

**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><b>Date: 30.09.2024</b></p> <p align="center"><b>O.A. No.1096 of 2023 with O.A. No.1097 of 2023</b></p> <p><b>S.S. Khot</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Shri A.S. Raktade, learned Advocate along with Shri Dnyanesh Patil, learned Advocate for Applicant, Smt K.S. Gaikwad, learned Presenting Officer for Respondents. Shri R. Shinde, learned Advocate for Respondent No.4 is absent.</p> <p>2. Learned Advocate for Applicant emphasizes that as now there are 2 'Vacant Posts' of 'Lecturer' in 'District Institute of Education and Training, Sangli'; and thus request of Applicant be considered and appropriate decision taken by 'Principal Secretary, School Education Sports Department' by taking note of specific observations made in 'Para 6' &amp; 'Para 7' of Order dated 15.03.2024.</p> <p>3. Learned P.O. on query confirms that '2 Vacant Posts' of 'Lecturer' in 'District Institutes of Education and Training, Sangli' are now available; although it was directed on 16.04.2024 to keep only 'One Post' vacant till final decision in 'O.A. No.1097/2024'.</p> <p>4. The 'Principal Secretary, School Education Sports Department' was expected to take appropriate decision about earlier request made by Applicant to be transferred to any 'Vacant Post' of 'Lecturer' in 'District Institutes of Education and Training, Sangli' or 'Satara' or 'Sindhudurg' taking into due consideration the fact that she had been serving on post of 'Lecturer' in</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>'District Institutes of Education and Training at Ratnagiri' for more than 6 Years. However, as appropriate decision about transfer of Applicant to any of '2 Vacant Post' of 'Lecturer' in 'District Institutes of Education and Training, Sangli' was not taken by 'Principal Secretary, School Education Sports Department' during 'General Transfers: 2024'; which had been permitted beyond 31<sup>st</sup> May 2024 and because 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' is required to be implemented in both letter and spirit even in respect of those 'Government Servants' who have long since completed their 'Normal Tenures' of '3 Years', therefore Applicant who is much overdue for transfer from post of 'Lecturer' in 'District Institutes of Education and Training, Ratnagiri' be transferred to any of '2 Vacant Posts' of 'Lecturer' in 'District Institutes of Education and Training, Sangli' since it will not be prudent to wait any longer and prolong the tenure of Applicant on present post of 'Lecturer' in 'District Institutes of Education and Training, Ratnagiri' till next 'General Transfers : 2025'.</p> <p>5. The request of Applicant be considered expeditiously by 'C.S.B' under 'Principal Secretary, School Education Sports Department' and thereupon appropriate decision be taken under 'Rule 4(4)' and 'Rule 4(5)' by 'Competent Transferring Authority' and next 'Higher Transferring Authority' within period of next 'Four Weeks'.</p> <p>6. The order of transfer of Applicant to any of '2 Vacant Post' of 'Lecturer' in 'District Institutes of Education and Training, Sangli' to be accordingly issued thereafter within 'One Week'.</p> <p>7. The grievance of Applicant now stands redressed. Hence this O.A. No.1096 of 2023 &amp; O.A. No.1097 of 2023 is disposed off. 'No Order as to Costs'.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-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.....)

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

Office Notes, Office Memoranda of Coram,  
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Tribunal's orders



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Original Application No.

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**Date : 30.09.2024****O.A.No.1239 of 2024****K. Y. Bhajanwale .....Applicant****Versus****The State of Maharashtra &Ors. ...Respondents.**

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents
2. Learned Advocate for Applicant states that Applicant who was serving on post of 'Agriculture Supervisor' in office of 'Taluka Agriculture Officer, Karmala, District Solapur' was served with 'Suspension Order' dated 29.08.2024 passed by 'Divisional Joint Director Agriculture, Pune Division, Pune' based only on letter of 'Dy. SP ACB, Solapur' dated 16.07.2024.
3. Learned Advocate for Applicant drew attention to contents of 'Suspension Order' dated 29.08.2024 passed by 'Divisional Joint Director Agriculture, Pune Division, Pune' which also mentions registration of 'FIR' against Applicant on 03.07.2024 which relate to Section 13(2), Section 13(1)(d) and Section 13(1)(e) of 'Prevention of Corruption Act, 1988' & Section 109 of IPC, 1860 and emphasizes that purportedly they had been committed by Applicant during the period from 01.03.1995 to 01.07.2014.
4. Learned Advocate for Applicant contends that letter of 'Dy. SP ACB Solapur' dated 16.07.2024 alone could not have been valid grounds for 'Suspension Order' dated 29.08.2024 passed against Applicant by Divisional Joint Director Agriculture, Pune Division, Pune' and in support of this contention submits copy of 'Interim Order' of **Hon'ble Bombay High Court Nagpur Bench, Nagpur dated 20.09.2024 in W.P. No.5552/2024.**

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5. Learned Advocate for Applicant then drew attention to Order dated 13.07.2023 passed in O.A.No.833/2023 which was regarding 'Head Quarter' to be fixed upon issue of 'Suspension Order'; so as to emphasize that in respect of Applicant it was not in conformity with 'Policy Guidelines' in GAD Circular dated 19.03.2008 as 'Head Quarter' of Applicant has been fixed at distant place which is office of 'Sub-Divisional Agriculture Officer, Pune.

6. Learned PO says that various facts resulting in 'Suspension Order' dated 29.08.2024 passed by 'Divisional Joint Director, Agriculture, Pune Division, Pune' have to be ascertained including if there were any other pending 'Criminal Cases' against Applicant and specific reasons for fixing of 'Head Quarter' of Applicant in office of 'Sub Divisional Agriculture Officer, Pune'.

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

8. Issue notice before admission returnable on 24.10.2024.

9. 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.

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.

11. 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.

12. 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.

13. S.O. to 24.10.2024.

Sd/-

(Debashish Chakrabarty)  
Member (A)

Office Notes, Office Memoranda of Coram,  
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Tribunal's orders

Date: 30.09.2024

O.A. No.1035 of 2023

J.P. Dhole

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Smt. Punam Mahajan, learned Advocate for the Applicant through Video-Conference and Smt Archana B.K., learned Presenting Officer for the Respondents.

2. Learned P.O. based on instructions from officer present from office of 'Chief Conservator of Forest (Territorial) Kolhapur' states that information in 'Tabular Chart' will be submitted by way of 'Short Affidavit-in-Reply' as per directions in 'Para 7' of Order dated 26.07.2024.

3. Learned Advocate for Applicant thereupon states that case of Applicant must still be examined in context of discrimination vis-a-vis other 'Forest Guards' as has been observed earlier in 'Para 2' & 'Para 3' of 'Order dated 26.07.2024' with respect to equity in implementation of directions in 'Para B(1) (iii)' of 'Revenue & Forest Department' G.R. dated 22.05.2017.

4. Learned P.O. emphasizes that Applicant has been served with 'Suspension Order' dated 09.08.2024 passed by 'Chief Conservator of Forest (Territorial) Kolhapur'. Thus nothing now survives in this O.A. No.1035/2023 which was about 'Transfer' of Applicant. So, O.A. No.1035/2023 may be disposed off and not kept pending till further decision is taken by 'Chief Conservator of Forest (Territorial) Kolhapur' about either 'Suspension Order' dated 26.07.2024' of Applicant or institution of 'Disciplinary Enquiry' against Applicant.

5. S.O. to 14.10.2024.

Sd/-

(Debashish Chakrabarty)  
Member (A)

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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Date: 30.09.2024

O.A. No.297 of 2024

J.M. Tupat .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.
2. Learned P.O. files 'Short Affidavit' dated 19.09.2024 of 'ACP (HQ)' on behalf of 'Commissioner of Police. Mira Bhayandar, Vasai-Virar'.
3. Learned Advocate for Applicant seeks 'One Week' time to file 'Affidavit-in-Rejoinder' on behalf of Applicant. Time as prayed for is granted to learned Advocate for Applicant.
4. S.O. to 07.10.2024.

Sd/-  
(Debashish Chakrabarty)  
Member (A)

NMN



**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.....)

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**Date: 30.09.2024**

**O.A. No.1488 of 2023**

**S.B. Kalewad .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.**

1. Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Learned PO again seeks time of 'One Week' to file 'Affidavit-in-Reply' on behalf of 'Additional Chief Secretary of Revenue & Forest Department. Time as prayed for is granted to learned PO.

3. S.O. to 07.10.2024

Sd/-  
**(Debashish Chakrabarty)**  
**Member (A)**

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**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 \_\_\_\_\_

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	<p align="center"><b><u>30.09.2024</u></b></p> <p align="center"><b><u>M.A 551/2024 in O.A 491/2021</u></b></p> <p>Dr S.V Sambhare ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri D.B Khaire, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel seeks time.</p> <p>3. S.O to 4.10.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A) Akn</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

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	<p align="center"><b><u>30.09.2024</u></b></p> <p align="center"><b><u>O.A 303/2024</u></b></p> <p>S.M Wagh &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri D.B Khaire, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel submits that present O.A is filed on 1.3.2024. Learned counsel submits that the issue is about promotion.</p> <p>3. Though sufficient opportunity was given to the Respondents, but till date affidavit in reply is not filed.</p> <p>4. We direct the Joint Secretary/Deputy Secretary, Public Health Department to remain present and make statement why affidavit in reply is not filed and make submissions before the Tribunal.</p> <p>5. S.O to 7.10.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>

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	<p align="center"><b><u>30.09.2024</u></b></p> <p align="center"><b><u>O.A 432/2024</u></b></p> <p>K.S Jadhav &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.N Patil, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O is directed to file reply by way of last chance.</p> <p>3. S.O to 21.10.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A) Akn</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

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	<p><b><u>30.09.2024</u></b></p> <p align="center"><b><u>C.A 05/2024 in O.A 1016/2018</u></b></p> <p>C.S Atkar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.G Ranjane, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that Writ Petition is filed before the Hon'ble High Court and the same is pending.</p> <p>3. In view of the above, adjourned to 28.10.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>

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	<p><b><u>30.09.2024</u></b></p> <p><b><u>C.A 47/2024 in O.A 1395/2023 with C.A 57/2024 in O.A 1395/2023</u></b></p> <p>S.B Chavan &amp; Ors D.M Bhoir &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri R.G Panchal, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that Writ Petition is filed before the Hon'ble High Court and the same is pending.</p> <p>3. In view of the above, matter adjourned to 6.11.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A) Akn</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p><b><u>30.09.2024</u></b></p> <p><b><u>C.A 58/2024 in O.A 82/2017 with M.A 478/2024 in R.A 9/2024 in O.A 82/2017</u></b></p> <p>D.K Khairnar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri A.S Gaikwad, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The present R.A 9/2024 is filed by the Respondents seeking review of the order of this Tribunal passed in Original Application.</p> <p>3. S.O to 11.10.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>

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	<p align="center"><b><u>30.09.2024</u></b></p> <p align="center"><b><u>C.A 73/2024 in O.A 483/2023</u></b></p> <p>M.S Jaybhaye &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None present for the applicants. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Issue notice before admission returnable on 11.11.2024.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</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. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. S.O to 11.11.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>



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	<p align="center"><b><u>30.09.2024</u></b></p> <p align="center"><b><u>M.A 257/2023 in O.A 212/2023</u></b></p> <p>The State of Maharashtra ... Applicants/ Ori Respondents</p> <p align="center">Vs.</p> <p>S.V Kadri ... Respondents</p> <p>1. Heard Smt K.S Gaikwad, learned P.O for the Applicants (Ori Respondents) and Shri K.R Jagdale, learned counsel for the Respondent (Ori applicant).</p> <p>2. The present M.A is filed by the Respondents to vacate the interim order dated 22.2.2023 passed by this Tribunal in the Original Application No. 212/2023.</p> <p>3. The interim order cannot be vacated without hearing the Original Application. However, oral prayer is made by learned P.O that the matter is to be heard at any early date.</p> <p>4. In view of the above, matter to be heard on 11.11.2024. Interim relief, if any to continue.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>

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	<p align="center"><b><u>30.09.2024</u></b></p> <p align="center"><b><u>M.A 109/2024 in O.A 1210/2019</u></b></p> <p>A.K Shaikh ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that affidavit in reply is already filed.</p> <p>3. S.O to 28.10.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A) Akn</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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	<p style="text-align: center;"><b><u>30.09.2024</u></b></p> <p style="text-align: center;"><b><u>M.A 461/2024 in R.A 8/2024 in O.A 396/2017</u></b></p> <p>The State of Maharashtra &amp; Ors      ... Applicants/ Ori Respondents</p> <p style="text-align: center;">Vs.</p> <p>R.S Patil      ... Respondent/ Applicant</p> <p>1.      Heard Smt K.S Gaikwad, learned advocate for the applicants (Ori Respondents) and Shri M.D Lonkar, learned advocate for the Respondent (Ori Applicant).</p> <p>2.      Learned counsel for Respondent (Ori Applicant) seeks time to file reply.</p> <p>3.      S.O to 28.10.2024.</p> <p style="text-align: center;">Sd/- <b>(Debashish Chakrabarty)</b> Member (A)</p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>

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	<p align="center"><b><u>30.09.2024</u></b></p> <p align="center"><b><u>M.A 564/2024 in O.A 993/2023</u></b></p> <p>M.K Pujar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri R.L Adhe, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel prays that permission be granted to amend the Original Application.</p> <p>3. Misc Application seeking permission to amend the Original Application is allowed. Amendment to be carried out within one week and copy to be served on all the Respondents. The Respondents are directed to file reply within two weeks thereafter.</p> <p>4. O.A No 993/2023 to be placed on Board on 21.10.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</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"><b><u>30.09.2024</u></b></p> <p align="center"><b><u>M.A 583/2024 in O.A 718/2024</u></b></p> <p>The State of Maharashtra &amp; Ors ... Applicants/ (Ori Respondents)</p> <p align="center">Vs.</p> <p>P.S Shid ... Respondent (Ori Applicant)</p> <p>1. Heard Ms Swati Manchekar, learned C.P.O for the Applicants (Ori Respondents) and Shri K.R Jagdale, learned counsel for the Respondent (Ori Applicant).</p> <p>2. Learned C.P.O submits that the post of Divisional Commissioner, Konkan Division is vacant since 1.9.2024 and additional charge is given to Addl. Commissioner, Konkan Division. However, he is busy in other works. Learned C.P.O further submitted that the Additional Commissioner has initiated the process of conducting regular D.P.C meeting and that it will be conducted within four weeks.</p> <p>3. Learned C.P.O seeks extension of time to comply with the order of this Tribunal.</p> <p>4. In view of the above, time is extended upto 11.11.2024 to comply with the order of this Tribunal.</p> <p>5. Misc Application accordingly stand disposed of.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</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><u>30.09.2024</u></b></p> <p align="center"><b><u>M.A 523/2024 in O.A 750/2020</u></b></p> <p>D.R Jagtap ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that the file is put before the Addl D.G and that the meeting of the D.P.C will be conducted within two weeks.</p> <p>3. S.O to 14.10.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A) Akn</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> 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 align="center"><u>O.A. No.1246 of 2024</u></p> <p>G.P. Babar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents are present.</p> <p>2. The applicant who aspires to be Police Constable prays for directions to the respondents to issue appointment order from NT-B category in favour of the applicant. Pursuant to the advertisement dated 1.3.2024 the applicant has filed application, appeared in the examination and scored 129 marks. Ld. Advocate for the applicant submits that in this advertisement it is mentioned that 7 posts are reserved for Police Constable-Bandsman without specifying their reservation in particular caste. For Open NT-B only one post is shown and for Open General, 2 posts are shown. The applicant has submitted application in Palghar District. Ld. Advocate for the applicant pointed out advertisement of other district i.e. Greater Mumbai dated 29.2.2024 and in the said advertisement post of Police Constable-Bandsman are specifically identified and reservation in the specific category and total 24 posts are required to be filled in. She pointed out that in Buldhana District 8 posts of PC-Bandsman are reserved. The bifurcation of those 8 posts for reservation in specific category is also shown in the advertisement. She submits that only in Palghar District 7 posts of PC-Bandsman, no specific category is shown. Ld. Advocate submits that applicant has secured 129 marks in all the categories in Palghar and may be 2<sup>nd</sup> or 3<sup>rd</sup> rank in total candidates. She pointed out that provisional select list of NT-B is declared where name of the applicant is not shown but name of one candidate Ravi Suresh Joshi who has secured 113 marks is shown against PC-Bandsman and no person is selected as Police Constable in NT-B category and which is shown only one post.</p> <p>3. Ld. Advocate for the applicant further submits that 3 candidates from Open category viz. S/Shri Ajay D. Patil, Gunjan G. Bhabal &amp; Santosh V. Kedar are shown in the provisional list for Open. Their application number is shown as same i.e. No.110262000000459. Another candidate Shri Rahul G. Gite is also shown in same application number. However, Shri Ashok S. Padolkar, who is from NT-C has a different application number. Ishwardas N. Tupe and Ashok S. Padolkar have different application number. She submits that it was necessary in Palghar</p>

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

**Tribunal's orders**

District to specify the reservation in particular category for Bandsman as it is done by Buldhana and Greater Mumbai. She relies on the judgment of this Tribunal dated 10.8.2023 in OA No.408/2017 Prakash M. Rathod Vs. The State of Maharashtra & Ors.

4. Ld. PO pointed out that there are certain directions given by the Director General of Police on 13.9.2024 in respect of filling up the posts of Bandsman. Ld. PO wants to go through the circular and also the judgment of this Tribunal and the query put by the Tribunal whether not giving breakup of the reservation for Bandsman specially there is only one post available for the Police Constable amounts to closing opportunity to meritorious candidates by preventing him by applying in other districts and thus it may amount to deviation from Article 14 & 16.

5. Under these circumstances, the post of Bandsman in NT-B General is not to be filled in Palghar District.

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

7. Issue notice before admission returnable on 14.10.2024. The respondents are directed to file reply.

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 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.

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.

10. 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.

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

Sd/-  
(Debashish Chakrabarty)  
Member (A)  
30.9.2024

(sgj)

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson  
30.9.2024



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

Tribunal's orders

Date : 30.09.2024

M. A. No.585 of 2024 in O.A.No.1248 of 2024

P. A. Mandale ....Applicant

Versus

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

1. Heard Shri R. M. Kolge, learned Advocate for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents
2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice in before admission returnable on 25.10.2024.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the 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.
8. S.O. to 25.10.2024.

Sd/-

( Debashish Chakrabarty )  
Member (A)

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

Tribunal's orders

Date : 30.09.2024

O.A.No.1222 of 2024

M. B. Chavan .....Applicant  
Versus  
The State of Maharashtra &Ors. ...Respondents.

1. The Applicant and his Advocate are absent. Shri D. R. Patil, learned Presenting Officer for the Respondents is present.
2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 25.10.2024.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the 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.
8. S.O. to 25.10.2024.

Sd/-

(Debashish Chakrabarty)  
Member (A)

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

Tribunal's orders

Date : 30.09.2024

O.A.No.1221 of 2024

P. Aadimulam .....Applicant  
Versus  
The State of Maharashtra &Ors. ...Respondents.

1. The Applicant and his Advocate are absent. Shri A. D. Gugale, learned Presenting Officer for the Respondents is present.
2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 25.10.2024.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the 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.
8. S.O. to 25.10.2024.

Sd/-

( Debashish Chakrabarty )  
Member (A)

**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 : 30.09.2024</b></p> <p style="text-align: center;"><b>M.A. No.337 of 2024 in O.A. No.1037 of 2019 to M.A. No.434 of 2024 in O.A. No.1241 of 2019</b></p> <table style="width: 100%; border: none;"> <tr><td style="width: 60%;">1. Dr. G.B. Taware</td><td style="width: 40%;">(O.A.1037/2019)</td></tr> <tr><td>2. Dr. V.A. Nadimath</td><td>(O.A.1039/2019)</td></tr> <tr><td>3. Dr. P.M. Sharebkausar</td><td>(O.A.1040/2019)</td></tr> <tr><td>4. Dr. N.B. Masaram</td><td>(O.A.1041/2019)</td></tr> <tr><td>5. Dr. V.P. Doijad</td><td>(O.A.1042/2019)</td></tr> <tr><td>6. C.G. Patil</td><td>(O.A.1237/2019)</td></tr> <tr><td>7. Dr. M.M. Pawar</td><td>(O.A.1238/2019)</td></tr> <tr><td>8. Dr. P.R. Dhumal</td><td>(O.A.1239/2019)</td></tr> <tr><td>9. Dr. P.N. Rathi</td><td>(O.A.1240/2019)</td></tr> <tr><td>10. Dr. A.B. Pandav</td><td>(O.A.1241/2019)</td></tr> </table> <p style="text-align: right;">.....Applicants</p> <p style="text-align: center;">Versus</p> <p>The State of Maharashtra &amp; Ors. .... Respondents.</p> <p>1. Smt. Punam Mahajan, learned Advocate for Applicants. The Applicant and their Advocate in Sr. No.6 to 10 are absent. Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present.</p> <p>2. 'Interim Relief' to continue till 'Next Date' in O.A.No,1037/2019, O.A. No.1039/2019, O.A. No.1040/2019, O.A. No.1041/2019 &amp; O.A.No.1042/2019.</p> <p>3. S.O. to 14.10.2024.</p> <div style="text-align: right; margin-top: 20px;"> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> </div>	1. Dr. G.B. Taware	(O.A.1037/2019)	2. Dr. V.A. Nadimath	(O.A.1039/2019)	3. Dr. P.M. Sharebkausar	(O.A.1040/2019)	4. Dr. N.B. Masaram	(O.A.1041/2019)	5. Dr. V.P. Doijad	(O.A.1042/2019)	6. C.G. Patil	(O.A.1237/2019)	7. Dr. M.M. Pawar	(O.A.1238/2019)	8. Dr. P.R. Dhumal	(O.A.1239/2019)	9. Dr. P.N. Rathi	(O.A.1240/2019)	10. Dr. A.B. Pandav	(O.A.1241/2019)
1. Dr. G.B. Taware	(O.A.1037/2019)																				
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6. C.G. Patil	(O.A.1237/2019)																				
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8. Dr. P.R. Dhumal	(O.A.1239/2019)																				
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10. Dr. A.B. Pandav	(O.A.1241/2019)																				

**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 : 30.09.2024</p> <p>O.A.No.898 of 2023</p> <p>S. M. Deshmukh &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. 'Interim Relief', if any to continue till next date.</p> <p>3. S.O. to 15.10.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p>

vsm

**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 : 30.09.2024</p> <p>O.A.No.634 of 2024</p> <p>M. S. Nagarkar ....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors...Respondents.</b></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. 'Interim Relief', if any to continue till next date.</p> <p>3. S.O. to 03.10.2024.</p> <p style="text-align: center;">Sd/- ( Debashish Chakrabarty) Member (A)</p>

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.**

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.1240 of 2024</u></p> <p>V.K. Bagare ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant states that the applicant who is working as Superintendent, Class-III in the office of Chief Engineer, Pubic Works Region, Mumbai relies on GR dated 12.9.2016 and submits that applicant be considered for promotion immediately to the post of Special Superintendent by including his name in the communication dated 8.2.2024. This GR pertains to consequences of refusal of promotion. Ld. Advocate for the applicant submits that as per clause 9(1) of the said GR if promotion is refused by any officer, then name of concerned officer who is junior to him is to be included in the select list. Therefore applicant be considered for promotion, who is junior to Mr. Sunil Chakrananrayan, who is Superintendent and has refused promotion on 24.6.2022 to the post of Special Superintendent in the office of Chief Engineer, Public Works Region office, Nashik. Shri Sunil Chakranarayan did not accept this promotion for 2 years and he refused the same by letter dated 8.2.2024.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 28.10.2024. The respondents are directed to file reply. <u>If promotions are given it will be subject to outcome of this OA.</u></p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book</p>

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

**Tribunal's orders**

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.

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. 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.

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

Sd/-  
(Debashish Chakrabarty)  
Member (A)  
30.9.2024

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson  
30.9.2024

(sgj)



**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.1233 of 2024</u></p> <p>S.L. Avatade &amp; 2 Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Shri A.S. Gaikwad, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. All the applicants who aspire to be PSI pursuant to advertisement No.249/2021 dated 28.10.2021 prays that the result of the recruitment process which was initiated pursuant to Advertisement No.53/2022 dated 23.6.2022 is not to be published. Injunction is sought against the MPSC.</p> <p>3. Ld. CPO on instructions from MPSC informs that MPSC is not served.</p> <p>4. Ld. Advocate for the applicants submits that he has served MPSC on email id <a href="mailto:sec.mpssc@maharashtra.gov.in">sec.mpssc@maharashtra.gov.in</a> on 26.9.2024 at 6.45 p.m. and he has received the message of mail sent. Ld. Advocate for the applicants submits that though it is multi-cadre post the MPSC has published the waiting list for the post of ASO and STI and not for PSI. Ld. Advocate for the applicants submits that why there is such discrimination in respect of the post of PSI and secondly if the waiting list is published for the recruitment of Advertisement No.249/2021 and also waiting list of Advertisement No.43/2022, then applicants and other candidates also can be accommodated.</p> <p>5. Ld. CPO again verifies about the service on email to MPSC and submits that said email is not received by the MPSC. Ld. Advocate for the applicants to serve the MPSC. Ld. CPO seeks time.</p> <p>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p>

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

**Tribunal's orders**

7. Issue notice before admission returnable on 1.10.2024. The respondents are directed to file reply.
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 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.
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.
10. 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.
11. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

Sd/-  
(Debashish Chakrabarty)  
Member (A)  
30.9.2024

(sgj)

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson  
30.9.2024

**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.1144 of 2024</u></p> <p>S.R. Lohakare &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicants states that there are 12 applicants. However, appointment orders are issued in favour of Applicant no.11 and 12 and applicant no.11 and 12 have received message in their respective mobiles that they should come and collect the notice. So the applicants apprehend that it may be termination notice. Under such circumstances he prays for interim protection as the applicants are in service.</p> <p>3. We direct the Applicants No.11 and 12 to accept the notice and direct the Respondents not to take coercive action by passing final order.</p> <p>4. Ld. PO submits that pursuant to order dated 23.9.2024 of this Tribunal the respondent-department will consider the directions given on 23.7.2024 by this Tribunal in OA No.280/2024 Amit R. Sonule &amp; Ors. Vs. The State of Maharashtra &amp; Ors.</p> <p>5. Ld. Advocate for the applicants seek leave to add document dated 21.6.2024 as Exhibit Q-1 in the above OA.</p> <p>6. Leave granted. Amendment be carried out forthwith and amended copy be served on all the respondents.</p> <p>7. S.O. to 21.10.2024.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 30.9.2024 30.9.2024 (sgj)</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.1211 of 2024</u></p> <p>Jayesh I. Patil ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Ms. Purva S. Pradhan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant produces SLC of the applicant dated 21.6.2009 for the standard 5<sup>th</sup> to 10<sup>th</sup> in which the caste and sub-caste of the applicant is mentioned as Rajput Bhamta. Ld. Advocate for the applicant pointed out Exhibit B Colly. page 15, 16 &amp; 17 which are Eligibility Certificate for EWS dated 1.4.2024, 12.6.2023 &amp; 10.11.2022 issued in favour of the applicant. In all these EWS certificates the SLCs of the applicant is taken into consideration, along with other documents, wherein the caste Rajput is mentioned.</p> <p>3. Ld. CPO submits that said issue is contested especially by the candidates who are next in line and the authority has considered the SLC of the applicant wherein his sub caste Rajput Bhamta is mentioned and which is VJ-A (DTNT-A) and therefore he is not eligible under Article 16(6) of the Constitution. Ld. CPO seeks time to file short affidavit in rely.</p> <p>4. S.O. to 7.10.2024. However, in the meanwhile the respondents may publish the results of all other candidates of the post of Police Constable-Bandsman at Palghar except the result of EWS category.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 30.9.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 30.9.2024</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>M.A. No.578 of 2024 in O.A. No.1233 of 2024</u></p> <p>S.L. Avatade &amp; 2 Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Shri A.S. Gaikwad, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 30.9.2024 30.9.2024</p> <p>(sgj)</p>

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

**Tribunal's orders**

O.A. No.1244 of 2024

A.B. Sankhe ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archan B.K., learned Presenting Officer for the Respondents are present.

2. Ld. Advocate for the applicant states that applicant is eligible for promotion to the post of Town Planner. He states that enquiry is initiated on 25.4.2018 and no enquiry officer is appointed. Ld. Advocate states that he has served respondent no.1 on 26.9.2024.

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

4. Issue notice before admission returnable on 4.10.2024. The respondents are directed to file reply.

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may 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. 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.

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

Sd/-  
(Debashish Chakrabarty)  
Member (A)  
30.9.2024

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson  
30.9.2024

(sgj)

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

Tribunal's orders

**Date : 30.09.2024**

**O.A.No.1049/2024**

D.S. Jadhav .Applicant

Vs.

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

1. Mr. M.B. Kadam, learned Counsel for the Applicant and Mr. A.D. Gugale, learned Presenting Officer for the Respondents are present.

2. Learned Counsel Mr. Kadam has submitted that applicant will file request application and the same is to be considered.

3. Respondents to take necessary steps.

4. Adjourned to 10.10.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 30.09.2024**

**O.A.No.1187/2024**

R.V. Varade

.Applicant

Vs.

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

1. Mr. A.R. Deshpande, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. Bhushan A. Bandiwadekar, learned Counsel for the Respondent No.2 are present.

2. Suo moto speaking to minutes in order dated 20.09.2024. In paragraph 4(a) of order dated 20.09.2024, 2<sup>nd</sup> line, the date '08.03.2024' is to be read as '08.03.2023'.

3. Learned Counsel Mr. Deshpande has pointed out that there were two orders issued on 13.09.2024, (Exhibit-A), outward No.बदली-२०२४/१. ३/१७६/३-९ and (Exhibit-D) having same date and outward number. He further states that the name of the applicant appears at Serial No.6 of the transfer order (Exhibit-A) wherein he is transferred from Sinner to Niphad. However, name of Respondent No.2 appears at Serial No.No.12 of transfer order (Exhibit-D) wherein he is transferred from Bhusawal to Sinner i.e. on the post where applicant was earlier working.

4. Learned Counsel Mr. Bandiwadekar has submitted that Applicant is not challenging the transfer of Respondent No.2.

5. The State to explain the situation.

6. Learned P.O. has placed before the Tribunal the minutes of CSB meeting held on 13.08.2024. In the said minutes it is mentioned that there is serious complaint against the Applicant, so the applicant is transferred.

7. Perused the minutes of meeting. However, if at all there is complaint of serious nature against the Applicant it is necessary on the part of Department to inform the Government servant and call explanation about it and without doing so unilaterally how the Government can take such action.

8. Learned P.O. is directed to produce for perusal of the Tribunal the complaint of serial nature against the applicant tomorrow.

9. Adjourned to 01.10.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson



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

Tribunal's orders

**Date : 30.09.2024**

**O.A.No.876/2024**

S.W. Khadse

Applicant

Vs.

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

1. Mr. Arvind V, Bandiwadekar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.

2. Learned Counsel Mr. Bandiwadekar has submitted that during the course of the day he will file rejoinder.

3. It be taken on record and copy be served upon the concern.

4. Adjourned to 08.10.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 30.09.2024**

**O.A.No.1058/2024**

R.K. Jamdare .Applicant  
Vs.

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

1. Mr. K.R. Jagdale, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.

2. At the request of learned P.O. adjourned to 09.10.2024 for filing affidavit-in-reply. Interim relief, if any, to continue.

Sd/-

/(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 30.09.2024**

**O.A.No.1065/2024**

G.R. Rathod

Applicant

Vs.

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

1. Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.

2. Learned P.O. has submitted that during the course of the day he will file affidavit-in-reply.

3. It be taken on record and copy be served upon the concern.

4. Learned Counsel Mr. Bandiwadekar seeks time to file rejoinder.

5. Adjourned to 08.10.2024.

Sd/-

\_\_\_\_\_  
(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 30.09.2024**

**O.A.No.1081/2024**

A.S. Darade .Applicant

Vs.

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

1. Ms. Punam Mahajan, learned Counsel for the Applicant and Mr. A.D. Gugale, learned Presenting Officer for the Respondents are present.

2. Reply is filed. Admit. Place for Final hearing.

3. Adjourned to 08.10.2024. Interim relief, if any, to continue

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 30.09.2024**

**O.A.No.1094/2024**

S.B. Vaijapurkar Applicant  
Vs.

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

1. Mr. Bhushan A. Bandiwadkar, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents, Mr. Kunal Damle a/w Adv. Shraddha Dubepatil i/b. Jay & Co. for Respondent no.2 and Ms. Srushti Thorat i/b. M/S. Vidhil Partners for Respondent No.3 and are present.

2. Learned Counsel Ms. Thorat has submitted that during the course of the day she will file affidavit-in-reply of Respondent no.3.

3. It be taken on record and copy be served upon the concern.

4. Learned Counsel Mr. Damle and learned P.O. Ms. Gaikwad seek time to file affidavit-in-reply.

5. Time granted. Adjourned to 01.10.2024

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 30.09.2024**

**O.A.No.1097/2024**

S.V. Waghe .Applicant

Vs.

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

1. Mr. K.R. Jagdale, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.

2. Learned P.O. has submitted that within one week time the case of the applicant will be considered.

3. Adjourned to 09.10.2024 to report compliance.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

Date : 30.09.2024

O.A.No.1237/2024 (Caveat No.34/2024)

Y.W. Meshram .Applicant  
Vs.

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

1. Mr. R.M. Kolge, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.

2. Learned Counsel Mr. M.D. Lonkar for Caveator in Caveat No.34/2024 (Respondent No.3 in O.A.No.1237/2024) has submitted that he has handed over the NOC along with papers to Mr. B.K. Patil, Caveator. The same is taken on record and marked as Exhibit-A.

3. Learned Counsel Mr. Arvind V. Bandiwadekar has submitted that he has instructions to appear for Respondent No.3 in O.A.No.1237/2024 who is also Caveator in Caveat No.34/2024. He has submitted that during the course of the day he will file vakalatnama. Learned Counsel Mr. Bandiwadekar further seeks one week to file affidavit-in-reply on behalf of Respondent No.3.

4. Learned Counsel Mr. Kolge has filed affidavit of service.

5. Learned P.O. has submitted that the CSB meeting was held on 22.02.2024. She has submitted that in the minutes of the meeting the CBS has suggested for applicant's transfer however, no posting is given by the Department.

6. Learned P.O. is directed to ask the concern Department to furnish the minutes of meeting of the CSB and also relevant documents referred in paragraph 6 of the earlier order dated 26.09.2024 to learned Counsel Mr. Bandiwadekar and learned Counsel Mr. Kolge. It is observed that, prima facie, there is illegality and violation of the direction of the Hon'ble Supreme Court in the case of **T.S.R. Subramanian & Ors. Vs. Union of India & Ors reported in (2013) 15 SCC 732** so also it appears that there may be violation of code of conduct which imposed on 16.03.2024 for the Lok Sabha Elections. Hence, all the more there is urgency to clear the matter.

7. Under such circumstances no time can be given. Learned P.O. is directed to file affidavit-in-reply tomorrow i.e. 01.10.2024 and copy be furnished to the concern on or before tomorrow by 4.00 p.m. Thereafter learned Counsel Mr. Bandiwadekar to file rejoinder on 03.10.2024 by 12 noon.

8. Adjourned to 03.10.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson