

**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><b>Date : 29.08.2023</b></p> <p style="text-align: center;"><b>O.A.No.264 of 2023</b></p> <p><b>V. D. Jadhav</b> ...Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri Sameer Parkar holding for Shri A.A. Thorat, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant stated that the Applicant had been working on post of 'Craft Instructor' at ITI Nashik, Nasik District. He further stated that the Applicant was promoted to the post of 'Group Instructor' on 22.02.2023 and posted to ITI Chandwad, Nasik District.</p> <p>3. Learned Advocate for the Applicant then stated that the Applicant prior to his promotion had attended 'Counselling Session' on 17.02.2023 along with other 'Craft Instructors' who were due to be promoted as 'Group Instructor'. In this 'Counselling Session' he had requested that he be posted as Group Instructor at ITI Nasik, Nasik District which was to fall vacant on 28.02.2023 or at ITI Girls, Nasik, Nasik District.</p> <p>4. Learned Counsel for the Applicant further stated that the request for posting on promotion to 'Group Instructor' to ITI, Nasik, Nasik District or at ITI Girls Nasik, Nasik District was made on grounds that he suffers from 'Hyper Tension'.</p> <p>5. Learned P.O. on behalf of the Respondents in his submissions relied on the 'Affidavit in Reply' filed by Respondent on 03.05.2023. Learned P.O. stated that the Applicant was promoted to 'Group Instructor' on 22.02.2023 and posted to ITI, Chandwad Nasik District. The post of 'Group Instructor' at ITI Nasik, Nasik District fell vacant due to retirement only on 28.02.2023.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Learned P.O. further stated that the Applicant is due to retire on 31.05.2024 which was more than One Year from the 'Date of Promotion' to post of 'Group Instructor' which is 22.02.2023. Also, it was transfer on promotion to 'Vacant Post' of 'Group Instructor' and not on completion of tenure of 3 years. Hence, the Applicant was not at all covered under the provisions of Section 5(1)(a) of the 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'. The Applicant has since accepted his promotion and joined on the post of 'Group Instructor' at ITI, Chandwad, Nashik District on 17.03.2023. The ground on which the order of transfer on promotion to the post of 'Group Instructor' at ITI, Chandwad, Nashik District is sought to be cancelled is based on grounds of 'Medical Conditions'. The 'Medical Conditions' of the Applicant cannot be considered as deliberating enough to make him unable to discharge his duties and responsibilities while working as 'Group Instructor' at ITI, Chandwad, Nashik District. Besides, the Applicant has voluntarily opted to travel everyday from Nasik which is his 'Place of Residence' to 'Place of Posting' which is ITI, Chandwad, Nashik District.</p> <p>7. Learned P.O. for the Respondents also states on the basis of 'Affidavit in Reply' that subsequently on 19.04.2023 <del>that</del> one 'Physically Disabled Officer' has been promoted and posted on the 'Vacant Post' of 'Group Inspector' at ITI Nashik, Nasik District' which became available on 28.02.2023. The order of 'Physically Disabled Officer' promoted and posted as 'Group Instructor' at ITI Nashik, Nasik District on 19.04.2023 by the 'Competent Authority' is as per the standing guidelines in G.A.D. in respect of the 'Physically Disabled Officers' and this deserves to be accorded higher consideration than the cause of the Applicant which is based on not so uncommon 'Medical Conditions' such as 'Hyper Tension.' Hence, the impugned order of 22.02.2023 of transfer on promotion of the Applicant to the post of 'Group Instructor' at ITI Chandwad, Nasik District merits no interference from the Tribunal.</p> <p>8. In view of above, the OA is dismissed with No Order as to Costs.</p> <p style="text-align: right;">Sd/- ( Debashish Chakrabarty ) 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 style="text-align: center;"><u>O.A. No.1088 of 2023</u></p> <p>S.G. More ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 13.9.2023. The respondents are directed to file reply.</p> <p>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.</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. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 29.8.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.08.2023</b></p> <p align="center"><b>C.A. No.74 of 2023 in C. A. No.41 of 2020 in O.A.No.556 of 2007</b></p> <p><b>A. B. Ghodeswar ....Applicant</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The order passed by the Tribunal on 04.02.2021 regarding communication of the amount of recovery to the Applicant is already complied with as the Applicant has been communicated by letter dated 06.08.2021 and 13.08.2021. However, the learned Counsel for the Applicant pointed out that as per Para Nos.10 and 11 of the Affidavit-in-Reply to the Contempt Application, it has also been stated the case of the Applicant was placed before the DPC for consideration of granting benefit of 2nd ACPS. However, as he was found not eligible by the DPC. the Divisional Commissioner, Nashik as Respondent No.2 has sought advice on 31.01.2023 from State Government for course of action to be taken to grant benefit of 2nd ACPS to the Applicant.</li> <li>3. Learned P.O. states that requisite information on reference by Divisional Commissioner, Nashik to State Govt. on 31.01.2023 will be furnished positively on next date of hearing.</li> <li>4. Accordingly, C.A. stands adjourned to 20.09.2023.</li> </ol> <p align="center">           Sd/- <span style="float: right;">Sd/—</span>            (Debashish Chakrabarty) <span style="float: right;">(Mridula Bhatkar, J.)</span>            Member (A) <span style="float: right;">Chairperson</span> </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 29.08.2023

O.A.No.771 of 2023

U. S. Rathod ....Applicant

Versus

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

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

2. On request of learned C.P.O., one week time is granted to file reply.

3. S.O. to 08.09.2023.

Sd/-

(Debashish Chakrabarty)  
Member (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

vsm

**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.**

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p><b>Date : 29.08.2023</b> Tribunal's orders</p>
	<p align="center"><b>O.A.No.1180 of 2016 with O.A.110 of 2017 with O.A.401 of 2017</b></p> <p><b>R. M. Janbandhu &amp; Ors. ....Applicants</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri R. G. Panchal, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. Learned C.P.O. as per directions given by this Tribunal has got noting of G.A.D. in respect of Cabinet note of G.A.D. dated 20.04.2022 in order to understand the SOP of the Act in respect of The Maharashtra Creation OF Supernumerary Posts And Appointment Of Selected Candidates Act, 2022</li> <li>3. After going through the noting it is necessary to keep this noting on record. Learned C.P.O. expressed her resistance of parting the copies of the said noting especially to learned Advocate for the Applicant on the ground of confidentiality.</li> <li>4. In this matter, SOP of the Act of supernumerary post of 2022 of the said Act is also the point of the argument, and therefore, transparency is required. Hence, the copies will be furnished to Advocate of the Applicant by the Tribunal.</li> <li>5. S.O. to 31.08.2023.</li> </ol>

Sd/-

(Medha Gadgil)  
Member (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**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 : 29.08.2023</p> <p>M. A. No.553 of 2023 in O.A.No.1004 of 2023</p> <p>K. H. Yadav .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"><li>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li><li>2. Learned Advocate for the Applicant seeks permission to carry out the amendment in the O.A. as per Annexure-A enclosed to M.A.</li><li>3. Learned P.O. for the Respondents has no objection.</li><li>4. Amendment be carried out within one week and amended copy be served on the Respondents.</li><li>5. M.A. is accordingly allowed with no order as to costs.</li><li>6. O.A. is adjourned to 20.09.2023.</li></ol> <p style="text-align: right;">Sd/- ( Debashish Chakrabarty ) 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



Date : 29.08.2023

O.A.No.805 of 2023

M. M. Waghmare

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. R. Joshi, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Learned P.O. submits that Affidavit in Reply is already filed on 07.08.2023 on behalf of Respondent Nos.2 to 4.
3. The learned Advocate of the Applicant has filed Affidavit in Rejoinder wherein it has been pleaded that there is no whisper to the contention that the process of Counseling was not held at all as contemplated in G.A.D. office Circular dated 09.04.2018.
4. The learned P.O., therefore, directed to seek information from Respondent No.2 about why the mandatory requirement of 'Counselling' was not observed by the Respondents which resulted in not providing the Applicant an opportunity to request for 'Extension of One Year' on the present post resulting in his Transfer Order of 29.06.2023. Further learned P.O. is also directed to find out why the 'Modified Order' dated 07.07.2023 came to be issued by Respondent No.2 in respect of 9 Other Teachers & Employees granting one year extension on their present post and whether they were accorded opportunity of 'Counseling' or not by Respondent No.2.
5. Learned Counsel for the Applicant states that he has no objection to the grant of 3 weeks' time to learned P.O. and accordingly the matter is adjourned to 15.09.2023.
6. S.O. to 15.09.2023.

Sd/-

(Debashish Chakrabarty)  
Member(J)

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

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_  
..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p align="right">Tribunal's orders <b>Date : 29.08.2023</b></p>
	<p align="center"><b>O.A.No.1061 of 2023</b></p> <p><b>V. S. Jorkar</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel on behalf the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned Counsel for the Applicant states that the Applicant has been posted on 'Supernumerary Post' about which inference which can be drawn on the basis of proceedings of DPC. Information about proceedings of DPC which has been received by the Applicant under the RTI ACT. The action on the part of Respondent No.2 to show the Applicant on a 'Supernumerary Post' without giving opportunity to show cause is also in contravention to general principles laid down by the Hon'ble High Court in <b>1227-W.P.No.8644/2020 &amp; Ors. (Santosh S. Kumbhare &amp; Ors. V/s State of Maharashtra &amp; Ors.)</b>, by its order dated 05.01.2021 and directly in contravention of the specific order of 'Interim Relief' granted to the Applicant by the Hon'ble High Court in <b>W.P. No.11257/2022</b>, its order dated 20.07.2022 which states that adverse action should not be taken only on the ground that the caste claim by the petitioner is invalidated and matter was fixed for 19.09.2022.</p> <p>3. The learned Counsel for the Applicant further states that the separate order showing Applicant on a 'Supernumerary Post' has not been issued by the Respondents. The creation of 'Supernumerary Post' is done after following the due procedure described by the State Government and requires it to be sanctioned thereafter for establishment concerned for certain period of time. [P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. No separate order seems to have been passed by the State Government creating a 'Supernumerary Post' for the Applicant on the establishment of Respondent No.2. Therefore, taking into consideration the specific order of 'Interim Relief' granted to the Applicant in W.P. No.11257/20022 by the Hon'ble High Court, Mumbai Bench on 20.07.2022, the Respondent No.2 is directed to hold the Applicant on any post in regular establishment preferably the post held by him prior to the decision of the DPC. The Respondent No.2 may thereafter seek appropriate advise in this regard from DGP Maharashtra State ; the Respondent No.1.</p> <p>5. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 06.09.2023.</p> <p>7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>11. S.O. to 06.09.2023.</p>

Sd/-

( Debashish Chakrabarty)

Member(I)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others  
..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.08.2023</p> <p>O.A.No.1062 of 2023</p> <p>S. B. Koli .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant states that inspite of order of the DGP, Maharashtra State dated 23.05.2023 showing the Applicant as promoted and posted to the office of Commissioner of Police, Pune who is Respondent No.2, no Office Order has been issued to post Applicant on the post of PSI while other officers have been given such posting by the Respondent No.2. The information received by the Applicant under RTI Act indicates that Respondent No.2 has sought advice from the office of the DGP, Maharashtra State on 30.05.2023 about giving Order to Posting the Applicant and then informed the Applicant that his Office Orders will be issued by the Respondent No.2 only on receipt of appropriate directions from the office of DGP, Maharashtra State.</p> <p>3. Learned P.O. stated that the instructions are still not received by the Respondent No.2 from office of DGP Maharashtra. Learned P.O. is directed to seek information in respect of delay in receipt of advice sought by Respondent No.2 from the office of DGP, Maharashtra State and within what period of time, Office Orders of the posting will issue to the Applicant by Respondent No.2.</p>

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

Tribunal's orders

4. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
5. Issue notice before admission returnable on 06.09.2023.
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.
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 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.
10. S.O. to 06.09.2023.

Sd/-

( Debashish Chakrabarty )  
Member(J)

vsm

**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 align="center"><u>M.A. No.421 of 2023 in O.A. No.739 of 2023</u></p> <p>P.M. Dabhade ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 5.9.2023 by way of last chance.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 29.8.2023</p> <p>(sgj)</p>

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

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Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Cases, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.482 of 2023

R.M. Shirsath ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant files rejoinder.
3. Admit.
4. S.O. to 14.9.2023 for final hearing.

Sd/-  
(Medha Gadgil)  
Member (A)  
29.8.2023

(sgj)



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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.743 of 2023</u></p> <p>S.V. Sable ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply dated 17.8.2023.</p> <p>3. Admit.</p> <p>4. S.O. to 13.9.2023 for final hearing.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 29.8.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1087 of 2023</u></p> <p>S.G. More ..Applicant  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 13.9.2023. The respondents are directed to file reply.</p> <p>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.</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. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/-  (Medha Gadgil)  Member (A)  29.8.2023</p> <p>(sgi)</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 : 29.08.2023</p> <p align="center">O. A. No. 1008 of 2023</p> <p>G. R. Kale <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. V. Bandiwadekar, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states that the proposal has been received in the office of DGP, Maharashtra State on 25.08.2023 and the decision is expected to be taken within a period of one week.</p> <p>3. Learned P.O. is, therefore, directed to ensure that appropriate decision <del>be</del><sup>is</sup> taken by the DGP, Maharashtra State within a period of one week.</p> <p>4. Learned Counsel for the Applicant states that request of the Applicant has to be decided taking into consideration the provisions of Maharashtra State Reserved Police Act, 1951 r/w Rules 68 and 69 of the Maharashtra S.R.P.F. Rules, 1959.</p> <p>5. S.O. to 05.09.2023.</p> <p align="right">Sd/- ( Debashish Chakrabarty ) 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 : 29.08.2023</p> <p>O.A.No. 804 of 2023</p> <p>Dr. S. S. Wakchoure .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submits that reply is already filed in the matter and seeks time to file Sur-Rejoinder.</p> <p>3. Affidavit in Rejoinder is already filed by the learned Advocate for the Applicant.</p> <p>4. S. O. to 05.09.2023.</p> <p style="text-align: right;">Sd/- ( Debashish Chakrabarty) Member(J)</p> <p>vsm</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 : 29.08.2023</p> <p align="center">O.A.No.653 of 2023</p> <p>K. P. Jagtap <span style="float: right;">...Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri K. R. Jagdale , learned Counsel for the Applicant, Smt Kranti Gaikwad, learned Presenting Officer for the Respondents and Shri R. M. Kolge, learned Counsel for the Respondent No.3.</p> <p>2. Affidavit in Reply on behalf of Respondent No.2 has <i>been</i> filed. No separate reply is filed on behalf of Respondent No.1.</p> <p>3. Learned Counsel for Respondent No.3 has also filed reply.</p> <p>4. Learned Counsel for the Applicant does not want to file Rejoinder.</p> <p>5. In view of above, the matter is admitted and kept for final hearing.</p> <p>6. S.O. to 08.09.2023 (Higher on Board).</p> <p align="right">Sd/- ( Debashish Chakrabarty ) 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 align="center"><b>Date : 29.08.2023</b></p> <p align="center"><b>O.A.No.389 of 2023</b></p> <p><b>M. S. Shinde</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri S. S. Dere holding Shri S. K. Hande, learned Counsel for the Applicant and Smt. Kranti Gaikwad holding for Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has sought relief on the ground that the order of the departmental enquiry is arbitrary, unjust and without application of mind of actual facts and circumstances of the case.</li> <li>3. Learned Counsel for the Applicant states that the departmental proceedings are being heard today and Applicant is also facing criminal charges under Section 376, 504, 506 of Indian Penal Code and therefore D.E. may result in prejudicing criminal proceeding against him.</li> <li>4. Learned Counsel for the Applicant prays for stay to D.E. However, we pass following order :-             <ol style="list-style-type: none"> <li>(A) D. E. not to proceed till filing of the reply.</li> <li>(B) Leave is granted to annex the copy of the charge sheet to O.A.</li> </ol> </li> <li>5. S.O. to 20.09.2023 for filing reply.</li> </ol> <p align="center">Sd/- <span style="float: right;">Sd/-</span></p> <p align="center">(Debashish Chakrabarty) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span></p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s


(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>29.08.2023</u></b></p> <p align="center"><b><u>O.A 302/2022</u></b></p> <p>Shri Swapnil Dilip Waghmare ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri V.V Ugle, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The concerned officers from the Department are not present to give proper instructions, especially with regard to the marks given to the applicant 20.3 out of how many marks.</p> <p>3. In view of the above, matter adjourned to 1.9.2023.</p> <p align="center">Sd/- <span style="float: right;">Sd/- </span></p> <p align="center"><b>(Debashish Chakraparty)</b>      <b>(Mridula Bhatkar, J.)</b> <b>Member (A)</b>                              <b>Chairperson</b></p> <p>Akn</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_  
..... Applicant/s


(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>29.08.2023</u></b></p> <p><b><u>M.A 248/2023 in O.A 388/2023</u></b></p> <p>Shri K.N Bhosale &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Poona Phagnekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.C for the Respondents.</p> <p>2. The present Misc Application is files seeking delay of 15 years, 11 months and 1 day in filing the Original Application.</p> <p>3. Learned counsel for the applicant files additional affidavit.</p> <p>4. Learned C.P.O is directed to file affidavit in reply by way of last chance.</p> <p>5. S.O to 12.9.2023.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member (A) Akn</p> <p>Sd/-  <b>(Mridula Bhatkar, J.)</b> Chairperson</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s


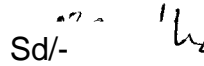
(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.08.2023</b></p> <p><b>O.A.No.651/2023</b></p> <p>Dr. V.P. Wahane .....Applicant Vs The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate Adjourned to 01.09.2023 along with similar matter.</p> <p>Sd/-  Sd/- </p> <p><b>(Debashish Chakrabarty)</b> / <b>(Mridula Bhatkar, J.)</b> <b>Member (A)</b> <b>Chairperson</b></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s


(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.08.2023</b></p> <p><b>O.A.No.649/2023</b></p> <p>S.N. Bade &amp; Ors. ....Applicants Vs The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.S. Dere &amp; Asso., learned Advocate for the Applicants, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. D.B. Khaire, learned Advocate for the Respondents No.2 and 3.</p> <p>2. In view of the order dated 10.08.2023 where the Respondents are directed that if, at all, the promotion orders are issued the same will be subject to outcome of this O.A. We further made it clear in the order dated 10.08.2023 that if at all the promotion orders are issued the reference of order dated 10.08.2023 is to be mentioned in those promotion orders.</p> <p>3. Adjourned to 31.08.2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/- </span></p> <p style="text-align: center;">(Debashish Chakrabarty) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.08.2023</b></p> <p><b>O.A.No.649/2023</b></p> <p>S.N. Bade &amp; Ors. ....Applicants Vs The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.S. Dere &amp; Asso., learned Advocate for the Applicants, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. D.B. Khaire, learned Advocate for the Respondents No.2 and 3.</p> <p>2. In view of the order dated 10.08.2023 where the Respondents are directed that if, at all, the promotion orders are issued the same will be subject to outcome of this O.A. We further made it clear in the order dated 10.08.2023 that if at all the promotion orders are issued the reference of order dated 10.08.2023 is to be mentioned in those promotion orders.</p> <p>3. Adjourned to 31.08.2023.</p> <p>Sd/- _____ Sd/- <i>(Handwritten Signature)</i></p> <p>(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

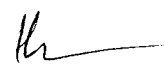
(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.08.2023</b></p> <p><b>M.A.No.560/2023 in O.A.No.1112/2023</b></p> <p>S.S. Borude &amp; Ors. ....Applicants Vs The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Suhas Deokar a/w Mr. Chetan Alia a/w. Mr. Rama Somani, learned Advocates 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. " Sd/- </p> <p>Sd/- <b>(Debashish Chakrabarty)</b> <b>(Mridula Bhatkar, J.)</b> <b>Member (A)</b> <b>Chairperson</b></p> <p>prk</p>

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

Tribunal's orders

Date : 29.08.2023

O.A.No.1112/2023

S.S. Borude & Ors. ....Applicants  
Vs  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. Suhas Deokar a/w Mr. Chetan Alia a/w. Mr. Rama Somani, learned Advocates for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Applicants applied for the post of Assistant Commissioner (Drugs), Food and Drugs, Administrative Services, Group A pursuant to the advertisement dated 11.03.2022 issued by the M.P.S.C. for 15 posts. Both the Applicants pray that the M.P.S.C. is to be directed to upload correct answer sheet on M.P.S.C. portal and the Applicants be declared qualified for interview and their names are to be included in the list of qualified candidates which was published on 24.03.2023.

3. Learned Advocate has submitted that the answer key was published on 05.06.2023. He has submitted that the Applicants had raised objection to the answer key on 07.06.2023 and there is no response from the M.P.S.C. Thereafter, the Applicants were in the process of getting the documents. Learned Advocate has submitted that the Question No.80 is correctly answered by the Applicants however, the answer given to Question No.80 in the model answer key is wrong. The M.P.S.C. did not respond to the representation made or to the objections raised by the Applicants till today. Therefore the Applicants are to be allowed to participate in the interview.

4. Learned C.P.O. informs that the interviews are going to be held on 31.08.2023 and 01.09.2023.

5. Considering the chronology of the dates of publication of the result, model answer key and the date of objection raised, it was necessary for the Applicants to approach the Tribunal well within time. n

6. Applicants waiting for the response from the M.P.S.C. for more than 2 ½ months is not a ground to take the matter urgently. The list was published on 24.03.2023 and is challenged by the Applicant by filing this O.A. on 25.08.2023. This is artificial urgency created by the Applicants.

7. In view of above, adjourned to 31.08.2023.

Sd/-

Sd/- 

(Debashish Chakrabarty)  
Member (A)

(Mridula Bhatkar, J.)  
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s


(Advocate .....) )


*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.08.2023</b></p> <p style="text-align: center;"><b>O.A.No.1003/2023</b></p> <p>P.D. Shirsat .....Applicant Vs The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Purva Pradhan, learned Advocate holding for Mr. D.B. Khaire, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. Hrishikesh S. Shinde a/w. Mr. Rahul B. Khot, learned Advocate for Respondent No.3.</p> <p>2. Learned Advocate Mr. Shinde has raised preliminary objection on the point that the post of created for the category NT-C and Respondent No.3 belongs to NT-C while the Applicant belongs to NT-D category. Learned Advocate Mr. Shinde challenges this O.A. on the point of locus and points out that the Applicant who stands at Sr. No.3 belongs to NT-C category has not challenged the recommendation of Respondent No.3.</p> <p>3. Learned Advocate Ms. Pradhan presses for interim relief. She has pointed out Clause 5.5. Learned Advocate has submitted that the Applicant has secured 60 marks and Respondent No.3 has secured 73 marks. However, Respondent No.3 is not eligible because he does not possess the experience of 5 years which is required as per advertisement Clause 8.</p> <p>4. In view of the submissions, no interim relief is granted.</p> <p style="text-align: center;"></p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 26.09.2023.</p> <p>7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.</p> <p>10. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>11. Adjourned to 26.09.2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/- </span></p> <p style="text-align: center;"><b>(Debashish Chakrabarty)</b> <span style="float: right;"><b>(Mridula Bhatkar, J.)</b></span>  <b>Member (A)</b> <span style="float: right;"><b>Chairperson</b></span></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....) )

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.08.2023</b></p> <p><b>O.A.No.787/2023</b></p> <p>A.R. Deokar .....Applicant Vs The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. S.S. Dere has submitted that he has instructions to appear for Respondents No.3 and 4. He will file vakalatnama within a week and thereafter two weeks he will file affidavit-in-reply.</p> <p>3. In view of above, time granted to learned Advocate Mr. Dere. Adjourned to <del>26</del><sup>12</sup>.09.2023.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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*versus*

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Original Application No.

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*versus*

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.08.2023</b></p> <p><b>O.A.No.547/2023</b></p> <p>H.R. Chaudhari &amp; Ors .....Applicants Vs The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. A.A. Jadhavar holding for Mr. S.K. Hande, learned Advocates for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate seeks leave to file amendment application.</p> <p>3. Leave granted. Adjourned to 26.09.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.08.2023</b></p> <p><b>O.A.No.24/2023</b></p> <p>C.B. Khatke .....Applicant Vs The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Ms. R.K. Mendadkar, learned Advocate for the Applicant is absent.</p> <p>2. Reply is filed.</p> <p>3. Admit. Place for Final Hearing.</p> <p>4. Adjourned to 03.10.2023.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member (A)</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>29.08.2023</u></b></p> <p><b><u>M.A 555/2023 in O.A 997/2017</u></b></p> <p>The Director, Forensic Science Laboratories, Mumbai &amp; Anr ... Applicants (Ori Respondents0)</p> <p style="text-align: center;">Vs.</p> <p>Shri Avinash K. Gharat ... Respondent (Ori applicant)</p> <p>1. Heard Ms Swati Manchekar, learned C.P.O for the Applicants (Ori Respondents) and Shri A.K Gharat, applicant in person.</p> <p>2. By order dated 28.6.2023, the Tribunal has granted two months' time to comply with the order.</p> <p>3. The present Misc Application is filed by the Respondents seeking three months' time to comply with the order of this Tribunal.</p> <p>4. However, the Tribunal has already granted two months' time to comply with the order dated 28.6.2023 in O.A 997/2017. Thus, we grant one months' time to comply with the order of the Tribunal.</p> <p>5. Misc Application stands disposed of accordingly.</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.08.2023</b></p> <p style="text-align: center;"><b>C.A.No.54/2022 in O.A.No.248/2014</b></p> <p>I.S. Mulgaonkar (Legal Heir S.Y. Mulgaonkar) .....Applicant Vs The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has submitted that the State has filed Writ Petition before the Hon'ble High Court challenging the order of this Tribunal passed in O.A. Learned P.O. seeks time to take instructions.</p> <p>3. Adjourned to 20.09.2023.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-</p> <p><i>(Medha Gadgil)</i> <b>(Medha Gadgil)</b> Member (A)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p><i>(Mridula Bhatkar, J.)</i> <b>(Mridula Bhatkar, J.)</b> Chairperson</p> </div> </div> <p style="margin-left: 20px;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p align="center">Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p align="center"><b>29.08.2023</b>      Tribunal's orders <b><u>M.A 324/2023 in O.A 147/2021</u></b></p>
	<p>Shri G.R Chavan &amp; Ors      ... Applicants Vs. The State of Maharashtra &amp; Ors      ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. This Misc Application is moved with the prayer that the issue of eligibility to claim promotion to the post of Junior Engineer was raised in O.A 977/2021, O.A 858/2021 and O.A 930/2021, which O.As are decided on 23.3.2022, 19.4.2022 and 21.6.2022 respectively by M.A.T, Nagpur Bench. Learned counsel submits that therefore on the basis of parity this Original Application is also to be allowed.</p> <p>3. Learned C.P.O submits that issue is same and however, the facts involved in this Original Application are different and therefore the applicants cannot be given the benefits of these judgments. Learned C.P.O has also filed reply. Learned C.P.O submits that the issue is regarding the passing of departmental examination within a stipulated chances and period. Therefore, the matter is to be treated on the basis of facts.</p> <p>4. The applicants in O.A 977/2021, 858/2021 and 930/2021 before the M.A.T, Nagpur Bench, have passed the departmental examination within three chances and four years, that is the stipulated period. In the present case, the applicants have not passed the departmental examination within three chances and four years and therefore the issue is different.</p> <p>5. Considered the submissions of both the sides. It is necessary to hear the Original Application as the situation is to be ascertained on the basis of settled law.</p> <p>6. Hence Misc Application is dismissed.</p> <p>7. Original Application No. 147/2021 to be placed for final hearing on 18.9.2023.</p> <p align="center">Sd/-      "      Sd/- <b>(Medha Gadgil)</b>      <b>(Mridula Bhatkar, J.)</b> <b>Member (A)</b>      <b>Chairperson</b></p> <p align="left">Akn</p>