

**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 : 03.12.2019.</p> <p>O.A.No.250 of 2019</p> <p>G.G. Kamble & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Heard Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Pleading is complete. The matter pertains to Division Bench.</p> <p>3. Register is directed to place the matter for hearing before appropriate bench.</p> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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|---|--|
| | <p data-bbox="743 471 938 499">Date : 03.12.2019</p> <p data-bbox="954 533 1187 561">O.A.No.1035 of 2019</p> <p data-bbox="743 595 1377 687">Dr. P.B. Thakare & Ors. ...Applicants Versus The State of Maharashtra & Ors. ...Respondents</p> <ol data-bbox="743 721 1398 1866" style="list-style-type: none"><li data-bbox="743 721 1398 842">1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.<li data-bbox="743 875 1398 953">2. Learned C.P.O. for the Respondents seeks time to file reply.<li data-bbox="743 1002 1398 1130">3. In the present matter, interim relief to the extent of down grading of AGP was rejected and stay was granted to the extent of recovery only.<li data-bbox="743 1178 1398 1395">4. However, today learned Advocate for the Applicant submits that the Applicant is entitled to the interim relief as well as main relief, in view of the decision rendered by this Tribunal in O.A.No.829 of 2015 and O.A.No.830 of 2015 decided on 16.09.2016.<li data-bbox="743 1444 1398 1661">5. Learned C.P.O. for the Respondents is therefore directed to bring judgment referred to above to the notice of the Respondents and if the judgment is found applicable to the present case they should take appropriate steps and appraise the Tribunal on next date.<li data-bbox="743 1709 1398 1787">6. Two weeks time is granted to learned C.P.O. to consider the aspect referred to above as well as to file reply.<li data-bbox="743 1835 1024 1866">7. S.O. to 17.12.2019. <p data-bbox="1078 1920 1252 2037" style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p data-bbox="743 2048 781 2077">prk</p> |

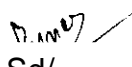
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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 |
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| | <p>Date : 03.12.2019</p> <p align="center">O.A.No.337 of 2018</p> <p>S.G. JagadeApplicant Versus The State of Maharashtra & Ors.Respondents</p> <p>1. Heard Shri Y.R. Shah, learned Advocate for the Applicant, Shri S.D. Dole, learned Presenting Officer for the Respondents and Shri S.G. Walharkar, learned Advocate for Respondent No.3.</p> <p>2. Learned Advocate for the Applicant has filed rejoinder. It is taken on record.</p> <p>3. The matter is taken up for final hearing at the stage of admission.</p> <p>4. Adjourned to 07.01.2020.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>prk</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p>Date : 03.12.2019</p> <p>O.A.No.963 of 2019</p> <p>A.M. Pujari ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri P. Suryawanshi, learned Advocate holding for Shri G.M. Savagave, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. for the Respondents has filed affidavit-in-reply on behalf of Respondent No.1 and the same is adopted on behalf of Respondents No.2 and 3.</p> <p>3. Two weeks time is granted for filing affidavit-in-rejoinder.</p> <p>4. S.O. to 01.01.2020.</p> <p style="text-align: right;">Sd/- WV (A.P. Kurhekar) Member(J)</p> <p>prk</p> |

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..... Respondent/s

(Presenting Officer.....)

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| | <p>Date : 03.12.2019</p> <p>O.A.No.246 of 2019</p> <p>P.K. Bodake ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today learned C.P.O. for the Respondents has filed affidavit-In-sur-rejoinder on behalf of Respondent No.2 who is added during the pendency of O.A. and in respect of whom pleadings are made in rejoinder. It is taken on record.</p> <p>3. Two weeks time is lastly granted for filing reply to the affidavit-In-sur-rejoinder.</p> <p>4. S.O. to 17.12.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

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| | <p>Date : 03.12.2019</p> <p>M.A.No.658 of 2019 in O.A.No.1173 of 2019</p> <p>D.D. Muradnar & Ors.Applicants. Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Appllicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common and concurrent, application for leave to sue jointly is allowed subject to Applicants' paying requisite court fees, if not already paid.</p> <p>4. Miscellaneous Application is allowed.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p> |

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|---|-------------------|

Date : 03.12.2019

O.A.No.1173 of 2019

D.D. Muradnar & Ors.Applicants.
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 02.01.2020.

3. Applicants are 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.

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

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. Applicants are directed to file Affidavit of compliance and notice.

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.

8. S.O. to 02.01.2020.

Sd/-

(A.P. Kurhekar)
Member(I)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 03.12.2019</p> <p>M.A.No.655 of 2019 in M.A.No.258 of 2019 in O.A.No.72 of 2019</p> <p>R.S. NileApplicant. Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri A.D. Gugale, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.2. O.A.No.72 of 2019 was dismissed in default for non compliance of conditional order of filing of affidavit of service within three days before returnable date.3. Learned Advocate for the Applicant submits that due to illness Applicant could not produce the affidavit of service.4. Except mere words, there is no satisfactory explanation for condonation of delay. However, I am inclined to condone the delay and to restore the O.A. subject to costs of Rs.2,000/- payable in the office within seven days.5. M.A.No.655/2019 and M.A.No.258/2019 are allowed subject to payment of costs of Rs.2,000/- in the office within seven days.6. If the cost is paid, O.A. be listed before the Tribunal for passing further appropriate orders. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p> |

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.1140 OF 2019
TO
ORIGINAL APPLICATION NO.1165 OF 2019

| | | |
|-----|----------------|------------------|
| 1. | G.M. Gawali | O.A.No.1140/2019 |
| 2. | A.A. Bhabad | O.A.No.1141/2019 |
| 3. | H.H. Lokhare | O.A.No.1142/2019 |
| 4. | N.S. Kamble | O.A.No.1143/2019 |
| 5. | S.N. Khadpe | O.A.No.1144/2019 |
| 6. | K.B. Patil | O.A.No.1145/2019 |
| 7. | A.M. Shedge | O.A.No.1146/2019 |
| 8. | N.P. Kadam | O.A.No.1147/2019 |
| 9. | S.Y. Kokane | O.A.No.1148/2019 |
| 10. | S.G. Kambli | O.A.No.1149/2019 |
| 11. | S.R. Pawar | O.A.No.1150/2019 |
| 12. | S.S. Bhosale | O.A.No.1151/2019 |
| 13. | O.G. Chavan | O.A.No.1152/2019 |
| 14. | N.V. Gaikwad | O.A.No.1153/2019 |
| 15. | V.M. Barge | O.A.No.1154/2019 |
| 16. | R.S. Choudhari | O.A.No.1155/2019 |
| 17. | V.M. Thombre | O.A.No.1156/2019 |
| 18. | D.N. Zajam | O.A.No.1157/2019 |
| 19. | D.D. Jadhav | O.A.No.1158/2019 |
| 20. | A.K. Palande | O.A.No.1159/2019 |
| 21. | P.P. Sandbhor | O.A.No.1160/2019 |
| 22. | P.P. Pambre | O.A.No.1161/2019 |
| 23. | P.L. Mane | O.A.No.1162/2019 |
| 24. | V.V. Pawar | O.A.No.1163/2019 |
| 25. | S.S. Dukhande | O.A.No.1164/2019 |
| 26. | V.R. Sonawane | O.A.No.1165/2019 |

.....Applicants

Versus

The State of Maharashtra & Ors.

.....Respondents.

Shri C.T. Chandratre, the learned Advocate for the Applicants.

Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

CORAM : SHRI A.P. KURHEKAR, MEMBER(J)

DATE : 03.12.2019

ORDER

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. These Original Applications are filed seeking Allowance in terms of Government Resolution dated 22.11.1995. Applicants are seeking Allowance for working in Bomb Detection and Disposal Squad (B.D.D.S.). Allowance has been granted to the Applicants from the date of passing of order. However, Applicants are claiming the allowance from the date of initial working in B.D.D.S. Applicants have also made representation but those are not responded.
3. Issue notice before admission returnable on 07.01.2020.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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.
8. 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.
9. In the meantime, Respondents shall consider the representations made by the Applicants and appraise the Tribunal on next date.
10. S.O. to 07.01.2020.

Sd/-

(A.P. Kurhekar)
Member (J)

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p>Date : 03.12.2019</p> <p style="text-align: center;">O.A.No.643 of 2019 (Subject : Transfer)</p> <p>V.R. RajputApplicant Versus The State of Maharashtra & Ors.Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The present O.A. is filed for limited relief for direction to the Respondent No.2, Collector, Satara to decide the Applicant's representations dated 03.06.2019 and 25.06.2019 to transfer him ^{as per} on the choices given by him in representations.</p> <p>3. Learned Advocate for the Applicant has pointed out that the Applicant was transferred by the impugned order dated 31.05.2019 on the ground of having completed two years tenure as Circle Officer. He has further pointed out that the provision of transferring Senior Clerk or Circle Officer after competing there two years in terms of G.R. dated 21.11.1995 is set aside by this Tribunal at Aurangabad in O.A.No.300/2017, Aurangabad District Talathi, Sangh Versus State of Maharashtra decided on 04.04.2018.</p> <p>4. In paragraph 16 of the judgment, Tribunal held as follows :-</p> <p style="text-align: center;"><i>"It is declared that, tenure of 2 years prescribed in para 3 of the Government decision dtd. 21.11.1995 (Annex.A-1) stands implied repealed/ modified and the tenure of Awwal Karkoons & Circle Officers will be governed by provisions of Transfer Act, 2005."</i></p> |

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|---|--|
| | <p>5. As such the very foundation for the transfer of the applicant is not available with the Respondents, in view of the decision in O.A.No.300 of 2017.</p> <p>6. In view of the above, Respondent No.2 is required to consider the representation of the applicant and to pass appropriate order.</p> <p>7. For the aforesaid reasons, O.A. is disposed of with direction to the Respondent No.2 to consider the representations dated 03.06.2019 and 25.06.2019 of the applicant and shall pass appropriate orders thereon within six weeks from today.</p> <p>8. Decision as the case may be shall be communicated to the Applicant within a week thereafter.</p> <p>9. If Applicant feels, he may avail further legal remedy in accordance with law.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p> |

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| | <p>Date : 03.12.2019</p> <p align="center">O.A.No.1172 of 2019</p> <p>Dr. S.K. Walinjkar ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri M.V. Thorat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant is seeking stay to the impugned order dated 27.09.2019 and sought to contend that the Applicant's case is squarely covered by the decision rendered by the Hon'ble High Court, Aurangabad Bench in Writ Petition No.6261 of 2017 (Vaishali B. Bhagwat & Ors. Versus The State of Maharashtra & Ors.) decided on 26.04.2019.</p> <p>3. Learned C.P.O. for the Respondents seeks two days time to find out whether the facts in present case are similar to the facts in Writ Petition NO.6261 of 2017.</p> <p>4. Issue notice before admission returnable on 09.12.2019.</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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> |

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| | <p>6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>7. 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>8. 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. Applicants are directed to file Affidavit of compliance and notice.</p> <p>9. 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.</p> <p>10. Issue of interim relief is kept open.</p> <p>11. S.O. to 09.12.2019.</p> <p style="text-align: right;">Sd/- W (A.P. Kurhekar) Member(J)</p> <p>prk</p> |

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|---|--|
| | <p align="center">O.A.No.944 of 2019 (Subject : Transfer)</p> <p>M.S. Jawanjai-PatilApplicant. 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. In the present O.A. Applicant has challenged the transfer order dated 13.09.2019 whereby he was transferred from the post of Assistant Commissioner (Drug), Kolhapur to Assistant Commissioner (Drug) Bhandara on administrative grounds.</p> <p>3. The Tribunal has granted interim relief by order dated 25.09.2019 having noticed that there is no approval to the transfer of the Applicant from Hon'ble Chief Minister being competent authority for such mid-term and mid-tenure transfer.</p> <p>4. At the time of grant of interim relief, learned P.O. had tendered file noting, for perusal of the Tribunal.</p> <p>5. On perusal of file it was noticed that the Civil Services Board had recommended transfer the Applicant to Sangli and the same was approved by the Hon'ble Chief Minister. However, later on the ground of serious complaint against the Applicant pertaining to functioning at Kolhapur posting was changed from Sangli to Bhandara. But no approval is taken from Hon'ble Chief Minister while posting at Bhandara.</p> |

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| | <p>6. As such the transfer was made without obtaining approval of the Hon'ble Chief Minister who is competent authority as contemplated under Section 4(5) of the Transfer Act 2005. This aspect was not disputed by the learned P.O.</p> <p>7. Till date enough chances are granted for filing reply but no reply is filed.</p> <p>8. As such there seems to be no ground for Respondents to resist application in view of the material legal defect surfaced on record i.e. non approval to the impugned transfer order by the competent authority as mandated by Section 4(5) of the Transfer Act 2005.</p> <p>9. This being the decision, there is no point to keep the matter pending as till date no remedial measures are taken by the Respondents.</p> <p>10. For the aforesaid reasons, there is no alternative, except to confirm the interim relief granted by the Tribunal on 25.02.2018.</p> <p>11. Impugned transfer order dated 13.09.2019 is quashed and set aside. O.A. is accordingly disposed of.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p> |

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
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| | <p align="center"><u>03.12.2019</u></p> <p align="center"><u>C.A 43/2019 in O.A 315/2017</u></p> <p>Shri S.N Salunke Applicant Vs. The State of Maharashtra & Ors Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms S.P Manchekar, learned C.P.O for the Respondents.</p> <p>2. The learned C.P.O submits that the matter has been decided by Hon. High Court on 29.11.2019. She further submits that the uploaded copy would be produced on 10.12.2019.</p> <p>3. S.O to 10.12.2019.</p> <p align="center">Sd/- </p> <p align="center">w (A.P. Kurhekar) Member (J)</p> <p align="center">Akn</p> <p align="center">Sd/- </p> <p align="center">(P.N. Dixit) Vice-Chairman (A)</p> |

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| | <p><u>03.12.2019</u></p> <p><u>O.A 1171/2019</u></p> <p>Shri S.A Bale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri S.D Dole, learned P.O for the Respondents.</p> <p>2. The Respondents are directed to intimate progress regarding the appeal made on 11.2.2019. The learned P.O is directed to bring to the notice of the Respondents and brief this Tribunal on 10.12.2019.</p> <p>3. S.O to 10.12.2019. Hamdast and steno copy is granted.</p> <p>Sd/- ✓ (A.P. Kurhekar) Member (J)</p> <p>Sd/- ✓ (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p> |

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| | <p>03.12.2019</p> <p><u>O.A 1170/2019</u></p> <p>Shri R.N Yamgar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. At the request for the learned advocate for the applicant adjourned to 5.12.2019 for carrying out amendment in the prayer clause.</p> <p>B. S.O to 5.12.2019.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> |

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| | <p><u>03.12.2019</u></p> <p><u>C.A 49/2019 in O.A 378/2019</u></p> <p>Dr S.A Koli ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that the mater may be adjourned to next week so that Respondents can take appropriation action in the matter.</p> <p>3. At her request adjourned to 11.12.2019.</p> <p>Sd/- _____ Sd/- _____ (A.P. Kurhekar) (P.N. Dixit) Member (J) Vice-Chairman (A)</p> <p>Alm</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 |
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| | <p><u>03.12.2019</u></p> <p><u>M.A 631/2019 in O.A 991/2018</u></p> <p>The State of Maharashtra & Ors ... Applicants (Ori Respondents)</p> <p>Vs. Mr A.S Kamble & Others ... Respondent (Ori Applicant)</p> <p>1. Heard Shri A.J Chougule, learned P.O for the Applicants (Ori Respondents) and none for the Respondent (Ori Applicant).</p> <p>2. At the request of learned P.O, adjourned to 11.12.2019 for keeping this Tribunal informed about the progress made in the case.</p> <p>3. S.O to 11.12.2019.</p> <p style="text-align: right;">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Attn</p> |

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| | <p style="text-align: center;"><u>O.A. No.782 of 2019</u></p> <p>S.B. Yeole ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Pradeep Rane, learned Advocate holding for Shri A.A. Gharte, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. CPO adjourned to 17.12.2019.</p> <table style="width: 100%;"><tr><td style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 3.12.2019</td><td style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019</td></tr></table> <p>(sgj)</p> | Sd/- (A.P. Kurhekar) Member (J) 3.12.2019 | Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019 |
| Sd/- (A.P. Kurhekar) Member (J) 3.12.2019 | Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019 | | |

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| | <p align="center"><u>O.A. No.552 of 2019</u></p> <p>R.A. Bhise ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Shri S.S. Dere, learned Advocate files Vakalatnama and rejoinder on behalf of applicant and the same is taken on record.</p> <p>3. Ld. PO seeks one weeks time to take instructions as to whether respondent no.3 proposes to file reply.</p> <p>4. S.O. to 18.12.2019.</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J) 3.12.2019 (sgj)</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019</p> |

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| | <p>Date : 03.12.2019</p> <p>O.A.No.733 of 2019 with M.A.No.506 of 2019 With M.A.No.410 of 2019 in O.A.No.733 of 2019</p> <p>M.R. Rathod (O.A.733/2019 with M.A.506/2019) V.G. Giri (M.A.410/2019 with O.A.733/2019) ...Applicants</p> <p>Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri Talekar & Ors., learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri S.S. Dere, learned Advocate holding for Shri Bhandare, learned Advocate for the Respondent.</p> <p>2. In the present O.A. Applicant has challenged the Government Resolution dated 22.04.2019 and obviously the matter pertains to Division Bench. The office has wrongly listed it before the Single Bench instead of listing it before Division Bench.</p> <p>3. Registrar to look into it and place it before Division Bench.</p> <p style="text-align: right;">Sd/- W (A.P. Kurhekar) Member(J)</p> <p>prk</p> |

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| | <p style="text-align: center;"><u>O.A. No.3 of 2018</u></p> <p>R.T. Kale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is already filed. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 3.12.2019 (sgi)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019</p> |

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| | <p style="text-align: center;"><u>M.A. No.501 of 2019 in O.A. No.836 of 2018</u></p> <p>S.R. Mane & Ors. ..Applicants And U.K. Survade & Ors. ..Original Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri O.M. Kulkarni, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. MA No.501 of 2019 is for impleading applicants in the OA. At the request of Ld. Advocate for the applicants MA be heard along with OA after four weeks.</p> <p>3. Ld. Advocate for the applicants is directed to satisfy this Tribunal about the criteria regarding similarity of pay scale as laid down by the Hon'ble Supreme Court.</p> <p>4. S.O. to 16.1.2020.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 3.12.2019 (sgj)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019</p> |

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| | <p style="text-align: center;"><u>M.A. No.474 of 2019 in O.A. No.862 of 2019</u></p> <p>D.K. Gunjal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondent No.1</p> <p>2. Shri M.D. Lonkar, learned Advocate files Vakalatnama on behalf of respondent no.2.</p> <p>3. Ld. CPO files replies in MA as well as OA on behalf of respondent no.1 and the same are taken on record.</p> <p>4. S.O. to 8.1.2020.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 3.12.2019</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019</p> <p>(sgj)</p> |

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| | <p style="text-align: center;"><u>M.A. No.569 of 2019 in O.A. No.925 of 2017</u></p> <p>D.K. Gunjal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondent No.1 to 6, Shri M.D. Lonkar, learned Advocate for Respondents No.7, 11, 15, 19, 21, 24, 26, 31, 42, 52, to 55 and Ms. Suchita J. Pawar, learned Advocate for Respondent No.43.</p> <p>2. Ld. Advocate for the applicant tenders brief notes on maintainability to the Court and supplies copy to Ld. CPO and Ld. Advocates for private respondents.</p> <p>3. Ld. CPO and Ld. Advocate for private respondents seeks two weeks to time to file reply.</p> <p>4. S.O. to 8.1.2020.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (A.P. Kurhekar) Member (J) 3.12.2019</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019</p> </div> </div> |

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| | <p style="text-align: center;"><u>O.A. No.453 of 2019</u></p> <p>S.T. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.D. Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of L.d. Advocate for the applicant adjourned to 16.1.2020.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 3.12.2019</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.1019 of 2019</u></p> <p>G.S. Kumawat ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks two weeks time to file reply. The respondents are directed to file short affidavit regarding para 7.5 of OA and clarify the position while filing reply.</p> <p>3. S.O. to 19.12.2019.</p> <p align="center"> <table border="0"> <tr> <td align="center">Sd/- (A.P. Kurhekar) Member (J) 3.12.2019</td> <td align="center">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019</td> </tr> </table> </p> <p>(sgj)</p> | Sd/- (A.P. Kurhekar) Member (J) 3.12.2019 | Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019 |
| Sd/- (A.P. Kurhekar) Member (J) 3.12.2019 | Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019 | | |

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| | <p style="text-align: center;"><u>O.A. No.1017 of 2019</u></p> <p>S.M. Jawale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.D. Gugale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO produces a communication dated 26.11.2019 promoting the applicant on ad hoc basis. The same is taken on record and marked 'X' for identification.</p> <p>3. Ld. Advocate for the applicant seeks permission to withdraw the above OA. OA is allowed to be withdrawn and disposed off as such.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 3.12.2019 (sg)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 3.12.2019</p> |

(Presenting Officer.....)

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| | <p>Date : 03.12.2019</p> <p>O.A.No.643 of 2019 (Subject : Transfer)</p> <p>V.R. Rajput ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The present O.A. is filed for limited relief for direction to the Respondent No.2, Collector, Satara to decide the Applicant's representations dated 03.06.2019 and 25.06.2019 to transfer him ^{as per} on the choices given by him in representations.</p> <p>3. Learned Advocate for the Applicant has pointed out that the Applicant was transferred by the impugned order dated 31.05.2019 on the ground of having completed two years tenure as Circle Officer. He has further pointed out that the provision of transferring Senior Clerk or Circle Officer after competing there two years in terms of G.R. dated 21.11.1995 is set aside by this Tribunal at Aurangabad in O.A.No.300/2017, Aurangabad District Talathi, Sangh Versus State of Maharashtra decided on 04.04.2018.</p> <p>4. In paragraph 16 of the judgment, Tribunal held as follows :-</p> <p><i>"It is declared that, tenure of 2 years prescribed in para 3 of the Government decision dtd. 21.11.1995 (Annex.A-1) stands implied repealed/ modified and the tenure of Awwol Karkaons & Circle Officers will be governed by provisions of Transfer Act, 2005."</i></p> |

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5. As such the very foundation for the transfer of the applicant is not available with the Respondents, in view of the decision in O.A.No.300 of 2017.

6. In view of the above, Respondent No.2 is required to consider the representation of the applicant and to pass appropriate order.

7. For the aforesaid reasons, O.A. is disposed of with direction to the Respondent No.2 to consider the representations dated 03.06.2019 and 25.06.2019 of the applicant and shall pass appropriate orders thereon within six weeks from today.

8. Decision as the case may be shall be communicated to the Applicant within a week thereafter.

9. If Applicant feels, he may avail further legal remedy in accordance with law.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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| | <p><u>03.12.2019</u></p> <p><u>O.A 1131/2019</u></p> <p>Shri M.A Kadam ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Shinde, learned advocate for the applicant and Ms S.P Manchekar, learned C.P.O for the Respondents.</p> <p>2. During the hearing, learned advocate for the applicant submits that he has not filed appeal in the matter before the appellate authority.</p> <p>3. On instructions from the applicant, learned advocate for the applicant proposes to withdraw the O.A at this stage.</p> <p>4. Accordingly, permitted to withdraw the O.A.</p> <p>5. O.A stands disposed of as withdrawn.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</p> <p>Sd/- (P.N. Dixit) Vice-Chairman (A)</p> <p>Akn</p> |