

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="727 548 959 583">Date : 03.03.2020</p> <p data-bbox="987 610 1235 645">O.A.No.521 of 2019</p> <ol data-bbox="727 710 1500 1123" style="list-style-type: none">1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.2. Today, learned P.O. for the Respondents has filed Sur-Rejoinder. It is taken on record.3. Matter is adjourned for hearing at the stage of admission.4. S.O. to 24.03.2020. <p data-bbox="1198 1178 1252 1214">Sd/-</p> <p data-bbox="1122 1229 1317 1322">(A.P. Kurhekar) Member(J)</p> <p data-bbox="727 1329 773 1355">vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.03.2020</p> <p>O.A.No.188 of 2018</p> <ol style="list-style-type: none"> 1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. During the course of hearing, it is noticed that Applicant has not produced Leaving Certificate of primary school on the basis of which date of birth 01.03.1960 seems to be recorded in the service book. 3. Leaving Certificate of primary school showing the date of admission in primary school in 1st standard is one of the relevant factors to be considered while deciding the present O.A. but the same is not forthcoming on record. The Applicant is, therefore, directed to produce Leaving Certificate of primary school on next date. 4. S.O. to 09.03.2020 as Part-Heard. <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

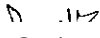
(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.03.2020</p> <p align="center">O.A.No.152 of 2020</p> <ol style="list-style-type: none"> 1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. No affidavit is filed in compliance of order passed by this Tribunal on 27.02.2020. 3. On request of learned P.O., one week's time is granted to file reply and also to pass appropriate order in respect of prayer clause 9(b). 4. It is made clear that no further time will be granted for compliance of order. 5. S.O. to 09.03.2020. <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. _____ of 20 _____ DISTRICT _____
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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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
Date : 03.03.2020

M.A. No.121 of 2020 in O.A.No.180 of 2020

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Ms N. G. Gohad , learned Presenting Officer for the Respondents.
2. This is an application for leave to sue jointly.
3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.
4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.
5. M.A.No.121/2020 is allowed.

Sd/-
(A.P. Kurhekar)
Member(J)

vsm

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="748 471 946 499">Date : 03.03.2020</p> <p data-bbox="964 526 1192 555">O. A. No.180 of 2020</p> <ol style="list-style-type: none"> <li data-bbox="748 610 1409 714">1. Heard Smt.Punam Mahajan, learned Counsel for the Applicants and Ms N.G. Gohad, learned Presenting Officer for the Respondents. <li data-bbox="748 747 1409 809">2. Issue notice before admission returnable on 16.03.2020. <li data-bbox="748 842 1409 946">3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. <li data-bbox="748 979 1409 1163">4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. <li data-bbox="748 1196 1409 1333">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. <li data-bbox="748 1367 1409 1543">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. <li data-bbox="748 1577 1409 1754">7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. <li data-bbox="748 1787 1013 1816">8. S.O. to 16.03.2020. <p data-bbox="1133 1849 1198 1877" style="text-align: right;">Sd/-</p> <p data-bbox="1065 1889 1235 1986" style="text-align: right;">  (A.P. Kurhekar) Member(J) </p> <p data-bbox="727 1986 764 2008">vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.03.2020</p> <p>O.A.No.1107 of 2019</p> <ol style="list-style-type: none">1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.2. Learned Counsel for the Applicant submits that Affidavit-in-Rejoinder will be filed during the course of the day. Statement is accepted. It be taken on record.3. Matter is adjourned for hearing at the stage of admission.4. S.O. to 27.03.2020. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
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(Advocate

versus

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.03,2020</p> <p>O.A.No.1211 of 2019</p> <ol style="list-style-type: none">1. The Applicant is absent. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.2. On request of learned P.O., one week's time is granted to file short Affidavit.3. S.O. to 11.03.2020. <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.03,2020</p> <p>O.A.No.11 of 2020</p> <ol style="list-style-type: none"> 1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply on behalf of the Respondent No.3. It is taken on record. 3. On request of learned Counsel, two weeks time is granted for filing Rejoinder. 4. S.O. to 17.03.2020. <p style="text-align: right;"> Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.03.2020</p> <p>O.A.No.16 of 2020</p> <ol style="list-style-type: none">1. Heard Shri Bhushan Bandiwadekar, learned Counsel for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.2. Today, learned P.O. has filed reply on behalf of the Respondent No.3. It is taken on record.3. On request of learned P.O., one week's time is granted for filing reply on behalf of the Respondent No.1.4. S.O. to 11.03.2020. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

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versus

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.03.2020</p> <p>O.A.No.417 of 2019</p> <ol style="list-style-type: none">1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.2. On request of learned P.O. for the Respondents, two weeks time is granted to file reply to the amended O.A.3. S.O. to 17.03.2020. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.03.2020</p> <p>O.A.No.21 of 2020</p> <ol style="list-style-type: none">1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.2. Learned P.O. for the Respondents has filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record.3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.4. S.O. to 17.03.2020. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.03.2020</p> <p style="text-align: center;">O.A.No.187 of 2020</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the impugned order dated 28.02.2020 whereby he is relieved from the establishment of Respondent No.3. He seems to have been on deputation on the establishment of Respondent No.3 but relieved by impugned order dated 28.02.2020 without any mention of subsequent posting of the Applicant.</p> <p>3. Learned Counsel for the Applicant submits that as per G.R. dated 16.02.2018, deputation period is minimum of three years and Applicant having not completed the period of three years, cancellation of deputation unilaterally is illegal. He, therefore, seeks stay to the impugned order. He, therefore, seeks stay to the impugned order.</p> <p>4. Learned C.P.O. seeks time to take instructions as to under what circumstances, Applicant is relieved and requested to keep the matter tomorrow.</p> <p>5. S.O. to 04.03.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 style="text-align: center;">O.A. No.15 of 2020</p> <p>B.T. Karavekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. I.d. PO files reply on behalf of respondent and the same is taken on record. She mentions that she proposes to file short affidavit along with copy of roznama.</p> <p>3. S.O. to 11.3.2020. Interim relief to continue till next date.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 3.3.2020 (sgi)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020</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 style="text-align: center;"><u>O.A. No.81 of 2020</u></p> <p>Y.M. Pimple ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply on behalf of respondent no.1 and the same is taken on record. Ld. Advocate for the applicant seeks two weeks time to file rejoinder.</p> <p>3. S.O. to 24.3.2020.</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Sd/- (A.P. Kurhekar) Member (J) 3.3.2020</p> </div> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020</p> </div> </div> <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>C.A. No.61 of 2019 in O.A. No.975 of 2018</u></p> <p>B.S. Lambhate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO mentions that all dues as directed by the Tribunal including regular pension and leave encashment have been paid to the applicant. Ld. PO seeks two weeks to file affidavit accordingly.</p> <p>3. By consent S.O. to 26.3.2020.</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J) 3.3.2020 (sg)</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020</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 data-bbox="841 747 1339 780" style="text-align: center;"><u>C.A.No.63 of 2019 in O.A. No.1087 of 2014</u></p> <p data-bbox="753 811 1372 844">S.S. Nalawade ..Applicant</p> <p data-bbox="834 844 873 873">Vs.</p> <p data-bbox="753 873 1404 906">The State of Maharashtra & Ors. ..Respondents</p> <p data-bbox="753 937 1429 1030">Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p data-bbox="753 1059 1429 1247">2. Ld. Advocate for the applicant mentions that the matter is being agitated by the respondents before the Hon'ble High Court and the next date is 5.3.2020. In case there is no order staying the judgment of the Tribunal the respondents submits that the order passed by this Tribunal will be implemented.</p> <p data-bbox="753 1278 1036 1311">3. S.O. to 11.3.2020.</p> <p data-bbox="915 1329 980 1389" style="text-align: center;">Sd/-</p> <p data-bbox="834 1402 1013 1495">(A.P. Kurhekar) Member (J) 3.3.2020</p> <p data-bbox="1240 1329 1305 1362" style="text-align: center;">Sd/-</p> <p data-bbox="1117 1402 1338 1495">(P.N. Dixit) Vice-Chairman (A) 3.3.2020</p> <p data-bbox="753 1499 808 1532">(sgl)</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 style="text-align: center;"><u>M.A. No.2 of 2020 in O.A. No.3 of 2020</u></p> <p>R.K. Mundhe &Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>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. Ld. Advocate for the applicant confirms that he has made changes in the impugned order accordingly. Ld. CPO seeks two weeks for filing reply.</p> <p>3. S.O. to 26.3.2020.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (A.P. Kurhekar) Member (J) 3.3.2020 (sgl)</p> </div> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020</p> </div> </div>

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
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M.A.56 of 2020 in CA.51/19 in O.A.301 of 2017

The State of Maharashtra & Ors. ..Applicants
Vs.
J.K. Bhosale ..Respondent

Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants-original Respondents and Shri M.D. Lonkar, learned Advocate for the Respondent-original Applicant.

2. Ld. Advocate for the Respondent informs that the matter is being agitated before the Hon'ble High Court at Mumbai and the counsel for the respondents has mentioned that contempt petition will not be pressed today. The next date of hearing is scheduled on 6.3.2020.

3. Accordingly, S.O. to 12.3.2020.

N
Sd/-

(A.P. Kurhekar)
Member (J)
3.3.2020

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
3.3.2020

(sgj)

**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 style="text-align: center;"><u>O.A. No.982 of 2019</u></p> <p>R.K. Bhosale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <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. By consent, S.O. to 5.3.2020.</p> <table style="width: 100%;"><tr><td style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 3.3.2020</td><td style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020</td></tr></table> <p>(sgj)</p>	Sd/- (A.P. Kurhekar) Member (J) 3.3.2020	Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020
Sd/- (A.P. Kurhekar) Member (J) 3.3.2020	Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020		

**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
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O.A. No.916 of 2019

S.D. Haral & Ors. ..Applicants

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant files rejoinder and the same is taken on record. Ld. CPO seeks three weeks time for filing sur-rejoinder, if any.

3. S.O. to 1.4.2020.

Sd/-

(A.P. Kurhakar)
Member (J)
3.3.2020

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
3.3.2020

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: right;"><u>O.A. No.70 of 2020</u></p> <p>A.V. Pophale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply on behalf of respondents no.1 & 2 and the same is taken on record. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>3. S.O. to 31.3.2020.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 3.3.2020</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20 _____

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders								
	<p style="text-align: center;"><u>O.A. No.320 of 2018</u></p> <p>N.R. Thakur & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri <u>A.A. Desai</u>, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants files additional affidavit on behalf of the applicants and the same is taken on record.</p> <p>3. S.O. to 5.3.2020. High on board.</p> <table border="0" style="width: 100%;"><tr><td style="text-align: center;">Sd/-</td><td style="text-align: center;">Sd/-</td></tr><tr><td style="text-align: center;">(A.P. Kurhekar)</td><td style="text-align: center;">(P.N. Dixit)</td></tr><tr><td style="text-align: center;">Member (J)</td><td style="text-align: center;">Vice-Chairman (A)</td></tr><tr><td style="text-align: center;">3.3.2020</td><td style="text-align: center;">3.3.2020</td></tr></table> <p>(sg)</p>	Sd/-	Sd/-	(A.P. Kurhekar)	(P.N. Dixit)	Member (J)	Vice-Chairman (A)	3.3.2020	3.3.2020
Sd/-	Sd/-								
(A.P. Kurhekar)	(P.N. Dixit)								
Member (J)	Vice-Chairman (A)								
3.3.2020	3.3.2020								

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>OAs. No.807, 939 and 991 of 2019</u></p> <p>A.M. Samindar (OA.807/19) G.S. Sable (OA.939/19) B.N. Bastewad & Ors.(OA.991/19) ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. To state briefly, the applicants who are working in the rank of Additional Collector, Tahsildar and Assistant Conservator of Forest respectively, have been superseded even though their juniors have been promoted following the judgment given by the Hon'ble High Court in Writ Petition No.2797 of 2015 decided on 4.8.2017. In similar case, the matter was taken up before the Nagpur Bench of this Tribunal in OA No.953 of 2019 (Shri Bhagwan P. Kamble Vs. The State of Maharashtra & Anr.) decided on 13.2.2020. The operative part of the order reads as under:</p> <p><i>"18. After considering these aspects, we are of the view that injustice is caused to the applicant as he was not considered by the DPC when his juniors were promoted as Deputy Collector and in view of the promotions order dated 20.1.2020 we do not see any merit in the contention of the respondents that there is a total stay to the promotions.</i></p> <p><i>19. In view of the entire circumstances, there appears no reason to deny the relief to the applicant. In the result, we pass the following order-</i></p> <p><i>The OA is partly allowed in terms of Prayer clause 9(b). The respondents shall comply this order</i></p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><i>within a period of 30 days from the date of this order. No order as to costs.</i></p> <p>3. In the present OAs. the applicants have prayed as under:</p> <p><i>"9(b) That this Hon'ble Tribunal be pleased to direct the respondents to consider the applicants for promotion and if found fit for promotion the respondents shall issue the promotion order of the applicants to the post of Additional Collector selection grade on the basis of the 1996 batch seniority alone with all consequential service benefits"</i></p> <p>(Quoted from page 14 of OA.991/19)</p> <p>4. Similar prayer is made in other OAs to give them promotions to the higher rank as their juniors have been promoted.</p> <p>5. Today during hearing Ld. CPO produced copy of note dated 27.2.2020 from GAD. The same also proposes to implement the order issued by the Tribunal at Nagpur Bench mentioned above.</p> <p>6. In view of the above, prayer clause 9(b) in OAs. No.807, 939 and 991 of 2019 are partly conceded. The respondents are directed to take action accordingly and consider them for promotions if their juniors are promoted to higher rank, within a period of four weeks. OAs are partly allowed. No order as to costs. Steno copy be provided.</p> <p style="text-align: center;">Sd/-</p> <p>(A.P. Kurhekar) Member (J) 3.3.2020</p> <p style="text-align: center;">Sd/-</p> <p>(P.N. Dixit) Vice-Chairman (A) 3.3.2020</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.110 of 2020</u></p> <p>A.S.A.S. Nadeem ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Sonali Humane, learned Advocate holding for Smt. Ranjana Todankar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that she may be allowed to amend the pleadings and prayers in the OA. Permission granted.</p> <p>3. At her request, S.O. to 7.4.2020.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020</p> <p>(sgj)</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 style="text-align: center;"><u>C.A. No.44 of 2019 in O.A. No.1134 of 2016</u></p> <p>B.R. Nalawade & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO produces copy of order dated 24.1.2020 passed by the Hon'ble Supreme Court in SLP No.45904/2019. The same is taken on record and marked 'X' for identification. According to the applicant the Ld. Counsel for the respondents submitted that he will not press the contempt petition in the meanwhile.</p> <p>3. S.O. to 28.4.2020.</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Sd/- (A.P. Kurhekar) Member (J) 3.3.2020</p> </div> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020</p> </div> </div> <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 style="text-align: center;"><u>O.A. No.323 of 2017</u></p> <p>V.U. Isane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant as well as Advocate for the Applicant are absent. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today during hearing Ld. PO, on instructions from Shri Yogesh Prakash Ghag, Junior Assistant, Health Department, Z.P., Thane, submits that respondents no.4 & 5 proposes to fix the responsibility on the persons responsible for delay in transferring the amount to the next place of transfer of the applicant. This exercise shall be completed within a period of three months and the interest on the undisbursed amount would be released within a period of 10 days thereafter. Ld. PO seeks two weeks time for filing affidavit.</p> <p>3. S.O. to 16.3.2020.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.3.2020</p> <p>(sgl)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO 1355 OF 2009

DISTRICT : SOLAPUR

Shri M.K Subedar)...**Applicant**
Versus
The State of Maharashtra & Others)...**Respondents**

Shri Arvind V Bandiwadekar, learned advocate for the Applicant.
Smt K.S Gaikwad, learned Presenting Officer for the Respondents no 1 to 3.

Shri D.B Khaire, learned C.P.O for Respondents no 4, 5, 6, 8, 10, 15, 16, 22, 23, 25, 31, 32, 35, 41, 53, 54, 57, 59, 67, 73, 88, 89, 92 & 93.

Shri M.D Lonkar, learned advocate for Respondent no. 14,

Shri R.M Patil, holding Power of Attorney on behalf of Mrs Kiran R. Patil, Respondent no. 44.

Shri M.B Kadam, learned advocate for Respondent no. 79.

Shri B. Deshmukh, learned advocate for Respondents no 38, 51, 70, 78, 87.

CORAM : **Shri P.N Dixit (Vice-Chairman) (A)**
Shri A.P Kurhekar (Member)(J)

DATE : **03.03.2020**

PER : **Shri A.P Kurhekar (Member)(J)**

ORDER

1. Heard Shri Arvind V Bandiwadekar, learned advocate for the Applicant, Smt K.S Gaikwad, learned Presenting Officer for the



Respondents no 1 to 3, Shri D.B Khaire, learned C.P.O for Respondents no 4, 5, 6, 8, 10, 15, 16, 22, 23, 25, 31, 32, 35, 41, 53, 54, 57, 59, 67, 73, 88, 89, 92 & 93, Shri M.D Lonkar, learned advocate for Respondent no. 14, Shri R.M Patil, holding Power of Attorney on behalf of Mrs Kiran R. Patil, Respondent no. 44, Shri M.B Kadam, learned advocate for Respondent no. 79, Shri B. Deshmukh, learned advocate for Respondents no 38, 51, 70, 78, 87.

2. During the course of hearing, Shri Deshmukh, learned Counsel for Respondents no 38, 51, 70, 78 and 87 along with Shri R.M Patil, holding Power of Attorney on behalf of Mrs Kiran R. Patil, Respondent no. 44, today filed additional affidavit in reply. Same is taken on record.

3. Shri R.M Patil, holding Power of Attorney on behalf of Mrs Kiran R. Patil, Respondent no. 44, submitted that Respondent no. 44 has obtained information under R.T.I recently on 27.1.2020 wherein he was informed that applicant was given only one Answer Sheet and it is not a case that two Answer Sheets were given to the applicant.

4. Perusal of Original Application reveals that Respondents no 2 & 3 along with their affidavit in reply produced two Answer Sheets of the applicant which are at pages 491 & 492. In Answer Sheet at page no. 493, applicant himself has made endorsement as under:-

“उत्तर पत्रिकेत श्रुप खाडाखोड झाल्याअसल्याने विनंती करून दुसरी उत्तर पत्रिका बदलून दिली.”

Whereas, as per the information sought under R.T.I, no such second Answer Sheet was given to the applicant by Shri Kumbhar (Invigilator).

5. In view of the above, it is necessary for Respondents no 2 & 3 to explain how two Answer Sheets are forthcoming in view of the information availed by Respondent no. 44 under R.T.I that there is no signature of Shri Kumbhar (Invigilator) on Answer Sheet. In view of the above, Respondents no 1 & 2 are directed to file fresh affidavit to explain this mystery. It is desirable that affidavit of Shri Kumbhar (Invigilator) should also be filed.

6. Shri A.V Bandiwadekar, learned advocate for the applicant initially raised objections that this affidavit filed on behalf of Respondent no. 44 today should not be taken on record, as the matter is at the fag end of final hearing. The objection raised by Shri Bandiwadekar is rejected as the matter pertains to alleged scam and fraud in the examination conducted by the department.

7. In our considered opinion, the additional affidavit filed by Respondent no. 44 would throw some light on the issue involved and therefore, the additional affidavit is taken on record with opportunity to the applicant to explain the same by filing affidavit in reply.

8. S.O to 26.3.2020.

Sd/-

(A.P Kurhekar)
Member (J)

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Place : Mumbai
Date : 03.03.2020
Dictation taken by : A.K. Nair.