chairperson

NMN


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.395 of 2020</u></p> <p>S.B. Ogale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant tenders application dated 27.8.2020 of the applicant for withdrawal of the OA and seeks permission to withdraw the OA. The applicant is personally present in the Court. Application dated 27.8.2020 is taken on record and marked 'X' for identification.</p> <p>3. OA is allowed to be withdrawn and disposed off as such.</p> <p style="text-align: right;"> Sd/- (Mridula R. Bhatkar, J.) Chairperson 27.8.2020</p> <p>(sgj)</p>

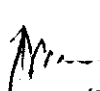
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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>Date: 27.08.2020</p> <p>O. A. No.329 of 2020</p> <p>M.H. MhaldarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to file reply. The Respondents to take note of the ground as challenged by the Applicant mentioned in the earlier order of this Tribunal on 28.07.2020 and accordingly file reply.</p> <p>3. S.O. to 24.09.2020.</p> <p style="text-align: right;"> Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</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.345 of 2020</u></p> <p>Y.B. Dange ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for Respondent No.1 and Ms. Priyanka Chavan, Ld. Advocate holding for Shri Dilip Bodake, learned Advocate for respondent no.2.</p> <p>2. I.d. Advocate for the applicant tenders application dated 26.8.2020 of the applicant for withdrawal of the OA and seeks permission to withdraw the OA. Application dated 26.8.2020 is taken on record and marked 'X' for identification.,.</p> <p>3. OA is allowed to be withdrawn and disposed off as such.</p> <p align="right">  Sd/- _____ (Mridula R. Bhatkar, J.) Chairperson 27.8.2020 </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 style="text-align: center;"><u>O.A. No.396 of 2020</u></p> <p>G.G. Balsane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant tenders application dated 27.8.2020 of the applicant for withdrawal of the OA and seeks permission to withdraw the OA. The applicant is personally present in the Court. Application dated 27.8.2020 is taken on record and marked 'X' for identification.</p> <p>3. OA is allowed to be withdrawn and disposed off as such.</p> <p style="text-align: right;"> Sd/- _____ (Mridula R. Bhatkar, J.) Chairperson 27.8.2020</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><u>O.A.649/2019</u></p> <ol style="list-style-type: none"> 1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. In this matter, the Applicant has challenged the transfer order dated 04.07.2019 which has been stayed by this Tribunal by reasoned order dated 10.07.2019. 3. Now, the Applicant has filed M.A.No.201/2020 for amendment contending that during the pendency of O.A. despite the transfer order, the Applicant is again transferred by order dated 07.08.2020 (Page No.33) to Junnar. He, therefore, seeks permission to amend the O.A. and to challenge the order dated 07.08.2020. 4. It is really astonishing and disgusting to note that despite stay to the transfer order dated 04.07.2019, how Respondents ventured to transfer the Applicant to Junnar by order dated 07.08.2020. It is <i>prima-facie</i> contempt of the order passed by this Tribunal on 10.07.2019. Thus, <i>prima-facie</i>, the Respondent No.1 has committed contempt of the order passed by this Tribunal and liable to be dealt with for contempt proceedings. 5. As there is <i>ex-facie</i> contempt of the order passed by this Tribunal, it is necessary to take cognizance of the same suo-motu to uphold the majesty of law. 6. Issue Show Cause Notice to Principal Secretary, Animal Husbandry and Fisheries Department as to why proceedings for contempt of order of Tribunal should not be initiated against him. 7. Adjourned to 3rd September, 2020 for filing Affidavit/Reply of Principal Secretary. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 27.08.2020</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.266/2020</u></p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondent No.1 and Shri Yogesh Patil holding for Shri A.R. Kapadnis, learned Advocate for Respondent No.2. 2. The Applicant has challenged the order dated 11.05.2020 whereby his services as Medical Officer is requisitioned in Z.P, Nashik for Covid-19 pandemic situation by the order passed by Respondent No.2 – Chief Officer, Z.P, Nashik. 3. After hearing the matter for some time, it was brought to the notice of Tribunal that the impugned order has been passed for a short period and after the control of situation, the Applicant will be sent back to his original post as Taluka Health Officer, Niphad. 4. The learned Advocate for Respondent No.2 on instructions from Shri Sanjay Sonavane, Jr. Administrative Officer, Health Department, Z.P, Nashik submits that the Applicant will be sent back/repatriated within two months from today. 5. In view of aforesaid position, Shri M.D. Lonkar, learned Advocate for the Applicant fairly submits that the matter may be disposed of in view of submission advanced by the learned Advocate for Respondent No.2 that the Applicant will be repatriated to his original post within two months. 6. Apart, learned Advocate for the Applicant also raised grievance that in fact, there was no need of the services of the Applicant in Z.P, Nashik but impugned order is passed only on instructions of the Minister and the Applicant is left without work. He has also produced leave orders sanctioned by none other than Respondent No.2 which shows that even after requisitioning, the

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

services of the Applicant at Z.P, Nashik, the same authority has granted Earned Leave to the Applicant twice. This rather shows that there was no such requirement or necessity of the services of the Applicant in Z.P, Nashik otherwise, CEO, Z.P, Nashik would not have granted leave to the Applicant.

7. Be that as it may, in view of submission made by the learned Advocate for Respondent No.2 that the Applicant will be repatriated within two months, the O.A. deserves to be disposed of.

8. The O.A. is disposed of and the Applicant be repatriated to his original post within two months from today. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member-J
27.08.2020

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.575/2019</u></p> <ol style="list-style-type: none">1. Heard Mrs. Sonali Humne holding for Mrs. R. Todankar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.2. Today, the learned Advocate for the Applicant has filed Additional Affidavit to explain the nature of appointment given to his mother, which is relevant for the decision of the present O.A. in view of stand taken by the Respondent. It is taken on record.3. The learned Advocate for the Applicant submits that she may be heard today, as it is not possible for her to attend the matter in the next week due to certain personal difficulties.4. Heard the learned Advocate for the Applicant and adjourned for hearing of learned P.O. on his request.5. S.O. to 3rd September, 2020. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 27.08.2020</p> <p>(skw)</p>