

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
ORIGINAL APPLICATIONS NO.438, 439 & 493 OF 2023**

Dipak R. Jadhav	(OA No.438/2023)	
Ganesh S. Salunkhe	(OA No.439/2023)	
Govind S. Kakad	(OA No.493/2023)	..Applicants
Versus		
The State of Maharashtra & Ors.		..Respondents

Shri Pranav Avhad with Ms. Darshna Naval
– Advocates for the Applicants in OAs No.438 & 439/2023
Shri M.V. Thorat – Advocate for Applicant in OA No.493/2023
Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM : Smt. Justice Mridula Bhatkar, Chairperson
DATE : 28th April, 2023

ORDER

1. Applicants who have applied for the posts of Police Constable Driver, Police Constable and SRPF Police Constable pray to quash and set aside the impugned merit list dated 28.03.2023 qua the post of Police Constable Driver and impugned merit list dated 25.04.2023 qua the Police Constable for the District Mumbai. Applicants also seeks that the candidates who have filled multiple forms for the same post on various units be held disqualified and to prepare revised list. By way of interim relief Applicants prays that the execution of the merit lists dated 28.03.2023 and 25.04.2023 qua the posts of Police Constable Driver and Police Constable respectively be stayed and also Respondents be directed to prepare the revised merit list in consonance with the stipulations as recorded in advertisement dated 09.11.2022 and other general

instructions. Thus, in short applicants seek adherence to the advertisement dated 09.11.2023 on the point of making applications by the candidates in one unit or more than one unit.

2. Applicants have applied for the posts of Police Constable Driver, Police Constable and SRPF Police Constable at Mumbai, pursuant to advertisement dated 09.11.2022. The merit list for the posts of Constable-Driver and Constable were published on 28.03.2023 and 25.04.2023 respectively. Applicants applied for Constable-Driver and Constable both the posts. For both the posts the physical test was conducted and now written examination, according to the information of the applicants, is tentatively fixed on 06.05.2023 whereas the driving test of Constable-Driver is still going on and the last date is fixed on 30.04.2023.

3. Applicants have applied only from Mumbai and not from any other Districts in all over Maharashtra. Learned Advocate for the Applicants relies on Clause 16 (page 50) of the Advertisement dated 9.11.2022, which reads as under:

“ऑन लाईन आवेदन अर्ज भरतानाच वैध कालावधीची प्रमाणापत्रे उमेदवाराकडे असणे आवश्यक आहे. सदर प्रमाणपत्रावरील उमेदवाराचे स्वतःचे नांव, शिक्का, जात प्रवर्ग, निर्गमित दिनांक, सक्षम प्राधिका-यांची स्वाक्षरी इ.बरोबर असल्याची खात्री उमेदवारांने स्वतःकरावी. आवश्यक प्रमाणपत्रामध्ये त्रुटी आढळल्यास किंवा अपूर्ण असल्यास किंवा अवैध असल्यास सदरहू उमेदवारास भरती प्रक्रियेतून कोणत्याही टप्यावर वाद करण्यात येईल व त्याबाबत कोणताही दावा/ तक्रार करण्यास उमेदवारास कोणताही हक्क राहणार नाही.

उमेदवार एकाच घटकात एका पदासाठी एकापेक्षा जास्त आवेदन अर्ज सादर करू शकत नाही.”

Which is translated ad-verbatim as, ‘the candidate cannot apply for more than one post in one unit’.

4. Learned Advocate for the Applicants has submitted that the online instructions/guidelines were published (page 62) on website, which reads as under:

“(iii) अर्जदारास पोलीस शिपाई, पोलीस चालक, सशस्त्र पोलीस शिपाई अशा एकूण ३ पदांसाठी एकाच घटकात किंवा ३ वेगवेगळ्या घटकात आवेदन अर्ज सादर करता येईल. परंतु एकाच घटकात एकाच पदासाठी एकापेक्षा जास्त आवेदन अर्ज सादर करता येणार नाही.”

Which is translated ad-verbatim as, ‘The candidate can apply for all the three posts i.e. Police Constable, Constable-Driver and CRPF in one unit i.e. District or in three District Units, but the candidate cannot submit more than one application for one post in the same unit’.

5. Ld. Advocates for the applicants have submitted that applicants were supposed to fill up one application for one post in only one unit i.e. district. They could have filled up the 3 applications for 3 different posts in 3 different units or 2 to 3 applications in different units.

6. Ld. Advocate for the applicants in OAs No.438 & 439/2023 submits that some candidates are made respondents who have submitted more than one application for more than one unit. These respondents and some other candidates like them have used different email ids for making more than one application for one post in different units. In directions and explanatory instructions the respondents have made clear that candidates should make one application for one post in one unit. Despite that many candidates have made more than application and have played fraud. It is necessary for the respondents to weed out such candidates to maintain legality and sanctity of the entire process. It is further argued that candidates who passed the physical examination at two different places chose to appear in only one district as the written examination was conducted on one day. However, the place where they opted not to

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appear, the said post remained vacant where the present applicants could have been shortlisted. Thus, the respondents have followed and implemented the procedure and directions given in the advertisement strictly for the entire examination process.

7. Ld. CPO has pointed out that earlier recruitment process of 2019 for which advertisement was issued on 30.11.2019 a specific clause was mentioned of cancellation of candidature if more than one applications are filled up for one post. However, such condition is not mentioned in the present recruitment process which is initiated by the advertisement dated 9.11.2022. Ld. CPO submits that the said issue in respect of earlier recruitment process was decided by the Full Bench of this Tribunal by order dated 17.3.2022 by cancelling candidature of candidates who had submitted more than one application for one post or one unit. However, in the present advertisement, the Government has not used the same condition in the advertisement. Ld. CPO therefore submits that the present recruitment is a fresh recruitment and the present advertisement is different advertisement than earlier advertisement. She further submitted that after conducting physical test in all the districts in Maharashtra the written examination was conducted on 26.3.2023 for Constable Driver and on 2.4.2023 for Police Constable to eliminate the double candidature to give opportunity to more candidates. However, there is possibility of some malpractice. The respondent-Government will take necessary action accordingly in due course.

8. Considered the submissions of both the sides. In case of OA No.493/2023 the applicant wanted to fill up second form. However, the instruction denying second form was popped up on 28.11.2022. If it was the grievance that why he was not allowed to fill up the second form for the same post from different district, the applicant should have approached the Tribunal at that time only. There is delay in approaching

this Tribunal. Moreover considering the case of all the applicants it appears that they could not secure necessary benchmark in the physical test. It is true that earlier the same issue was cropped up in the earlier examination because there was a specific clause of debarring the candidature of the candidates who have submitted the applications at more than one unit for the same post. However, in the present recruitment process such clause is not worded as it was in earlier examination. The submissions made by Ld. CPO on this point are accepted. The result of the physical test of the candidates in Maharashtra including Mumbai of 17 lacs candidates are declared and it was herculean take to conduct such mass level test at various districts. Basically the applicants could not make a prime facie case and balance of convenience is not in favour of the applicants. Hence, interim relief is refused.

9. Respondents to provide email address of respondents no.4 to 8 in OA No.438/2023 and respondents no.4 to 6 in OA No.439/2023, if the applicants apply.

10. The office objections, if any, are to be removed and court fees to be paid, if not already paid.

11. Issue notice before admission returnable on 9.6.2023. The respondents are directed to file reply.

12. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

13. 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.

14. 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.

15. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

Sd/-

(Mridula Bhatkar, J.)
Chairperson
28.4.2023

Dictation taken by: PRK & S.G. Jawalkar.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 28.04.2023

M.A.No.216/2023 in O.A.No.158/2019

S.R. PuttaApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. M.A.No.216/2023 is filed to expedite the O.A.No.158/2019 in view that the age of the Applicant is 79 years.

3. Prayer for expediting the O.A. is allowed.

4. M.A.No.216/2023 is allowed.
O.A.No.158/2019 is adjourned to 16.06.2023.

Sd/-

**/(Mridula Bhatkar, J.)
Chairperson**

prk

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Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 28.04.2023

O.A.No.272/2023

N.B. KolekarApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. O.M. Lonkar, learned Advocate for Respondent No.3 and 4.

2. Learned Advocate has filed pursis dated 28.04.2023 seeking withdrawal of O.A.No.272/2023 with liberty to file fresh O.A. before appropriate Bench i.e. preferably at M.A.T. Bench Aurangabad.

3. Allowed to withdraw with liberty as prayed. O.A. stands disposed of as withdrawn.

Sd/-

**(Mridula Bhatkar, J.)
Chairperson**

prk

**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>Date: 28.04.2023</p> <p>M.A. No.190 of 2022 in O.A. No.880 of 2021 with M.A. No.191 of 2022 in O.A. No.881 of 2021 with M.A. No.197 of 2022 in O.A. No.882 of 2021 with M.A. No.192 of 2022 in O.A. No.884 of 2021 with M.A. No.195 of 2022 in O.A. No.885 of 2021 with M.A. No.194 of 2022 in O.A. No.886 of 2021 with M.A. No.196 of 2022 in O.A. No.888 of 2021 with M.A. No.193 of 2022 in O.A. No.917 of 2021</p> <p>D.B. Mane H.R. Shegar, Legal heirs J.H. Shegar & Ors., H.G. Kulkarni V.P. Jagtap G.R. Brahmapukar S.K. Darekar B.T. Bhamre K.N. GhadgeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Shri A.J. Chougule and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. All these M.As are filed challenging the impugned orders of recovery issued in the period from 2014 to 2018 on different dates. In some O.As these orders of recovery are passed after retirement and in few passed just before few months of retirement. The Applicants therefore challenged recovery orders as well as sought refund of the impugned ^{removed} recovery from them.</p> <p>3. Having heard Smt. Punam Mahajan, learned Advocate for the Applicant and learned P.O. on perusal of record it is noticed that the Applicants were claiming pay scale of Rs.2000-3500 since it was granted to their Juniors. Department had taken decision on 31.10.1995 to grant them Higher Pay Scale of Rs.2000-3500 w.e.f. 01.01.1986 and matter was referred to the</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Government. In the meantime, the Applicant stands retired. Since, they were facing difficulties in getting Pension, decision was taken by Department to sanction Pension as per their old lower pay scale (lower then Rs. 2000-3500). However, later Government rejected proposal forwarded by the Department to give the Applicants Higher Pay Scale of Rs.2000-3500. Government had taken decision quite belatedly in 2019.</p> <p>4. The Applicants stands retired as Group 'C' employees. Learned Advocate for the Applicant submits that the Applicants are not challenging re-fixation of pay and allowances and challenge is restricted to the recovery. As per learned P.O. the Applicants themselves refunded the amount. Whether the Applicants are entitled to refund of the said amount or not is a question to be adjudicated on merit.</p> <p>5. At this juncture, it is apparent from the record that Higher Pay Scale was granted by the Department at their own, subject to approval of the Government but they were given benefits of Higher Pay Scale in reality. Indeed, Higher Pay Scale should not have been granted without an order of the Government and Department ought to have waited for the decision of the Government. Be that as it may, the facts remains that Department granted Higher Pay Scale and then forwarded proposal for approval to the Government which was ultimately turn down by order dated 19.06.2019.</p> <p>6. It is on the above background, delay is counted from the date of orders of recovery which comes from 7 months to 4 years. Since, the Applicants are retired Government servant and the benefit of Higher Pay Scale was granted by the Department itself, I am inclined to condone delay so as to decide the matter on merit particularly in the light of the fact and Government had taken decision quite belatedly on 19.06.2019. If the limitation is counted from 19.06.2019, in that event there would be no delay in filing O.A. For the aforesaid reasons, I am inclined to condone the delay caused in filing O.A.</p> <p>7. All M.As are accordingly allowed with no order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 28.04.2023</p> <p>M.A. No.176 of 2023 in O.A. No.880 of 2021 with M.A. No.178 of 2023 in O.A. No.881 of 2021 with M.A. No.177 of 2023 in O.A. No.882 of 2021 with M.A. No.179 of 2023 in O.A. No.883 of 2021 with M.A. No.180 of 2023 in O.A. No.884 of 2021 with M.A. No.181 of 2023 in O.A. No.885 of 2021 with M.A. No.241 of 2023 in O.A. No.886 of 2021 with M.A. No.182 of 2023 in O.A. No.887 of 2021 with M.A. No.242 of 2023 in O.A. No.888 of 2021 with M.A. No.243 of 2023 in O.A. No.889 of 2021 with M.A. No.183 of 2023 in O.A. No.917 of 2021</p> <p>D.B. Mane H.R. Shegar, Legal heirs J.H. Shegar & Ors., H.G. Kulkarni P.H. Damodar V.P. Jagtap G.R. Brahmapukar S.K. Darekar R.K. Ghadge B.T. Bhamre B.B. Ingale K.N. GhadgeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Shri A.J. Chougule and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant sought permission to amend O.As. so as to challenge the order passed by the Government on 19.06.2019 which was not initially included in prayer clause. Though by proposed amendment the Applicant ^{claimed} extend benefit of G.R. dated 03.09.1993 with all consequential benefits, Learned Advocate for the Applicant fairly stated that she is not challenging re-fixation of the pay and allowances and challenge is restricted to the recovery part only.</p> <p>3. The proposed amendment will not change the nature of O.A. and it is only amplification of pleading and prayer.</p> <p>4. For the aforesaid reasons, all these M.As for amendment are allowed.</p> <p style="text-align: right;">\n Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**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>Date: 28.04.2023</p> <p align="center">O.A. No.880 of 2021 to O.A. No.889 of 2021 with O.A. No.917 of 2021</p> <p>D.B. Mane H.R. Shegar, Legal heirs J.H. Shegar & Ors., H.G. Kulkarni P.H. Damodar V.P. Jagtap G.R. Brahmapukar S.K. Darekar R.K. Ghadge B.T. Bhamre B.B. Ingale K.N. GhadgeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Shri A.J. Chougule and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. These O.As are filed along with M.A. for condonation of delay which are allowed by the Tribunal today. Therefore this O.As are required to be decided on merit.</p> <p>3. Today learned P.O. has filed Affidavit-in-Reply in O.A. No.880/2021 on behalf of Respondent Nos.1 to 4. It is taken on record.</p> <p>4. Learned P.O. further submits that she will file Affidavit-in-Reply in all these remaining O.As by next date.</p> <p>5. S.O. to 14.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p> <p align="left">NMN</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>Date : 28.04.2023</p> <p align="center">O.A.No. 492 of 2023</p> <p>M. G. MullaApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 13.04.2023 whereby the Respondent /Government abruptly stayed the transfer order dated 11.04.2023.</p> <p>3. The Applicant is serving in the cadre of Sub Divisional Officer. By order dated 06.09.2019, he was transferred from Sangli to Satara and accordingly he joined at Satara. He was due for transfer in general transfers of 2023. The Government, therefore, by order dated 11.04.2023 transferred the Applicant from the post of SDO, Satara to SDO, Daund, Purandar, Dist. Pune. In view of transfer, the Applicant was relieved from Satara and joined at Daund on 12.04.2023. Surprisingly, on next date i.e. 13.04.2023, the Government stayed the transfer order dated 11.04.2023 whereby he was transferred from Satara to Daund, Purandar. It is on the above admitted position, learned Counsel for the Applicant sought interim relief. She has further pointed out that Applicant is not yet relieved from the post of SDO, Daund, Purandar and discharging his duties.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Now in view of order dated 13.04.2023, though the transfer order dated 11.04.2023 is stayed, the fact remains that Applicant has already taken charge at Daund and secondly while passing the order of stay dated 13.04.2023, no other posting is given to the Applicant.</p> <p>5. No reason for such abrupt stay to transfer order dated 11.04.2023 which is already implemented and came in force is forthcoming.</p> <p>6. All that learned P.O. submits that the transfer order was stayed as per the instructions of the Hon'ble Chief Minister, though he was asked to tendered the file for perusal, the file is not produced stating that it is with the Minister.</p> <p>7. In view of above, by way of and interim relief, the Applicant is allowed to continue as S.D.O. Daund, Purandar, Dist. Pune till further orders.</p> <p>8. Learned P.O. is directed to tender the file for perusal of Tribunal on 03.05.2023, till then Applicant shall be allowed to continue as S.D.O. Daund, Purandar, Dist. Pune.</p> <p>9. S.O. to 03.05.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 28.04.2023</p> <p>O.A.No.1037/2019 with 1039/2017 with 1040/2019 with 1041/2019 with 1042/2019 With O.A.Nos.1237/2019 with 1238/2019 with 1239/2019 with 1240/2019 with 1241/2019</p> <p>Dr. G. B. Taware & Ors. C. G. Patil & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants. Shri K. B. Bhise, learned Counsel for the Applicants in other set of O.As is absent and Shri A. J. Chougule, learned P.O. holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents is present.</p> <p>2. These Original Applications were adjourned from time to time awaiting the decision of the W.P. No.230/2019 which is still subjudice.</p> <p>3. These Original Applications are, therefore, adjourned and be kept after vacation.</p> <p>3. Interim relief to continue till next date.</p> <p>4. S.O. to 14.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 28.04.2023</p> <p align="center">O.A.No.519 of 2021</p> <p>Y.B. ChavanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. sought adjournment on the ground that P.O. Smt. K.S.Gaikwad who is incharge of the matter is on leave.</p> <p>3. S.O.to 07.06.2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 28.04.2023</p> <p align="center">O.A.No. 413 of 2023</p> <p>S. N. PawarApplicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Tribunal by order dated 26.04.2023, directed the Additional Chief Secretary, Revenue & Forest Department, Stamps & Registration (Revenue 1) to file his affidavit to explain why no final order is passed in D.E. and to explain the reasons for such huge delay among other things.</p> <p>3. On request of learned P.O., three days' time is granted to file Affidavit of Additional Chief Secretary and matter be kept on next working day.</p> <p>4. S.O. to 02.05.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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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>Date: 28.04.2023</p> <p>O.A. No.694 of 2019 with O.A. No.809 of 2019 to O.A. No.811 of 2019 with O.A. No.854 of 2019 to O.A. No.858 of 2019 with O.A. No.552 of 2021 & O.A. No.553 of 2021 (GROUP – I)</p> <p>O.A. No.686 of 2019 to O.A. No.690 of 2019 with O.A. No.693 of 2019 with M.A. No.371 of 2019 with O.A. No.695 of 2019 with M.A. No.373 of 2019 with O.A. No.750 of 2019 with M.A. No.405 of 2019 with O.A. No.752 of 2019 with M.A. No.406 of 2019 with O.A. No.584 of 2019 with O.A. No.585 of 2019 with (GROUP – II)</p> <p>O.A. No.784 of 2019 with O.A. No.100 of 2021 with O.A. No.101 of 2021 with O.A. No.113 of 2021 with O.A. No.111 of 2021 (GROUP – III)</p> <p>G.B. Shinde A.G. Salvi K.R. Kadam D.S. Mane N.R. Bhosale D.P. Jadhav V.S. Patil Y.K. Nevase S.R. Pawar K.T. More P.G. Kulkarni</p> <p align="right">.....Applicants (GROUP – I)</p> <p>S.U. Shinde D.K. Sudrik M.J. Palande P.K. Kadekar H.R. More D.T. Desai W.J. Godse B.R. Londhe A.P. Marathe S.B. Malusare M.M. Sakore V.G. Kolekar</p> <p align="right">.....Applicants (GROUP – II)</p> <p>J.R. Kumbhar Y.K. Potekar A.Y. Sakpal V.R. Raskar V.V. Sarwankar</p> <p align="right">.....Applicants (GROUP – III)</p> <p>Versus [P.T.O.] The State of Maharashtra & Ors.Respondents.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<ol style="list-style-type: none"><li data-bbox="776 363 1502 620">1. Heard Smt. P.H. Hendre, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant in (Group – I & II) Shri M.D. Lonkar, learned Advocate for the Applicant in (Group – III) and Shri A.J. Chougule & Smt. Archana B.K., learned Presenting Officer for the Respondents.<li data-bbox="776 680 1502 1298">2. In all these O.As the Applicants are claiming benefit of the decision rendered by this Tribunal in O.A. No.301/2017, Shri Jeevan Krishna Bhosale v/s. The Addl. Chief Secretary & Ors. decided on 04.02.2019, in the said judgment it appears that the Applicants were holding temporary promotional post at the time of retirement but their pay Pension was not fixed as per last drawn at the time of retirement. The defense was that the Applicants were given temporary post, and therefore not entitled to Pension as per last drawn pay at the time of retirement. Tribunal allowed the O.A. Being aggrieved by it, Government filed Writ Petitions before Hon'ble High Court. Now Writ Petitions are fixed for hearing on 3rd July 2023.<li data-bbox="776 1357 1502 1434">3. Learned Advocate for the Applicant submits that there is stay in one of the connected Writ Petition.<li data-bbox="776 1494 1502 1571">4. In view of above, all these three groups of O.As. are adjourned.<li data-bbox="776 1630 1117 1656">5. S.O. to 12.07.2023. <p data-bbox="1159 1695 1365 1865" style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p data-bbox="776 1908 824 1934">NMN</p>

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

Tribunal's orders

Date : 28.04.2023

C.A.No.18/2023 in O.A.No.999/2021

A.R. BhagwatApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S. Raktate, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer holding for Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. O.M. Lonkar, learned Advocate for the Respondents No.3

2. Chief Education Officer Zilla Parishad, Thane is hereby directed to remain present because the order of the Tribunal is not complied with. On 17.04.2023 the applicant had visited Zilla Parishad and he was told to fill A, B, C forms at the time of submission of pension forms. Learned Advocate had earlier made submissions that the said documents were sent by post. Later on after taking instructions he submitted that the documents are not sent by post. The Tribunal is not at all satisfied with the explanation given here. I fail to understand why the documents were handed over to the party concerned and they were not official sent to the concerned officer, Zilla Parishad. The Education Officer Zilla Parishad, Thane is directed to answer this query on the next date.

3. Adjourned to 03.05.2023 at 10.30 a.m.

Sd/-

/(Mridula Bhatkar, J.)
Chairperson

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.405 of 2023</u></p> <p>Amit R. Chohan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Vaishali Dunbale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The applicant who was working as Sweeper is challenging termination order dated 27.1.2023 and 30.1.2023 issued by District Surgeon, Central Hospital, Ulhasnagar-3, District Thane.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 21.6.2023. The respondents are directed to file reply.</p> <p>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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>7. 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.</p> <p>8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "For Dismissal" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 28.4.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1145 of 2016</u></p> <p>Shashikant S. Bhandare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for Respondents No.1 to 3.</p> <p>2. Respondent No.4 and his Advocate are not present.</p> <p>3. Shri R.M. Patil, Auditor, Grade-I from the office of Divisional Joint Registrar, Cooperative Societies (Audit), Mumbai Division, Konkan Bhavan is present in the Court.</p> <p>4. Ld. Advocate for the applicant submits that applicant has challenged order dated 24.4.2015 passed by respondent no.1 reverting applicant from the post of Special Auditor Grade-II to the post of Auditor (Class-I) Grade-III and promoting respondent no.4 to the post of Special Auditor Grade-II.</p> <p>5. Ld. PO informs that applicant has retired on 31.5.2018 and respondent no.4 has retired on 28.2.2022.</p> <p>6. Ld. Advocate for the applicant pointed out that by order dated 13.12.2016 this Tribunal has directed the parties to maintain status quo. Ld. Advocate submits that on 13.12.2016 the applicant was not actually reverted and therefore he worked on account of status quo on the post of Special Auditor, Grade-II and retired from the post of Special Auditor Grade-II on 31.5.2018. He has received all the pensionary benefits as if he is not reverted. Ld. Advocate for the applicant submits that OA has become infructuous and can be disposed off.</p> <p>7. Considering the submissions made by both the sides, the OA has become infructuous and the same is disposed off as such. Interim relief is made absolute. OA is disposed off by consent of both the sides.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 28.4.2023</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 align="center">Date: 28.04.2023</p> <p align="center">O.A. No.607 of 2018</p> <p>S.G. DhanawadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, 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 along with Annexures, statement of witnesses recorded in preliminary enquiry and recorded ^{retained} by the enquiry officer in Report ^{Report}. It is taken on record.</p> <p>3. On request of learned P.O. adjourned for Final Hearing.</p> <p>4. S.O. to 07.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">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>Date: 28.04.2023</p> <p align="center">O.A. No.347 of 2023</p> <p>S.R. DamseApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt Punam Mahajan, 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. last chance is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 09.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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">Date: 28.04.2023</p> <p align="center">O.A. No.224 of 2023</p> <p>V.R. PanchalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Dhannawat, learned Advocate for the Applicant and Smt. Archana B.K., 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.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted to file Rejoinder.</p> <p>4. S.O. to 05.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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">Date: 28.04.2023</p> <p align="center">O.A. No.176 of 2023</p> <p>V.V. GholapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P. Jadhav, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted to file Affidavit-in-Reply but the same is not filed. Hence, I am not inclined to grant further time.</p> <p>3. O.A. to proceed without Reply and be kept for hearing at the stage of admission.</p> <p>4. S.O. to 20.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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>Date: 28.04.2023</p> <p align="center">M.A. No.46 of 2023 in O.A. No.98 of 2023 with M.A. No.47 of 2023 in O.A. No.99 of 2023</p> <p>R.V. Khedekar P.M. TalathiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P. Walimbe, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In both the matters the Applicants are retired Government servant. They retired long back. After retirement there is ^{they made} grievance for not considering their temporary service for the benefits of Time Bound Promotion. It came to be rejected by order dated 23.06.2019, which is challenged in the present O.A. M.As are filed to condone delay of 229 days caused in filing O.A. Though enough time is granted to Respondents to file Affidavit-in-Reply to M.A but the same is not filed. Since, the Applicants are retired from service long back and now aggrieved by the communication issued by Respondents on 23.06.2019. In the interest of justice, I am inclined to condone delay so as to decide O.A. on merit.</p> <p>3. In view of above, M.As for condonation of delay is allowed with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</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>Date: 28.04.2023</p> <p align="center">O.A. No.98 of 2023 with O.A. No.99 of 2023</p> <p>R.V. Khedekar P.M. TalathiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P. Walimbe, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. These O.As are filed along with M.A. for condonation of delay which is allowed by the Tribunal today. O.As are therefore required to be decided on merit. Since, Respondents are already served in M.A. the notice of O.A. is dispensed with.</p> <p>3. Four weeks time is granted to learned P.O. to file Affidavit-in-Reply in both O.As.</p> <p>4. S.O. to 16.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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>Date: 28.04.2023</p> <p align="center">M.A. No.118 of 2023 in M.A. No.119 of 2023 in O.A. No.206 of 2023</p> <p>R.H. Phadtare & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P.H. Hendre, 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 to file Affidavit in-Reply to M.A.</p> <p>3. S.O. to 14.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 28.04.2023</p> <p>O.A. No.229 of 2023</p> <p>S.S. ChaudhariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. On request of learned P.O. last chance is granted to file Affidavit-in-Reply. S.O. to 08.06.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</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">Date: 28.04.2023</p> <p align="center">O.A. No.262 of 2023</p> <p>S.S. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. 3. On request of learned P.O. last chance is granted to file Affidavit-in-Reply. 4. S.O. to 12.06.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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">Date: 28.04.2023</p> <p align="center">O.A. No.289 of 2023</p> <p>Y.R. GayakwadApplicant Versus 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 Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. last chance is granted to file Affidavit-in-Reply.</p> <p>3. It be kept along with connected group of O.As on 12.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>
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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

~~Date : 28.04.2023~~

O.A.No.1259/2022 with O.A.No.659/2022

G.R. Shelar & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Sanjeev B. Deore, a/w. Ms. Suchita J. Pawar, learned Advocate for the Respondents No.9, 10, 11, 14 & 15 in O.A.No.1659/2022, Mr. Harish S. Bali, learned Advocate for the Respondent No.62 in O.A.No.659/2022, Mr. Harish S. Bali, learned Advocate holding for Mr. Tripathi, learned Advocate for the Respondent Nos.51, 56 and 58 in O.A.No.659/2022 and Ms. S.P. Manchekar, learned Chief Presenting Officer holding for Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Mr. C.T. Chandratre, learned Advocate for the Applicant in O.A.No.1259/2022 and Ms. S. Suryawanshi, learned Advocate for the Applicant in O.A.No.659/2022 are absent

3. Learned Advocate Mr. Harish S. Bali, for the Respondent has submitted that during the course of the day reply will be filed. It be taken on record. Copy be served upon the concerned.

4. Adjourned to 03.05.2023.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 28.04.2023

O.A.No.1230/2022 with M.A.No.48/2023

B.M. Sonar & Ors.Applicants
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer holding for Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Mr. S.M. Deokar, learned Advocate for the Applicant in M.A.No.48/2023 is absent.

3. Learned P.O. has submitted that reply is filed.

4. Learned Advocate Ms. Mahajan has submitted that pleadings are complete. She prays for interim relief as the promotion orders of all 6 Applicants are issued (page 48) on 28.07.2022 to the post of Inspecting Officer in the office of Food and Supply Department.

5. Learned C.P.O. has submitted that new Rules for the Recruitment to the post of Inspecting Officer, Food and Supply Department are amended on 27.03.2023 and the Rules are also filed along with the reply. In view of that all the orders of promotions which were issued are withheld.

6. Learned Advocate has submitted that no decision was taken at Government level of not issuing promotion orders and therefore orders of promotions were issued, but they were not implemented. She has further submitted that as on today promotion orders are not withdrawn.

7. Adjourned to 12.06.2023 under the caption 'Due Admission'.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.04.2023</p> <p>O.A.No.1080/2022</p> <p>S.S. MoreApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents has submitted that during the course of the day reply will be filed. It be taken on record. Copy be served upon the concerned.</p> <p>3. Adjourned to 26.07.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.04.2023</p> <p>O.A.No.668/2022</p> <p>S.S. MisaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate holding for Mr. L.S. Deshmukh, learned Advocate for the Applicant, Ms. Archana B.K., learned Presenting Officer for the Respondent and Mr. U.V. Bhosle, learned Advocate for Respondent No.3</p> <p>2. Last and final chance given to the Respondent, Public Health Department to file reply.</p> <p>3. Adjourned to 04.05.2023.</p> <p>Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 28.04.2023</p>
	<p>O.A.No.345/2023 with O.A.No.363/2023 with O.A.No.365/2023</p> <p>R.D. Akrupe & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today was the last date of filing affidavit. Learned C.P.O. has submitted that today during the course of the day reply of M.P.S.C. will be filed. G.A.D. is granted time to file reply till 02.05.2023. If reply is not filed, matter will proceed without reply.</p> <p>3. Adjourned to 02.05.2023.</p> <p style="text-align: center;">Sd/- _____</p> <p style="text-align: center;">/ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.As. No.1064 to 1067 of 2016,</u> <u>OAs. No.1122, 1123, 1124, 1127, 1128 of 2019</u></p> <p>E.J. Barshinge ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p style="text-align: center;">And <u>O.A. No.730 of 2021</u></p> <p>R.G. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant Shri E.J. Barshinge in above 9 OAs. has challenged multiple DEs against him and the decision taken therein.</p> <p>3. Applicant Shri R.G. Jadhav in OA No.730/2021 has also challenge the DE.</p> <p>4. The incident of misconduct is related to the office of Charity Commissioner, who is respondent here. None has come from the office of Charity Commissioner. It will be helpful if a chart of all the DEs which were concluded against the applicants is placed on record by both the sides, so that matters can be understood and decided speedily.</p> <p>5. S.O. to 9.6.2023.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 28.4.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.685 of 2016 with O.A. No.703 of 2016</u></p> <p>Hemlata B. Gavhane Chandrakant D. Pawar Vs. The State of Maharashtra & Ors.</p> <p style="text-align: right;">..Applicants ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for Respondents No.1 & 2.</p> <p>2. Respondent No.3 and his advocate are not present.</p> <p>3. Shri R.T. Jadhav, Deputy Secretary, Tribal Development Department is present in the Court and informs that MPSC has issued advertisement dated 31.3.2015 inviting application for 7 post of Assistant Commissioner/Project Officer, Tribal Development Department. Out of 7 posts; 3 were reserved for Open, 2 for Female, 1 for ST and 1 for OBC. Out of 7 posts one post is meant for Physically Handicapped. He further informs that MPSC recommended respondent no.3 in the category of OBC Handicapped, Applicant-Hemlata B. Gavhane in the category of Open Female Handicapped and Applicant-Chandrakant D. Pawar in the category of OBC, but not handicapped.</p> <p>4. It is found that as per medical board certificates dated 22.4.2016 and 14.3.2016 issued by the Govt. Medical College, Dhule, respondent no.3 has 30% disability to left eye.</p> <p>5. Ld. PO informs that respondent no.3 was higher in merit and therefore he was recommended amongst the disabled.</p> <p>6. Ld. Advocate for the applicants submits that result was declared on 8.1.2016 and OAs are filed on 11.7.2016 and 14.7.2016 respectively when the waiting list was in force. Under such circumstances when the matter was sub-judice and challenge was given up to that extent, the waiting list survives.</p> <p>5. Queries were made to both the parties and they are unable to answer. Hence, S.O. to 5.6.2023.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 28.4.2023</p> <p>(sgj)</p>