

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.21 of 2021</u> (Through Video Conferencing)</p> <p>Sandip S. Mali & 5 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Presenting Officer for Respondents No.1 to 6.</p> <p>2. The Ld. Advocate for the applicants prays for interim relief. Ld. CPO has opposed the same on account of non-condonation of delay and other factual and legal positions.</p> <p>3. For want of time the Ld. Advocate for the private respondents could not be heard through Video Conferencing.</p> <p>4. S.O. to 11.6.2021 at 2.30 p.m.</p> <p align="center">Sd/- _____ Sd/- _____ (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 28.5.2021 28.5.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 907 OF 2018**

DISTRICT : MUMBAI

Shri S.N Vasekar & Ors)...**Applicant**
Versus
The State of Maharashtra & Ors)...**Respondents**

Shri S.S Dere, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : **Justice Mridula R. Bhatkar (Chairperson)**
Shri P.N Dixit (Vice-Chairman) (A)

DATE : **28.05.2021**

PER : **Shri P.N Dixit (Vice-Chairman) (A)**

ORDER

1. Heard Shri S.S Dere, learned advocate for the Applicants and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned counsel for the applicants submits that applicants no. 4 and 22 want to withdraw their names from the present O.A as they want to take steps by filing application before Nagpur or other Bench. Allowed to withdraw their names from the present Original Application.

3. Learned counsel for the applicants is pressing for interim relief which states that the 21 applicants in the present Original Application are similarly situated at par with the candidates

selected vide order dated 5.3.2018 and therefore, they should be sent for training for the post of Police Sub Inspector in Batch No. 119, for which training is scheduled to commence on and from 21st June, 2021.

4. Learned counsel for the applicants has relied on the following decisions:-

- (i) Sudesh R. Kadam Vs. The State of Maharashtra & Ors, Writ Petition No (ST) No. 97384/2020, dated 22nd April, 2021
- (ii) Decision of the Nagpur Bench dated 6.5.2021 in O.A 353/2021
- (iii) Decision of the Nagpur Bench dated 17.5.2021 in O..A 383/2021
- (iv) Akhtar Hashim Shaikh & Ors Vs. State of Maharashtra & Ors, W.P 12319/2019 dated 21st May, 2021.

5. In Sudesh R. Kadam's case, W.P (S) No. 97384/2020, dated 22.4.2021, the Bombay Hon'ble High Court observed as under:-

"2. Inasmuch the aforesaid aspect is not in dispute, without prejudice to the rights and contentions of the parties and on the statement of learned counsel for the Petitioner, that the Petitioner would not claim any equities or seniority, we direct the Respondents to permit the Petitioner to undergo the training by including him in the list of candidates for training (batch no. 119) scheduled to go for training from 26th April, 2021."

6. In Akhtar Hashim Shaikh's case, W.P 12319/2019 dated 21.5.2021, the Hon'ble Bombay High Court observed as under:-

"2. The learned advocate for the Petitioners states that the Petitioners are similarly placed and are at par with the Petitioner in Writ Petition (ST) No. 97384 of 2021. Therefore, the Petitioners be included in the training session for the post of Police Sub Inspector in Batch No. 119."

3. *The above Writ Petition was before us on 19th May 2021, when the learned AGP sought time on the ground that he has to confirm whether the Petitioners are similarly placed with the Petitioner in Writ Petition (ST) No. 97384/2021. Today, the learned AGP once again seeks time on the same ground. We are not inclined to accede to his request and proceed to pass the following order:-*

- (i) *Respondent no. 1 shall within a period of one week from today ascertain whether the Petitioner are similarly placed with the Petitioner in Writ Petition (ST) No. 97384 of 2021, and if they are found to be similarly placed, they shall be included in the training session for the post of Police Sub Inspector in Batch No. 119, which training is scheduled to commence on and from 21st June, 2021. It is clarified that all rights and contentions of the parties are kept open, in case they are required to be addressed at the time of hearing of the above Writ Petition.”*

7. Learned counsel for the applicants also relied on the judgment of Hon’ble Supreme Court in State of Uttar Pradesh & Ors. Arvind Kumar Srivastava & Ors, Civil Appeal No. 9849/2014 (arising out of SLP (C) No. 18639/2012) dated 17th October, 2014. Relevant para is reproduced below:-

“23. The legal principles which emerge from the reading of the aforesaid judgments, cited both by the appellants as well as the respondents, can be summed up as under:-

(1) Normal rule is that when a particular set of employees is given relief by the Court, all other identically situated persons need to be treated alike by extending that benefit. Not doing so would amount to discrimination and would be violative of Article 14 of the Constitution of India. This principle needs to be applied in service matters more emphatically as the service jurisprudence evolved by this Court from time to time postulates that all similarly situated persons should be treated similarly. Therefore, the normal rule would be that merely because other similarly situated persons did not approach the Court earlier, they are not to be treated differently.....

(2) *However, this exception may not apply in those cases where the judgment pronounced by the Court was judgment in rem with intention to give benefit to all similarly situated persons, whether they approached the Court or not. With such a pronouncement the obligation is cast upon the authorities to itself extend the benefit thereof to all similarly situated person. Such a situation can occur when the subject matter of the decision touches upon the policy matters, like scheme of regularization and the like (see **K.C Sharma & Ors Vs. Union of India** (supra). On the other hand, if the judgment of the Court was in personam holding that benefit of the said judgment shall accrue to the parties before the Court and such an intention is stated expressly in the judgment or it can be impliedly found out from the tenor and language of the judgment, those who want to get the benefit of the said judgment extended to them, shall have to satisfy that their petition does not suffer from either laches and delays or acquiescence.”*

8. In view of the above, the Respondents are directed to verify whether the applicants are similarly situated at par with the candidates selected vide order dated 5.3.2018 and if the applicants are found similarly placed at par with candidates selected vide order dated 5.3.2018, the Respondents shall send the applicants to undergo the training by including them in the list of candidates for training in Batch 119, which is scheduled to go for training from 21.6.2021. The said exercise should be completed within a week from the date of receipt of this order.

9. S.O to 2.7.2021. Hamdast.

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

Sd/-
(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 28.05.2021
Dictation taken by : A.K. Nair.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.05.2021</p> <p>M.A.No.158 of 2021 in O.A.No.312 of 2021</p> <p>Dr. T.S. Wankhede & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr. Gunratan Sadavarte, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO. 312 OF 2021

Dr. T.S. Wankhede & Ors. **... Applicants**

Vs.

The State of Maharashtra & Ors **... Respondents**

Dr. Gunratan Sadavarte, learned Advocate for the Applicants.

Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

**CORAM : JUSTICE MRIDULA BHATKAR, (CHAIRPERSON)
SMT. MEDHA GADGIL, MEMBER(A)**

DATE : 28.05.2021

PER : JUSTICE MRIDULA BHATKAR, (CHAIRPERSON)

O R D E R

1. The Applicants who are Veterinary Surgeons pray that M.P.S.C. (Respondent No.1) be directed to expedite the procedure for selection to recruitment 435 permanent Live Stock Development Officer (LDO) posts pursuant to the advertisement No.13 of 2019, dated 23.08.2019 (Exhibit-A) by following the Government Resolutions (G.R.) dated 14.05.2019 and 01.07.2011. The Applicants further seek prayer that the G.R. dated 24.03.2021 recruiting Contractual Temporary recruitments, through outsourcing is quashed and set aside.

2. On query learned C.P.O. submits that there are total 540 posts of LDO's which are vacant posts available in the State of Maharashtra. The Advertisement is of 2019 and Respondents have conducted the written examination and have taken steps towards filling up the posts of LDO's. Now the interviews of all the candidates who have succeeded in written examination are to be conducted. The said date is not yet fixed. She further submits that after interview, for verification, selection and appointment some time is required. However, there is urgency of LDO's at various places in Maharashtra. Therefore, the State of Maharashtra has issued G.R. dated 24.03.2021 with a view to fill up the posts of LDO's by outsourcing. The procedure for appointment of such LDO's by outsourcing is explained in detail in the said G.R. The Committee is required to be constituted for the purpose of outsourcing and also select the agency to make the process transparent. The period of these LDO's who are going to be appointed by outsourcing will be temporary i.e. maximum for 11 months and if prior to that the regular posts are filled-up through M.P.S.C. then the time of 11 months can be curtailed. This is the first date, hence, learned C.P.O. needs time to seek instructions from M.P.S.C.

3. Issue notice before admission returnable on 03.06.2021.

4. Applicants 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. We would like the Respondents M.P.S.C. and State to solve the present issue and to give information on the following point :-

The dates on which the M.P.S.C. is going to conduct interviews of the candidates who succeeded in the written examination.

8. We expect M.P.S.C to expedite the process as far as possible so that the State expenses and individual expenses on outsourcing can be saved.

9. We also point out the Government policy laid down in G.R. dated 05.05.1989, wherein it is specifically mentioned that Government has taken a note that the candidates though are recommended in competitive examinations but not given the actual appointment for a long time, in order to curtail such delay, the Government has directed that in any circumstances within 30 days from the date of recommendation, the appointment order be issued.

10. Adjourned to 03.06.2021.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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	<p>Date : 28.05.2021</p> <p>M.A.No.89 of 2021 in O.A.No.812 of 2017</p> <p>R.S. Londhe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate submits that today he has filed M.A. for condonation of delay.</p> <p>3. Issue notice before admission returnable 25.06.2021.</p> <p>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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. Adjourned to 25.06.2021.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p align="center">Date : 28.05.2021</p> <p align="center">O.A.No.150 of 2021</p> <p>V.B. Wakchaure ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. seeks three weeks to file affidavit-in-reply.</p> <p>3. Time granted. Adjourned to 02.07.2021..</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>



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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.91 of 2021 with O.A.No.128 of 2021</p> <p>K.B. Patil (O.A.91/2021) U.M. Vhatkar (O.A.128/2021) ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Smt. Archana B.K., with Smt. K.G. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. seeks two weeks to report progress in the matter.</p> <p>3. Adjourned to 15.06.2021.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(P.N. Dixit) (Mridula Bhatkar, J.) Vice-Chairman Chairperson</p> <p>prk</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.1119 of 2019</p> <p>J.P. Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. None for the Applicant.</p> <p>2. The learned P.O. for the Respondents seeks three weeks for filing affidavit-in-reply.</p> <p>3. Time granted. Adjourned to 29.06.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.84 of 2021</p> <p>V.V. Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. 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. The learned C.P.O. files affidavit-in-reply, dated 27.05.2021 on behalf of Respondents No.1 & 2, through Shri Jitendra B. Patil, Deputy Transport Commissioner (Admn,) office of Transport Commissioner, Mumbai. The same is taken on record and copy is served to learned Advocate for the Applicant.</p> <p>3. The learned Advocate seeks three weeks.</p> <p>4. Adjourned to 29.06.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p align="left">prk</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.501 of 2020</p> <p>S.B. Mali ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. 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. The learned C.P.O. mentions that reply has been filed along ago. The learned Advocate still seeks two weeks time for filing rejoinder.</p> <p>3. Adjourned to 14.06.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.203 of 2019 with M.A.No.112 of 2019</p> <p>N.V. Sawant ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. 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. The learned C.P.O. for the Respondents mentions that reply will be filed during the course of the day.</p> <p>3. The learned Advocate for the Applicant seeks two weeks for filing affidavit-in-rejoinder.</p> <p>4. Time granted. Adjourned to 29.06.2021.</p> <p align="center">Sd/- _____ (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.666 of 2020</p> <p>S.T. Kakade & Anr. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for the Applicants.</p> <p>2. The learned C.P.O. files affidavit-in-reply, dated 20.02.2021 on behalf of Respondents No.1 to 4, through Shri Ravindra Kondiba Kale, Assistant Administrative Officer, office of Divisional Joint Director of Agriculture, Pune Division, Pune. The same is taken on record.</p> <p>3. The learned Advocate is allowed to file rejoinder, if any.</p> <p>4. Adjourned to 31.08.2021 for final hearing.</p> <p>Sd/- (P.N. Dixit) Vice-Chairman prk</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.1197 of 2019</p> <p>C.R. Sawant ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. for the Respondents mentions that he has received instructions and seeks time to file reply.</p> <p>3. Adjourned to 22.06.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.168 of 2021</p> <p>S.R. Nikam & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned P.O. adjourned to 02.07.2021 for filing affidavit-in-reply.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.746 of 2020</p> <p>S.M. Bhagwat Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate holding for Shri M.V. Thorat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned Advocate Shri K.R. Jagdale submits rejoinder.</p> <p>3. The learned C.P.O. seeks two weeks adjournment.</p> <p>4. Adjourned to 29.06.2021.</p> <p align="center">Sd/- (P.N.) Dixit Vice-Chairman</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 28.05.2021</p> <p>O.A.No.771 of 2020</p> <p>R.S. Basutkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for the Applicant.</p> <p>2. As the reply is already filed by the Respondents, matter is admitted and kept for final hearing on 31.08.2021.</p> <p>Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p>Date : 28.05.2021</p> <p>O.A.No.774 of 2020</p> <p>A.S. Karkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for the Applicant.</p> <p>2. The learned C.P.O. mentions that reply has been filed.</p> <p>3. In view of this matter is admitted and kept for final hearing on 10.08.2021.</p> <p>Sd/- (P.N. Dixit) Vice-Chairman</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>28.05.2021</u></p> <p align="center"><u>O.A 237/2021</u></p> <p>Shri A.N Padwal ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Rajadyaksha, i/b Shri Vagesh Mishra, learned advocate for the applicant, Shri R.S Apte, learned Senior Counsel with Ms Swati Manchekar, learned C.P.O for Respondents no 1 to 3 and Shri Prasad Dhakephalkar i/b Shri B.S Shinde, learned advocate for Respondents no. 4 to 10. Smt Punam Mahajan, learned advocate for Respondent no. 11.</p> <p>2. Learned counsel for the applicant submits that applicant wants to file affidavit in rejoinder. Learned counsel for the applicant is directed to file affidavit in rejoinder on or before 31.5.2021 and copy of the rejoinder is to be sent by email to all the Respondents, preferably today or tomorrow.</p> <p>3. Learned counsel Mrs Punam Mahajan, submits that she does not want to file affidavit in reply for interim relief and states that she will adopt the affidavit in reply filed by the Respondents 1 & 2 for interim relief and for final hearing, she will be file affidavit in reply.</p> <p>4. Learned C.P.O, makes statement that Respondent no. 3, G.A.D does not want to file affidavit in reply at the stage of interim relief and will adopt the same reply filed on behalf of Respondents no 1 & 2.</p> <p>5. Matter is fixed peremptorily for hearing of interim relief on 31.5.2021 at 11.00 am.</p> <p align="center">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

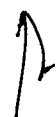
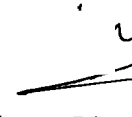
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center"><u>28.05.2021</u></p> <p align="center"><u>O.A 236/2021</u></p> <p>Shri K. Suryakrishnamurty ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Akhilesh Dubey, learned advocate for the applicant, Shri R.S Apte, learned Senior Counsel with Ms Swati Manchekar, learned C.P.O for Respondents no 1 to 3 and Shri Suresh Shah i/b Shri B.S Shinde, learned advocate for Respondent no. 4. None for Respondents no 5, 6 & 7.</p> <p>2. Learned Counsel Mr Dubey submits that he has filed affidavit of service of notice.</p> <p>3. Affidavit in reply is filed by the Respondents.</p> <p>4. Learned counsel for the applicant seeks time to file affidavit in rejoinder. Learned counsel for the applicant is directed to file affidavit in rejoinder on or before 31.5.2021 and copy of the rejoinder is to be sent by email to all the Respondents, preferably today or tomorrow.</p> <p>5. Matter is fixed peremptorily for hearing of interim relief on 31.5.2021 at 11.00 am.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 28.05.2021</p> <p align="center">M.A.No.164 of 2021 in M.A.No.165 of 2021 in O.A.No.38 of 2021</p> <p>Dr. V.V. Patil & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today learned C.P.O. files affidavit-in-reply in O.A.No.38/2021, dated 06.04.2021 on behalf of Respondents No.1 to 3, through Dr. Vijay P. Kandewad, Joint Director in the office of Commissioner of Health Services, Arogya Bhavan, Mumbai. The same is taken on record and copy is served to learned Advocate for the Applicant. She seeks time to file Affidavit-in-reply in M.A.</p> <p>3. The learned Advocate submits that since 2012 the applicants posts of District Health, Officers are not filled up, therefore these applicants are waiting in queue for their promotions. She further submits that M.A.No.165/2021 is filed by the Applicant No.2, Dr. Shaikh Balan Mahetab for correction of date of appointment and qualification in the final seniority list. Respondents to consider the same.</p> <p>4. S.O. to 24.06.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman prk</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson [P.T.O.]</p>

Office Notes, Office Memoranda of Coram,
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Directions and Registrar's orders

Tribunal's orders

28.05.2021

O.A 320/2021

Smt S.K Jogdand ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.V More, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. In this matter, the applicant who was working as a Deputy Superintendent of Jail, Central Prison, challenges order dated 26.4.2021 whereby applicant is removed from service on the ground that she has violated the Rules of Maharashtra Civil Services (Declaration of Small Family) Rules, 2005.

3. Learned counsel for the applicant has pointed out that as per Rule 6 of the said Rules, the decision of giving relaxation to the Delinquent Officer vests with the Government and the said Rule 6 was not complied with by the Respondent-Department as the matter was not referred to the Government, but was decided by the Respondent-Department.

4. Learned counsel for the applicant further submits that applicant has submitted representation /application dated 5.3.2019 and 16.12.202 to the Respondents.

5. Learned C.P.O seeks time to take instructions in the matter.

6. Issue notice made returnable on 25.6.2021.

7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

10. S.O to 25.6.2021.

Sd/-

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

Sd/-

(Mridula Bhatkar, J.)
Chairperson

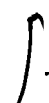

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	<p><u>28.05.2021</u></p> <p align="center"><u>M.A 161/2021 in O.A 315/2021</u></p> <p>Shri V.V Pote & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Misc Application to sue jointly is allowed subject to payment of court fees, if not already paid.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(P.N. Dixit) Vice-Chairman (A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p><u>28.05.2021</u></p> <p align="center"><u>O.A 315/2021</u></p> <p>Shri V.V Pote & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicants who are working as Police Constable challenges the mark list dated 25.2.2021 and the decision of the Respondents of not considering them for the post of P.S.I in Limited Departmental Competitive Examination of 2017 and further challenges the communication dated 23.2.2021 and wants direction to the Respondents to modify the merit list of the eligible candidates dated 10.2.2021 thereby adding the name of the applicants.</p> <p>3. Learned C.P.O seeks time to take instructions.</p> <p>4. Issue notice made returnable on 11.6.2021.</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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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. The service may be done by hand delivery/speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>8. S.O to 11.6.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N\Dixit) Vice-Chairman (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p>

Akn

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p><u>28.05.2021</u></p> <p align="center"><u>O.A 268/2021</u></p> <p>Shri S.B Thakur ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant, who retired as Sales Tax Officer, Class-II, prays that Respondent be directed to grant benefits of second Time Bound Promotion to the applicant with all consequential service benefits in salary and also to revise his pay and pension. The applicant further prays that the order dated 8.3.2021 refusing grant of second Time Bound Promotion be quashed and set aside.</p> <p>3. Learned C.P.O seeks time to take instructions.</p> <p>4. Issue notice made returnable on 9.7.2021.</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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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. The service may be done by hand delivery/speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>8. S.O to 9.7.2021.</p> <p align="right">Sd/- _____</p> <p align="center">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="right">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p>Date : 28.05.2021</p> <p style="text-align: center;">R.A.No.8 of 2021 With M.A.No.163 of 2021 in O.A.No.818 of 2019</p> <p>The State of Maharashtra & Ors ... Appli(Org. Respd.)</p> <p style="text-align: center;">Vs.</p> <p>J.L. Mondkar ... Respondents (Org. Appli)</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Applicants (Org. Respondents) and Shri M.D. Lonkar, learned Advocate for the Respondents (Org. Applicants).</p> <p>2. This M.A.No.163/2021 is filed by the Respondent-State for condoning the delay of 3 months and 16 days in filing R.A.No.8/2021.</p> <p>3. The learned C.P.O. submits that the notice is served to the Respondent(Org. Applicant). She produces documents showing that notice is served to the Respondent (Org. Applicant) yesterday i.e. on 27.05.2021.</p> <p>4. R.A.No.8/2021 is filed for amendment in affidavit-in-reply dated 05.01.2021 in paragraph no.23, page 70 and thereafter for correction in Tribunal's order dated 07.01.2021.</p> <p>5. The learned C.P.O. submits that :-</p> <p>(i) In the affidavit-in-reply dated 05.01.2021, at paragraph no.23, page 70, 'clause No.16.A2' should be mentioned as 'clause No.17.A2'. She be permitted to correct the mistake in the affidavit-in-reply, dated 05.01.2021.</p> <p>(ii) Similarly, in the order dated 07.01.2021, in paragraphs 5 & 6, of both at 5th line, 'clause No.16.A2' should be mentioned as 'clause No.17.A2'.</p>

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	<p>6. The learned C.P.O. submits that this mistake came to the notice of the Committee when the Committee was constituted to take decision in the matter of the applicant as ordered by this Tribunal. Hence, there is delay.</p> <p>7. We did not think it is necessary to give notice and call the Respondents to answer this delay. But it is appropriate to condone the delay in view of typographical error in the order. Review Application which is sought, in fact, should have been simple application for speaking to minutes and one application for amendment of the affidavit-in-reply. The amendment sought and the Review application filed by the State is not going to affect adversely in any manner on the Respondents (Org. Applicants). As it is typographical error on the part of affiant and therefore consequently carried out in the order. Hence, R.A.No.8/2021 is hereby allowed.</p> <p>8. In view of this, M.A.No.163/2021 and R.A.No.8/2021 are disposed off. The process of taking decision be expedited as there is already delay.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p style="text-align: center;">/</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 28.05.2021</p> <p align="center">O.A. No.867 of 2016</p> <p>Dr. R.M. HaridasApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. It is noticed that one of us (Smt. Medha Gadgil, Member (A)) has dealt with the matter as Secretary, Medical Education and Drugs Department during her tenure, and therefore, this matter needs to be heard by another Bench of which she is not a Member.</p> <p>3. Registrar is directed to place the matter before another Division Bench.</p> <p>4. S.O. to 21.06.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 28.05.2021</p> <p>O.A. No.242 of 2021</p> <p>D.B. KedariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. There is no compliance of the order passed by the Tribunal dated 15.04.2021, whereby Secretary, Planning Department, Government of Maharashtra, Mantralaya, Mumbai was directed to file his Affidavit and to explain as to why no final decision is taken in D.E. for more than three years. He was further directed to explain steps taken in the matter after receipt of enquiry report from the Respondent No.3, as well as present status of the matter. Affidavit was to be filed on or before 20.04.2021.</p> <p>3. Despite specific order no Affidavit is filed. As such <i>Prima-facie</i>, it is Contempt of order dated 15.04.2021, and therefore, proceeding for Contempt of Court needs to be initiated.</p> <p>4. Issue notice to Secretary, Planning Department, Government of Maharashtra, Mantralaya, Mumbai as to why proceeding of Contempt of Court should not be initiated against him returnable on 03.06.2021.</p> <p>5. S.O. to 03.06.2021.</p> <p>6. Hamdast granted.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.452 of 2020</p> <p>R. N. MohiteApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Ghadigaonkar, learned Counsel for the Applicant, Smt. Kranti Gaikwad learned Presenting Officer for the Respondents 1 to 3 and Smt. Punam Mahajan, learned Counsel for the Respondent No.4.</p> <p>2. Learned Counsel for the Applicant seeks permission to withdraw O.A. and has also tendered a letter of the Applicant to the effect that he does not want to continue with the proceedings. The letter is taken on record and marked as letter 'X'.</p> <p>3. In view of above, allowed to withdraw Original Application.</p> <p>4. O.A. is disposed of with no order as to costs.</p> <p align="right">Sd/- _____</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.171 of 2021</p> <p>R. S. GaikwadApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., three weeks time is granted for filing reply.</p> <p>3. S.O. to 18.06.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 28.05.2021</p> <p>O.A.No.761 of 2020</p> <p>D. R. NalwadApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Smt. Kranti Gaikwad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply as a last chance.</p> <p>3. S.O. to 17.06.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.05.2021</p> <p align="center">O.A.No.18 of 2021</p> <p>D. B. BhosaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri B. A. Bandiwadekar , learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.</p> <p>3. Pleading is complete.</p> <p>4. The matter is adjourned for final hearing.</p> <p>5. S.O. to 28.06.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 28.05.2021</p> <p align="center">O.A. No.190 of 2021</p> <p>S.A. WarangApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply, with specific direction that no further time will be granted.</p> <p>3. Adjourned to 15.06.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 28.05.2021</p> <p align="center">M.A. No.324 of 202 in O.A.No.742 of 2020</p> <p>Shri S. K. Darekar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Asawari Ghate holding for Smt.Punam Mahajan , learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. filed reply in M.A. It is taken on record.</p> <p>3. S.O. to 15.06.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.259 of 2021</p> <p>A. N. SayyadApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., three weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 18.06.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.05.2021</p> <p align="center">O.A.No.490 of 2020</p> <p>S.R. PatilApplicant</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 Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, two weeks time is granted for filing M.A. for condonation of delay.</p> <p>3. Learned P.O. is also directed to file reply to O.A. as a last chance.</p> <p>4. S.O. to 17.06.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.05.2021</p> <p align="center">M.A. No.109 of 2021 in M.A.No.585 of 2019 in M.A.226 of 2019 In O.A.No.761 of 2018</p> <p>M. G. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., short time is granted for filing reply to Misc. Application.</p> <p>3. S.O. to 11.06.2021 for hearing.</p> <p align="right">^ Sd/- (A.P. K^Wrhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.05.2021</p> <p align="center">M.A. No.359 of 2020 in O.A.No.807 of 2020</p> <p>J. R. GaudApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., short time is granted for filing reply to Misc. Application.</p> <p>3. S.O. to 11.06.2021 for hearing.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.05.2021</p> <p style="text-align: center;">O.A.No.275 of 2021</p> <p>B. M. KakadApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the suspension order dated 13.01.2021 whereby he was suspended in view of the registration of crime against him under the Prevention of Corruption Act, 1988. 3. After filing of O.A. on 12.05.2021, the Tribunal has directed the Respondents to take review of suspension in accordance to law since the Applicant is retiring at the end of May, 2021. 4. Today, learned P.O. has tendered communication dated 28.05.2021 which shows that the review committee had recommended to continue the suspension in view of the registration of crime under the Prevention of Corruption Act. It further shows that the D.E. is also contemplated. 5. Shri K.R. Jagdale, learned Counsel for the Applicant sought to contend that since no charge sheet has been issued within 90 days from the date of suspension, the prolong suspension in terms of the decision of (2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.) is unsustainable in law. 6. True, no charge sheet in criminal case is filed within 90 days since the matter is under investigation at the stage of sanction for prosecution, where the suspension is on account of registration of serious crime in terms of G.R. dated 14.10.2011, the review needs to be taken periodically and after one year from the date of suspension. In present case, review committee has decided to continue the suspension. 7. Learned P.O. has further pointed out that the charge sheet dated 17.05.2021 has been served upon the Applicant and the Enquiry Officer is also appointed. 8. In view of above, at this stage no relief can be granted and the matter needs to be decided on merit. The Respondents are directed to file Affidavit in Reply on next date. 9. S.O. to 22.06.2021. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p style="text-align: left;">ysm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 28.05.2021</p> <p align="center">O.A.No.229 of 2021</p> <p>M. D. KarandeApplicant</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 Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three weeks time is granted for filing reply.</p> <p>3. S.O. to 18.06.2021.</p> <p align="right">Sd/- </p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 28.05.2021</p> <p>O.A. No.222 of 2016</p> <p>Dr. M.U. ShetsandiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Shri A. Misal learned Advocate for the Respondent No.4 is absent. 3. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents 4. The perusal of O.A. reveals that the Applicant had claimed benefit of G.R. dated 03.09.2015 for extension of service till completion of Sixty years of age. He had completed 58 years service on 31.05.2021. 5. Learned P.O. has pointed out that G.R. dated 03.09.2015 on the basis of which O.A. is filed has been quashed and set aside by <i>Hon'ble High Court subsequently in Writ Petition No.5402 of 2018, Dr. Sanjay S/o Ramrao Kadam and Ors V/s. State of Maharashtra</i> by judgment dated 20th March 2020. By said judgment G.R. dated 30.05.2015, 30.06.2015 and 03.09.2015 granting extension of age are declared illegal and set aside. 6. As such G.R. itself having being declared illegal and set aside. This O.A. has become infructuous and liable to disposed of. 7. Decision of Hon'ble High Court in Writ Petition No.5402 of 2018 is taken on record and marked by letter 'X'. 8. In view of above, O.A. is disposed of with no order as to costs. <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member (J)</p> <p style="text-align: center;">NMN</p>


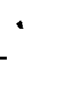
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date: 28.05.2021</p> <p align="center">O.A. No.301 of 2016</p> <p>J.A.M.H. Momin etc 4Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant short time is granted for final argument.</p> <p>3. S.O. to 22.06.2021.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date: 28.05.2021

O.A. No.575 of 2015 with M.A. No.377 of 2015
(O.A.469/13 with M.A.371/15 A'bad)

H.M. KshirsagarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Applicant and his Advocate both are absent.
2. Smt. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
3. It appears that due to COVID-19 Pandemic situation and lockdown the Applicant and his counsel both are not present.
4. Adjourned for hearing on 16.06.2021.

Sd/-	Sd/-
(Medha Gadgil)	(A.P. Kurhekar)
Member (A)	Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 28.05.2021</p> <p align="center">O.A. No.297 of 2015</p> <p>U.N.Yadav & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant short time is granted for final argument.</p> <p>3. S.O. to 09.06.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member (J)</p> <p>NMN</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.05.2021</p> <p align="center">O.A.No. 919 of 2015</p> <p>S. T. KhadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for final hearing.</p> <p>3. S.O. to 11.06.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A.280/2020

Shri R.T. More ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned Presenting Officer is present.

2. Applicant seeks time for filing Rejoinder.

3. The learned P.O. had been advised to ask the Respondents to get the leave records of Applicant in particular and Service Book, Pay Verification, etc. in general, completed before the next date and Applicant had been advised to respond to details of dues communicated by Respondents, so that no dues can be issued to him by the competent authority without further delay.

4. S.O. to 15th June, 2021.

Sd/-

(Bijay Kumar)
Member-A
28.05.2021

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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O.A.169/2021

Shri H.R. Jadhav ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Advocate for Applicant is absent. Mrs. K.S. Gaikwad, learned Presenting Officer is present.
2. Respondents sought time for filing reply.
3. Applicant is also required to respond to the issue of exhausting alternative remedy under Rule 5(c) of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 and meeting requirement as prescribed under Section 20 of Administrative Tribunals Act, 1985.
3. S.O. to 11th June, 2021.

Sd/-
(Bijay Kumar)
Member-A
28.05.2021

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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O.A.6/2021

Shri R.T. More ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Shri Sadhana Singh, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned Presenting Officer is present.

2. Respondents have not been able to present the process note by which the Applicant had been regularized on supernumerary post of daily wage laborer, Group 'D' w.e.f.1st June, 2012 while processing a proposal of giving benefit admissible as per Revenue & Forest G.R. No.LAB-1094 /pra. kra. 252 /F-9, dated 31.01.1996.

3. Respondents have also not been able to produce cogent reason for taking a stand that due benefit could not be given to the Applicant for the reason of non-availability of attendance details when the Respondents had before themselves the seniority lists for the relevant period before them which includes attendance details.

3. S.O. to 25th June, 2021.

Sd/-

(Bijay Kumar)
Member-A
28.05.2021

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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	<p style="text-align: center;"><u>O.A.208/2021</u></p> <p>Shri S.B. Kamble ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri M.D. Lonkar, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned Presenting Officer is present.</p> <p>2. The learned P.O. seeks time to file Additional Affidavit.</p> <p>3. S.O. to 17th June, 2021.</p> <p style="text-align: right;">Sd/- (Bijay Kumar) Member-A 28.05.2021</p> <p>(skw)</p>

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

Tribunal's orders

O.A.752/2020

Shri S.A. Patil ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Shri Deven Jogdeo, learned Advocate for the Applicant absent. Mrs. K.S. Gaikwad, learned Presenting Officer is present.

2. The learned P.O. seeks time to file reply.

3. The following points had been ascertained for further proceeding for which the Applicant should submit his say.

(i) For which post, the Applicant had submitted his application for appointment under Irrigation Department of State of Maharashtra.

(ii) For which post, the Ex-Servicemen Welfare Board has recommended his name for recruitment under Irrigation Department of Government of Maharashtra by their recommendation letter dated 29.11.1985.

(iii) Whether the Superintending Engineer, Irrigation Department who had appointed the Applicant on the post of Kanishtha Abhiyanta (Junior Engineer) by order No.351, dated 29th December, 1985, had discretion to appoint the Applicant on the post of Assistant Engineer based on above mentioned application and/or recommendation letter.

(iv) In what way, Clause 10(9) of Notification dated 13th May, 2013 issued by Water Resources Department, Government of Maharashtra applied to those appointed under Clause 10 instead of Clause 3 of the said Notification ?

4. S.O. to 17th June, 2021.

Sd/-

(Bijay Kumar)
Member-A
28.05.2021

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.05.2021</p> <p align="center">O.A.No.294 of 2021</p> <p>J. K. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Learned P.O. for the Respondents sought time to file Affidavit-in-Reply. 3. The Applicant is suspended by order dated 30.04.2021 and retiring at the end of May, 2021. 4. Learned Counsel for the Applicant raised the issue of competency of Respondent No.2- Joint Commissioner of Police (Admn), Mumbai Who has suspended the Applicant. 5. Learned P.O. submits that the Respondent No.2 is competent to suspend the Applicant and wants to file the detailed reply. 6. The issue of competency for Respondent No.2 needs to be decided on merit. 7. Two weeks time is granted for filing reply. 8. S.O. to 11.06.2021. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 28.05.2021</p> <p align="right">O.A.No.1189 of 2019</p> <p>D. J. AmbilwadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant in person is absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. It appears that due to Covid-19 pandemic situation and lockdown, the Applicant in person is unable to attend the Tribunal.</p> <p>3. S.O. to 29.06.2021 for hearing.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.05.2021</p> <p>O.A.No.509 of 2020</p> <p>M. A. DomaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted for filing reply but no reply is filed.</p> <p>3. Adjourned for hearing at the stage of admission without reply.</p> <p>4. S.O. to 24.06.2021.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 28.05.2021</p> <p style="text-align: center;">O.A.No.1166 of 2019</p> <p>Dr. A. R. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. S.O. to 08.06.2021 for hearing.</p> <p style="text-align: right;">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.158 of 2020</p> <p>R.S. KalalApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. It appears that the retirement benefits of the Applicant are withheld due to pendency of Departmental Enquiries (DEs). It is necessary to ascertain as to how many Departmental Enquiries are pending against the Applicant so that this O.A. can be disposed of with suitable directions.</p> <p>3. Learned Counsel for the Applicant as well as learned P.O. are directed to take instructions and to apprise the Tribunal in this behalf on next date so that the matter can be disposed of with suitable directions.</p> <p>4. S.O. 31.05.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>


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	<p>Date : 28.05.2021</p> <p align="center">O.A.No.669 of 2020</p> <p>A. B. HotkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard the Applicant in person and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. short time is granted as a last chance for filing reply with specific directions that no further time will be granted.</p> <p>3. S.O. to 07.06.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>


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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.05.2021</p> <p align="center">O.A.No.748 of 2020</p> <p>A. M. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B.A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Today, learned Counsel for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record. 3. The matter is adjourned for hearing at the stage of admission. 4. S.O. to 24.06.2021. <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 28.05.2021</p> <p align="center">O.A.No.06 of 2020</p> <p>R. M. RedekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Kranti Gaikwad holding for Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents requested for adjournment since Smt. Archana B. K. who is dealing with the matter is unable to remain present due to personal difficulties.</p> <p>3. Learned Counsel for the Applicant has also requested to adjourn the matter in the month of June, 2021.</p> <p>4. S.O. to 10.06.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</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 : 28.05.2021</p> <p align="center">O.A.No.768 of 2020 with M.A. No.55 of 2021</p> <p>D. T. KatkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms.Ayesha Keshodwala holding for Shri Talekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This is a Part-Heard matter which was adjourned has remaining hearing through video-conferencing (VC) but the matter could not be listed in meantime due to lockdown.</p> <p>3. Ms Ayesha Keshodwala holding for Shri Talekar, learned Counsel for the Applicant submits that the matter be heard earliest through video conferencing. She has requested to keep the matter on 01.06.2021 at 2.30 pm through VC.</p> <p>4. Learned P.O. also fairly concedes to take remaining hearing through VC.</p> <p>5. S.O. to 01.06.2021 at 2.30 pm through VC.</p> <p align="right">Sd/- _____</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>