


**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: 30.05.2022</p> <p align="center">O.A. No.485 of 2022 to O.A. No.489 of 2022 (DIVISION BENCH)</p> <p>R.S. Bhalke S.V. Bihade S.M.S. Suleman S.N. Burkule P.V. Burkule </p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> All these matters pertain to Aurangabad Bench but placed before this Bench due to non availability of Member at Aurangabad Bench. Heard Shri S.A. Deshmukh, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Issue notice before admission returnable on 17.06.2022. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 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. 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. 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.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>9. Issue of interim relief is kept open.</p> <p>10. Matter be placed before regular Bench at Aurangabad on 17.06.2022 with other connected matters.</p> <p>11. I/C Registrar is directed to take necessary steps in this behalf.</p> <p style="text-align: right;">Sd/- v- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.500/2022</u></p> <p>Shri P.B. Jagtap ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents. 2. The Applicant has challenged transfer order dated 20.05.2022 whereby he is transferred from Nashik Range Division to Thane Range Division and posted as Range Forest Officer, Social Forestry, Karjat, District Alibaug. The Applicant's grievance is that he was given Pune Division by order dated 18.06.2021 issued by Government. However, it is Respondent No.2 - Principal Chief Conservator of Forest, Nagpur posted him in Alibaug District which comes under Konkan Division. Secondly, Applicant contends that his Option Nos.1 and 2 in Pune Division were ignored, and therefore, present transfer order is bad in law. According to him, Option Nos.1 and 2 were vacant at the time of issuance of impugned transfer order and there was no hurdle to give him choice posting. 3. Issue notice returnable on 15th June, 2022. 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open. 7. The service may be done by Hand Delivery / Speed Post / Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. 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. 9. In the meantime, there shall be interim relief to fill-^{not} in the post of RFO, Protection & Encroachment Department, Pune, which is still vacant, till filing of reply. 10. S.O. to 15th June, 2022. Steno-copy allowed. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 30.05.2022</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: 30.05.2022</p> <p align="center">O.A. No.482 of 2022 (SINGLE BENCH)</p> <p>S.S. ShuklaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. All that Applicant is seeking direction to the Respondents to consider his representation dated 07.05.2022 for retention at Khalapur, where he is presently posted. The Applicant is serving as Sub Divisional Police Officer at Khalapur since 03.10.2020. As such, he is not due for transfer but apprehend transfer in view of notice issued for general transfer. The Applicant is due to retire on 31.07.2023. He further contends that his old mother is suffering from Parkinson disease. He therefore seeks extension in present post and made representation dated 07.05.2022.</p> <p>3. Indeed as pointed out by learned P.O., Government by G.R. dated 27.05.2022 had issued direction not to effect general transfer till 30.06.2022. As such, as of now there is no apprehension of transfer.</p> <p>4. Learned P.O. is directed to take instructions about the proposed transfer of the Applicant, if any and appraise the Tribunal on 01.06.2022.</p> <p>5. S.O. to 01.06.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p>

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

Tribunal's orders

L.O.

Learned P.O. on instructions submits that at present, there is no move for transfer of the Applicant. In view of this statement, this O.A. has to be disposed of.

In view of above, O.A. is disposed of and if there is move for transfer of the Applicant, his representation dated 07.05.2022 be considered in accordance to law. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member-J
30.05.2022

(skw)

**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"><u>O.A.502/2022</u></p> <p>Shri P.S. Sutar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned P.O. for Respondents.</p> <p>2. The Applicant is seeking implementation of transfer order dated 25th May, 2022. The Applicant was serving as Range Forest Officer (RFO), Sangli and transferred to as RFO, Ratnagiri (T), Chiplun Forest Division. He was also relieved as seen from order dated 25th May, 2022. However, when he went to join new post, he was not allowed to join on the ground that some instructions from Government is awaited.</p> <p>3. The perusal of transfer order dated 25.05.2022 issued by Chief Conservator of Forest, Kolhapur reveals that directions were issued to relieve and Forest Officers under transfer and further directions were given to get them joined at new place of posting immediately and compliance report was to be submitted to him.</p> <p>4. Since Applicant is already relieved from the present post, he must have been allowed to join his new post. He is directed to report to the new place of posting on tomorrow i.e. 31.05.2022 and Respondent No.3 should get him joined.</p> <p>5. In view of above, O.A. is disposed of, since nothing remains to be adjudicated in the matter. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member-J 30.05.2022</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

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	<p align="center">Date: 30.05.2022</p> <p align="center">O.A. No.482 of 2022 (SINGLE BENCH)</p> <p>S.S. ShuklaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. All that Applicant is seeking direction to the Respondents to consider his representation dated 07.05.2022 for retention at Khalapur, where he is presently posted. The Applicant is serving as Sub Divisional Police Officer at Khalapur since 03.10.2020. As such, he is not due for transfer but apprehend transfer in view of notice issued for general transfer. The Applicant is due to retire on 31.07.2023. He further contends that his old mother is suffering from Parkinson disease. He therefore seeks extension in present post and made representation dated 07.05.2022.</p> <p>3. Indeed as pointed out by learned P.O., Government by G.R. dated 27.05.2022 had issued direction not to effect general transfer till 30.06.2022. As such, as of now there is no apprehension of transfer.</p> <p>4. Learned P.O. is directed to take instructions about the proposed transfer of the Applicant, if any and appraise the Tribunal on 01.06.2022.</p> <p>5. S.O. to 01.06.2022.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</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: 30.05.2022</p> <p>M.A. No.302 of 2022 in O.A. No.60 of 2022 (A'bad) to M.A. No.323 of 2022 in O.A. No.136 of 2022 (A'bad) (SINGLE BENCH)</p> <p>A.S. Salve S.S. Konale A.S. Barde S.L. Desai P.S. Dhule S.C. Kasod R.B. Desale C.S. Samudre P.P. Matkar M.R. Katke A.C. Patil S.S.S. Shaukat A.A. Koparekar S.M. Athilkar U.S. Jadhav M.M. Gavale V.S. Chandol P.P. Mahajan G.C. Katare V.B. Pattebahadur S.I.S. Haji S.N. KavarkheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. All these Matters pertain to Aurangabad Bench but placed before this Bench due to non availability of Member at Aurangabad Bench.</p> <p>2. Heard Shri S.A. Deshmukh, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>3. All these matters are filed in pending O.As in which Respondents have already appeared and filed Affidavit-in-Reply.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. All these M.As are filed seeking interim relief to the process of transfer undertaken by the Respondents afresh. According to the Applicants the Transfer orders were issued sometime in July and August 2021 but they were not relieved and continued on the same post. However, now Respondents have initiated the process to transfer them at different places afresh, and therefore sought interim relief to the fresh process of transfer.</p> <p>5. Indeed, recently Government by G.R. dated 27.05.2022 issued direction for not effecting general transfer till 30.06.2022. This being the position there is no urgency.</p> <p>6. Since, O.As are already pending and fixed on 09.06.2022 it would be appropriate to issue notices in all these M.As to Respondents returnable on 09.06.2022.</p> <p>7. Issue notice before admission returnable on 09.06.2022.</p> <p>8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>9. 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 Miscellaneous Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>10. 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>11. 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>12. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Miscellaneous Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>13. S.O. to 09.06.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p>

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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: 30.05.2022</p> <p align="center">O.A. No.288 of 2022 (DIVISION BENCH)</p> <p>M.V. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Matter pertains to Division Bench but it being vacation placed before Single Bench in view of urgency to relief claim in the matter. 2. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 3. The Applicant is presently working as Sr. Police Inspector on the establishment of Commissioner of Police, Pune and due for promotion to the post of Dy. Superintendent of Police / Assistant Commissioner of Police. Perusal of record and order passed by this Tribunal reveals that the Applicant was due for promotion and his fate was kept in sealed cover due to pendency of Departmental Enquiry. Later in D.E., the Applicant has been exonerated from the charges leveled against him. The Applicant is retiring tomorrow i.e. 31.05.2022 and apprehends that he will not get benefit of promotion before retirement. 4. The perusal of order dated 05.05.2022 passed by the Tribunal reveals that direction were issued to Home Department to complete the process of promotion of all the persons similarly situated along with the Applicant latest by 13.05.2022 and further direction were given to issue necessary orders of promotion before 31.05.2022. Matter was accordingly adjourned to 06.06.2022.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Indeed, once the Tribunal has issued direction by order dated 05.05.2022, those were required to be implemented in letter^{letter} and spirit. The Applicant however apprehends that Respondents may not issue promotional order thereby defeating his claim of promotion. His anxiety is that he should get promotional post at least on the date of retirement so that he will be entitled to consequential service benefits.</p> <p>6. Learned P.O. on instructions from Jagdish Chavan, Clerk, Home Department stated that his file is under process and necessary order of promotion will be certainly issued by 31.05.2022. In view of this commitment, no further order are now required.</p> <p>7. Tribunal hope and trust that necessary order of promotion in accordance to law will be issued by 31.05.2022 without fail.</p> <p>8. Matter be kept on fixed dated for compliance.</p> <p>9. S.O. 06.06.2022.</p> <p>10. Steno Copy granted.</p> <p style="text-align: right;"> N Sd/- vv (A.P. Kurhekar) Member (J) </p> <p>NMN</p>