

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 28.07.2023</p> <p>O.A. No.410 of 2023</p> <p>S.B. Kumavat & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.B. Talekar along with Ms. Madhavi Ayyapayan, learned Advocates for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. to file Affidavit-in-Reply explaining the reasons for the inordinate delay in implementing the order of the Hon'ble High Court, Aurangabad Bench in Writ Petition No.9881/2010 dated 14.08.2012 by which the representation made by petitioners Maharashtra Rajya Sudharit Rashtria Kshairog Karmachari Sanghatna, Latur was to be decided within period of four months by the Respondents.</p> <p>3. The Respondents have recently initiated the process of filling up 112 posts of Laboratory Technicians by Direct Recruitment and have issued Advertisement about it on 10.05.2023. Affidavit-in-Reply of Respondents must therefore disclose about the compliance of the order of Hon'ble Division Bench in Writ petition No.9881/2010 dated 14.08.2012 along with the status of this process of direct recruitment for filling up of 112 posts of Laboratory Technicians and expected time of its completion; so that the view can be taken about grant of prayer for Interim Relief.</p> <p>4. On request of learned P.O. one week time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>5. S.O. to 04.08.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">NMN</p>

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.939 of 2023

G.D. Karad

)...Applicant

Versus

The State of Maharashtra & Ors.

) ...Respondents.

Shri M. D. Lonkar, Counsel for the Applicant

Shri A. J. Chougule, Presenting Officer for the Respondents.

CORAM : SHRI A. P. KURHEKAR , MEMBER (J)

DATE : 28.07.2023

ORDER

1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondent and Shri A. V. Bandiwadekar, learned Counsel for Respondent No.2.
2. The Applicant has challenged transfer order dated 27.07.2023 whereby he is transferred from the office of Deputy Inspector General and Deputy Controller of Stamps, Pune to Deputy Inspector of General and Deputy Controller of Stamps, Amravati *inter-alia* contending that he is transferred mid-term and mid-tenure without there being any such administrative exigency for mid-term transfer.
3. Shri Lonkar, learned Counsel for the Applicant prayed for interim relief *inter-alia* contending that Applicant was given clean chit by Inspector General and Controller of



Stamps in his report dated 09.06.2023 and it being so there was no reason to transfer the Applicant on alleged complaints. Thus, according to him, transfer is malicious and needs to be stayed.

4. Per contra, learned P.O. has tendered file for perusal of Tribunal which reveals that inquiry was conducted by the Divisional Commissioner, Pune and he submitted detailed report on 04.07.2023 with recommendation to transfer the Applicant from present post.

5. It is on that basis, the matter was placed before the CSB which recommended for transfer and ultimately it is approved by the Hon'ble Chief Minister being competent authority for such transfer. Learned P.O., therefore, opposes interim relief.

6. Learned Counsel for Respondent No.2 has tendered letter dated 27.07.2023 which shows that Respondent No.2 has taken charge at Pune and submits that as his client has already taken charge and therefore, now the question of stay to impugned order does not survive.

7. True, the Applicant has not completed his normal tenure at Pune. It is also equally true that initially Shri Sonawane, Inspector General Registration and Controller of Stamps, Pune by his letter dated 09.06.2023 informed to Government that there is no substance in the complaints received against Applicant since those were anonymous and vague. However, there is nothing to indicate that this report dated 09.06.2023 sent by Shri Sonawane is accepted by the Government. That apart, later the Divisional Commissioner, Pune conducted inquiry in Registration Department and submits his report to Government on 04.07.2023. It is on the basis of this fresh report and in view of serious allegations and recommendations made by the Divisional Commissioner, Pune, the Applicant is transferred with approval of CSB by competent authority.

As such, *prima-facie*, there is compliance of Section 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as Transfer Act, 2005). Thus, there appears *prima-facie* material to transfer the Applicant and there is compliance of provisions of Section 4(5) of Transfer Act, 2005.

8. That apart, the Respondent No.2 has already taken charge at Pune as seen from letter dated 27.07.2023.

9. In view of above, no case is made out to grant interim relief so as to stay the transfer order.

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

11. Issue notice before admission returnable on 25.08.2023.

12. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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 Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.

16. S.O. to 25.08.2023.

Sd/-

(A. P. KURHEKAR)
MEMBER (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.366 of 2023</p> <p>K.S. WaghApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Shri K.B. Jadhav, learned Advocate for the Applicant has sent his leave note. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. Affidavit-in-Reply on behalf of Respondent Nos.1 to 4 is already filed on 05.07.2023. On previous date i.e. 21.07.2023, learned Advocate for the Applicant had requested for time to file Affidavit-in-Rejoinder. However, today since learned Advocate for the Applicant is not present, time is granted to the learned Advocate for the Applicant to file Affidavit-in-Rejoinder by next date of hearing of O.A.. S.O. to 11.08.2023. <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.560 of 2023</p> <p>S.A. KolapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to take instruction regarding decision about the letter written by Superintendent, Government Medical College, Mirag to the Director of Medical Education & Research, Mumbai on 17.07.2021 for consideration of the letter of the Applicant dated 05.06.2021 for condonation of Penal Rent for occupation of Government Accommodation.</p> <p>3. S.O. to 04.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.674 of 2023</p> <p>D.B. SulApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has produced order dated 06.07.2023 wherein the order of suspension of the Applicant is revoked and the Applicant is reinstated. Learned Advocate for the Applicant further submits that since order of suspension dated 15.05.2023 has been now revoked on 06.07.2023 the prayer of the Applicant has been granted. Therefore she fairly concedes that O.A. be disposed of with liberty to decide future course of action after decision of the competent authority about the period suspension to be treated as duty period or otherwise.</p> <p>3. In view of above, O.A. is disposed with liberty as prayed above.</p> <p>4. No order as to costs.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.655 of 2023</p> <p>D.D. RaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Om M Lonkar, 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. Matter is admitted for Final Hearing with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 18.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p>O.A. No.625 of 2023</p> <p>N.S. KadbhaneApplicant 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. three weeks time is granted to file Affidavit-in-Reply. S.O. to 18.08.2023. <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.607 of 2023</p> <p>M.A. TankiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri R.M. Kolge, 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.2. It is taken on record.</p> <p>3. S.O. to 11.08.2023.</p> <p align="right">Sd/- (<u>Debashish Chakrabarty</u>) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p>O.A. No.573 of 2023</p> <p>P.R. GuravApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 18.08.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p>O.A. No.561 of 2023 with O.A. No.562 of 2023 with O.A. No.563 of 2023 with M.A. No.351 of 2023</p> <p>S.R. Bhoi S.K. Shivade D.P. BargeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Reply on behalf of Respondent Nos.1 & 2. It is taken on record.</p> <p>3. Learned P.O. submits that Affidavit-in-Reply in respect of O.A. No.563/2023 will be filed by next date.</p> <p>4. Matter be adjourned to two weeks for hearing of M.A. No.351/2023.</p> <p>5. S.O. to 11.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p>O.A. No.504 of 2023</p> <p>A.B. PandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Learned Advocate for the Applicant has sent his leave note.</p> <p>2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>3. Learned Advocate for the Applicant has requested to adjourn the matter after 04.08.2023.</p> <p>4. In view of request, matter is adjourned to 11.08.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.475 of 2023</p> <p>U.A. KarandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. V.K. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks two weeks time to file Affidavit-in-Reply.</p> <p>3. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>4. S.O. to 11.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.474 of 2023</p> <p>U.A. KarandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. V.K. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks two weeks time to file Affidavit-in-Reply.</p> <p>3. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>4. S.O. to 11.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.390 of 2023</p> <p>P.M. Mire & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. V.K. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Learned P.O. seeks two weeks time to file Affidavit-in-Reply. 3. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply. 4. S.O. to 11.08.2023. <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

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	<p>Date: 28.07.2023</p> <p style="text-align: center;">O.A. No.375 of 2023</p> <p>U.K. Kor & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt V.K. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Affidavit-in-Reply is already being filed on behalf of Respondent Nos.1 to 3. 3. On previous date two weeks time was granted to file Rejoinder but the same is not filed. 4. Pleading is complete. Admit and matter be kept for Final Hearing with liberty to file Rejoinder, if any. 5. S.O. to 18.08.2023. <p style="text-align: right; margin-top: 20px;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center; margin-top: 20px;">NMN</p>

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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.299 of 2023</p> <p>Dr. A.S. KudaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks three weeks time to file Affidavit-in-Reply.</p> <p>3. On request of learned P.O. three weeks time is granted to file Affidavit-in-Reply as last chance.</p> <p>4. S.O. to 11.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.287 of 2023</p> <p>A.D. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.2,3 & 4. It is taken on record.</p> <p>3. Learned Advocate for the Applicant seeks liberty to file Rejoinder, if any.</p> <p>4. Matter may be kept for Final Hearing.</p> <p>5. S.O. to 04.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</p> <p align="center">O.A. No.180 of 2023</p> <p>M.V. SakpalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Learned Advocate for the Applicant is absent. Applicant-in-Person is present. 2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. 3. Learned P.O. seeks one week time to file Affidavit-in-Reply. 4. On request of learned P.O. one week time is granted to file Affidavit-in-Reply. 5. S.O. to 04.08.2023. <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 28.07.2023</p> <p align="center">O.A. No.229 of 2023</p> <p>S.S. ChaudhariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri O.A. Wable, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On last date i.e. 21.07.2023, learned Advocate for the Applicant had sought time to file Affidavit-in-Rejoinder. However, today learned Advocate for the Applicant submits that he is not interested in filing Rejoinder.</p> <p>3. Pleadings are complete, Admit and matter be kept for Final Hearing.</p> <p>4. S.O. to 04.08.2023.</p> <p align="right">Sd/- _____ (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 28.07.2023</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 Parth Modak, learned Advocate holding for Ms. P. Walimbe, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Affidavit-in-Reply on behalf of Respondent is not filed for last several occasions. Today, learned P.O. again requested for time to file Reply. On request of learned P.O. one very last chance is granted to file Affidavit-in-Reply on behalf of all Respondents.</p> <p>3. S.O. to 11.08.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</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: 28.07.2023</p> <p align="center">O.A. No.507 of 2023</p> <p>P.M. MendhapureApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Om M Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.3. It is taken on record. 3. Learned Advocate for the Applicant submits that matter may be admitted for hearing with liberty to file Rejoinder. 4. In view of above, O.A. is admitted for Final Hearing with liberty to file Rejoinder, if any. 5. S.O. to 18.08.2023. <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</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 : 28.07.2023</p> <p align="center">O.A.No.715 of 2023</p> <p>C. M. Shikhare ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Today, learned P.O. has filed reply on behalf of Respondent. It is taken on record.</p> <p>3. O.A. be kept for hearing at the stage of admission with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 24.08.2023.</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 : 28.07.2023</p> <p align="center">O.A.No.870 of 2023</p> <p>S. S. UmapApplicant</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. On request of learned P.O., one week time is granted to file reply as a last chance.</p> <p>3. S.O. to 04.08.2023.</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: 28.07.2023</p> <p align="center">O.A. No.701 of 2023</p> <p>N.D. JodhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Learned P.O. submits that Affidavit-in-Reply is under preparation and sought time till Tuesday. 3. Adjourned to Tuesday for filing Affidavit-in-Reply. 4. Status qua to continue till next date. 5. S.O. to 02.08.2023. <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____

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 28.07.2023</p> <p align="center">O.A. No.555 of 2023</p> <p>S.G. RanpiseApplicant 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 Advocate for the Applicant one week time is granted to file Affidavit-in-Rejoinder.</p> <p>3. S.O. to 04.08.2023.</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: 28.07.2023</p> <p>O.A. No.567 of 2023 with O.A. No.568 of 2023 with O.A. No.572 of 2023 with O.A. No.609 of 2023</p> <p>M.S. Naik & Anrs., A.A. More R.N. Tayade S.R. Rathod & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply. S.O. to 11.08.2023. <p align="right">A 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

Date: 28.07.2023

O.A. No.516 of 2023

L.S. DondeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

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. two weeks time is granted to file Affidavit-in-Reply.
4. S.O. to 11.08.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 28.07.2023</p> <p style="text-align: center;">M.A. No.461 of 2023 in M.A. No.462 of 2023 in O.A. No.334 of 2020</p> <p>The State of Maharashtra & Ors. (Org. Resps.)....Appl. Versus D.Y. Dange (Org. Appl.)Resps.</p> <p>1. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants (Org. Respondents) and Smt. Punam Mahajan, learned Advocate for the Respondent (Org. Applicant).</p> <p>2. These M.As are filed for condonation of delay and extension of time for compliance of order dated 28.02.2023 passed in O.A. No.334 of 2020 for grant of time seeking opinion for challenging the order passed by the Tribunal.</p> <p>3. Tribunal decided O.A. No.334/2020 by order dated 28.02.2023 declaring the Applicant entitled to Old Pension Scheme and directions were issued to ensure payment of Pension and commutation within two months from the date of order. The Applicant stands retired on 31.05.2019 but he is not paid pension as per Old Pension Scheme. O.A. was decided on merit and two months period given for compliance expired on 28.04.2023. Whereas this M.A. for extension of time along with M.A. for condonation of delay are filed on 19.07.2023.</p> <p>4. As such, there is inordinate delay in filing the Application for grant of time to comply the order. Two months time was enough either to challenge the order passed by the Tribunal or to take necessary steps for compliance. However, no such steps were taken in right earnest. It appears that file is being moved from one Department to another Department for seeking opinion to challenge the order. Suffice to say no such earnest steps were taken for the compliance of the order and this is nothing but denying and delaying the legal entitlement of the pensioner.</p> <p>5. Hence, I am not inclined to grant further time. Both M.As. are accordingly dismissed with no order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

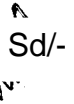
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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>Date: 28.07.2023</p> <p align="center">R.A. No.08 of 2023 in O.A. No.462 of 2022</p> <p>M.R. Khude & Anrs.,Applicant 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. two weeks time is granted to file Affidavit-in-Reply to R.A.</p> <p>3. S.O. to 11.08.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

[P.T.O.]

Date: 28.07.2023

**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: 28.07.2023</p> <p align="center">O.A. No.954 of 2023</p> <p>S.S. UmapApplicant 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 previous two dates matter was adjourned awaiting decision in criminal case ^{on} application made by the Applicant for discharge.</p> <p>3. Today, learned Advocate for the Applicant submits that matter is already heard and orders are awaited. She therefore sought adjournment for hearing, ^{of} D.A.</p> <p>4. S.O. to 11.08.2023.</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: 28.07.2023</p> <p align="center">O.A. No.911 of 2023</p> <p>Vaibhav PilareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri V. Golambade, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. The Applicant has challenged Transfer order dated 30.06.2023 whereby he is transferred from the post of Tahsildar Kolhapur to the post of Tahsildar Motala, Dist. Buldhana on the vacant post. 3. Learned Advocate for the Applicant fairly states that his client has joined at Tahsildar Motala, Dist. Buldhana. However, his grievance is about breach of Cadre Allotment Rules, 2021. 4. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 5. Issue notice before admission returnable on 25.08.2023. 6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. <p align="right">[P.T.O.]</p>

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

Tribunal's orders

8. 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.

9. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.

10. S.O. to 25.08.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.23 of 2023</u></p> <p>G.M. Shakti ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Vishal Hegde, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO produces chart showing date on which retirement dues were paid to the applicant and the reasons for delay.</p> <p>3. S.O. to 31.7.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 28.7.2023</p> <p>(sgj)</p>

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

Tribunal's orders

O.A. No.741 of 2023

Dr. V.P. Wahane ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 8.8.2023. The respondents are directed to file reply.

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

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

6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **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/-

(Medha Gadgil)
Member (A)
28.7.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.916 of 2023</u></p> <p>R.S. Bubane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. V.K. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that applicant is going to retire in October, 2023. At the request of Ld. Advocate for the applicant, S.O. to 1.8.2023 under the caption 'Urgent Admission'.</p> <p style="text-align: right;">Sd/- (Medhā Gadgā) Member (A) 28.7.2023</p> <p>(sgj)</p>

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

Tribunal's orders

O.A. No.906 of 2023

S.B. Avale & Anr. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 18.8.2023. The respondents are directed to file reply.

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

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

6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **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/-

(Medha Gadgil)
Member (A)
28.7.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.473 of 2023 in O.A. No.906 of 2023</u></p> <p>S.B. Avale & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 28.7.2023</p> <p>(sgj)</p>