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Date: 28.02.2024

(GROUP NO.1)

O.A. No.880 of 2023 with O.A. No.882 of 2023 with O.A. No.883 of 2023 with O.A. No.884 of 2023 with O.A. No.888 of 2023 with O.A. No.1033 of 2023 with O.A. No.1034 of 2023 with O.A. No.1131 of 2023 with O.A. No. 983 of 2023 with O.A. No.887 of 2023 with O.A. No. 958 of 2023 with O.A. No.931 of 2023 with O.A. No. 941 of 2023 with O.A. No.867 of 2023

(GROUP NO.2)

O.A. No.881 of 2023 with O.A. No.885 of 2023 with O.A. No.1017 of 2023 with O.A. No.1113 of 2023

(GROUP NO.3)

O.A. No.936 of 2023 with O.A. No.1051 of 2023 to O.A. No.1055 of 2023 with O.A. No.1136 of 2023 with O.A. No.1137 of 2023 with O.A. No.1142 of 2023 with O.A. No.1122 of 2023 with O.A. No.1123 of 2023 with O.A. No.1199 of 2023 with O.A. No.1273 of 2023 with O.A. No.1022 of 2023 with O.A. No.1022 of 2023 with O.A. No.1385 of 2023 to O.A. No.1389 of 2023

Dr. P.G. Kulkarni & Ors. (GROUP NO.1) Dr. S.M.K. Borate & Ors. (GROUP NO.2)

M.A. Kanwar & Ors. (GROUP NO.3)......Applicant

Versus

The State of Maharashtra & Ors.Respondents.

- 1. Heard Shri M.D. Lonkar, Shri K.R. Jagdale, Shri A.V. Bandiwadekar, Shri U.V. Bhosle, Shri M.R. Kulkarni and Smt. Punam Mahajan through 'Video-Conference', learned Advocates for the Applicants. Shri P.S. Nagargoje, learned Advocate is not present on behalf of his Applicant. Shri A.J. Chougule and Smt. Archana B.K., learned Presenting Officer on behalf of Respondents.
- 2. Learned P.O. on basis of information received from 'Joint Secretary, Medical Education & Drugs Department' who is personally present states that

[*P.T.O.*

Tribunal's orders

decision regarding 'Cancellation / Revocation' of the earlier 'Transfer Orders' dated 30.06.2023; 13.07.2023 & 10.08.2023 of 'Professor', 'Associate Professors' and 'Assistant Professors' of various 'Government Medical Colleges' including those of 'Applicants' categorized in 'Group - I' to 'Group - III' was taken at level of 'Competent Transferring Authority' and next 'Superior Transferring Authority' following 'Comprehensive and Full Review' undertaken by 'Medical Education and Drugs Department'. The 'Joint Secretary, Medical Education and Drugs Department' further clarified that decisions regarding 'Cancellations / Revocations' of the earlier 'Transfer Orders' dated 30.06.2023; 13.07.2023 & 10.08.2023 of 'Professor', 'Associate Professors' and 'Assistant Professors' of various 'Government Medical Colleges' were not taken in meeting of the 'State Cabinet'.

- 3. Learned P.O. further states that in respect of the Applicants who are categorized into 'Group - I' to 'Group - III; the 'Medical Education and Drugs Department' has now cancelled earlier 'Transfer Orders' dated 30.06.2023, 13.07.2023 and 10.08.2023 of 29 'Professors', 'Associate Professors' and 'Assistant Professors'. Out of the remaining cases of 9 'Professors', 'Associate Professors' and 'Assistant Professors', learned P.O. clarifies that 'Transfer Orders' of 2 'Professors', 'Associate Professors' and 'Assistant Professors' were 'Modified / Changed' as per their requests but in respect of remaining 7 'Professors', 'Associate Professor' and 'Assistant Professors' the 'Medical Education and Drugs Department' has taken conscious decision not to 'Cancel' or make no 'Modifications / Changes in their earlier 'Transfer Orders' dated 30.06.2023; 13.07.2023 & 10.08.2023.
- 4. Learned P.O. then states that in respect of these 7 'Professor', 'Associate Professor' and 'Assistant Professors'; the 'Medical Education and Drugs Department' now intends to contest them and hence seeks time to file individual 'Affidavit-in-Reply' in respect of these Applicants from 'Group I to Group III'.
- 5. The 'Medical Education & Drugs Department' therefore has consciously decided that case of 7 'Professors', 'Associate Professors' and 'Assistant Professors'; will now be contested by filing separate

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'Affidavits-in-Reply'. However, these must confide the 'Specific Reasons' as to why revocation of the 'Transfer Orders' of these 7 'Professor', 'Associate Professor' and 'Assistant Professors' were not considered by 'C.S.B.' after 'Comprehensive and Complete Review'. Also recommendations made by 'C.S.B.' as recorded in 'Minutes of Meeting' as well as 'File Notings' about approval given 'Competent Transferring Authority' and next 'Superior Transferring Authority' should be placed on record along with the 'Affidavits-in-Reply' to be filed by 'Medical Education and Drugs Department'.

The learned P.O. with respect to payment of 'Salary & Allowances' to 'Professors', 'Associate Professors' and 'Assistant Professors'; to once again inform 'Deans' of (i) B.J. Government Medical College, Pune (ii) Medical College, Miraj and (iii) Sir J.J. Group of Hospitals and Grant Government Medical Colleges Mumbai to act promptly as per directions in 'Para 4' of Order dated 10.01.2024 to seek prior concurrence of 'Commissioner of Medical Education Mumbai' and take appropriate action immediately thereafter to rescind 'Sanction Orders' passed earlier in respect of those 'Professors; Associate Professors & Assistant Professors' who had earlier been granted 'Leave Due & Admissible' because earlier 'Transfer Orders' dated 30.06.2023; 13.07.2023 & 10.08.2023 of 29 Applicants are now cancelled by 'Medical Education and Drugs Department.

7. S.O. to 26.03.2024.

Sd/-

(Debashish Chakrabarty) Member (A)

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	28.02.2024	
	<u>0.4</u>	A 497/2017
	G D Pawar Vs.	Applicant
	The State of Maharashti	ra & Ors Respondents
	1. None present for Gaikwad, learned P.O for	r the applicant. Heard Smt K.S or the Respondents.
	2. Dismissed for de	efault for want of prosecution.
•	Sd/-	Sd/-
	(Medha Gadgil) Member (A)	(Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 28.02.2024

O.A. No.256 of 2024

N.P. Gholap VersusApplicant

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned Advocate for Applicant states that Applicant in O.A. No.256/2024 has been transferred from the post of 'B.D.O., Panchayat Samiti, Wai, District Satara' to the post of 'B.D.O., Panchayat Samiti, Shirol, District Kolhapur' by 'Order' dated 23.02.2024 of 'Rural Development Department'. The Applicant will be replaced by officer who was serving on post of 'B.D.O., Panchayat Samiti, Indapur, District Pune'.
- 3. Learned Advocate for Applicant further states that officer serving on post of 'B.D.O., Panchayat Samiti, Indapur, District Pune' has been posted as 'B.D.O., Panchayat Samiti, Wai, District Satara' on his request by 'Order' dated 23.02.2024 of 'Rural Development Department' and not for implementation of directions in 'Election Commission of India' letter dated 21.12.2023.
- 4. Learned P.O. states that officer who has been posted from 'B.D.O., Panchayat Samiti, Indapur, District Pune' to post of 'B.D.O., Panchayat Samiti, Wai, District Satara' has since been relieved but is yet to join and has submitted 'Joining Report' to 'C.E.O., Zilla Parishad, Satara' seeking to join on post of 'B.D.O., Panchayat Samiti, Wai, District Satara'.
- 5. The request of Applicant to be retained on the post of 'B.D.O., Panchayat Samiti, Wai, District Satara' cannot be considered as he has completed 3 years in last 4 years in 'Satara District' which is also his 'Home District'. Therefore in fact & circumstances of the case, it is for 'District Collector & District Election Officer, Satara' who has assigned Applicant work relating to 'General Elections to Lok Sabha; 2024'; to decide in consultation with 'C.E.O., Zilla Parishad, Satara' when to permit incoming officer from post of

Tribunal's orders

'B.D.O., Panchayat Samiti, Indapur, District Pune' to join in place of Applicant on post of 'B.D.O., Panchayat Samiti, Wai, District Satara'.

- 6. The procedure specified under 'Rule 29' & 'Rule 31' of Maharashtra Civil Services (General Conditions of Service), Rules, 1981 to be observed by 'C.E.O., Zilla Parishad, Satara'. Further 'District Collector and District Election Officer, Satara' is informed that before taking decision as per observations made above; 'Personal Hearing' may be given to Applicant about his grievances of having been repeatedly assigned various election related work by 'A.R.O.' of '256 Wai LAC' of '45 Satara P.C.'
- 7. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
- 8. Issue notice before admission returnable on 12.03.2024.
- 9. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
- 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. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 12. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
- 13. S.O. to 12.03.2024.

Sd/-

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pate: 28.02.2024

O.A. No.255 of 2024

A.R. Waghmare

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- Heard Shri A.V. Bandiwadekar, learned Advocate or the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
- Learned Advocate for Applicant in O.A. No.255 of 2024 states that Applicant who is 'B.D.O., Panchayat amiti, Khandala, District Satara' has been transferred o post of 'Project Director, Jal Jivan Mission, District Palghar' by Transfer Order dated 23.02.2024 of 'Rural Development Department'. However, as Applicant was to be replaced by 'B.D.O., Panchayat Samiti, Hatkanangale, Dist. Kolhapur' who has been given Interim Relief on 27.02.2024 in O.A. No.254/2024 and permitted to continue on post of 'B.D.O., Panchayat Kolhapur' Hatkanangale, Dist. Samiti, Applicant in this O.A. No.255/2024 can also be permitted to continue on post of 'B.D.O., Panchayat Samiti, Khandala, District Satara'.
- 3. Learned PO seeks time of 'One Week' to obtain 'Additional Information' regarding Applicant from Rural Development Department.
- 4. The Applicant in O.A. No 255/2024 is thus granted consequential 'Interim Relief' and permitted to continue on post of 'B.D.O., Panchayat Samiti, Khandala, District Satara' till 'Additional Information' is submitted by Rural Development Department. However, as 'Satara District' is 'Home District' of Applicant; thus in pursuance to directions in 'Election Commission of India' letter dated 21.12.2023, no election related work be assigned to Applicant during the period of 'Interim Relief'.

Tribunal's orders

- 5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
- 6. Issue notice before admission returnable on 12.03.2024.
- 7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
- 8. 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.
- 9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 10. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
- 11. S.O. to 12.03.2024.

Sd/-

(Debashish Chakrabarty) Member (A)

NMN

Tribunal's orders

Date: 28.02.2024

C.A.No.41/2021 in O.A.No.1052/2016 with M.A.No.700/2019 in R.A.No.23/2019 in O.A.No.1052/2016 with R.A.No.23/2019 in O.A.No.1052/2016

V.S. Patil & Ors.

....Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

- Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- Mr. R.G. Panchal, learned Counsel for the Applicant in C.A.No.41/2021 and Ms. Bhagyashree Upadhyay, learned Counsel for the Applicant in M.A.No.700/2019 are absent.
- In view that order passed by this Tribunal in 3. O.A.No.1052/2016 is challenged before the Hon'ble High Court and the said Writ Petition is pending, C.A. is adjourned to 20.03.2024.

SD/-

SD/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 28.02.2024

C.A.No.40/2022 in O.A.NO.733/2021

S.P. Kolte

....Applicant

The State of Maharashtra & Ors.Respondents.

- Heard Mr. S.S. Dere, learned Counsel for the Applicant, Ms. Archana B.K., learned Presenting Officer for the Respondents and Mr. M.D. Lonkar, lcarned Counsel for the Respondent No.2.
- In view that order passed by this Tribunal in O.A.No.1052/2016 is challenged before the Hon'ble High Court and the said Writ Petition is pending, C.A. is adjourned to 20.03.2024.

SD/-

SD/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

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	Date: 28.02.2024	
	C.A.No.84/2023 in O.A.No.168/2018	
	A.V. Patil	Applicant
	Vs. The State of Mahara	ashtra & OrsRespondents.
	1. Heard Ms. S.P. Manchekar, learned Chi	
	Presenting Officer for the Respondents.	
	2. Mr. A.A. Gł	harte, learned Counsel for the
	Applicant is absent.	
	3. Adjourned to	13.3.2024.
	Sd/-	Sd/-

(Medha Gadgil) Member (A)

Sd/-(Mridula Bhatkar, J.) Chairperson

prk

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Date: 28.02.2024

C.A.No.10/2023 in O.A.No.367/2022

P.B. Umrani

Vs.

....Applicant

The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. A.J. Chougule learned Presenting Officer for the Respondents.
- 2. Applicant in person is absent.
- 3. Adjourned to 13.3.2024.

Sd/-(Medha Gadgil) Member (A)

SD/-(Mridula Bhatkar, J.) Chairperson

rk

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O.A.99/2024

Dr. S. Bhagat & Ors.

... Applicants

Vs.
The State of Mah. & Ors.

... Respondents

- 1. Heard Shri A.A. Desai, learned Advocate for Appplicants and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. We make it clear that it is necessary to call out the ratio of all 'Interim Orders' together and to pass 'Interim Order' in respect of Doctors who are already retired and they are required to be reinstated till they attain the age of 60 years.
- 3. Since Applicant No.1 Dr. Sunita Bhagat who is already retired on 30.09.2023, we keep this matter for 'Interim Order' on 5th March, 2024. Thus, the issue of 'Interim Relief' in respect of Dr. Sunita Bhagat is deferred till 5th March, 2024.
- 4. As far as 'Extension of Time' in respect of Applicant No.2 Dr. Arvind S. Kokate is concerned, it is extended till disposal of this OA.
- 5. Shri Pravin Bagade, Law Officer, Public Health Services, Mumbai is present. He is directed to communicate this order to Department.
- 6. S.O. to 5th March, 2024.

(Debashish Chakrabarty) Member-A 28.02.2024

(Mridula Bhatkar, J) Chairperson 28.02,2024

(skw)

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	28.02.2024		
	<u>O.A</u>	1526/2023	
	Dr N.N Ambadekar & O Vs. The State of Maharashti		
	1. Heard Shri M.D the applicants and Sm the Respondents.	Lonkar, learned advocate for t K.S Gaikwad, learned P.O for	
	2. Learned P.O seel	ks time to file reply.	
	3. S.O to 13.3.2024	.	
	Sd/- (Medha Gadgil) Member (A)	Sd/- (Mridula Bhatkar, J.) Chairperson	

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directions and Registrar's orders

28.02.2024

O.A 1476/2023

R.H Patil & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Ms Prachi Mulje, learned advocate for the applicant, Shri A.D Ghugle, learned P.O for the Respondent No. 1 and Ms Shradha K. Nakadi, learned counsel for Respondent No. 2.
- 2. Learned counsel seeks time to file reply.
- 3. S.O to 27.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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28.02.2024

O.A 1435/2023

S.S Patankar & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- Heard Shri M.D Lonkar, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time to file reply.
- 3. S.O to 27.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

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28.02.2024

O.A 1349 with O.A 1237 with 1184/2023

K.N Sangale M.T Ligade

D.S Mengane

... Applicants

The State of Maharashtra & Ors

... Respondents

- None for the applicant in O.A 1349/2023. Heard Shri M.D Lonkar, learned advocate for the applicant in O.A 1237/2023, Shri Shashikant Jagtap holding for Shri Mukesh Dongarge, learned counsel for applicant in O.A 1184/2023 and Smt K.S Gaikwad, learned P.O for the Respondents.
- Ms Suchita Pawar, learned counsel for the intervenors submits that Misc Application No. 788/2023 is filed in O.A 1237/2023. However, the said Misc Application No. 788/2023 is not shown on Board.
- Registry is directed to show M.A 788/2023 on Board on the next date.
- S.O to 13.3.2024.

Sd/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

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	28.02.2024	
	O.A 1402/2023	
	Gugle, learned P.O for th	the applicant. Heard Shri A.D ne Respondents.
	Sd/- (Medha Gadgil) Member (A)	Sd/- (Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

28.02.2024

O.A 1309/2023

Through Video Conference

S.S Raskar

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. In this matter as per statement of learned counsel for the applicant, Revenue & Forest Department informed that there is vacancy and she is found fit. However, G.A.D submitted that there is no vacancy.
- 3. Both the Revenue & Forest Department and G.A.D should clarify on the same.
- 4. Learned P.O is directed to file affidavit in reply by way last chance otherwise matter will proceed without reply.
- 5. S.O to 20.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders <u> 28.02.2024</u> O.A 1288/2023 L.G Gavande & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents None present for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents. 2. Learned P.O seeks time to file reply. 3. S.O to 13.3.2024. Sd/-Sd/-(Mridula Bhatkar, J.) (Medha Gadgil)

Member (A)

Chairperson

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	28.02.2024		
	O.A 1263/2023		<u>3</u>
	S.S Patil & Ors		Applicants
	Vs. The State of Maha		Respondents
	1. Heard Shri L.S Deshmukh, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.		
	2. Reply is no	ot filed till date.	
	3. Matter to 1	proceed without re	eply.
	4. S.O to 27.	3.2023.	
	Sd/- (Medha Gadgil) Member (A)	(M1	Sd/- ridula Bhatkar, J.) Chairperson

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	28.02.2024	
	O.A 1257/2023	
	S.S Kadav Vs. The State of Maharashti	Applicant ra & Ors Respondents
		am Mahajan, learned advocate Shri A.D Gugle, learned P.O for
	2. Learned P.O seel	ks time to file reply.
	3. S.O to 13.3.2024	1.
	Sd/- (Medha Gadgil) Member (A)	Sd/- (Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

28.02.2024

O.A 1252/2023

M.R Batule

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Ms Radhali Kamble i/b Shri Praveen Kamble, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time to file reply.
- 3. S.O to 13.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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

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Tribunal's orders

28.02.2024

O.A 327 with 328/2023

R.A Marathe

R.A Marathe

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- Heard Shri G.A Bandiwadekar, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.
- Learned P.O submits that reply is filed in O.A 328/2023 and seeks time to file reply in O.A 327/2023.
- 3. S.O to 20.3.2024.

Sd/-

(Medha Gadgil) Member (A)

Sd/-(Mridula Bhatkar, J.) Chairperson

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

of 20

ΙN

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

28.02.2024

O.A 671/2023

S.K Sase & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Ganesh Masurkar holding for Shri R.M Kolge, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.
- 2. Admit with liberty to file rejoinder if any.
- 3. Place for final hearing on 3.4.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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

28.02.2024

O.A 796/2023

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- Heard Shri Ganesh Masurkar holding for Shri C.T Chandratre, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- Admit with liberty to file rejoinder if any.
- Place for final hearing on 13.3.2024.

Sd/-

(Medha Gadgil) Member (A)

Sd/-

(Mridula Bhatkar, J.) Chairperson

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

of 20

IN

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

28.02.2024

C.A 88/2023 in O.A 110/2020

A.S Azami S. Nadeem

... Applicant

The State of Maharashtra & Ors

... Respondents

- Heard Ms Ranjana Todankar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.
- We rely on our earlier order dated 24.1.2024, wherein the learned P.O submitted that on 24.1.2024 the proposal regarding regular pension was sent to the office of Accountant General. So today the statement is made false. The applicant retired in the year 2013 and still he is not getting his regular pension, when the order is passed on 5.12.2022.
- As the order of this Tribunal dated 5.12.2022 is not complied with and no satisfactory reasons are given for compliance, issue notice of Contempt under the Contempt of Courts Act, 1971 to the Contemnors as they are held jointly and severally liable.
- S.O to 20.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

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

of 20

ΙN

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 28.02.2024 O.A 1212/2023 U.M Bokade 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 for the Respondents. 2. Learned P.O seeks time. 3. S.O to 27.3.2024.	
	Sd/- (Medha Gadgil) Member (A)	Sd/- (Mridula Bhatkar, J.) Chairperson

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

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Trib	unal's orders
	O.A 824/2023 K.S Kamble & Anrs Applicants Vs. The State of Maharashtra & Ors Respondents 1. None present for the applicants. Heard Smt K.S Gaikwad, learned P.O for the Respondents. None for Respondents No 4 & 5. 2. Admit with liberty to file rejoinder if any. 3. Place for final hearing on 13.3.2024.	
	Sd/- (Medha Gadgil)	Sd/- (Mridula Bhatkar, J.)

Member (A)

Chairperson

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

of 20

IN

Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders 28.02.2024 O.A 933/2023 S.V Deshpande ... Applicant Vs. The State of Maharashtra & Ors ... Respondents Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Shri Anand D. Gugle, learned P.O for the Respondents. Admit with liberty to file rejoinder if any. 3. Place for final hearing on 27.3.2024. Sd/-Sd/-(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson Akn

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

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Original Application No.

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FARAD CONTINUATION SHEET No.

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

Tribunal's orders

28.02.2024

C.A 105/2023 in O.A 1201/2016

A.D Jadhav

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- Heard Shri M.D Lonkar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.
- Learned P.O submits that pension of the applicant is sanctioned by the office of the Accountant General on 27.2.2024. Learned P.O prays for two weeks' time for full compliance.
- S.O to 13.3.2024.

Sd/-

Member (A)

(Medha Gadgil)

Sd/-

(Mridula Bhatkar, J.) Chairperson

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

of 20

ΙN

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

28.02.2024

C.A 112/2023 in O.A 214, 215 & 216/2022

S.T Motkari

B.K Kanoji

S.G Shirsat

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri G.A Bandiwadekar, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.
- 2. We direct the Registry to reissue notice under the Contempt of Courts Act, 1971 to all the Contemnors.
- 3. S.O to 20.3.2024.

Sd/-

Su/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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

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Original Application No.

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FARAD CONTINUATION SHEET No.

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

Tribunal's orders

28.02.2024

C.A 113/2023 in O.A 700/2022

R.R Patil

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O submits that she has filed affidavit through Principal Secretary, Revenue & Forest Department regarding compliance of the order of this Tribunal dated 19.1.2024, thereby rejecting the case of the applicant.
- 3. Learned counsel for the applicant to make statement on the next date.
- 3. S.O to 6.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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

28.02.2024

C.A 115/2023 in O.A 974/2021

S.B Zaware

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. None present for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O request for time.
- 3. S.O to 6.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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

28.02.2024

C.A 17/2024 in O.A 641/2023

S.S Rawle

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri C.T Chandratre, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.
- 2. Learned C.P.O seeks time to take instructions in the matter.
- 3. S.O to 6.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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

28.02.2024

M.A 499/2022 in O.A 31/2022

Y.B Wagh

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Y.B Wagh applicant in person and Smt K.S Gaikwad, learned advocate for the Respondents.
- 2. Applicant submits that he has filed fresh Misc Application bearing M.A No. 131/2024 and served copy on all the Respondents and states that the said Misc Application be heard along with the present Misc Application.
- S.O to 13.3.2024. Matter will be heard finally.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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

28.02.2024

O.A 171/2023

S.A Rasankar & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O seeks time to file reply.
- 3. S.O to 6.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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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

28.02.2024

O.A 390/2023

P.M Mire & Ors

... Applicants,

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri K.R Jagdale, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Admit with liberty to file rejoinder if any.
- 3. Place for final hearing on 27.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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

of 20

ΙN

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	
	28.02.2024	
•	O.A 523/2023	
	V.V Kadam & Ors	Applicants
	Vs. The State of Maharashtra & O	rs Respondents
	1. Heard Shri G.A Banding for the applicants and Shri A. for the Respondents.	wadekar, learned advocate J Chougule, learned P.O
	2. Learned P.O request fo	r time.
	3. S.O to 13.3.2024.	
	Sd/- (Medha Gadgil) Member (A)	Sd/- (Mridula Bhatkar, J.) Chairperson

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

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Original Application No.

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FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 28.02.2024

O.A. No. 818 of 2023

Dr. D.A. Shengal

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
- 2. 'Interim Relief' to continue till 'Next Date'.
- 3. S.O. to 29.02.2024.

Sd/-(Debashish Chakrabarty) Member (A)

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

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Original Application No.

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FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 28.02.2024

O.A. No.690 of 2023

S.D. Dohiphode

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 'Interim Relief' to continue till 'Next Date'.
- 3. S.O. to 14.03.2024.

Sd/-

(Debashish Chakrabarty) Member (A)

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

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Original Application No.

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FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 28.02.2024

O.A. No.1145 of 2023

V.S. Lambhate

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archan B.K., learned Presenting Officer for the Respondent Nos. 1 & 2, Shri M. D. Lonkar, learned Advocate for the Respondent No.3 and Shri K.R. Jagdale, learned Advocate for the Respondent No. 4.
- 2. 'Interim Relief' to continue till 'Next Date'.
- 3. S.O. to 07.03.2024.

Sd/-

(Debashish Challrabarty) Member (A)

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

of 20

IN

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

Date: 28.02.2024

O.A. No.41 of 2024 with O.A. No. 42 of 2024

Dr. S.G. Bharsakle

Dr. S.A. Syed

.....Applicants

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri M.R. Kulkarni, learned Advocate for the Applicants and Shri A.J. Chougule, along with Smt. Archana B.K., learned Presenting Officer for the Respondents.
- 2. 'Interim Relief' to continue till 'Next Date'.
- 3. S.O. to 26.03.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

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

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 28.02.2024

O.A. No.1037 of 2019 & 9 Ors.

1. Dr. G.B. Taware	(O.A.1037/2019)
2. Dr. V.A. Nadimath	(O.A.1039/2019)
3. Dr. P.M. Sharebkausar	(O.A.1040/2019)
4. Dr. N.B. Masaram	(O.A.1041/2019)
5. Dr. V.P. Doijad	(O.A.1042/2019)
6. C.G. Patil	(O.A.1237/2019)
7. Dr. M.M. Pawar	(O.A.1238/2019)
8. Dr. P.R. Dhumal	(O.A.1239/2019)
9. Dr. P.N. Rathi	(O.A.1240/2019)
10.Dr. A.B. Pandav	(O.A.1241/2019)
	Applicants

Versus

The State of Maharashtra & Ors.

.....Respondents.

- Heard Smt. Punam Mahajan, learned Advocate for Applicant through Video-Conference in Sr. No. 1 to 5, Shri M.B. Kadam, learned Advocate holding for Shri K.B. Bhise, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
- 2. 'Interim Relief to continue till 'Next Date' in O.A. No.1037/2019, O.A. No.1039/2019, O.A. No.1040/2019, O.A. No.1041/2019 & O.A. No.1042/2019.
- S.O. to 15.03.2024. 3.

Sd/-

(Debashish Chakrabarty) Member (A)

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

of 20

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FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 28.02.2024

O.A. No.825 of 2023

S.M. Sarangdhar & Ors.,

.....Applicants

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.
- 2. 'Interim Relief to continue till 'Next Date'.
- 3. S.O. to 04.03.2024.

Sd/-

(Debashish Chakmbarty) Member (A)

Tribunal's orders

Date: 28.02.2024

O.A. No.260 of 2024

A.K. Padekar Versus

.....Applicant

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
- 3. Issue notice before admission returnable on 05.03.2024.
- 4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 7. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
- 8. O.A. No.260/2024 is tagged along with Group of O.A. No.114/2024 & Ors. on 05.03.2024.
- 9. S.O. to 05.03.2024.

Sd/-

Tribunal's orders

Date: 28.02.2024

O.A.No.1169/2022

K.A. DevkateApplicantVs.The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. S.S. Dere along with R.V. Shinde, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Learned P.O. is directed to verify whether the documents of already appointed candidates are verified as per circular dated 10.08.2021 or as per circular dated 12.01.2022.
- 3. Time granted for filing short affidavit in this regard. Adjourned to 01.03.2024 at 10.30 a.m.

Sd/-(Medha Gadgil) Member (A) Sd/-(Mridula Bhatkar, J.) Chairperson

prk

Tribunal's orders

Date: 28.02.2024

O.A.No.951/2023

P.T. Chavan & Ors.Applicants Vs.
The State of Maharashtra & Ors.Respondents.

- 1. Heard Ms. Radhali Kadam, i/b. Mr. Praveen Kamble, learned Counsel for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. O.A. though adjourned to 24.04.2024 is taken up at the request of learned Counsel Ms. Kadam.
- 3. At the request of learned Counsel Mr. Kadam adjourned to 26.03.2024.

Sd/-(Medha Gadgil) Member (A) Sd/-(Mridula Bhatkar, J.) Chairperson

prk

Tribunal's orders

Date: 28.02.2024

O.A.No.157 of 2022

D.Y. Bhamare & Ors.Applicants Vs.

The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Not on board. Taken on board at the request of learned Counsel Mr. Lonkar.
- 3. Learned Counsel states that the Applicant has requested for withdrawal of the present O.A. in writing. Copy of the same be taken on record and marked as Exhibit-A.
- 4. Learned C.P.O. submits to the orders of the Court.
- 5. In view of above, O.A. stands disposed of as withdrawn.

Sd/-

SD/-

(Medha Gadgil) Member(A) (Mridula Bhatkar, J.) Chairperson

prl

Tribunal's orders

Date: 28.02.2024

O.A.No.325/2018 with O.A.No.13/2020

A.M. Jadhao (O.A.325/2018) R.S. Pawar (O.A.13/2020) Vs.

....Applicants

The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant in O.A.No.325/2018, Mr. S.S. Dere, learned Counsel for the Applicant in O.A.No.13/2020, Mr. C.T. Chandratre, learned Counsel for Respondent no.3 and Ms. Archana B.K., learned Presenting Officer for the Respondents.
- 2. Learned Counsel Mr. Chandratre has submitted that during the course of the day reply will be filed in O.A.No.13/2020.
- 3. It be taken on record and copy be served upon the concern.
- 4. Learned P.O. seeks two weeks time to file affidavit regarding query made by this Tribunal.
- 5. We are refusing request of two weeks for filing reply by M.P.S.C. as earlier time was already sought by learned P.O. on behalf of M.P.S.C.
- 6. Adjourned to 05.03.2024. If reply is not filed by next date, matter to proceed without reply.

Sd/-(Medha Gadgil) Member (A)

Sd/-(Mridula Bhatkar, J.) Chairperson

prk

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

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

Tribunal's orders

28.02.2024

M.A 59/2024 in O.A 1226/2022

R.N Khune & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- Heard Shri M.D Lonkar with Shri S.B Chandan, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents. Shri Suryakant Lavte, law officer from the office of D.G.P is present.
- Learned counsel submits that select list was prepared on 20.3.2023 and after one year the Respondents will take stand that the select list has lapsed and further within 10 days the Code of Conduct for the ensuing Lok Sabha elections will come in force.
- Law Officer from the office of D.G.P states on instructions that the Desk Officer from the office of the D.G.P has spoken with the office of the Chief Electoral Officer, Maharashtra State, that prior approval of the Chief Electoral Officer, M.S, is required for any promotion and posting.
- We direct the Addl. D.G.P to file affidavit in reply on the following points:-
- Whether the approval of the Chief Electoral Officer, Maharashtra State is required for promotion of the applicants from the post of A.P.I to P.I?
- Whether the approval of the Chief Electoral Officer, Maharashtra State is required for the posting of Police Inspectors who are going to be promoted?
- S.O to 29.2.2024 at 10.30 am. 5.

Sd/-

(Medha Gadgil) Member (A)

Sd/-

(Mridula Bhatkar, J.) Chairperson