IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

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

IN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date: 01.02.2022	
	O.A. No.84 of 2022 (FOR SPEAKING TO THE MINUTES)	
	S.A. MullaApplicant	
	The State of Maharashtra & OrsRespondents.	
	1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.	
	2. Today matter is taken on board by circulation for speaking to the minutes so as to correct typographical mistake in para 2 of order dated 31.01.2022.	
	3. In last sentence of para 2 it is stated he "Applicant is due to retire in March 2022". Learned Advocate for the Applicant states that the Applicant is due to retire in March 2024 and not March 2022. He therefore requested to correct Typographical mistake.	
	4. Last sentence in para 2 should be corrected as "He is due to retire in March 2024 ".	
	5. Necessary correction be made in order dated 31.01.2022.	
	Sd/-	
	(A.P. Kurhekar) Member (J)	
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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

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

IN

Office Notes, Office Memoranda of Coram,

Original Application No.

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FARAD CONTINUATION SHEET No.

Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders Date: 31.01.2022 O.A. No.84 of 2022Applicant S.A. Mulla Versus The State of Maharashtra & Ors.Respondents. Heard Shri A.V. Bandiwadekar, learned Advocate 1. for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. The Applicant has filed O.A. for direction to the 2. Respondent No.1 to consider his transfer from Mumbai to Stara District since, he has already completed more than 3 years as Naib Tahsildar in the Office of Collector, The Applicant made representation dated Mumbai. 04.03.2021 but was not responded. He raised grievance that his Juniors has been transferred having

* Connected as per order dated 01.02.2022 passed in OA. No. 84/2022. Anar

Issue notice to the Respondents before 3. admission returnable on 14.02.2022 to know why his representation is not considered.

completed 3 years tenure, he is not transferred despite overdue. He is due to retire in March 2022. 2024.

Tribunal may take the case for final disposal at 4. this stage and separate notice for final disposal shall not be issued.

Applicant is authorized and directed to serve on 5. Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

This intimation/notice is ordered under Rule 11 6. of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

[P.T.O.

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7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. In the mean time, learned P.O. shall take necessary instructions from the Respondents and apprise the Tribunal whether his representation can be considered in general transfer of 2022 or earlier.

10. S.O. to 14.02.2022.

1900 Sd/-

(A.P. Kurhekar) Member (J)

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 01.02.2022
	O. A. No.42 of 2022 with O. A. No.58 of 2022 with O. A. No.59 of 2022 with O.A. No.77 of 2022
	1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent.
	2. This O.A. is taken on today's board for speaking to the minutes to correct para 3 of order dated 31.01.2022, which is as under:-
	"3. As per the Affidavit filed by the Director General of Police, minutes of P.E.B2 was sent for approval by circulation to prominent Members of P.E.B2. but the Commissioner of Police, Mumbai and Secretary, Home Department (Appeal and Security) did not sign it."
	3. Learned P.O. has pointed out that in Affidavit filed by the Director General of Police there is no such mention that the minutes of P.E.B. were sent to Secretary, Home Department (Appeal & Security), and therefore facts to that effect in para 3 needs to be corrected.
	4. As per the Affidavit it appears that minutes of P.E.B. were sent to the Commissioner of Police, Mumbai for approval, he did not sign it. There is no mentioning in Affidavit that minutes of P.E.B. was sent to Secretary, Home Department (Appeal & Security). If it is so, then really it is very surprising that minutes were not sent to one of the prominent Member namely to Secretary, Home Department (Appeal & Security). These aspects will be considered at the appropriate stage in detail.
	[P.T.O.

Office Notes, (Office Memoranda of Coram,
Appearan	ce, Tribunal's orders or
directions	and Registrar's orders

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5. Insofar as speaking to the minutes is concerned, para 3 be corrected and be read as under:-

"As per the Affidavit filed by the Director General of Police, minutes of P.E.B.-2 was sent for approval by circulation to prominent Members of P.E.B.-2 but the Commissioner of Police, Mumbai did not sign it."

6. Necessary correction in order dated 31.12.2021 be made.

Sd/-

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(A.P. Kurhekar) Member (J)

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders LATER ON 02.30 P.M. Date: 31.01.2022 O. A. No.42 of 2022 with O. A. No.58 of 2022 with O. A. No.59 of 2022 with O.A. No.77 of 2022 Heard Shri S.S. Dere, learned Advocate for the 1. Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent - The Director General of Police and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent - The Commissioner of Police. The issue involved in all these O.As. is pertaining 2. to non relieving of 187 Police Sub-Inspector transferred on the their request from the establishment of the Commissioner of Police, Mumbai to other parts of the State of Maharashtra. As per the Affidavit filed by the Director General 3. * Connected as per order dated 01.02.2022 passed in the above OAs. of Police, minutes of P.E.B.-2 was sent for approval by circulation to prominent Members of P.E.B.-2. but the Commissioner of Police, Mumbai and Secretary, Home Department (Appeal and Security) did not signed it. It is seen from the Affidavit filed by the 4. I/C Registrar Commissioner of Police, Mumbai that he had certain Maharashtra Administrative Tribunal reservation about the transfer of 187 Police Personnel Mumbai. without providing substitute, and therefore he did not He also raised grievances by sending letter sign it. dated 30.12.2021 to Additional Chief Secretary, Home Department on the issue. Thus prima-facie there is no meaningful consultation or deliberation among the It appears that first decision was Members of P.E.B. recorded and sent to the Members for signature by way of circulation, and thereafter only certain information was called from the Commissioner of Police in respect of the Transfers. Indeed, all such information ought to have been called for before any such decision and after considering the same only, appropriate decision by recording specific reason to that effect ought to have

been taken by P.E.B.-2.

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

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5. Before proceeding further it would be appropriate to know the decision of the Government on the letter dated 30.12.2021 send by the Commissioner of Police. However, Government is not made party. Learned C.P.O. as well as P.O. states that they have no instructions as to decision on the letter dated 30.12.2021.

6. In view of above, as requested by Shri S.S. Dere, Additional Chief Secretary, Home Department, Government of Maharashtra is necessary to be joined so that Tribunal should know the decision of the Government in this behalf.

7. Permission granted to add Additional Chief Secretary, Home Department, Government of Maharashtra as Respondent No.1. Issue notice to newly added Respondent No.1 before admission returnable on 03.02.2022.

8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

9. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would 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. 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.

12. Service by Hand delivery as well as registry post is permitted.

13. Amendment be carried out forthwith.

14. S.O. to 03.02.2022.

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Sd/-

(A.P. Kurhekar) Member (J)

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 31.01.2022
	O.A.No.1020 of 2021
	J.G. NaikApplicant Vs.
	The State of Maharashtra & OrsRespondents.
	1. Heard Mr. Talekar, learned Advocate holding for Mr. A.B. Chalak, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
	2. Applicant has produced the order dated 24.01.2022 passed by the Deputy Director Sports and Youth Services, Kolhapur Division, Kolhapur. The authority has held that the certificate which is produced by the Applicant Ms. Naik is not valid. Similarly, the authority has not accepted the explanation given by Ms. Naik at the time of hearing the said matter. Hence the authority has cancelled the validity certificate of the Applicant Ms. Naik. It has also mentioned that the Applicant has right to preferred appeal before the Joint Director, Sports and Youth Service, Balewadi, Pune within two months from the receipt of this decision. Thus, the applicant is having other forum available. In view of this we do not find any reason to keep this O.A. pending.
	3. The learned Advocate submits that the authority has no power to review its own decision once the same authority has accepted and verified the said certificate. He submits that on this ground the O.A. is to be kept alive as he wants to argue the matter.
	4. We make it clear that we do not find any necessity to hear Mr. Talekar on this point because another forum i.e. Appellate Authority which is as per the procedure is available. The learned

Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Advocate Mr. Talekar can agitate this before the said authority if 1 st or 2 nd appeal is decided against th
	 Applicant. 5. The learned Advocate further draws our attention to paragraph 6 of the order date 17.12.2021 where he submits that the interim relies which is granted it be continued in this matter. 6. The learned C.P.O. opposes and submit that no interim relief was granted by this Tribuna in this matter. 7. We are in agreement with the learned C.P.O that no interim relief was granted by this Tribuna to the applicant. 8. In such circumstances it is better for that any relief.
	 9. O.A. is disposed of with liberty to file afres if decision of the Appellate Authority is decide against the Applicant. Sd/-
	(Medha/Gadgil) / (Mridula Bhatkar, J Member A Chairperson
	prk

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's or	rders
	Date: 31.01.2022	
	O.A. No.7	71 of 2022
	M.R. Bhoir Versus The State of Maharashtra 8	Applicant & OrsRespondents.
		karni, learned Advocate for Chougule, learned Presenting 5.
	2. O.A. is filed for benefits.	direction to release retiral
	P.O. has raised issue of the <i>inter-alia</i> contending that	taken up admission, learned e jurisdiction of this Tribunal the Applicant is employee of nd is not a Government
	Applicant concedes that the from the post of Clerk on	learned Advocate for the the Applicant stands retired the establishment of Kalyan oration. Thus he is not a to entertain this O.A.
		for the Applicant therefore fraw the O.A. with liberty to riate foram.
	6. Allowed to withdra	w as prayed for.
	7. No order as to cost	s.
		Sd/-
		(A.P. Kurhekar) Member (J)
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 31.01.2022
	O.A. No.956 of 2021
	V.A. ChavanApplicant Versus The State of Maharashtra & OrsRespondents.
	1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
	2. On request of learned P.O. one week time is granted for filing Affidavit-in-Reply as most last chance.
	3. S.O. to 07.02.2022.
	Šd/-
	(A.P. Kurhekar) Member (J)
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M.A. No.43 of 2022 in O.A. No.78 of 2022 with M.A. No.53 of 2022 in O.A. No.87 of 2022	
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Date: 31.01.2022

O.A. No.78 of 2022 with O.A. No.87 of 2022

R.D. Malwad & Ors.	
R.B. Mali & Ors.	Applicant
Versus	
The State of Maharashtra & Ors.	Respondents.

1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 22.02.2022.

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 Original Application. 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. 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.

7. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 22.02.2022.

Sd/-

(A.P. Kurhekar) Member (J)

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 31.01.2022
	O.A. No.991 of 2021
	A.S. GhodakeApplicant Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri K.S. Jadhav, learned Advocate holding for Shri R.G. Panchal, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
	2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record. No separate Reply is filed on behalf of Respondent No.1.
	3. On request of learned Advocate for the Applicant two weeks time is granted for filing Affidavit- in-Rejoinder.
	4. S.O. to 14.02.2022.
	∿ Sd/-
	(A.P. Kurhekar) Member (J)
	NMN

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 31.01.2022
	M.A. No.34 of 2022 in R.A. No.02 of 2022 in O.A. No.30 of 2020
	The State of Maharashtra & Ors. (Org. Resps.)Appl. Versus
	S.V. Satam (Org. Appl.)Resps.
	1. Heard Smt. Archana B.K., learned Presenting Officer for the Applicants (Org. Respondents) and Ms. Advaita Lonkar, learned Advocate holding for Shri M.D. Lonkar, learned Advocate for the Respondent (Org. Applicant).
	2. This M.A. is filed for condonation of delay caused in filing R.A. No.02/2022.
	3. Issue notice in M.A. before admission returnable on 28.02.2022.
	4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
	5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Miscellaneous Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
	6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
	7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
	[PTO.

 8. In case notice is not collected within or service report on affidavit is not filed 7 or returnable date, Miscellaneous Application dismissed without reference to Tribunal and consigned to record. 9. S.O. to 28.02.2022. 	days before shall stand
9. S.O. to 28.02.2022.	
Sd/-	
(A.P. Kurheka Member (J)	r)
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	Date: 31.01.2022
	O. A. No.42 of 2022 with O. A. No.58 of 2022 with O. A. No.59 of 2022 with O.A. No.77 of 2022
	A.B. Handal & Ors. G.B. Kolhal & Ors. V.J. Jadhav & Ors. R.B. Jadhav Versus The State of Maharashtra & Ors. Respondents.
	1. Heard Shri S.S. Dere, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents in O.A.42/2022 & O.A.58/2022, Smt. Archana B.K., learned Presenting Officer for the Respondents in O.A.59/2022 and Shri A.J. Chougule, learned Presenting Officer for the Respondents in O.A.77/2022.
	2. Today learned P.O. has filed Affidavit-in-Reply of Respondent No.1 - Director General of Police as directed by this Tribunal in order dated 24.01.2022. It is taken on record.
	3. Learned P.O. submits that common Affidavit is file in all these O.As.
	4. Learned P.O. is directed to apprise the Tribunal about the decision of Government and the letter dated 30.12.2021 sent by Commissioner of Police, Mumbai raising grievances against Director General of Police.
	5. O.A. be kept at 02.30 p.m. along with afresh O.A. No.77/2022 which is filed today.
	۲. Sd/-
	(A.P. Kurhekar) Member (J)
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	[P.T.O.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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	Date: 31.01.2022	
	M.A. No.44 of 2020 in O.A. No	.424 of 2020
	Dr. K.B. Batte Versus	Applicant
	The State of Maharashtra & Ors.	Respondents.
	 Heard Shri A.V. Bandiwadekar for the Applicant and Smt. K.S. Presenting Officer for the Responden 	Gaikwad, learned
	2. The Applicant sought to am challenge order dated 03.06.2 Government during the pendency of record along with Affidavit-in-Reply.	2021 issued by
	3. It being subsequent event, a the O.A.	allowed to amend
	 M.A. is accordingly allowed carried out within a week. 	l, amendment be
	5. Respondents shall file Affidate amendment made in O.A. by next date	• •
	6. S.O. to 22.02.2022.	
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		urhekar) ber (J)
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	<u>N</u>	1.A. No.299 of 20 (Through V			
	R.A.R. S	haikh 's.		Applica	int
		e of Maharashtra &	& Ors.	Respon	dents
	Applican	leard Shri H.S. C It and Ms. S.P. Ma or the Respondent	anchekar, le	rned Advocate arned Chief Pre	for the esenting
	emailed Ld. CPO	d. Advocate for rejoinder and hare submits that she e states that it is so	d copy is se has not rece	ent by post from ived the rejoind	n Pune. ier. Ld.
	3. S	.O. to 15.2.2022.	Interim reli	ef to continue.	
		Sd/-		Sd/-	2
	((sgj)	Medha Gadgil) Member (A) 31.1.2022	Ch	a Bhatkar, J.) airperson .1.2022	

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribur	nal's orders		
		<u>C.A. No.38 of 20</u>)19 in O.A.	No.634 of 20	17
	S.D. 8	Sutar Vs.		App	licant
	The S	tate of Maharashtra	& Ors.	Resp	ondents
	Manc	Heard Shri C.T. etkar., learned Advo hekar, learned C ondents.	ocate for the	e Applicant an	d Ms. S.P.
		Ld. CPO states t nade a statement in cant will not pursue	the Hon'ble	lvocate for the High Court in	e applicant n W.P. that
	3.	S.O. to 8.6.2022.			
	2	, Sd/-		17_ x Sd/-	
		(Medha Gadgil) Member (A) 31.1.2022	(ula Bhatkar, J. Chairperson 31.1.2022)
	(sgj)	<i></i>			
					[<i>P.T.O.</i>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's order	rs
	<u>C.A. No.38 of 2018 in O.</u> (Through Video Co	
	Ranjana P. Gage Vs.	Applicant
	The State of Maharashtra & Ors.	Respondents
	Heard Shri Y.P. Deshmul the Applicant and Shri A.J. Chor Officer for the Respondents.	
	 Pursuant to our order data produced photocopy of noting d Development Department. In respondents have mentioned abor Tribunal in OA No.48 of 2017 and passed therein. They have also r Shri Y.P. Deshmukh to the implementation of the order. mentioned details of the order an applicant and also given reasons and therefore she cannot be given date but she can be given from the working on the said post i.e. from The noting appears quite such circumstances we do not find this contempt application. 	lated 17.3.2018 of Urban this 3 pages noting out order passed by thi d also order dated 8.9.2017 eferred to notice given by State Government about The respondent-State ha d the prayer in case of th how her case is different n arrears from the deemen the date she actually started the date of promotion.
	4. Further copy of this notin Ld. Advocate for the applican respondents.	ng can be collected by the transformed by the transform the office of the transformed by
	5. CA disposed off according	gly. n. h.
	Sd/-	Sd/-
	(Medha/Gadgil) '(Mr Member (A) 31.1.2022	idula Bhatkar, J.) Chairperson 31.1.2022
	(sgj)	

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 31.01.2022 O.A.No.325 of 2018 with O.A.No.13 of 2020 A.M. JadhaoApplicant Vs. The State of Maharashtra & OrsRespondents. 1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Special Counsel for the Respondents and Mr. C.T. Chandratre, learned Advocate for Respondent No.3 in O.A.No.13/2020. 2. At the request of learned Advocate adjourned to 07.02.2022. Sd/- (Medha Gadgil) Member A prk

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's	orders
	Date : 31.01.2022	
	O.A.No.7	750 of 2021
	M.S. Rathod	Applicant
	Vs. The State of Maharashtr	a & OrsRespondents.
	1. Heard Mr. S.V. V	Vaghmare, learned Advocate
		Ms. Archana B.K., learned
	Presenting Officer for the	e Respondents.
	2. At the request	of the learned P.O. last
	chance is granted to file	affidavit-in-reply.
	3. Adjourned to 24.	, m the
	Sd/-	Sd/-
	(Medha Gadgil) Member A	(Mridula Bhatkar, J.) Chairperson
	prk	
	k	
		[<i>P.T.O</i> .

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	Date : 31.01.2022	- 6 0 0 0 0
	O.A.No.79	01 2022
	Y.P. Thakur Vs. The State of Maharashtra &	Applicant OrsRespondents.
		ale, learned Advocate for
	the Applicants and Ms. S	
	Chief Presenting Officer for	
	2. The learned C.P.O. of	on instructions from Mr.
	Kapil Narwade, Assistant S	
	Mumbai submits that M.P.	
	website to the Applicant at will be able to apply.	the earliest, so that they
	_	s in the matter, O.A. is
	disposed of.	1 A .
	Sd/-	Sd/-
	(Medha Gadgil) Member A	(Mridula Bhatkar, J.) Chairperson
	prk	

$(G,C,P_{*}) = J_{*}2737_{*}(50,000-4-2019)$

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribun	al's orders		
		<u>O.A.</u> N	No.349 of 2021	-	
	V.E.	Mhatre Vs.		Applic	ant
	The S	State of Maharashtra	& Ors.	Respo	ndents
	the A Offic	Heard Shri B.A. B Applicant and Smt. er for the Responden	K.S. Gaikwad,		
	2. rejoit	Ld. Advocate for nder.	the applicant	seeks tim	e to file
	3.	S.O. to 24.2.2022.	Interim relief	to continue	
		- I	Sd		l
		Sd/- (Medha Gadgil) Member (A) 31.1.2022	, / (Mridula E Chair		
	(sgj)				
					[<i>P.T.O</i> .

[*P.T.O.*

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's	orders
	<u>M.A. No.36 of 2022</u>	in O.A. No.65 of 2022
	P.P. Bhosale	Applicant
	Vs. The State of Maharashtra & O	orsRespondents
		iwadekar, learned Advocate for . Gaikwad, learned Presenting
	2. The office objections, court-fees to be paid, if not all	if any, are to be removed and ready paid.
	3. Issue notice before 28.2.2022. The respondents a	
	Respondents intimation/notic authenticated by Registry, all of MA and O.A. Private ser present COVID-19 Pandemic	ted and directed to serve on ce of date of hearing duly ong with complete paper book vice is allowed in view of this e situation. Respondents are put be taken up for final disposal at g.
	the Maharashtra Administrati	e is ordered under Rule 11 of ive Tribunal (Procedure) Rules, ch as limitation and alternate
	post/courier and acknowle produced along with affidavi	done by hand delivery/ speed edgement be obtained and t of compliance in the Registry t is directed to file affidavit of
	Sd/-	.\ Sd/-
	(Medha Gadgil) Member (A) 31.1.2022 (sgj)	(Mridula Bhatkar, J.) Chairperson 31.1.2022

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Original Application No.

Date : 31.01.2022 Dr. N.A. NetkeApplicant Vs. The State of Maharashtra & OrsRespondents. 1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. The learned C.P.O. informs that the officers who are looking into the file were down with CORONA and hence file remained on the table of Joint Secretary. 3. In view of above, adjourned to 14.02.2022. 	Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
 Dr. N.A. NetkeApplicant Vs. The State of Maharashtra & OrsRespondents. 1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. The learned C.P.O. informs that the officers who are looking into the file were down with CORONA and hence file remained on the table of Joint Secretary. 3. In view of above, adjourned to 14.02.2022. Sd/- Sd/- (Medha Gadgu) (Mridula Bhatkar, J.) Chairperson 			
 Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. The learned C.P.O. informs that the officers who are looking into the file were down with CORONA and hence file remained on the table of Joint Secretary. In view of above, adjourned to 14.02.2022. Sd/- Sd/- Sd/- (Medha dadgu) Member A 		Dr. N.A. NetkeA Vs.	
who are looking into the file were down with CORONA and hence file remained on the table of Joint Secretary. 3. In view of above, adjourned to 14.02.2022. 3. Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Chairperson		1. Heard Mr. Bhushan A. Bar learned Advocate for the Applicant an Manchekar, learned Chief Presenting Off	ndiwadekar, d Ms. S.P.
(Medha Gadgil) (Member A (Meilla Bhatkar, J.) Chairperson		who are looking into the file were CORONA and hence file remained on t	down with
(Medha Gadgi) (Mridula Bhatkar, J.) Member A Chairperson		/ Sd/-	
prk		(Medha Gadgil) (Mridula B	hatkar, J.) erson
		prk	
			[<i>P.T.</i> 0

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>31.01.2022</u>
	<u>O.A 27/2022</u>
	Smt Mangala S. Khadse Applicant Vs.
	The State of Maharashtra & Ors Respondents
	SPEAKING TO THE MINUTES
	1. Heard Shri Rajendra Sorankar i/b Ketan Dabke, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
	2. In the order dated 27.1.2022, in para 2, the last sentence is to be read as follows:-
	Thereafter the said matter was placed before the Hon'ble First Court wherein direction was given that this matter along with other matter be placed on 24.1.2022.
	3. Ordered accordingly. Sd/-
· · · ·	(Medha Gadgil) Member (A) Akn
	[<i>PT.O.</i>

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Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 31.01.2022 M.A. No.606 of 2021 in M.A. No.564 of 2021 in O.A. No.701 of 2021
	The State of Maharashtra & Ors. (Org. Resps.)Appl. Versus S.R. Nakhwa (Org. Appl.)Resps.
	1. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants (Org. Respondents) and Shri C.T. Chandratre, learned Advocate for the Respondent (Org. Applicant) is absent.
	2. This M.A. is filed for recalling order dated 21.12.2021 passed in M.A. No.564/2021 whereby cost of Rs.10,000/- (Ten Thousand Only) was imposed upon the District Collector, Raigad for not making compliance of order passed by this Tribunal in O.A. No.701/2021 by order dated 21.09.2021.
	3. The Applicant stands retired on 31.12.2015 but his retiral benefits was withheld for no reason for more than 6 years, and therefore he was constrained to file O.A. No.701/2021 for direction to Collector, Raigad to release his retiral benefits. There was no legal hurdle to release retiral benefits. Negligence on the part of the Respondents, was writ at large. Therefore O.A. was disposed of by order dated 21.09.2021 with direction to District Collector, Raigad to take all necessary steps and release retiral benefits within two months from the date of the order.
	4. Despite specific directions given by the Tribunal it was not complied with, and therefore Collector, Raigad filed M.A. No.564/2021 for extension of time. M.A. was disposed of by order dated 21.12.2021 thereby granting one month extension and cost of Rs.10,000/- (Ten Thousand Only) was imposed. It was to be paid within a week.
	[P.T.O.

Office Notes, Office Memoranda of Coram,	
Appearance, Tribunal's orders or	
directions and Registrar's orders	
	1

Tribunal's orders

5. Learned P.O. submits that cost is deposited in the Tribunal and steps are already taken to release retiral benefits of the Applicant and papers are submitted to Treasury Office.

Learned P.O. prayed to recall order of imposing 6. cost of Rs.10,000/- (Ten Thousand Only) inter-alia contending that the Applicant was transferred on the establishment of Collector, Raigad before about 6 months of his retirement. According to her, Collector, Raigad has written several letters to the concerned Department where the Applicant was initially posted and tried to get service book updated. Para 4 of M.A. reveals that some correspondence was made but except 30.10.2015 all other correspondence are post retirement, which clearly shows that no such steps were taken well in advance of retirement. Indeed, as per Rule 120 of Maharashtra Civil Services (Pension) Rules, steps for completion of service book is required to be initiated 2 years before retirement of Government servant. However, no such steps were taken and the Applicant is deprived of retiral benefits for more than 6 years. It is for this reason noticing sheer negligence on the part of concerned the Tribunal has imposed costs of Rs.10,000/- (Ten Thousand Only) while granting extension of time. As such cost has been rightly imposed.

7. In view of above, M.A. for recalling order of cost is without any merit and liable to be dismissed. Collector, Raigad is at liberty to recover cost of Rs.10,000/- (Ten Thousand Only) from the concerned official who are responsible for the same.

8. Cost deposited in Tribunal be paid to the Applicant on his Application.

9. M.A. is accordingly dismissed with no order as to costs.

10-Sd/-

(A.P. Kurhekar) Member (J)

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date : 31.01.2022	
	O.A.No.969 of 2021 with M.A.	No.39/2022
	P.P. Bhosale & Ors. Vs.	Applicant
	The State of Maharashtra & Ors	Respondents.
	1. Heard Mr. Sachin B. Advocate for the Applicants	Thorat, learned and Ms. S.P.
	Manchekar, learned Chief Presenti Respondents.	
	2. The learned Advocate is ditted the copy of M.A. to learned C.P.O. t	
	3. The learned C.P.O. submits affidavit-in-reply in O.A. during the day.	
	4. Adjourned to 24.02.2022.	
	Sd/- (Medha Gadgil) (Mrid	Sd/-
		hairperson
	prk	

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribuna	l's orders
	Date : 31.01.2022 O.A.N	o.154 of 2021
	1. Heard Mr. D.I the Applicants and I	Applicant ntra & OrsRespondents. B. Kale, learned Advocate for Ms. S.P. Manchekar, learned er for the Respondents.
	2. The learned C. Mahendra P. Khodal Thane informs that to office of G.A.D. and th	P.O. on instructions from Mr. ke, Awal Karkoon, Collector, oday he will submit file in the hen the Collector will take the chereafter other formalities are
	3. Adjourned to 2 Sd/-	8.02.2022. Sd/- >
	(Medha Gadgil) Member A	(Mridula Bhatkar, J.) Chairperson
	prk	

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 31.01.2022
	O.A.No.488 of 2021 with O.A.No.660 of 2021
	with O.A.No.677 of 2021 with O.A.No.740 of 2021
	S.C. Pawar & Ors. (O.A.488/2021) S.R. Katkade & Ors. (O.A.660/2021) S.U. Ahire & Ors. (O.A.677/2021) N.L. Dhawal & Ors. (O.A.740/2021)Applicants Vs.
	The State of Maharashtra & OrsRespondents.
	1. Heard Mr. S.D. Patil, learned Advocate for the Applicants in O.A.No.488/2021 and
	O.A.No.660/2021 and Ms. S.P. Manchekar, learned
	Chief Presenting Officer with Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
	2. The learned P.O. Ms. K.S. Gaikwad is granted time to file affidavit-in-reply in O.A.No.660 /2021, O.A.No.677/2021 and O.A.No.740/2021.
	3. By way of last chance, adjourned to 28.02.202 2.
	Sd/- Sd/- 2
	(Medha/Gadgi) (Mridula Bhatkar, J.) Member A Chairperson
	prk

O.A. No.34 of 2022

Kishor A. Shinde Vs. .. Applicant

The State of Maharashtra & Ors.

..Respondents

Heard Shri K.A. Shinde, Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO seeks two weeks time for taking instructions as more details are required from the department.

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 14.2.2022. 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-

Sd/-

(Medha Gadgil) Member (A) 31.1.2022 (Mridula Bhatkar, J.) Chairperson 31.1.2022

(sgj)

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribur	nal's orders		
		<u>O.A.</u>	No.358 of 202	<u>0</u>	
	M.D. I	Devkate Vs.		App	licant
	The St	ate of Maharashtra	& Ors.	Resp	oondents
	1	Heard Shri P.V. ant and Ms. S.P. M r for the Responder	Ianchekar, lear		
	been p 22.10.2	Ld. Advocate for 22.10.2021 and s promoted to the po 2021. A copy of t d Exhibit '1' for id	submits that apost of Deputy he said order is	pplicant h RTO by o	as already order dated
	3. survive	In view of the all e and hence the OA			n does not
		Sd/-	S	Sd/-	1
	(sgj)	(Medha Gadgil) Member (A) 31.1.2022	Chair	Bhatkar, J.) rperson .2022)
					[<i>PT.O.</i>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribuna	al's orders	
		<u>M.A. Nc.380 of 20</u>)21 in O.A. No.4	
	P.B. P	atil Vs.		Applicant
	The S	tate of Maharashtra	& Ors.	Respondents
	Office	Heard Ms. S.P. Ma or for the Respondent		d Chief Presenting
	2.	Applicant and his a	advocate both ar	e absent.
	3.	Ld. CPO states that	at copy of MA is	s not served.
	4. CPO.	Applicant to serve	e copy of MA in	n the office of Ld
	5.	S.O. to 28.2.2022.		
		Sd/-	Sd,	/-
	(sgj)	(Medha/Gadyil) Member (Å) 31.1.2022	/ (Mridula Bh Chairpo 31.1.2	erson
				[<i>P.T.O.</i>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tril	ounal's orders
	<u>M.A. No.28 o</u>	f 2021 in O.A. No.96 of 2020
	C.R. Baviskar Vs.	Applicant
	The State of Maharasht	ra & OrsRespondents
	Sadavarte, learned Adv	B. Kadam holding for Shri Gunrat vocate for the Applicant and Ms. S. Chief Presenting Officer for t
	Kiran Chougule, Sr. P	ated 31.1.2022 is submitted by SH Police Inspector, Cuffe Parade Poli he same is taken on record. It is ni ept in sealed envelope.
	3. Ld. Advocate f withdraw above MA N	For the applicant seeks permission 0.28 of 2021.
	4. MA is allowed such.	to be withdrawn and disposed off
		Sadavarte, Ld. Advocate for the conferencing seeks permission be from this matter.
	. –	nted. Appearance of Shri Gunrata e is withdrawn from this matter.
	7. Shri M.B. Kada Vakalatnama.	m, learned Advocate has not filed h
	8. Applicant to re date.	main present personally on the ne
	9. OA adjourned to	
		Sd/-
	Sd/-	
	(Medha Gadgil) Member (A) 31.1.2022	(Mridula Bhatkar, J.) Chairperson 31.1.2022
	(sgj)	

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>M.A. No.571 of 2021 in O.A. No.993 of 2021</u>
	A.R. JadhavApplicant
	The State of Maharashtra & OrsRespondents
	Heard Shri R.M. Kolge., learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
	2. We direct Ld. Advocate for the applicant to submit his written arguments.
	3. Ld. Advocate for the applicant seeks one week's time.
	4. Time granted.
	5. Ld. PO is directed to inform the status of DE.
	6. S.O. to 7.2.2022.
	Sd/- (Medhaltiadgfl) Member (A) 31.1.2022 (sgj) Sd/- (Mridula Bhatkar, J.) Chairperson 31.1.2022

|Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 31.01.2022
	O.A. No.326 of 2021
	L.J. KaleApplicant Versus The State of Maharashtra & OrsRespondents.
	 Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
	2. Today learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of the Respondent No.1. It is taken on record.
	3. S.O. to 01.03.2022.
	N Sd/-
	(A.P. Kurhekar) Member (J)
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 31.01.2022
	O.A. No.266 of 2021
	S.S. PaithankarApplicant Versus The State of Maharashtra & OrsRespondents.
	 The State of Maharashtra & OrsRespondents. 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Today learned Advocate for the Applicant has filed Additional Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record. 3. S.O. to 01.03.2022. Sd/- (A.P. Kurhekar) Member (J)

Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 31.01.2022
	O.A. No.687 of 2021 with M.A. No.436 of 2021
	D.J. ParmekarApplicant Versus The State of Maharashtra & OrsRespondents
	The State of Maharashtra & OrsRespondents
	1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
	2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.
	3. S.O. to 22.02.2022.
	N Sd/-
	(A.P. Kurhekar) Member (J)
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(G.C.P.) J 2959(B) (50,000-3-2017)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A.No.844/2021</u>	
	Shri C.S. Lokhande Vs.	Applicant
	The State of Mah. & Ors.	Respondents
	1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Smt. A.B. Kololgi, learned Presenting Officer for Respondents.	
	2. Today, the learned Advocate for the Applicant files Affidavit-in-rejoinder. It is taken on record.	
	3. Adjourned for hearing at the stage of admission on 3 rd February, 2022.	
		Sd/-
	(skw)	(A.P. Kurhekar) Member-J 31.01.2022