

**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 : 30.03.2021</p> <p align="center">T.A.No.1 of 2019</p> <p>A.G. Sanap ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Suo Motu speaking to minutes.</p> <p>In order dated 12.02.2021 at paragraph 9, line 5, the date '08.08.2009' be read as '08.08.2019'.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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
	<p>Date : 30.03.2021</p> <p align="center">O.A.No.227 of 2021</p> <p>Shri Vijay S. JadhavApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the order dated 16.03.2021 whereby he is transferred from Akkalkot South Police Station, Akkalkot Police Station Thane to Security Branch, Solapur. 3. Learned Counsel for the Applicant prayed for interim relief contending that the Applicant has been transferred mid-tenure without there being a special case or any such administrative exigency and further pointed out that the Applicant is retiring at the end of May, 2021. 4. Per contra, learned Presenting Officer opposes the claim of interim relief contending that the transfer is within district and secondly the Applicant has approached the Tribunal after 15 days from the impugned order. 5. Perusal of record reveals that the Applicant is serving as Police Inspector and was posted at Akkalkot South Police Station, Akkalkot by order dated 26.06.2018. He was entitled for two years tenure at Akkalkot South Police Station. By order dated 31.10.2020, he was given extension till general transfer of 2021. However, abruptly by order dated 16.03.2021, he is transferred from Akkalkot South Police Station, Akkalkot to Security Branch, Solpaur. 6. Interestingly, in impugned order dated 16.03.2021 he shown transferred on the ground of completion of normal tenure.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. Needless to mention that, even if, the Applicant has completed two years tenure, he could not have been transferred except in general transfer since it is not a case of warranting transfer as a special case in public interest as contemplated under Section 22N(2) of Maharashtra Police Act. Apart, the Applicant is retiring at the end of May, 2021.</p> <p>8. Suffice to say, <i>prima-facie</i> the impugned transfer order is unsustainable in law.</p> <p>9. Learned Counsel for the Applicant has made categorical statement that the Applicant is not relieved till date.</p> <p>10. In view of above, I am inclined to grant interim relief as prayed in Clause 10(b) of O.A.</p> <p>11. Issue notice before admission returnable on 27.04.2021.</p> <p>12. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>13. 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>14. 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>15. 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>16. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>17. S.O. to 27.04.2021.</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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	<p>Date : 30.03.2021</p> <p align="center">O.A.No.625 of 2020</p> <p>S. S. RajadhyakshaApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Smt Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply on behalf of the Respondents. It is taken on record. 3. Present O.A. is filed for direction to the Respondent to release retiral benefits. 4. The Applicant stands retired on 03.01.2017 but till date she has not received retiral benefits, and therefore, approached this Tribunal. 5. Perusal of record reveals that initially there was issue of non passing of Marathi Typing Examination and it appears that on that ground pension papers were not processed. 6. Indeed, there is a order passed by the Government dated 11.07.2016 (Page No.30of PB), whereby the Applicant was exempted from passing Marathi Typing Examination and directions were given to the concerned department to release increments which were withheld by order dated 09.01.2001. It is further stated in the letter that withheld increments will be released w.e.f. 02.04.2011. Despite, this position, necessary entries in service book were not taken due to sheer laxity on the part of Respondent. <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. In reply, filed today, in para no.7.1 it is stated as under:-</p> <p><i>"7.1 It is further submitted that, the respondent did not send the pension papers of the applicant to the Accountant General because of non-availability of Marathi typing certificate resulting to stoppage of her increment as per rules. Since, her increment was stopped therefore it was mandatory to again look for criteria like benefits (given to the applicant has to be revised such as stopping of increment, her pay fixation as per 6th and 7th pay commission, benefit of assured career progress scheme, thereafter fixing her pay at the time of voluntary retirement and finally fixing the pension of petitioner. Therefore, delay was caused due to following all the above administrative procedure, so delay was occasioned on the part of Respondent which was not intentionally and such delay may be considered by this Hon'ble Forum."</i></p> <p>8. Thus, there is no hurdle to release the retiral benefits of the Applicant and all that required is to take necessary entries in service book and to forward the proposal to Accountant General for grant of retiral benefits.</p> <p>9. Learned P.O. also fairly stated that necessary steps will be taken within reasonable time.</p> <p>10. As such, there is no legal hurdle in grant of retiral benefits which has been delayed by more than three years.</p> <p>11. In view of above, O.A. is disposed of with directions to the Respondent to update the service book of the Applicant and to take necessary steps to release retiral benefits of the Applicant as per entitlement in accordance to law and monetary benefits be released within two months from today without fail.</p> <p>12. The Applicant is at liberty to avail legal remedy for interest on belated payment.</p> <p>13. No order as to costs.</p> <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p style="text-align: center;"><u>M.A.55/2021 in O.A.7681/2020</u></p> <p>Shri D.T. Katke ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Ms. Ayesha Keshodwala holding for Shri S.B. Talekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for Respondents.</p> <p>2. Today, the learned CPO has filed reply to M.A. and also filed Additional Affidavit-in-reply in O.A. It is taken on record.</p> <p>3. Adjourned for hearing on 08th April, 2021.</p> <p style="text-align: right;">Sd/- vv (A.P. Kurhekar) Member-J 30.03.2021</p> <p>(skw)</p>

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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.636/2018

Shri B.N. Gadage ... Applicant

Vs.

The State of Mah. & Ors. ... Respondents

1. Heard Ms. Manisha Devkar holding for Shri Shankar Katkar, learned Advocate for the Applicant, Smt. A.B. Kololgi, learned P.O. for Respondent Nos.1 to 3 and Ms. P.B. Walimbe, learned Advocate for Respondent No.4.

2. After hearing the Counsels for some time, it is noticed that initially, the Applicant got 79 marks whereas Respondent No.4 got 78 marks, as seen from Mark-sheet (Page No.39 of P.B.). However, it appears from reply filed by SDO that later, he corrected the marks and noticed that the Applicant as well as Respondent No.4 got equal marks. However, record to that effect is not forthcoming. Indeed, Affidavit-in-reply filed by SDO is not specific or clear.

3. In view of above, the Respondent No.3 – SDO is directed to file Additional Affidavit along with relevant record about the final marks allotted to the Applicant as well as Respondent No.4.

4. On request of learned P.O, one week time is granted for compliance.

5. S.O. to 6th April, 2021 as Part Heard.

Sd/-

(A.P. Kurhekar)
Member-J
30.03.2021

(skw)

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

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Date : 30.03.2021

M.A.No.142 of 2020 in O.A.No.936 of 2019

N. S. Palwe

....Applicant

Versus

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

1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant, Smt.Kranti Gaikwad, learned Presenting Officer for the Respondents and Shri A. V. Bandiwadekar, learned Counsel for the Ori. Applicant.
2. In O.A. 936/2019, the Applicant has challenged his transfer order dated 07.09.2019 whereby he was transferred from the post of Executive Engineer, Zilla Parishad, (PWD), Thane to the post of Assistant Chief Engineer, Public Works Regional Department, Kokan Division, Mumbai. In O.A. he has also arrayed Respondent No.4 on the ground that subsequently by order dated 19.09.2019 he was posted in place of the Applicant. In O.A. summons was served upon Respondent No.4 on his address as Assistant Chief Engineer, Public Work Regional Department, Konkan Division, Mumbai where he was working before his transfer in place of the Applicant. Despite service of notice of O.A., Respondent No.4 remained absent.
3. O.A. was heard on merit and by order dated 14.02.2020, it was allowed thereby quashing transfer order dated 07.09.2019 and directions were given to repost the Applicant within two weeks.
4. Thereafter, this M.A. filed by the Respondent No.4 on the ground that he was not properly served with notice of O.A., and therefore, prayed to recall the order dated 14.02.2020 and to rehear the O.A. after giving an opportunity of filing reply.
5. O.A. was filed on 20.09.2019. In O.A., address of the Respondent No.4 was of earlier post held by him before his transfer and posting in place of the Applicant.
6. Learned Counsel for the Respondent No.4 has filed relieving order dated 20.09.2019 as well as joining report which shows that the Applicant was relieved from his earlier post on 20.09.2019 itself. Thus, apparently he was not available on the address given in O.A. for service of notice, and therefore, he could not be said properly served with the notice of O.A.
7. In view of above, it would be appropriate to hear the Respondent No.4 afresh and then to decide the legality of transfer order.
8. For the aforesaid reason, Respondent No.4 is allowed to file reply in O.A.936/2019 and accordingly M.A. is disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

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	<p>Date : 30.03.2021</p> <p align="center">O.A.No.936 of 2019</p> <p>A. B. ChavanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri C. T. Chandratre, learned Counsel for the Respondent No.4. 2. This O.A. is decided by order dated 14.02.2020. However, in view of order passed today in M.A.No.142/2020 opportunity is granted to Respondent No.4 to file reply in O.A. 3. Today, accordingly Shri C.T. Chandratre, learned Counsel for Respondent No.4 has filed reply on behalf of his client. It is taken on record. 4. Shri A.V. Bandiwadekar, learned Counsel for the Applicant submits that he does not want to file Rejoinder. 5. However, learned P.O. seeks liberty to file additional reply in view of the reply filed by Respondent No.4, today. 6. In view of above, O.A.No.936/2019 needs to be heard afresh and till then implementation of judgment/order dated 14.02.2020 is stayed. 7. S.O. to 15.04.2021. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p>

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	<p align="center">Date: 30.03.2021</p> <p align="center">O.A. No.291 of 2018</p> <p>V.D. DangatApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant two weeks time is granted.</p> <p>3. S.O. to 19.04.2021 for Part Heard.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 30.03.2021</p> <p align="center">O.A. No.169 of 2021</p> <p>H.R. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate Shri P.S. Bhavake, both are absent 2. Ms N.G. Gohad, learned Presenting Officer for the Respondents is present. 3. On request of learned P.O. one week time is granted for filing Affidavit-in-Reply. 4. S.O. to 08.04.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 30.03.2021</p> <p>O.A. No.111 of 2021</p> <p>V.V. SarwankarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms N.G. Gohad, 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.</p> <p>3. S.O. to 19.04.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 30.03.2021</p> <p>O.A. No.104 of 2021</p> <p>A.G. ArekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms N.G. Gohad, 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.</p> <p>3. S.O. to 19.04.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 30.03.2021</p> <p align="center">O.A. No.137 of 2021</p> <p>V.Y. JamdadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms N.G. Gohad., learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant seeks permission to amend the O.A. so as to add the General Administration Department (G.A.D.), Mantralaya, Mumbai as Respondent No.2 and to incorporate necessary pleading in support of O.A. 3. Perused draft of proposed amendment and relief claimed. 4. Proposed amendment will not change the nature of O.A. General Administration Department seems necessary party in view of stand taken by the Respondent No.1 - Commissioner of Police. 5. In view of above, allowed to amend the O.A. The G.A.D., Mantralaya, Mumbai be added as Respondent No.2. Amendment to be carried out within three days. 6. Issue notice of amended O.A. to the newly added Respondent No.2 returnable on 15.04.2021. 7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. 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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>9. 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>10. 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>11. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>12. S.O. to 15.04.2021.</p> <p style="text-align: right;">Sd/- ~ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p><u>30.03.2021</u></p> <p style="text-align: center;"><u>O.A 155/2021</u></p> <p>N.K Parakhe & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri L.S Deshmukh, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O files affidavit dated 26th March, 2021 of Mrs Bharti V. Paithankar, State Nursing Superintendent in the office of Directorate of Medical Education and Research, Mumbai, wherein she has stated that by order dated 25.3.2021, the Government has issued directions that the study leave in private Institute for Graduation or Post Graduation Nursing is not to be granted in view of the present Pandemic situation of Covid-19. The said order dated 25.3.2021 is produced herein. It is further stated that by office order dated 26.2.2021, the Government Hospitals are calling back all the Staff Nurses to join their duty. It is further stated that there are total 12593 sanctioned posts of Staff Nurses in State of Maharashtra out of which 9349 are filled up and 3243 are vacant and 101 Staff Nurses are granted study leave.</p> <p>3. Learned P.O relied on the order passed by the Government by Desk Officer D.A Ghanwat of Medical Education and Drugs.</p> <p>4. We note that under Section 2 of the Epidemic Diseases Act of 1897, the State Government at any time if satisfied and thinks that the ordinary provisions of law for the time being in force are insufficient for the purpose, make, take, or require or empower any person to take such measures by giving a public notice whenever it is deemed necessary to prevent outbreak of such disease and spread thereof.</p> <p>5. Section 4 of the Act also gives protection to persons acting under the Act against the legal proceedings.</p> <p>6. Thus, in view of the present Pandemic situation, the decision taken by the State of not granting permission to nurses to avail Study Leave for Graduation and Post-Graduation though it is against the earlier G.R of 7/6.2014 and Corrigendum dated 3.5.2018, cannot be challenged at this stage.</p> <p>7. Hence, we cannot grant any relief to the present applicants, who want to avail of study leave for further education. However, we keep it open this issue for next year, if the situation permits. All issues of study leave of the applicants are kept open for the next academic year.</p> <p>8. In view of the above, O.A stands disposed of. No order as to costs.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N Dixit) Vice-Chairman (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>

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30.03.2021

C.A 24/2010 in O.A 129 to 132/2004, 417 to 429, 459 to 460, 671 to 673/2004

Smt Madhavi S. Khanvilkar & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. None present for the applicants. Heard Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned P.O submits that Transport Allowance and H.R.A has been granted to the applicants Smt M.S. Khanvilakar on 25.6.2019, Shri A.K Shaikh on 18.1.2019 and Smt Deepa D. Parakhi on 5.2.2019 as per the order of the Hon'ble High Court and this Tribunal.

3. Hence learned P.O submits that nothing remains in the C.A as order has been complied with.

4. In view of the above C.A stands disposed of.

Sd/-

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

Akn

Sd/-

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

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	<p align="center"><u>R.A. No.20 of 2018 in O.A. No.99 of 2011</u></p> <p>J.Y. Gangawane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant in person is not present. Hence, time granted to appear in the second sitting.</p> <p>3. Matter called out again. However, applicant is not present. Hence, pursuant to order dated 8.3.2021 the OA is dismissed.</p> <p align="center"> Sd/- (P.N.) Dixit Vice-Chairman 30.3.2021 (sgj) </p> <p align="center"> Sd/- (Mridula R. Bhatkar, J.) Chairperson 30.3.2021 </p>

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30.03.2021

O.A 1103/2016

Shri P.T Patil ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. None present for the applicant. Heard Ms Archana B.K, learned P.O for the Respondents.

2. Since the matter is part heard, same is placed on 16.4.2021 for hearing. Learned counsel for the applicant to remain present.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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
	<p align="center"><u>30.03.2021</u></p> <p align="center"><u>O.A 193/2021</u></p> <p>Shri Asaram Eknath Shete ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan , learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant has submitted written application for withdrawal of the Original Application. The same is taken on record and marked as Exh. 1.</p> <p>3. S.O to 6.4.2021.</p> <p align="center">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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30.03.2021

O.A 710/2020

Shri D.N Patil & Others ... Applicants
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Ms Swati Manchekar, learned Special Counsel files reply on behalf of Respondent no. 1. The same is taken on record.

3. S.O to 19.4.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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 : 30.03.2021</p> <p align="center">C.A.No.9 of 2021 in O.A.No.229 of 2019</p> <p>G.A. KitureApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents</p> <p>1. Heard Ms. Ayesha Keshodwala, learned Advocate i/b M/S. Telekar and Associates, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Mentioned by learned Advocate for the Applicant and taken on board.</p> <p>3. Learned Advocate for the applicant has produced praecipe dated 30.03.2021 for speaking to minutes of the order dated 19.03.2021 passed in the above O.A.</p> <p>4. In Paragraph Nos.5 and 6 of order dated 19.03.2021, the following change is to be made :- Instead of 'Respondent No.4' it should be read as 'Respondent No.3'.</p> <p>5. Praecipe dated 30.03.2021 is disposed off.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N Dixit) (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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30.03.2021

O.A 214/2021

Shri D.M Dagde ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Mohan Sonawane, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.

2. Learned counsel submits that he wants to withdraw this O.A on the ground of jurisdiction.

3. Allowed to be withdrawn.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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30.03.2021

O.A 612/2013

V.V Shinde & Ors ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. We made query to the learned counsel for the applicants as to why the other Sales Tax Inspectors who are appointed from 30% promotion and 30% Limited Departmental Competitive Examination are not made party as it is a matter of inter se seniority and these employees are going to be adversely affected one way or the other, if the O.A is allowed.

3. Hence we want the learned counsel to make submission firstly on the principle of audi alteram partem and secondly latest Supreme Court judgment on Rota quota.

4. S.O to 8.4.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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: 30.03.2021</p> <p align="center">M.A. No.34 of 2021 in O.A. No.55 of 2021</p> <p>S.B. SavlekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri V.V. Joshi, learned Advocate for the Applicant has sent his leave note. Heard Smt. Archana B.K, learned Presenting Officer for the Respondents No.1 & 2, Shri M.S. Lagu, learned Advocate for the Respondents No.3 & 4.</p> <p>2. Today, learned Advocate for the Respondents No.3&4 has file Affidavit-in-Reply. It is taken on record.</p> <p>3. On request of learned P.O. two weeks time is granted for filing Reply on behalf of Respondents No.1 & 2 as last chance.</p> <p>4. S.O. to 15.04.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 30.03.2021</p> <p align="center">M.A. No.71 of 2021 in O.A. No.138 of 2020</p> <p>S.B. KumbharApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.K. Mishra, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Advocate holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. On request of learned P.O. one week time is granted as last chance for filing Reply. 3. S.O. to 05.04.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 30.03.2021</p> <p align="center">R.A. No.01 of 2021 in O.A. No.935 of 2017</p> <p>S.R. KoliApplicant 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, matter is adjourned for hearing of Review.</p> <p>3. S.O. to 15.04.2021.</p> <p align="right">Sd/- W (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 30.03.2021</p> <p align="center">R.A. No.02 of 2021 in O.A. No.580 of 2019</p> <p>D.S. ShindeApplicant 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, matter is adjourned for hearing of Review.</p> <p>3. S.O. to 15.04.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 30.03.2021</p> <p align="center">O.A. No.609 of 2020</p> <p>A.B. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Advocate holding for Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for direction to release retrial benefits in view of retirement of the Applicant on 31.07.2019. On 12.03.2021, the Tribunal has passed specific order directing Respondent No.2 – Commissioner of State Excise Department, Fort, Mumbai to release the retrial benefits of the Applicant as per his entitlement, if there is no legal hurdle for the same and to submit compliance report on 30.03.2021.</p> <p>3. However, today none is present from the Office of Respondent No.2.</p> <p>4. Learned P.O. submits that she needs to take instructions from the Respondent No.2 about the compliance of the order dated 12.03.2021.</p> <p>5. It is really disgusting to note that though the Applicant stands retired on 31.07.2019 his retrial benefits are not paid till date. Apart, there is no compliance of specific direction given by the Tribunal on 12.03.2021.</p> <p>6. As such, <i>prima-facie</i> there is contempt of the order passed by the Tribunal for which appropriate contempt proceeding needs to be initiated against the Respondent No.2.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="766 410 1506 575">7. Issue notice to the Respondent No.2 as to why proceeding for Contempt of Court and for willful disobedience of the order passed by the Tribunal should not be initiated against him.</p> <p data-bbox="766 631 1365 665">8. Issue notice returnable on 06.04.2021.</p> <p data-bbox="1216 741 1279 774">Sd/-</p> <p data-bbox="1157 812 1365 919">✓ (A.P. Kurhekar) Member (J)</p> <p data-bbox="766 958 816 983">NMN</p>

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	<p align="center">Date: 30.03.2021</p> <p align="center">O.A. No.220 of 2021</p> <p>S.N. TeleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed simpliciter for direction to Respondent No.1 to consider the representations dated 28.01.2020 and 28.02.2021 made by the Applicant.</p> <p>3. Indeed the perusal of O.A. reveals that the Applicant is aggrieved by the order passed by the competent authority treating the period of suspension as suspension for all purposes by order dated 07.10.2003. The appeal against the said order has been dismissed by Collector on 17.01.2014. Thereafter, the Applicant seems to have made representations to the Government. Since, these representations are not decided, now the Applicant has filed this O.A. simpliciter for direction to the Government to decide the representations.</p> <p>4. Thus, this is not substantive O.A. challenging the specific order but for direction to decide representations simpliciter. Indeed, the order regarding suspension order has attained finality, in view of order of appellate authority dated 17.01.2014. As such, the issue of limitation is involved, mere making representations and to decide thereon will not revive cause of action.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. At this stage, learned Advocate for the Applicant submits that he intends^{intends} to file substantive O.A. challenging the order dated 17.01.2014 passed by Collector along with application for condonation of delay and seeks permission to withdraw the O.A.</p> <p>6. Allowed to withdraw the O.A. with liberty to file substantive O.A. alongwith application for condonation of delay, which will be considered on its own merit.</p> <p>7. No order as to costs.</p> <p style="text-align: right;">Sd/- vv* (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 30.03.2021</p> <p style="text-align: center;">O.A. No.574 of 2020</p> <p>L.D. VeerApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Advocate holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents, Shri A.R. Kapadnis, learned Advocate for the Respondent No.5 is absent, and Shri K. Tiwari, learned Advocate for the Respondent No.9.</p> <p>2. In this O.A., the Applicant has raised grievance of non-payment of retrial benefits though she stands retired in 2009.</p> <p>3. The Tribunal having noticed inordinate delay in the matter of grant of retrial benefits, by order dated 29.10.2020 the Respondents were directed to pay for provisional pension and matter was expedited for filing Affidavit-in-Reply.</p> <p>4. Today, learned P.O. submits that she has received instructions from the Department which <i>inter-alia</i> to the effect that the Applicant has not completed pensionable service, and therefore, not entitled to retrial benefits.</p> <p>5. In fact, the Applicant ought to have been informed about her non entitlement to the pension much earlier but there was no communication to her at the same time. The Applicant also approached the Tribunal after ten years.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="765 410 1511 670">6. In view of above, learned P.O. is directed to file Affidavit-in-Reply within a week and authority shall take appropriate decision about the claim of the pension of the Applicant and shall communicate the same to her, so that, if necessary, the Applicant can challenge the same in accordance to law.</p> <p data-bbox="765 723 1125 759">7. S.O. to 06.04.2021.</p> <p data-bbox="1244 833 1307 868">Sd/-</p> <p data-bbox="1157 912 1361 1001">(A.P. Kurhekar) Member (J)</p> <p data-bbox="765 1039 812 1065">NMN</p>

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	<p style="text-align: center;"><u>O.A. No.392 of 2020</u></p> <p>D.K. Jadhav & 5 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: justify;">Heard Shri V.P. Sangvikar, learned Advocate for the Applicants and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The six applicants are working in SRPF Group 10, Solapur who were intending to join Special Protection Unit (SPU) and accordingly appeared for the physical test conducted therefor. However, none of them was selected. Aggrieved by the same, applicants have prayed that nobody from Unit at Solapur was selected and this is discriminatory treatment against them.</p> <p>3. Ld. PO on the basis of affidavit in reply dated 25.2.2021 filed by Shri Tarak Vinayak Sawant, Deputy Superintendent of Police (Administration) in the office of Special Inspector General of Police (VIP Security), MS, Mumbai on behalf of respondent no.2 has informed as under:</p> <p style="padding-left: 40px;"><i>“9.4 Specific vacancy position unit wise, was already published and it was specifically mentioned in the instructions of the above publication that it was only qualifying list and all the policemen cannot be accommodated in SPU on deputati-on. It is clear from the vacancy position of the units that some of the units may not have vacancies. The SPU units contained Districts, Cities and SRPF Groups.</i></p> <p style="padding-left: 40px;"><i>10. With reference to contents of para No.7(F), I say that there was no vacancy in SPU for Policemen posted at SRPF, Group X, Solapur.”</i></p> <p style="text-align: right;">(Quoted from page 40 of OA)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. During hearing Ld. Advocate for the applicants concedes that no person who has secured less marks than the applicants working at SRPF Group X, Solapur have been selected.</p> <p>5. Thus, we find there is no discrimination as claimed by the applicants. Selection has been made on the basis of vacancies from a particular Unit and this particular Unit did not have the necessary vacancies. Non selection of the applicants appears to be based on satisfactory grounds. Hence, we find it not necessary to entertain the matter. OA is dismissed with no orders as to cost.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. Dixit) Vice-Chairman 30.3.2021</p> <p>(sg)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula R. Bhatkar, J.) Chairperson 30.3.2021</p>

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	<p align="center"><u>O.A. No.779 of 2020</u></p> <p>K.P. Dhumale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan., learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that reply will be filed during the course of the day.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>4. S.O. to 16.4.2021.</p> <p align="center">Sd/- _____ Sd/- _____ (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 30.3.2021 30.3.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.605 of 2020</u></p> <p>S.B. Gunjal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan., learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>3. S.O. to 16.4.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 30.3.2021 30.3.2021</p> <p>(sgl)</p>

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	<p align="center"><u>O.A. No.508 of 2020</u></p> <p>V.S. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan., learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>3. S.O. to 16.4.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 30.3.2021 30.3.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.494 of 2020</u></p> <p>S.K. Sable ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan., learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>3. S.O. to 16.4.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 30.3.2021 30.3.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.186 of 2020</u></p> <p>Ms. Aasma H. Shaikh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that applicant, who was working in Group C, has been terminated by order dated 25.2.2020 as she has not passed Typing Examination within stipulated period. However, she was given reappointment in Group D by order dated 5.3.3020 and the issue of her termination was sorted out from the respondents' side as per GR dated 21.9.2017. However, the said termination order dated 25.2.2020 is challenged by the applicant.</p> <p>3. Ms. Saima Ansari, Ld. Advocate submits that she is appointed fresh advocate by the applicant. However, she is directed to get No Objection from the earlier Advocate on record Ms. Nidhi S. Sharma for filing her Vakalatnama.</p> <p>4. S.O. to 8.6.2021 for rejoinder.</p> <p align="center">Sd/- _____ Sd/- _____ (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 30.3.2021 30.3.2021 (sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 30.03.2021</p> <p style="text-align: center;">O.A.No.21 of 2021</p> <p>S.S. Mali & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.A. Desai, learned Advocate for the Applicant, Shri S.S. Ghumare, learned Advocate with Shri K.P. Rajput, learned Advocate for Respondents No.7, 8, 10, 12, 16 to 18 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents No.1 to 6.</p> <p>2. As per order dated 02.03.2021, paragraph 5, Shri S.S. Ghumare along with Shri K.P. Rajput informs that the learned Counsel are appearing for Respondents no. 7, 8, 10, 12, 16 to 18 and they are not appearing for Respondents no.14, 15 and 19. He submits that the earlier order dated 02.03.2021 paragraph 5 is to be corrected accordingly.</p> <p>3. Order be corrected accordingly.</p> <p>4. The learned Counsel Shri S.S. Ghumare files Affidavit-in-reply dated 21.03.2021 on behalf of Respondents No.7, 8, 10, 12, 16 to 18, through Shri Vishnu Govind Wagh. The said is taken on record. Copy is served to learned Advocate Shri A.A. Desai and learned C.P.O. Ms. S.P. Manchekar.</p> <p>5. The learned C.P.O. seeks time to file Affidavit-in-reply and even for arguing on interim relief.</p> <p>6. The learned Counsel Shri Desai submits that he is pressing interim relief and no time be granted to the M.P.S.C. for filing affidavit. He partly argues.</p> <p>7. We make it clear that our first vary is pertaining to delay and laches and that is to be satisfied first as he is pressing for interim relief.</p> <p>8. Shri S.S. Ghumare, learned Advocate with Shri K.P. Rajput, learned Advocate for Respondents No.7, 8, 10, 12, 16 to 18 seeks permission to appear on Video conferencing (V.C.) as they are coming from Aurangabad.</p> <p>9. Shri S.S. Ghumare, learned Advocate is allowed to appear through V.C. Adjourned to 01.04.2021 at 2.30 p.m. P.H.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. Dixit) Vice-Chairman (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</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 : 30.03.2021</p> <p align="center">O.A.No.65 of 2021</p> <p>G.N. Khetle ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Respondent No.4 in person present. She submits that she wants to appear in person.</p> <p>3. Respondent no.5 is at Nagpur. She is served. She seeks time to file affidavit-in-reply.</p> <p>4. Time granted to file affidavit-in-reply.</p> <p>5. Adjourned to 26.04.2021.</p> <p>Sd/-  Sd/- </p> <p>(P.N Dixit) Vice-Chairman (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</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"><u>O.A. No.542 of 2020</u></p> <p>B.H. Tadvı ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan., learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 & 2 and Shri M.D. Lonkar, learned Advocate for Respondent No.3.</p> <p>2. Ld. Advocate for Respondent No.3 files reply of respondent no.3 and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>4. S.O. to 16.4.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 30.3.2021 30.3.2021</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 30.03.2021</p> <p>O.A.No.997 of 2019</p> <p>S. A. SutarApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B. K. learned Presenting Officer for the Respondents. 2. At the very outset, learned Counsel for the Applicant has pointed out letter dated 22.03.2021 issued by Shri S.D. Naranvar, Deputy Conservator of Forest, Sawantwadi whereby the Applicant was directed to withdraw this O.A. within two days. 3. Indeed in O.A., the Applicant has challenged the order of punishment of imposing of recovery of Rs.49,781/- and the order of withholding next increment for two years without cumulative effect. 4. Thus, once the Applicant has availed legal remedy by filing O.A., it is highly inappropriate and contemptuous on the part of Deputy Conservator of Forest to compel the Applicant to withdraw the O.A. As such, this act of Deputy Conservator of Forest, Sawantwadi by letter dated 22.03.2021 is nothing short of interference in the administration of justice of which cognizance needs to be taken by the Tribunal. 5. In view of above, issue show cause notice to Shri S.D. Naranvar, Deputy Conservatory of Forest, Sawantwadi to explain why proceeding of contempt of court should not be initiated against him. Reply should be filed on affidavit within two weeks. 6. S.O. to 15.04.2021. <p style="text-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 _____

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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: 30.03.2021</p> <p align="center">O.A. No.20 of 2021</p> <p>N.K. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. 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 two weeks time is granted for filing Rejoinder.</p> <p>3. S.O. to 19.04.2021</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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">Date: 30.03.2021</p> <p align="center">O.A. No.769 of 2020</p> <p>A.S. SavaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 08.04.2021.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 30.03.2021</p> <p align="center">O.A. No.767 of 2020</p> <p>A.D. DeokarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Smt. Archana B.K., learned Advocate holding for Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri K.R. Jagdale, learned Advocate for the Respondent No.3.</p> <p>2. On request of learned P.O. two days time is granted for filing Affidavit-in-Reply on behalf of Respondents No.1 & 2.</p> <p>3. S.O. to 01.04.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p style="text-align: right;">Tribunal's orders Date: 30.03.2021</p>
	<p style="text-align: center;">O.A. No.622 of 2020 with O.A. No.623 of 2020</p> <p>M.R. Ahire M.P. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant submits that he does not want to file Rejoinder. 3. Pleading is completed. 4. Adjourned for Final Hearing on 27.04.2021. <p style="text-align: right;">^ Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 30.03.2021</p> <p align="center">O.A. No.16 of 2020</p> <p>S.A. TalekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant submits that he will file Rejoinder during the course of the day, if possible, otherwise seeks permission to file the same in mean time. 3. Adjourned for hearing at the stage of admission with liberty to the Applicant to file rejoinder in mean time. 4. S.O. to 26.04.2021. <p align="right">Sd/- w (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date: 30.03.2021</p>
	<p>O.A. No.164 of 2020</p> <p>A.D. KhandareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant and his Advocate Shri M.B. Kadam, both are absent.</p> <p>2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>3. On request of learned P.O. one week time is granted for filing Affidavit-in-Reply.</p> <p>4. S.O. to 06.04.2021.</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

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: 30.03.2021</p> <p>O.A. No.486 of 2020</p> <p>S.D. TejaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted as last chance for filing Affidavit-in-Reply.</p> <p>3. S.O. to 15.04.2021.</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: 30.03.2021</p> <p align="center">O.A. No.614 of 2020</p> <p>Dr. R.R. RamtekeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Advocate holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri S.S. Dere, learned Advocate for the Applicant submits that he does not want to file Rejoinder and requested to keep the matter for hearing.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 22.04.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 30.03.2021</p> <p align="center">O.A. No.619 of 2020</p> <p>P.U. RathodApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Respondents No.1 to 5 have already filed Reply, no Rejoinder is filed.</p> <p>3. Adjourned for hearing at the stage of admission, with liberty to the learned Advocate for the Applicant to file Rejoinder in mean time.</p> <p>4. S.O. to 19.04.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 30.03.2021</p> <p align="center">M.A.No.58 of 2021 in M.A.No.59 of 2021 in O.A.No.05 of 2020</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>D. R. Wadkure ...Respondent (Ori. Applicant)</p> <p>1. Heard Smt. Archana B. K., learned Presenting Officer for the Applicants (Ori. Respondents) and Smt. Punam Mahajan, learned Counsel for the Respondents.</p> <p>2. On request of learned P.O., two days time is granted to file reply of Principal Secretary, Social Justice and Special Assistant Department, Mumbai in terms of order passed by this Tribunal on 09.03.2021.</p> <p>3. S.O. to 01.04.2021.</p> <p align="right">Sd/- _____ (A.P. Kurhekar) Member(J)</p> <p align="center">vsm</p>

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

Tribunal's orders

Date : 30.03.2021

O.A.No.556 of 2020

A. T. WakadeApplicant

Versus

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. In present O.A. the Applicant has challenged the order dated 01.10.2020 whereby the Government had posted Respondent No.2 –Ajit Kurhade in place of the Applicant without issuing any consequential transfer order of the Applicant.
3. The Tribunal by order dated 08.10.2020 has granted interim relief thereby staying transfer order dated 01.10.2020 having found that *prima-facie* it is unsustainable in law in so far as the Applicant is concerned.
4. Respondent No.1 –Government has not filed reply.
5. Respondent No.2 though served did not appear.
6. Today, learned P.O. has tendered the copy of order passed by the Government dated 19.11.2020 which *inter-alia* states that the Applicant is reposted as Tahsildar, Karad, Dist. Satara. Likewise the posting of Respondent No.2 is also changed and he was given another posting. The order is marked by letter 'X' and taken on record.
7. In view of above, learned P.O. on instructions made a statement that the Applicant is already reposted on his earlier post as Tahsildar, Karad, Dist. Satara and interim order be made absolute.
8. As such, grievance of the Applicant is redressed in view of his reposting as Tahsildar, Karad, District Satara by order dated 19.11.2020.
9. In view of above, Original Application, is therefore, disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

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 : 30.03.2021</p> <p style="text-align: center;">O.A.No.737 of 2020 with O.A.No.738 of 2020</p> <p>S. R. GaudApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted as a most last chance for filing reply in both the Original Applications.</p> <p>3. S. O. to 06.04.2021.</p> <p style="text-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 _____

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 30.03.2021</p> <p align="center">R.A. No.01 of 2020 in O.A.No.894 of 2018</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p align="center">Versus</p> <p>A. R. Khedekar ...Respondent (Ori. Applicant)</p> <p>1. Heard Smt. Kranti Gaiwad, learned Presenting Officer for the Applicants (Ori. Respondents) and Shri K. R. Jagdale , learned Counsel for the Respondent (Ori. Applicant).</p> <p>2. This R.A. is filed for review of judgment dated 09.07.2020 delivered in O.A.No.894/2018.</p> <p>3. However, Smt. Krnati Gaiwad, learned P.O. for the Ori. Respondents on instructions seeks permission to withdraw the R.A.</p> <p>4. Allowed to withdraw R.A.</p> <p>5. R.A. is accordingly disposed of with no order as to costs.</p> <p align="right">Sd/- w (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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: 30.03.2021</p> <p align="center">O.A. No.834 of 2019</p> <p>S.B. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Anita Murgude, learned Advocate holding for Smt. Ranjana Todankar, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Smt. Anita Murgude stated that Advocate Smt. Ranjana Todankar is unwell and requested for adjournment.</p> <p>3. S.O. to 22.04.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>