

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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Original Application 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 align="center"><u>M.A. No.177 of 2022 in O.A. No.295 of 2022</u></p> <p>M.B. Shelar & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 31.3.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 31.3.2022</p>

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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.614 of 2018</p> <p>A.B. KatkarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this matter the Applicant prays that the Respondent No.1 should declare to incorporate the name of the present Applicant at serial No.10 in the list of the candidates eligible for recommendation for the post of Lecturer in the cadre of Maharashtra Polytechnic Education Service, Group-A.</p> <p>3. During the course of hearing we asked learned C.P.O. to submit the affidavit stating whether in the same selection process, if there are any vacancies.</p> <p>4. The learned C.P.O. files affidavit-in-reply dated 31.03.2022 on behalf of Respondent No.3, through Mr. Mahendra K. Dawane, Deputy Director in the office of Directorate of Technical Education, Mumbai. Paragraphs 4 and 5 of the said affidavit are reproduced below :</p> <p><i>4. I further say that the various activities under selection process such as – issuing advertisement, conducting screening tests, short-listing of candidates for interview, conducting interviews and recommending the selected candidates to the Government is the sole responsibility of the Maharashtra Public Service Commission (M.P.S.C.) Respondent No.1. Therefore Respondent No.3 does not have any role in the selection process.</i></p> <p><i>5. I say that at present four posts from the Open category and three posts from OBC Category is vacant after completing the recruitment process for the post of Lecturer as per the advertisement dated 5th May, 2017.</i></p> <p align="right">[P.T.O.]</p>

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5. ~~Thus, as per the affidavit-in-reply dated~~
31.03.2022 there are vacant posts available.

6. The learned Advocate for the applicant submits that the Applicant who belongs to OBC category had applied for selection to the post of Lecturer in the cadre of Maharashtra Polytechnic Education Service, Group-A. Applicant did not avail of any benefits applicable to reserved category candidates. The Applicant in the selection process secured total 123 marks and is shown at Sr. no.10 in the merit list. Respondent No.2 who has secured 119 marks from open category and shown at Sr. No.11, is recommended and appointed vide order dated 20.12.2018.

6. The cut-off marks in the written test who were selected from the open category is 83 and the applicant secured 88 marks. Hence, the Applicant fulfills the criterion to be appointed in the open category.

7. In view of the above, we direct that the Respondent to consider the case of the Applicant and his name is to be recommended for the appointment to the post of Lecturer in the cadre of Maharashtra Polytechnic Education Service, Group-A, within a period of 2 months.

8. The learned Advocate makes statement in the presence of the applicant that the Applicant is willing to waive his relief and consequential service benefits including seniority.

9. O.A. is disposed of.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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	<p align="center"><u>O.A. No.529 of 2021 with M.A. No.311 of 2021</u></p> <p>Shri Shabbir M. Jamadar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Y.B. Lengare, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant has filed this MA seeking condonation of delay in filing the OA of 7 years and 4 months from the date of his retirement on 31.3.2014. The applicant retired as Talathi. He seeks directions to consider the military service of 7 years 2 months and 2 days for all service benefits including increment, promotion, seniority, pay fixation, pension, pensionary benefits and other ancillary benefits. He also seeks directions to revise the order dated 28.11.2000 and extend the benefits of first time bound promotion of 12 years from 15.3.1976 to 15.3.1988 as per GR dated 8.6.1995. Ld. Advocate for the applicant states that the applicant is an Ex-serviceman and respondents have failed to consider his military service of 7 years, 2 months and 2 days for the same. He gives no cogent reasons for the inordinate delay in filing this OA.</p> <p>3. Ld. Advocate for the applicant relies on the <u>order dated 10.1.2022 passed by the Hon'ble Supreme Court in MA No.21/2022 in MA No.665/2021 in Suo Motu WP (C) No.3 of 2020 regarding cognizance of extension of limitation.</u> However, this judgment is of no help to the applicant, in view of the facts of the present case.</p> <p>4. Ld. Advocate for the applicant then relied on the judgment of the Hon'ble Supreme Court in <u>Esha Bhattacharjee Vs. Managing Committee of Raghunathpur Nafar Academy & Ors., 2013 AIR (SCW) 6158 : 2013 (12) SCC 649, Civil Appeal No.8183-8184 of 2013 decided on 13.9.2013.</u> However, the facts are different.</p>

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	<p>5. Ld. PO submits that this MA is time barred as the original cause of action arose on 28.11.2000 when the respondents gave him benefit of 12 years first time bound promotion.</p> <p>6. Looking into the facts of the case, it is clear that the delay starts not from the date of his retirement i.e. 31.3.2014 but from 28.11.2000 the date on which he was given the first benefit of Time Bound Promotion. Subsequently he had number of opportunities even when second benefit of Time Bound Promotion was to be given and before he took VRS on 31.3.2014, for putting forth his grievance. However, he failed to do so. Even after his VRS he failed to file OA and this OA is filed on 3.8.2021. Thus, there has been inordinate delay in filing this OA. A person should be vigilant of his rights. We find no reason to condone the delay. Hence, OA and MA are dismissed.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.)</p> <p style="text-align: center;">Member (A) Chairperson</p> <p style="text-align: center;">31.3.2022 31.3.2022</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 31.03.2022</p> <p>O.A. No.786 of 2021 with O.A. No.787 of 2021 with O.A. No.788 of 2021</p> <p>J.B. Jadhav S.B. Kamat S.L. BhoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K. and Shri A.J. Chougule, learned Presenting Officers for the Respondents.</p> <p>2. In these O.As. challenge is to the transfer of Dog Handler from District Sangli.</p> <p>3. Learned Advocate for the Applicant submits that Dog Handler is to be continued with the concerned Dog for entire life of the Dog and Dog Handler should not be changed mid-way. In this behalf, reference is made to some circulars.</p> <p>4. The issue in the present O.As. are arising because of mid-way transfer of Dog Handler from District Sangli. It is necessary to see what is the policy in other districts about the tenure of Dog Handlers. Therefore, Reply of Inspector General of Police, Kolhapur who is Respondent No.2 in present O.A. is essential.</p> <p>5. Learned P.O. states that Reply on behalf of Respondent No.2 will be filed within two weeks.</p> <p>6. S.O. to 12.04.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">NMN</p>

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	<p>Date: 31.03.2022</p> <p align="center">O.A. No.741 of 2021</p> <p>C.P. YelveApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned C.P.O. two weeks time is granted to file Affidavit-in-Sur Rejoinder.</p> <p>3. This O.A. be kept along with O.A. No.711/2019.</p> <p>4. S.O. to 07.04.2022.</p> <p align="right">Sd/- ✓✓ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p><u>31.03.2022</u></p> <p align="center"><u>M.A 161/2022 in O.A 61/2021</u></p> <p>Shri S.S Choudhari ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan , learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Respondents are granted three weeks' time l.</p> <p>3. S.O to 21.4.2022.</p> <p align="right">Sd/-</p> <p align="right">Sd/-</p> <p>(Medha Gadgil) ✓ Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.421 of 2021</p> <p>A.B. KotwalApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this matter Respondent took decision to send the applicant for training in the next batch.</p> <p>3. In view of above, nothing remains in the matter and it is disposed of with liberty as prayed for by the learned Advocate that the issue of seniority is kept open.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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	<p style="text-align: center;"><u>O.A.99/2021</u></p> <p>K.D. Wadekar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for Applicant and Smt. A.B. Kololgi, learned P.O. for Respondents.</p> <p>2. The Applicant was subjected to compulsory retirement by order dated 25.06.2018, but his retiral benefits were not released, and therefore, has filed this O.A.</p> <p>3. When the matter is taken up for hearing, learned Advocate for the Applicant fairly stated that Applicant has received gratuity, GIS, leave encashment and also in receipt of pension.</p> <p>4. Thus, it appears that though Applicant was subjected to punishment of compulsory retirement, certain retiral benefits were paid to him as per his entitlement in law.</p> <p>5. The learned Advocate for the Applicant, however, raised grievance that the amount was paid belatedly, and therefore, Applicant is entitled to interest on belated payment.</p> <p>6. Insofar as issue of interest on belated payment is concerned, indeed, the Applicant was subjected to punishment of compulsory retirement, and therefore, gratuity, etc. depend upon the specific order about entitlement of the Applicant for such relief. As such, this is not a case where payment is belated after normal retirement.</p> <p>7. Be that as it may, since Applicant has already received retiral benefits during the pendency of O.A, he can redress grievance of interest independently and is at liberty to make representation to that effect to the Respondents.</p> <p>8. In view of above, O.A. is disposed of with no order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 23.03.2022 <u>31/3/2022</u></p> <p>skw)</p>

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	<p>Date: 31.03.2022</p> <p align="center">O.A. No.707 of 2021</p> <p>S.K. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 07.08.2021 whereby he was transferred from the post of Range Forest Officer, Chandwad to Range Forest Officer, Social Forestry, District Ahmednagar. The Applicant's wife is serving at village Mundhegaon in Government English Medium Residential School. As such, she is also in Government service. The Applicant has given option in spouse transfer policy under G.R. dated 09.04.2018. He gave option of Igatpuri being convenient and nearer to village Mundhegaon. However, his preference was not considered though required to be considered in view of G.R. dated 09.04.2018.</p> <p>3. The option asked by the Applicant was given to Respondent No.2.</p> <p>4. When the matter was taken up for hearing, learned Advocate for the Applicant suggested that there are vacancies at Malegaon, Surgana & Peth in Nashik District and the Applicant can be accommodated on any of these places.</p>

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	<p>5. Learned P.O. on instruction submits that under spouse transfer policy it will be considered in general transfer of May 2022. Learned P.O. has also tendered letter of Principal Chief Conservator of Forest, Nagpur, wherein it is stated that the Applicant's grievance will be considered in general transfer of 2022 under spouse transfer policy.</p> <p>6. As stated above, in terms of G.R. dated 09.04.2018 Respondents was under obligation to consider option given by the Applicant in view of spouse transfer policy. However, his claim is not considered. Needles to mention that family consideration of Government servant in transfer also plays important role, and therefore by G.R. dated 09.04.2018, Government has taken policy decision to give the preference for spouse transfer policy as per the choices.</p> <p>7. Now, general transfers are due in next two months therefore it would be appropriate to disposed of the O.A. with suitable direction.</p> <p>8. In view of above, O.A. is disposed of with direction to the Respondent No.1 - Chief Conservator of Forest as well as to the Principal Chief Conservator of Forest, Nagpur to consider the options of Malegaon, Surgana & Peth in Nashik District for the posting of the Applicant in general transfer of 2022 sympathetically and in latter and spirit of G.R. dated 09.04.2018.</p> <p>9. Learned P.O. should appraise about this Tribunal to the Respondent No.1 as well as Principal Chief Conservator of Forest, Nagpur for ^{in her motion} intervention and compliance.</p> <p>10. No order as to costs.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 31.03.2022</p> <p align="center">O.A. No.494 of 2021 with M.A. No.402 of 2021 with O.A. No.489 of 2021 with M.A. No.276 of 2021</p> <p>M.P. Jamadar R.R. AsawaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.P. Jamadar, Applicant-in-Person in O.A.494/21), Shri R.R. Asawa, Applicant-in-Person in O.A.489/21) and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. O.A. No. 494/21 is filed by the Applicant who retired on 30.06.2013 for benefit of increment which was due on 01.07.2013. This O.A. is filed along with application for condonation of delay.</p> <p>3. Whereas, O.A. No.489/2021 is filed by learned Applicant who stands retired on 30.06.2016 and also claim benefit of next increment which was due on 01.07.2016. This O.A. is also filed along with application for condonation of delay.</p> <p>4. As per 6th Pay Commission recommendation next increment of all Government servants in Maharashtra has fixed as 1st July of each year. Whereas, earlier position was grating of increment on completion of one year service. This resulted in anomalous situation since though Government servant rendered one year service but retires on 30th June of a year he will not get increment payable on 01st July.</p> <p>5. These O.As are filed on basis of decision of Hon'ble Supreme Court confirming the decision of Hon'ble Madras High Court whereby benefit of increment due on 1st July was granted to Government servant retiring on 30th June.</p> <p align="right">[P.T.O.]</p>

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	<p>6. Learned Advocate for the Applicant today also tendered decision of Hon'ble High Court Bombay, Bench at Nagpur in Writ Petition No.5864/2019, Shri Pandurang Vithobaji Dhumne v/s. State of Maharashtra decided on 02.03.2022. In that case petitioners were Zilla Parishad employee retiring long back but they were not given benefit of increment due on 1st July. Writ Petition was allowed in view of all the decision of Hon'ble Apex Court confirming the judgment of Hon'ble Madras High Court.</p> <p>7. In view of above, now ideally Government is required to take policy decision so that it can be made applicable to all Government servants who retired after the implementation of 6th Pay Commission.</p> <p>8. In O.A. No.494/2021, Reply is filed by Respondent Nos.1 to 3 but Reply of Respondent No.4 - Finance Department is not filed, whereas in O.A. No.489/2021 Reply is filed on behalf of Respondent No.2 - The Director, Directorate of Vocation Education & Training. In this O.A. Respondent No.3 is G.A.D. and Respondent No.4 is Finance Department but they have not filed Reply.</p> <p>9. Learned P.O. submits that Reply of Finance Department as well as G.A.D. would be essential.</p> <p>10. In view of above, two weeks time is granted to file Rely in both O.As by Finance Department and G.A.D. if the Reply is not filed by next date matter will be heard on merit.</p> <p>11. S.O. to 18.04.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 31.03.2022</p> <p>O.A. No.226 of 2022 with O.A. No.227 of 2022 with O.A. No.228 of 2022 with O.A. No.229 of 2022 with O.A. No.230 of 2022 with O.A. No.259 of 2022</p> <p>N.L. Yevage S.K. Randive P.R. Kadarkar S.A. Kamble D.N. Wable W.M. DsouzaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents along with Shri A.J. Chougule, Smt. Archana B.K., Smt. K.S. Gaikwad learned Presenting Officers for the Respondents.</p> <p>2. All these Applicants are retired Government servant and filed these O.As claiming benefit of old pension scheme <i>inter-alia</i> contending that new pension scheme namely Defined Contribution Pension Scheme (D.C.P.S.) of 2005 is not applicable to them. As per notification dated 31.10.2005 issued by Finance Department, new contribution pension scheme is applicable to the Government servants who are recruited on or after 01.11.2005 in State Government services.</p> <p>3. The Applicants have not challenge the notification dated 31.10.2005. In these O.As., they simpliciter prayed for general direction that they are entitled to old pensions scheme.</p>

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	<p>4. On query raised by the Tribunal, learned Advocate for the Applicant states that she will reconsider as to whether there is necessity to challenge notification dated 31.10.2005. If, there is requirement to challenge the notification, than the matter will go to Division Bench.</p> <p>5. Learned Advocate for the Applicant sought two weeks time to reconsider the issue.</p> <p>6. S.O. to 18.04.2022.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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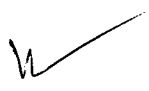
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	<u>C.A. No.58 of 2021 in O.A. No.889 of 2019</u>
	M.G. Kamble ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents
	<p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On 17.2.2022 Ld. CPO has submitted that in view of the order of the Tribunal case of the applicant for transfer was considered and rejected. Ld. CPO today pointed out that department has considered the GR dated 9.4.2018 whereby the government employee may give choice of the places for posting and that is to be considered by the department. Ld. CPO relied on the affidavit in reply dated 21.1.2022 filed by Shri Saurabh Vijay, Secretary, Medical Education and Drugs Department, Mantralaya and thereafter the second affidavit dated 17.2.2022. She relied on relevant paras of the said affidavits wherein the respondents have specifically stated how proposal has moved from the Department and also before the committee and subsequently it remained pending before the competent authority i.e. the Hon'ble Minister for some period. The Hon'ble Minister has finally considered it and rejected the proposal of the applicant and transfer of the applicant from Mumbai to Sangli was confirmed.</p> <p>3. Ld. Advocate for the applicant after considering the submissions of compliance by the Ld. CPO has submitted that it was necessary for the respondents to furnish the decision of the committee so also the noting on the proposal and actual decision of the Hon'ble Minister to show whether GR dated 9.4.2018 was followed in letter and spirit. She further submitted that this is necessary so that litigant government servant will come to know whether there is proper compliance of the order passed by this Tribunal in his OA.</p>
	

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	<p>4. In view of the contents of the affidavits filed by Shri Saurabh Vijay, Secretary and the submissions made by the Ld. CPO, we are not inclined to call for any further documents or noting. We put an end to this matter. CA disposed off accordingly.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.)</p> <p style="text-align: center;">Member (A) Chairperson</p> <p style="text-align: center;">31.3.2022 31.3.2022</p> <p>(sgl)</p>

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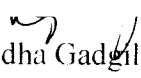
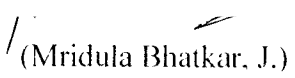
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	<p align="center"><u>C.A. No.15 of 2021 in O.A. No.83 of 2020</u></p> <p>M.C. Lilani & 3 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that pursuant to order dated 24.1.2022 passed by this Tribunal, instructions are obtained from the concerned department.</p> <p>3. Applicant No.1-Shri Murali C. Lilani has expired on 17.1.2022. Hence, heirs of Shri M.C. Lilani to go directly to the office of Deputy Director, Health Services, Thane Circle, Thane and Deputy Director is directed to guide properly to the heirs of the applicant so that they will comply necessary procedure and also produce necessary proof and documents within one week.</p> <p>4. Applicant No.2- Smt. Jaywanti Dadu Chavan will get the benefits as prayed from 1.4.2022. For her arrears the department has placed proposal before the Finance Department and once it is approved, payment will be made immediately.</p> <p>5. Applicant No.3-Smt. Sulochana N. Kawade retired on 31.5.2018. She will get the benefits within one month. She should approach the Deputy Director, Health Services, Thane Circle, Thane and Deputy Director to take steps and guide the applicant and follow the procedure.</p> <p>6. Applicant No.4-Smt. Indira J. Chauhan has retired. She will get the benefits within one month. She should approach the Deputy Director, Health Services, Thane Circle, Thane and Deputy Director to take steps and guide the applicant and follow the procedure.</p> <p align="center"></p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. We direct the department to pursue the matter in all the four cases. We disposed of this Contempt Application with liberty to file another contempt application if orders are not complied with till 1.5.2022. Heirs of Applicant No.1 needs more time. So after compliance from their side, if there is no positive response from the side the department, then they have the liberty to file another contempt application. CA disposed off accordingly.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">  (Medha Gadgil) Member (A) 31.3.2022 </p> <p style="text-align: center;">  (Mridula Bhatkar, J.) Chairperson 31.3.2022 </p> <p>(sgj)</p>

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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.1063 of 2021</p> <p>B. V. ChauguleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Sweta Tripathi holding for Shri V. P. Sangvikar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted to file reply by way of last chance.</p> <p>3. S.O. to 12.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.1071 of 2021</p> <p>S. P. ParsekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri B. V. Magam, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Enough chances are granted for filing reply. However, on request of learned P.O., two weeks time is granted for filing reply as a most last chance.</p> <p>3. S.O. to 08.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 31.03.2022</p> <p align="center">R. A. No.01 of 2022 in O.A.No.328 of 2021</p> <p>P. A. BodekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. for the Respondents, two weeks time is granted for filing reply.</p> <p>3. S.O. to 13.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 31.03.2022</p> <p>M.A. No.566 of 2021 in O.A.No.994 of 2021</p> <p>V. G. KolekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Savita Suryawanshi holding for Smt. P H. Hendre, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted for filing reply as a most last chance.</p> <p>3. S.O. to 06.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 31.03.2022</p> <p>M. A. No.122 of 2022 in O.A.No.1118 of 2019</p> <p>D. T. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply.</p> <p>3. S.O. to 11.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 31.03.2022</p> <p style="text-align: center;">O.A.No.18 of 2022</p> <p>V. K. BorhadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. submits that proposal for reinstatement is already under consideration and necessary orders would be issued soon. 3. However, learned Counsel for the Applicant submits that he is challenging legality of suspension and, therefore, reply is necessary. 4. On request of learned P.O., two weeks time is granted for filing reply as a last chance. 5. S.O. to 11.04.2022. <p style="text-align: right; margin-right: 100px;">Sd/- (A.P. Kurhekar) Member(J)</p>

ysm

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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.80 of 2022</p> <p>S. J. NandgaonkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 to 3. It is taken on record.</p> <p>3. On request of learned Counsel for the Applicant, two weeks time is granted to file Rejoinder.</p> <p>4. S.O. to 11.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.103 of 2022</p> <p>A. N. Sayyad ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record. Reply of Respondent No.2 is filed long back.</p> <p>3. No reply is filed on behalf of the Respondent No.3 which seems to be necessary for the facts of present case.</p> <p>4. On request of learned P.O., two weeks time is granted to file reply on behalf of the Respondent No.3 by way of last chance.</p> <p>5. S.O. to 11.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>ysm</p>

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Tribunal's orders

Date : 31.03.2022

M. A. No.166 of 2022 in O.A.No.122 of 2021

D.D. Rane

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Archana B K., learned Presenting Officer for the Respondents.
2. This M.A. is filed for extension of three months time for compliance of order passed by this Tribunal in O.A.No.122/2021 passed on 24.02.2022. O.A.122/2021 was disposed of with direction to Respondent No.4 – Secretary, Home Department to take the decision on proposal dated 02.06.2021 forwarded by C.P. Mumbai within four weeks from the date of order.
3. Learned P.O. submits that now the steps are being taken in terms of order passed by this Tribunal and proposal is sent to G.A.D. and then it will have to be sent to Finance Department for approval and it requires some time.
4. Perusal of M.A. reveals that on 14.03.2022 file is sent to G.A.D. No explanation is forthcoming as to what further steps are taken by G.A.D. after receipt of proposal dated 14.03.2022. Indeed, in terms of order passed by the Tribunal, Respondent No.4 ought to have ensured all necessary compliance within requisite time but it is not so. Apart, the proposal was sent by C.P. Mumbai on 02.06.2021 and for more than 7-8 months, no steps were taken by Respondent No.4. It is only after passing of order by the Tribunal on 24.02.2022, things started moving slowly. Therefore, I am not inclined to grant three months time as prayed for.
5. However, since the file is already under processed, two weeks time is extended from today for compliance of the order passed by the Tribunal on 24.02.2022.
6. M.A. is accordingly disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

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	<p>Date : 31.03.2022</p> <p style="text-align: center;">O.A.No.1022 of 2021</p> <p>U. K. Anvekar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. B. Ghule, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record. 3. The matter is adjourned for final hearing. 4. S.O. to 20.04.2022. <p style="text-align: right; margin-right: 100px;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date : 31.03.2022</p> <p align="center">O.A.No.183 of 2021</p> <p>J.G. Tatkare & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.R. Asawa, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned Advocate for the Applicant submits that affidavit-in-reply of G.A.D. is necessary.</p> <p>3. Adjourned to 05.05.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p align="center">Date : 31.03.2022</p> <p align="center">O.A.No.171 of 2022</p> <p>S.R. GoudApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that the Respondent has taken decision in the said matter. Taken on record and marked as Exhibit-1.</p> <p>3 Adjourned to 06.04.2022.</p> <p align="center"> <table border="0"> <tr> <td data-bbox="808 1573 1018 1643">(Medha Gadgil) Member(A)</td> <td align="right" data-bbox="1185 1522 1489 1643">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</td> </tr> </table> </p> <p>prk</p>	(Medha Gadgil) Member(A)	Sd/- _____ (Mridula Bhatkar, J.) Chairperson
(Medha Gadgil) Member(A)	Sd/- _____ (Mridula Bhatkar, J.) Chairperson		


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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.210 of 2022</p> <p>D.T. DevkarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. H.D. Mulla, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On instructions from Officer Ms. Pranjali Sonavane, ACP (Admn.), Solapur the learned C.P.O. submits that the authority will decide the Applicant's representation dated 20.12.2021 within two weeks.</p> <p>3. The Respondent to decide the representation till 11.04.2022.</p> <p>4. Matter is fixed on 28.04.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p><u>31.03.2022</u></p> <p align="center"><u>O.A 288/2022</u></p> <p>Shri Milind V. Gaikwad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan , learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O on instructions from the Deputy Secretary, Home Department, Mantralaya, seek four weeks' time.</p> <p>3. Time granted.</p> <p>4. S.O to 28.4.2022.</p> <p>Sd/- <i>(Signature)</i> (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- <i>(Signature)</i> (Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center"><u>C.A. No.11 of 2022 in O.A. No.131 of 2021</u></p> <p>M.J. Kadam ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO submits that applicant has not served notice to the enquiry officer however the same has been communicated by the office of the Ld. CPO. Ld. CPO on instructions submits that the enquiry report will be submitted within a period of two weeks.</p> <p>3. Disciplinary authority to take decision in the said matter within six weeks thereafter.</p> <p>4. S.O. to 7.6.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 31.3.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 31.3.2022</p>

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	<p align="center"><u>C.A. No.3 of 2022 in O.A. No.406 of 2021</u></p> <p>A.M. Labdhe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. We note that there is inordinate delay on the part of the review committee. It is obligatory on the part of the review committee to obey orders passed by the judicial authority. The final order is to be passed by the review committee on 21.4.2022.</p> <p>3. S.O. to 27.4.2022.</p> <p align="center">Sd/- / Sd/- (Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) / Chairperson 31.3.2022 / 31.3.2022</p> <p>(sgj)</p>

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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.748 of 2021 with M.A.No.157 of 2022</p> <p>R.N. Dakhole & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.V. Bansode, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Time granted to the learned P.O. to file affidavit-in-reply by way of last chance.</p> <p>3. Adjourned to 21.04.2022.</p> <p align="center">Sd/- _____ (Medha Gadgil) Member(A)</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

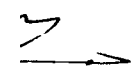
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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.276 of 2021</p> <p>S.S. PrabhavaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that reply is filed.</p> <p>3. Admit and kept for final hearing with liberty to file rejoinder, if any.</p> <p>4. Adjourned to 09.06.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>


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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.848 of 2021</p> <p>M.D. Chopde & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. for the Respondents submits that the process of verification is going on, hence time is required to take decision.</p> <p>3. Time granted. Adjourned to 13.04.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date : 31.03.2022</p> <p align="center">O.A.No.960 of 2021</p> <p>S.S.A.N. AliApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. submits time may be granted as the office of the Respondent is likely to issue the promotion order of the Applicant.</p> <p>3. Time granted. Adjourned to 28.04.2022.</p> <p align="center">Sd/- (Medha Gaugil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 31.03.2022</p> <p align="center">O.A.No.44 of 2022</p> <p>C.G. ShindeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate for the Applicant states that it is necessary for the Respondent No.1 to file affidavit-in-reply in the said matter, in view of the letter dated 03.12.2021.</p> <p>3. The learned P.O. for the Respondent submits that time may be granted to file affidavit-in-reply.</p> <p>4. Time granted. Adjourned to 21.04.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.165 of 2022 in O.A. No.246 of 2022</u></p> <p>G.M. Jagtap ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant has filed this MA praying for amending the OA as per Schedule A.</p> <p>3. MA is allowed. Amendment be carried out and amended copy be served on all concerned.</p> <p>4. OA is adjourned to 13.4.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 31.3.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 31.3.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.136 of 2022 in O.A. No.224 of 2022</u></p> <p>S.H. Nikat ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Prachi H. Hendre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission in MA returnable on 28.4.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. 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.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 31.3.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 31.3.2022</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.291 of 2022</u></p> <p>J.N. Raybhole ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri N.Y. Chavan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On the last day the Ld. Advocate for the applicant is before this Tribunal and today the applicant is retiring and therefore there is urgency to grant relief as per policy decision taken in 2015. We give notice to the Ld. CPO to file reply within two weeks. However, we pose question why cost should not be imposed on the applicant in this matter for taking time of the Court because prima facie we have impression that it is artificial urgency created to seek relief. He should have approached earlier.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 18.4.2022. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book 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.</p> <p>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.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>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.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A) 31.3.2022</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson 31.3.2022</p> <p>(sgj)</p>