

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No.

of 20

I N

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 30.10.2023</b></p> <p style="text-align: center;"><b>O.A. No.613 of 2023 (FOR SPEAKING TO THE MINUTES)</b></p> <p><b>M.M. Salunke</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. The OA No.613 of 2023 which was on board on 27.10.2023 under caption of 'Final Hearing' (Part Heard) was taken on board as the Learned Advocate Shri A.G. Jadhav for the Applicant by letter dated 30.10.2023 to Registrar, MAT Mumbai Bench submitted that Order dated 27.10.2023 in O.A. No.613/2023 needs some correction by way of 'Speaking to the Minutes'.</p> <p>2. Learned Advocate for the Applicant by this letter dated 30.10.2023 to Registrar, MAT, Mumbai Bench stated that in Order dated 27.10.2023 (a) In 'Para No.1 - First Line' the name of the Advocate is wrongly mentioned as Shri S.B. Gaikwad, whereas it should be corrected as Shri <b>A.G. Jadhav</b> and (b) In 'Para No.2 – Sixth &amp; Eleventh Line' the date is wrongly mentioned as 13.10.2023, whereas it should be corrected as <b>03.10.2023</b>.</p> <p>5. The Order dated 27.10.2023 be corrected accordingly and 'Speaking to the Minutes' is accordingly disposed off in this O.A. No.613/2023.</p> <p style="text-align: right;">Sd/- (<b>Debashish Chakrabarty</b>) Member (A)</p> <p style="text-align: center;">NMN</p> <p style="text-align: right;">[PTO.]</p>

**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: 30.10.2023</p> <p>O.A. No.880 of 2023 to O.A. No.885 of 2023 with O.A. No.888 of 2023 with O.A. No.1033 of 2023 with O.A. No.1034 of 2023 with O.A. No.1131 of 2023 with O.A. No.1017 of 2023 with O.A. No. 983 of 2023 with O.A. No.887 of 2023 with O.A. No. 958 of 2023 with O.A. No.931 of 2023 with O.A. No. 941 of 2023</p> <p>Dr. P.G. Kulkarni Dr. S.M.K. Borate A.H. Meshram Dr. U.N. Khemani Dr. J.T. Sankpal Dr. V.K. Ambore Dr. M.S. Umate Dr. B.A. Verma Dr.U.Rajwade @ Dr.U.R. Badole Dr. R.M. Nimbalkar D.R. Katke C.D. Hathial Dr. R.V. Deshpande Dr. S.V. Mahadeshwar Dr. N.V. Suryawanshi S.D. Turbadkar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri M.D. Lonkar, Shri K.R. Jagdale and Shri G.A. Bandiwadekar, learned Advocate for the Applicant, and Smt. K.S. Gaikwad, Shri A.J. Chougule and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submitted the copy of letter dated 26.10.2023 from 'Dean, Grant Government Medical College, Mumbai' addressed to the 'Commissioner, Medical Education, Mumbai' requesting that the 'Medical Education &amp; Drugs Department' issue order for regularization of the period between 'Date of Interim Relief' to 'Date of Joining' so that upon compliance of the objection raised by the 'Pay and Accounts Office, Mumbai' the 'Salary and Allowances' for that period can be disbursed to concerned 'Professors, Associate Professor &amp; Assistant Professors.</p>

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

3. The 'Commissioner, Medical Education, Mumbai' therefore should forthwith submit proposal in this regard to the 'Medical Education & Drugs Department and obtain orders within 'One Week' so that pending 'Salary and Allowances' can be disbursed without further delays by 'Pay & Accounts Office, Mumbai'.

4. S.O. to 06.11.2023.

Sd/-  
(Debashish Chakrabarty)  
Member (A)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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
	<b><u>O.A.219/2023</u></b>
	<p><b>S.K. Kute</b> <span style="float: right;"><b>... Applicant</b></span> <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> <span style="float: right;"><b>... Respondents</b></span></p> <p>1. Heard Shri A.A. Devkhile, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. The Learned CPO submits that the Applicant in OA 1009/2021 (Sandeep B. Kamble Vs. Govt. of Maharashtra &amp; Ors.) has extended the pensionary benefits by order dated 01.08.2022 which are also extended to the present Applicant by order dated 20.09.2023.</p> <p>3. The Learned Advocate for the Applicant submits that the Applicant was retired from Agriculture Department on 31<sup>st</sup> May, 2018. The pensionary benefits were not given to him only for the reason that he had not cleared the Departmental Examination. However, as his case is covered by the Judgment in O.A.1009/2021 on 01.08.2022, he is exempted from passing the Departmental Examination. So the hurdle of clearing the probation period is no more or it is lifted.</p> <p>4. The Learned CPO submits that the benefits are extended to the Applicant by order dated 20.09.2023 and the probation period is also cleared on 27.10.2023.</p> <p>5. In view of these submissions and the orders passed by Respondent – State, the matter can be disposed of with following direction.</p> <p style="text-align: center;"><b><u>ORDER</u></b></p> <p>(i) The Respondents are directed to start the pension of the Applicant from the date of his retirement i.e. 01.06.2018 with other pensionary benefits which he is entitled to within two months i.e. on or before 30<sup>th</sup> January, 2023.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>(ii) The OA stands disposed of accordingly with no order as to costs.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) / (Mridula Bhatkar, J.) Member-A <span style="float: right;">Chairperson</span> 30.10.2023 <span style="float: right;">30.10.2023</span></p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

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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
	<b><u>O.A.1159/2023</u></b>
	<p><b>R.K. Kawale</b> ... Applicants <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p>
	<p>1. Heard Shri S.T. Bhosale, Learned Advocate for the Applicants and Ms. S.P. Manchekar, Learned CPO for Respondent Nos. 1 and 2. None appeared on behalf of Respondent Nos.3 &amp; 4 though served.</p> <p>2. The Applicant has applied for the post of Under Secretary in Law &amp; Judiciary Department. The Advertisement for the said post was issued on 03.11.2023. The Applicant cleared the Written Examination and was called for the Interview. He appeared for the Interview and he has secured 3<sup>rd</sup> rank. The candidate having first rank was found ineligible. He was not eligible as the condition was the candidate should have been Advocate in High Court or subordinate thereto for the period not less than five years. The Respondent No.3 – Shri Sarjerao was at that time pursuing LLM from Delhi University. The Respondent No.4 – Pradip D. Shirsat has secured 2<sup>nd</sup> rank. However, the post of Under Secretary which was advertised was reserved for NT(C) category and Respondent No.2 is from NT(D) category. So both are not qualified and eligible and the name of the Applicant should be recommended.</p> <p>3. The Learned Advocate for the Applicant submits that the name of Respondent No.3 is recommended. However, till today, he is not appointed.</p> <p>4. The Learned Advocate for the Applicant submits that he has served Respondent Nos.3 and 4 and accordingly, he has filed the Affidavit of Service on 11.10.2023. None present on behalf of Respondent Nos.3 &amp; 4 though served.</p> <p>5. The Learned Advocate for the Applicant by way of 'Interim Relief' prays that the recommendation of Respondent No.3 be stayed.</p>

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6. The Learned CPO by way of reply submits that for the similar relief and against the same recruitment, OA No.1003/2023 is filed and it is fixed on 22.11.2023 where Mr. D.B. Khair, Learned Advocate is appearing.

7. The Learned CPO further submits that she has not yet received any instruction.

8. Under such circumstances, we direct Respondent-Government not to appoint anybody and keep the post of Under Secretary (Legal) vacant till filing of the Affidavit-in-Reply. We further direct Respondent-State to file Affidavit-in-Reply at the earliest, as both the matters are fixed on 22<sup>nd</sup> November, 2023.

9. S.O. to 22<sup>nd</sup> November, 2023.

Sd/-  
(Debashish Chakrabarty)  
Member-A  
30.10.2023

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson  
30.10.2023

(skw)

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DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<b><u>O.A.1162/2023</u></b>
	<p><b>B.R. Behere</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, Learned Advocate for the Applicant, Ms. S.P. Manchekar, Learned CPO for Respondents 1 &amp; 2 and Shri P. Shejal, Learned Advocate for Respondent No.3.</p> <p>2. Pursuant to the order dated 20.10.2023, the Learned CPO on instructions from Mr. Santosh Gavde, Deputy Secretary informs that the Deputy Secretaries of both the Departments i.e. (i) Revenue and Forest Department and (ii) Urban Development Department held a joint meeting and they found solution to the problem. She submits that as per the instructions given to both the Departments, if the Applicant gives the statement that he is ready to go and join posting at Gondia, then Government to initiate the process for reinstatement of the Applicant.</p> <p>3. The Learned Advocate for the Applicant draws out attention to Para 6.11 read with Para 7.8 at Page No.8 where he specifically pointed out that he is duty bound to report for duty at the transferred place as per order dated 11.04.2023 the moment he is relieved by Respondent No.3. Considered the submissions.</p> <p>4. It appears that this issue of joining of the Applicant and relieving him was discussed quite a long time and as both the Secretaries have given the solution and have agreed that the Applicant can be after on his statement of joining at a transferred place, the Government will reinstate him. Hence, we pass the following order.</p> <p style="text-align: center;"><b><u>ORDER</u></b></p> <p>(A) The order of suspension of the Applicant has to be revoked within eight days from today and he is to be reinstated.</p>



Office Notes, Office Memoranda of Coram,  
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(B) The order of reinstatement is to be served on him immediately and after receipt of the order within three days, he should join.

(C) O.A. stands disposed of accordingly with no order as to costs.

Sd/-

(Debashish Chakrabarty)  
Member-A  
30.10.2023

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
30.10.2023

(skw)







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Tribunal's orders

**O.A.1364/2023**

**S.R. Rathod**

**... Applicant**

**Vs.**

**The State of Mah. & Ors.**

**... Respondents**

1. Heard Mrs. Punam Mahajan, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.
2. Issue notice returnable on 28.11.2023.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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.
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. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
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. S.O. to 28<sup>th</sup> November, 2023.

Sd/-

(Debashish Chakrabarty)  
Member-A  
30.10.2023

(skw)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
30.10.2023

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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
	<b><u>O.A.231/2023</u></b>
	<p><b>V.U. Lokhande</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, Learned Advocate for the Applicant and Mrs. A.B. Kololgi, Learned PO for Respondents.</p> <p>2. The Affidavit-in-Reply is not filed today though it is submitted that affirmation is remained.</p> <p>3. Matter to proceed without reply.</p> <p>4. S.O. to 2<sup>nd</sup> November, 2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) / (Mridula Bhatkar, J.) Member-A Chairperson 30.10.2023 30.10.2023</p> <p>(skw)</p>



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Appearance, Tribunal's orders or  
directions and Registrar's orders

Tribunal's orders

**O.A.1372/2023**

**R.S. Koli** ... Applicant  
**Vs.**  
**The State of Mah. & Ors.** ... Respondents

1. Heard Shri B.A. Bandiwadekar, Learned Advocate for the Applicant and Shri A.J. Chougule, Learned PO for Respondents.
2. Issue notice returnable on 11.12.2023.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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.
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. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
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. S.O. to 11<sup>th</sup> December, 2023.

Sd/- Sd/-  
(Debashish Chakrabarty) (Mridula Bhatkar, J.)  
Member-A Chairperson  
30.10.2023 30.10.2023

(skw)



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

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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: 30.10.2023</p> <p align="center">O.A. No.706 of 2023</p> <p>P.D. Gadhave .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad &amp; Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed 'Affidavit-in-Reply' on behalf of the Respondent to the 'Affidavit-in-Rejoinder' filed by the Applicant. It is taken on record.</p> <p>3. Learned P.O. states Shri Shashikant S. Jadhav, Tahsildar (Revenue) in the office of 'District Collector Satara' is present as per directions given on 04.10.2023. She further states that requisite information has been received and requested to dispense with the personal presence of Shri Shashikant S. Jadhav, Tahsildar (Revenue) in the office of 'District Collector Satara'. As requested by learned P.O. the personal presence of Shri Shashikant S. Jadhav, Tahsildar (Revenue), in the office of 'District Collector Satara' is dispensed with as he has also filed 'Affidavit-in-Reply' to the 'Affidavit-in-Rejoinder'.</p> <p>4. Learned Advocate for the Applicant seeks is adjournment for 'One Week'.</p> <p>5. S.O. to 08.11.2023 along with O.A. No.767/2023.</p> <p align="right">Sd/- (Debashish Chandra<b>ra</b>barty) Member (A)</p> <p align="right">[P.T.O.]</p> <p align="center">NMN</p>

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

**O.A.1364/2023**

**S.R. Rathod** ... Applicant  
Vs.  
**The State of Mah. & Ors.** ... Respondents

1. Heard Mrs. Punam Mahajan, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.
2. Issue notice returnable on 28.11.2023.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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.
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. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
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. S.O. to 28<sup>th</sup> November, 2023.

Sd/-

Sd/-

(**Debashish Chakrabarty**)  
Member-A  
30.10.2023

(**Mridula Bhatkar, J.**)  
Chairperson  
30.10.2023

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p><b><u>O.A.1249/2023</u></b></p> <p><b>Dr. A.B. Parjane</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri Pandit Kasar, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. CPO to file Affidavit-in-Reply on 06.11.2023.</p> <p>3. S.O. to 06<sup>th</sup> November, 2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;"><b>(Debashish Chakraborty/</b>      <b>(Mridula Bhatkar, J.)</b> <b>Member-A</b>                              <b>Chairperson</b> <b>30.10.2023</b>                              <b>30.10.2023</b></p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>O.A.1163/2023</u></b></p> <p><b>O.B. Adake</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri S.S. Dere, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. This OA 1163/2023 be tagged with OA No.1348/2023 &amp; O.A.No.968/2023.</p> <p>3. Learned CPO to take instruction either from Director General of Police or from Commissioner of Police, Mumbai why these persons are not relieved once they are selected.</p> <p>4. S.O. to 2<sup>nd</sup> November, 2023.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____ (<b>Debashish Chakrabarty</b>) (Mridula Bhatkar, J.) Member-A Chairperson 30.10.2023 30.10.2023</p> <p>(skw)</p>

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..... 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 style="text-align: center;"><b><u>O.A.760/2023</u></b></p> <p><b>K.S. Kadlag</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri V. Nirbhavane, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. Affidavit-in-reply filed.</p> <p>3. Admit.</p> <p>4. S.O. to 2<sup>nd</sup> January, 2024.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____ (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 30.10.2023 30.10.2023</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>O.A.808/2023</u></b></p> <p><b>B.S. Zute</b> <span style="float: right;"><b>... Applicant</b></span>  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> <span style="float: right;"><b>... Respondents</b></span></p> <p>1. Heard Shri S.S. Dere, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. Affidavit-in-reply filed.</p> <p>3. Admit.</p> <p>4. S.O. to 11<sup>th</sup> December, 2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) <span style="float: right;">(Mridula Bhatkar, J.)</span>  Member-A <span style="float: right;">Chairperson</span>  30.10.2023 <span style="float: right;">30.10.2023</span></p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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..... Applicant/s

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*versus*

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>O.A.1259/2023</u></b></p> <p><b>D.K. Jadhav</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Mrs. Punam Mahajan, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. The Learned Advocate for the Applicant submits that the Applicant retired on 31.01.2020 and Departmental Enquiry was initiated on 07.12.2022. She prays that the order of initiation of DE be set aside and by way of 'Interim Relief', it be stayed.</p> <p>3. In this case, the Enquiry Officer is appointed by order dated 26.10.2023.</p> <p>4. The Learned CPO wants to produce the order of this Tribunal for the benefit of Covid-19 Pandemic is also to be given to the State for delay in initiating enquiry.</p> <p>5. S.O. to 1<sup>st</sup> November, 2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 30.10.2023 30.10.2023</p> <p>(skw)</p>





**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b><u>O.A.925 &amp; 926/2023</u></b></p> <p><b>V.K. Bodade</b> <b>A.K. Bodade</b> ... Applicants <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri S.S. Dere, Learned Advocate for the Applicants and Mrs. K.S. Gaikwad, Learned PO for Respondents.</p> <p>2. Last chance to file Affidavit-in-reply.</p> <p>3. S.O. to 29<sup>th</sup> November, 2023.</p> <p style="text-align: center;">Sd/- <span style="margin-left: 100px;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 30.10.2023 30.10.2023</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s


(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>O.A.990/2023</u></b></p> <p><b>A.H. Nautiyal</b> <span style="float:right"><b>... Applicant</b></span>  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> <span style="float:right"><b>... Respondents</b></span></p> <p>1. Heard Mrs. S.A. Thombre holding for Shri L.S. Deshmukh, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. Affidavit-in-reply filed. Copy to be served on the other side.</p> <p>3. The Learned Advocate for the Applicant seeks time to file Rejoinder. Time granted.</p> <p>4. S.O. to 6<sup>th</sup> November, 2023.</p> <p align="center"> Sd/- <span style="float:right">Sd/-</span>   <span style="float:right">i. h 11</span>  <b>(Debashish Chakrabarty)</b> <span style="float:right"><b>(Mridula Bhatkar, J.)</b></span>  <b>Member-A</b> <span style="float:right"><b>Chairperson</b></span>  <b>30.10.2023</b> <span style="float:right"><b>30.10.2023</b></span> </p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b><u>O.A.1029/2023</u></b></p> <p><b>S.S. Pathan</b> ... Applicant  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri S.S. Dere, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. The Commissioner of Police, Mumbai is directed to relieve Mr. S.S. Pathan till tomorrow.</p> <p>3. With this direction, OA stands disposed of with no order as to costs.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____  <b>(Debashish Chakrabarty)</b> <b>(Mridula Bhatkar, J.)</b>  <b>Member-A</b> <b>Chairperson</b>  <b>30.10.2023</b> <b>30.10.2023</b></p> <p>(skw)</p>



# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....) )

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....) )

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b><u>O.A.1107/2023 with O.As 1121, 761, 1021, 1059, 1297 &amp; 1370/2023</u></b></p> <p><b>Dr. N.P. Banage &amp; Ors.                      ... Applicants</b> <b>Vs.</b> <b>The State of Mah. &amp; Ors.                      ... Respondents</b></p> <p>1. Heard Shri A.A. Desai, Learned Advocate for the Applicants and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. The Learned Advocate for the Applicants states that some Applicants will retire on 31.10.2023 on attaining the age of 58 years. Hence, prays for grant of 'Interim Relief' to allow the Applicants to continue in service after 31.10.2023 in terms of the substantive change effected by the Proviso Clause of Rule 10(1) of Maharashtra Civil Services (Pension Rules, 1982 by which their age of retirement had been raised to 60 years. The Learned Advocate in this regard referred to the Judgment of Hon'ble Supreme Court of India in (2014) 10 SCC 432 [Union of India &amp; Ors. Vs. Atul Shukla &amp; Ors.] decided on 24<sup>th</sup> September, 2014.</p> <p>3. The Hon'ble High Court of Judicature, Bombay in Writ Petition No.11453 of 2023 and other Writ Petitions by its order dated 05.10.2023 in respect of the last Proviso Clause - "<i>Provided also that the above provisos shall be in force till the 31<sup>st</sup> May, 2023</i>" of Rule 10(1) of Maharashtra Civil Services (Pension) Rules, 1982" has granted 'Interim Relief' in terms of Prayer Clause (f) of the Writ Petition No.11453 of 2023, which is as follows :-</p> <p style="padding-left: 40px;">“(f) Pending the hearing and final disposal of present Petition, this Hon'ble Court be pleased to allow the Petitioners to continue in their services in case their services are deemed to be relieved with effect from 31.05.2023 by giving effect to the 2<sup>nd</sup> part of the proviso of Rule 10 of Maharashtra Civil Services (Pension) Rules, 1982.”</p> <p>4. The Hon'ble High Court of Judicature, Bombay in Writ Petition No.11453 of 2023 and other Writ Petitions in its order of 'Interim Relief' dated 05.10.2023 has also mentioned that the Petitioners after they are so reinstated under the interim order till they attain the age of 60 years will be subject to the outcome of this Petition. The question of the Respondents' power, in case the Petitioners fail in their</p>

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

**Tribunal's orders**

challenge to pass necessary orders in respect recovery/adjustment of the Pay/Wages paid to them for the services rendered under the interim order, is kept open.

5. These batch of OAs however deals with significantly different issue than of that in Writ Petition No.11453 of 2023 and other Writ Petitions as the Applicants are those who attained the age of 58 after 31.05.2023 and have since retired from service or are to attain the age of 58 as on 31.10.2023 and thereafter and will retire from service at the age of 58 years but yet seek 'Interim Relief' to be continued in service till they attain the age of 60 years.

6. The Hon'ble High Court of Judicature, Bombay in its order has also mentioned that the interpretation given by the State Government to the statutory rule will not it preclude from taking a different view. Hence, if the substantive 'Proviso Clause' of Rule 10 of the MCS (Pension) Rules is to be given effect after 01.06.2023, it will remain debatable issue as to whether the last Proviso Clause - "Provided also that the above provisos shall be in force till the 31<sup>st</sup> May, 2023" will prevail in the substantive Proviso Clauses by which the age of retirement had been raised from 58 years to 60 years and therefore needs to be examined in depth because of has very wide implications on the retirement age of other categories of Government Servants.

7. The 'Interim Relief' in this batch of OAs cannot transgress the rationale decided by way of 'Interim Relief' granted by the Hon'ble High Court on 05.10.2023 in Writ Petition No.11453 of 2023 and other Writ Petitions and accordingly the following 'Interim Relief' is granted only qua the Applicants.

"Pending the hearing and final disposal of this batch of OAs, the Applicants who have retired after 31.05.2023 on attaining the age of 58 years or are yet to retire on 31.10.2023 and thereafter will continue to be in service till they attain the age of 60 years. However, if the Applicants do not succeed, the Respondents will have the right and authority to pass necessary order to recover and/or adjust the Salary & Allowances paid to the Applicants during the period of the 'Interim Relief' from their Pensionary Benefits.

Sd/-

(Debashish Chakrabarty)  
Member-A  
30.10.2023

(skw)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
30.10.2023

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>O.A.1107/2023 with O.A.1121/2023, 761/2023, 1021/2023, 1059/2023, 1297/2023 &amp; 1370/2023</u></b></p> <p><b>Dr. N.P. Banage &amp; Ors. ... Applicants</b> <b>Vs.</b> <b>The State of Mah. &amp; Ors. ... Respondents</b></p> <p>1. Heard Shri A.A. Desai, Learned Advocate for the Applicants and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. Matter be placed on tomorrow i.e. 31<sup>st</sup> October, 2023 for 'Interim Relief'.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 30.10.2023 30.10.2023</p> <p>(skw)</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 <b>O.A.988/2023</b>
	<p><b>R.D. Kanade</b> <b>... Applicant</b> <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> <b>... Respondents</b></p> <p>1. Heard Shri M.D. Lonkar, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. The Applicant who is Assistant Director (Class-I) prays that his case is to be considered for promotion from the cadre of Chief Officer (Class-I) to the cadre of Selection Grade as per G.R. dated 15.12.2017. Shri M.D. Lonkar, Learned Advocate for the Applicant submits that Applicant seeks limited relief that all the DEs are to be concluded including final order by the Disciplinary Authority. He points out that there are in all 3 DEs pending against the Applicant. One was initiated on 02.05.2017, second was initiated on 28.08.2019 and third was initiated on 12.05.2017. In all the 3 DEs, the Learned Advocate for the Applicant submitted that in DE which was initiated on 02.05.2017, the Enquiry Officer has submitted the report on 30.12.2022 and it was decided by the Department on 17.01.2023. He submits that the report of said enquiry is neither furnished to the Applicant nor final decision is given by the Disciplinary Authority.</p> <p>3. The Learned Advocate for the Applicant further submits that in the second DE which was initiated on 28.08.2019, the Enquiry Officer has already submitted his written statement on 22.12.2020. However, no further steps are taken. This DE pertains to incident of 2013-2014.</p> <p>4. The Learned Advocate for the Applicant points out that the third enquiry was initiated on 12.05.2017 in which Enquiry Officer was very recently appointed on 11.10.2023. No further steps are taken.</p>



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

**Tribunal's orders**

5. The Learned Advocate for the Applicant relied on the G.R. dated 07.04.2008 wherein the time limit of enquiry is given as six months. It is also mentioned that if DE remained pending for more than five years, then the person who is responsible for that pendency of DE should be held responsible and disciplinary action should be held against that officer.

6. The Learned Advocate for the Applicant submitted that the first Departmental Promotion Committee was conducted in 2019 and at that time, the case of the Applicant was kept in Sealed Cover, as the Criminal Case and DE was pending against him. Second time DPC was conducted on 11.03.2022, the Sealed Cover was not opened though it was binding on the part of Authority to follow the G.R. dated 15.12.2017 especially Clause No.9. It was obligatory on the part of Authority to open Sealed Cover. The Learned Advocate for the Applicant submits that it is an application of mind and by way of Sealed Cover was carry forwarded at the time of second DPC.

7. The Learned Advocate for the Applicant thus submits that by way of 'Interim Relief', this matter can be finally disposed of by giving specific directions.

8. The Learned CPO while replying submits that there are only two DEs pending against the Applicant and not two, out of which in one, Enquiry Officer has submitted the report and higher authority has received the report on 17.01.2023. She submits that there is another enquiry wherein charge-sheet was given on 26.08.2019 and Enquiry Officer appointed on 25.04.2023. She further submits that the submission made by Learned Advocate for the Applicant about pendency of 3<sup>rd</sup> DE which was initiated on 12.05.2017 is factually incorrect.

9. The Learned CPO relies on the reply filed by Respondent No.1 - Aniruddha V. Jewlikar, Deputy Secretary dated 18.09.2023 and Under Secretary - Ashok K. Lakkas dated 18.10.2023.

10. We direct both the parties to verify the position about the third DE and also we would like to know what is the legal position of furnishing report of Enquiry Officer to the delinquent once it is received by Disciplinary Authority in January, 2023. Sealed Cover be also produced for the perusal of the Tribunal on next date.

11. S.O. to 31<sup>st</sup> October, 2023.

Sd/-

(Debashish Chakrabarty)  
Member-A  
30.10.2023

(skw)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
30.10.2023

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 30.10.2023</p> <p align="center">O.A. No.659 of 2023 with O.A. No.660 of 2023</p> <p>S.G. Beldar &amp; Ors., N.K. Zanke &amp; Ors., .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has filed Affidavit on behalf of Applicant in O.A. No.659/2023. It is taken on record.</p> <p>3 4. S.O. to 04.12.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 30.10.2023</b></p> <p align="center"><b>O.A. No.952 of 2023</b></p> <p><b>G.T. Patil</b> .....Applicant Versus <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri A.A. Devkhile, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of the Respondent No.3. It is taken on record.</p> <p>3. Learned Advocate for the Applicant seeks 'Four Weeks' time to file Affidavit-in-Rejoinder. It is taken on record.</p> <p>4. S.O. to 04.12.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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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: 30.10.2023</p> <p align="center">O.A. No.1187 of 2023</p> <p>S.R. Kharat .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed 'Affidavit-in-Reply' on behalf of the Respondent. It is taken on record.</p> <p>3. Learned Advocate for the Applicant seeks time to file 'Affidavit-in-Rejoinder.' Time as prayed is granted.</p> <p>4. S.O. to 07.11.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>



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

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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: 30.10.2023</p> <p align="center">O.A. No.733 of 2023 with M.A. No.483 of 2023</p> <p>V.J. Mane S.A. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Head Smt. Punam Mahajan, learned Advocate for the Applicant in O.A. No.733/23, Shri M.D. Lonkar, learned Advocate for the Applicant in M.A. No.483/23 and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 01.11.2023 for 'Final Hearing (Part Heard)'.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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

Tribunal's orders

**30.10.2023**

**O.A 1374/2023**  
**(Through Video Conference)**

Naeemoddin Salauddin Kadari ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.J Nirmal, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.

2. The applicant working as Police Constable, prays that the departmental enquiry pursuant to the charge sheet dated 3.6.2023 be stayed till the conclusion of the criminal proceedings pending before the Learned JMFC, Parbhani.

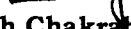
3. Learned counsel submits that the applicant is facing Criminal Case in CR No. 465/2018 under Sections 498-A, 323, 504, 506 read with 34 of IPC, which was registered on 1.12.2018 at Nanel Peth Police Station, Parbhani. Learned counsel submitted that the departmental enquiry is to be stayed as the charges in the criminal case is also same and so the departmental enquiry may prejudice the defence of the applicant. Learned counsel further submitted that he has been issued letter on 16.10.2023 and the enquiry is fixed on 4.11.2023 for recording of evidence of the witnesses. Learned counsel submitted that the witnesses cited in the departmental enquiry and the criminal prosecution are the same and hence the departmental enquiry be stayed. Learned counsel for the applicant submitted that he wants to rely on some case laws.

4. Learned P.O submitted that in the departmental enquiry the applicant is facing charge of performing second marriage, which is against the Mumbai Police Rules as mentioned in the charge sheet and that is the only charge he is going to face. In the criminal case the charges are not about Section 495, 496 or 497 of IPC, but it is about the second marriage and hence there is no question of defence getting prejudiced.

5. Learned counsel is directed to email the citation of the cases he is going to rely on email to the office of the Registrar, M.A.T, Mumbai and also to the office of the learned Chief Presenting Officer, Mumbai today or by tomorrow.

6. S.O to 1.11.2023 at 2.15 pm.

Sd/-

  
(Debashish Chakrabarty)  
Member (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

Akn

**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 : 30.10.2023</b></p> <p><b>C.A.No.80/2022 in O.A.No.879/2015 (DB-I)</b></p> <p>G.P. Wadekar .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Mr. N.Y. Chavan, learned Counsel for the Applicant is absent.</p> <p>3. Learned P.O. has submitted that file is still pending with the Hon'ble Chief Minister since 09.10.2023.</p> <p>4. In view of above, Mr. Deepak Kendre, Deputy Secretary, Public Health Department, Mantralaya to remain present.</p> <p>5. Adjourned to 01.11.2023.</p> <p style="text-align: right;">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

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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 : 30.10.2023</b></p> <p><b>C.A.No.74/2023 in C.A.No.41/2020 in O.A.No.556/2007 (DB-I)</b></p> <p>A.B. Ghodeswar .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has submitted that reply is already filed.</p> <p>3. At the request of learned Counsel adjourned to 31.10.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

Tribunal's orders

**Date : 30.10.2023**

**C.A.No.100/2023 in O.A.No.1129/2022 (DB-I)**

Dr. P.S. Pol .....Applicant

Vs.

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

1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant is absent.
3. By order dated 21.11.2022 passed by this Tribunal in O.A.No.1129/2022 Respondent was directed to take decision within two months.
4. Time granted to learned P.O. to take instructions till 20.11.2023.
5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
6. Issue notice before admission returnable on 20.11.2023.
7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of C.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.
8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
10. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Contempt Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Contempt Application shall stand dismissed.
11. C.A. adjourned to 20.11.2023.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**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 : 30.10.2023</b></p> <p><b>M.A.No.549/2023 in O.A.No.1080/2023 (DB-I)</b></p> <p>P.P. Ingle .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant is absent.</p> <p>3. Adjourned to 04.12.2023.</p> <p style="text-align: right;">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 30.10.2023</b></p> <p><b><u>M.A.No.644/2023 in O.A.No.460/2023 (DB-I)</u></b></p> <p>K.B. Ghodke &amp; Ors .....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. S.P. Manchekar, learned chief Presenting Officer for the Respondents.</p> <p>2. Mr. S.B. Gaikwad, learned Counsel for the Applicant is absent.</p> <p>3. Learned C.P.O. seeks time to file reply.</p> <p>4. Time granted. Adjourned to 20.11.2023.</p> <p style="text-align: right;">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 30.10.2023</b></p> <p><b>C.A.No.32/2023 in O.A.No.496/2020 (DB-I)</b></p> <p>A.B. Baviskar &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicants and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. on instructions from Respondents No.1 &amp; 2, Mr. G. Mallikarjun, Director and Ms. Revati Kulkarni, Deputy Director, Sanjay Gandhi National Park, Borivali respectively and as per the opinion of Law &amp; Judiciary Department has submitted that the order dated 17.06.2021 passed by this Tribunal in O.A.No.496/2020 will be complied instead of filing review application.</p> <p>3. Adjourned to 20.11.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 30.10.2023</b></p> <p><b>C.A.No.56/2023 in O.A.No.614/2014 (DB-I)</b></p> <p>D.E. Hirde .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In view that order dated 06.06.2022 passed by this Tribunal in O.A.No.614/2014 with O.A.No.938/2016 is challenged before the Hon'ble High Court and the said Writ Petition is pending, C.A. is adjourned to 18.12.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 30.10.2023</b></p> <p><b>O.A.No.1382/2023 with M.A.No.669/2023 in M.A.No.670/2023 (SB-I)</b></p> <p>S.V. Ingalkar &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Mr. S. Dhongde, learned Counsel for the Applicant is absent.</p> <p>3. Adjourned to 31.10.2023.</p> <p style="text-align: right;">Sd/-  ↓ <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 30.10.2023</b></p> <p><b>O.A.No.1190/2022 (DB-I)</b></p> <p>N.A. Bankar &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicants, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. S.S. Dere, learned Counsel for the Respondents No.23 &amp; 27.</p> <p>2. Adjourned to 18.12.2023.</p> <p style="text-align: right;">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 30.10.2023</b></p> <p><b>O.A.No.1383/2023 with M.A.No.671/2023 in M.A.No.672/2023 (SB-I)</b></p> <p>V.N. Wahtule &amp; Ors.. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Mr. S. Dhongde, learned Counsel for the Applicant is absent.</p> <p>3. Adjourned to 31.10.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">↓ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

Tribunal's orders

**O.A.420/2023 with O.A.1178/2023**

**D.M. Bhamray** ... Applicant  
**Vs.**  
**The State of Mah. & Ors.** ... Respondents

1. Heard Shri S.S. Dere, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.

2. The Applicant is retiring tomorrow i.e. on 31<sup>st</sup> October, 2023.

3. The Principal Secretary (Drugs), Medical Education and Respondent No.2 - Commissioner of Food & Drugs are responsible for taking steps in respect of the orders of promotion of the Applicant which is wrongfully denied to him. It is to be noted that we have been continuously directing the Respondents to take quick steps and we have been informed that the file was before the Hon'ble Minister, Food & Drugs Department from 23<sup>rd</sup> October, 2023. However, he signed on 27<sup>th</sup> October, 2023 and the file is now submitted to Hon'ble Chief Minister.

4. It is to be noted that in the month of October on 8 dates, the OA was posted by the Tribunal. However, Respondent - State moved only after pushing it from the judicial side. We are informed that Respondent No.1 - Principal Secretary (Drugs), Medical Education is not available till 31<sup>st</sup> October, 2023, and therefore, we direct Commissioner, Food & Drugs to visit personally to the office of Hon'ble Chief Minister and after explaining the urgency to his Additional Chief Secretary and request to get the approval on 31<sup>st</sup> October, 2023, so that promotion orders can be issued tomorrow itself before retirement of the Applicant.

5. The Deputy Secretary is hereby directed to remain present on 11 A.M.

6. S.O. to 31<sup>st</sup> October, 2023 at 11 A.M.

Sd/-

Sd/-

**(Debashish Chakrabarty)** <sup>1</sup> **(Mridula Bhatkar, J.)**  
**Member-A** **Chairperson**  
**30.10.2023** **30.10.2023**

(skw)