

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 : 08.03.2021</p> <p style="text-align: center;">O.A.No.155 of 2019</p> <p>M. K. AtkarApplicant</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 Ms N. G. Gohad holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the matter is being conducted by Smt.Kranti Gaikwad but she is unable to remain present today and requested to adjourn the matter.</p> <p>3. S.O. to 23.03.2021.</p> <p style="text-align: right;">A Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 08.03.2021</p> <p style="text-align: center;">O.A. No.109 of 2021</p> <p>N.M. Patekar & Ors.Applicants</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 Counsels for the Applicants and Shri A. J. Chougule, learned Presenting Officers for the Respondents. 2. The Applicants grievance is that they have completed more than five years service in Motor Transport department but they are not repatriated to their original establishment. 3. In terms of policy decision as reflected in letter dated 16.07.2018, Applicants were required to be repatriated after five years service in Motor Transport department. 4. This Tribunal has passed orders in earlier litigation to relieve the Applicants therein who have completed five years tenure. As such, the Applicants are also repatriated to their original establishment. 5. Learned P.O. on instructions from Respondents made a specific statement that the department is ready to relieve the Applicants in general transfers of 2021, and further stated that even if, the general transfers do not take place or delayed for one or other reason in that event also the Applicants will be relieved at the end of May, 2021. The statement is accepted. 6. In view of above statement made by Shri A. J. Chougule, learned Presenting Officer for the Respondents, Original Application is disposed of. 7. Learned P.O. has tendered letter dated 08.03.2021 on record. It is marked by letter 'X'. 8. Accordingly, Original Application is disposed of with no order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> |

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| | <p>Date : 08.03.2021</p> <p>O.A.No. 614 of 2020</p> <p>Dr. R. R. RamtekeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer holding for Ms S.P. Manchekar, learned Chief 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. S.O. to 30.03.2021 for filing Rejoinder.</p> <p style="text-align: right;">Sd/- W (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 08.03.2021</p> <p style="text-align: center;">O.A.No.03 of 2021</p> <p>A. P. MutheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Counsel both are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present. 2. Smt.Punam Mahajan, learned Counsel for the Applicant had sent leave note. 3. Today. Learned P.O. has filed reply on behalf of the Respondent Nos.2 and 3. It is taken on record. 4. Since pleading is complete, the matter is adjourned for Final Hearing. 5. S.O. to 01.04.2021. <p style="text-align: right; margin-right: 100px;"> [^] Sd/- ^v (A.P. Kurhekar) Member(J) </p> <p>vsm</p> |

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| | <p>Date : 08.03.2021</p> <p style="text-align: right;">O.A.No.851 of 2019</p> <p>R. D. HirveApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant is absent. Applicant's Counsel Smt. Punam Mahajan had sent a leave note. 2. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present. 3. The matter is adjourned for hearing at the stage of admission. 4. S.O. to 30.03.2021. <p style="text-align: right; margin-right: 100px;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 08.03.2021</p> <p align="right">O.A.No.77 of 2019</p> <p>K. P. Kapse & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Gaurav Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, learned Counsel for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record. 3. On request of learned Counsel for the Applicant, the matter is adjourned for final hearing. 4. S.O. to 30.03.2021. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 08.03.2021</p> <p>M.A.No.49 of 2018 in O.A.No. 83 of 2018</p> <p>U. N. KhobragadeApplicant</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 Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted but no reply is filed.</p> <p>3. Hence, I am not inclined to grant further time.</p> <p>4. Misc. Application be kept for hearing without reply.</p> <p>5. S.O. to 22.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p>L.O.</p> <p>6. Learned P.O. has filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record.</p> <p>7. S.O. to 22.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> |

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| | <p>Date : 08.03.2021</p> <p align="center">O.A.No.864 of 2019</p> <p>A. D. Daundkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant requested for one week time to take instructions from Applicant Nos.2 and 3 as to whether they want to continue the O.A. since the Applicant No.1 has already withdrawn O.A. to his extent.</p> <p>3. S.O. to 15.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p style="text-align: center;"><u>O.A.103/2020</u></p> <p>Shri N.G. Deshmukh ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents.</p> <p>2. The submission of Shri Bandiwadekar, learned Advocate for the Applicant was heard on previous date and today, the matter was kept for hearing of learned C.P.O.</p> <p>3. Shri A.J. Chougule, learned P.O. states that CPO is busy in another Court and requested to keep the matter on tomorrow.</p> <p>4. Adjourned for tomorrow with specific instruction that no further time will be granted.</p> <p>5. The matter be kept at 2.30. p.m. tomorrow i.e. on 09.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 08.03.2021</p> <p>(skw)</p> <p>L.O.</p> <p>6. Learned C.P.O. appears at 4.10 pm and requested to keep the matter on 15.03.2021.</p> <p>7. S.O. to 15.03.2021 with specific direction that no further time will be granted.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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08.03.2021

**C.A 04/2021 (Aurangabad) in C.A 6/2021 (Mumbai)
in O.A Stamp No. 39/2021 (Aurangabad)
(Through Video Conference)**

Dr S.B Sayamber ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Dr S.B Sayamber, applicant in person and Shri M.S Mahajan, learned C.P.O for the Respondents.

2. Till today the Respondents have not executed the order passed by this Tribunal, though it should have been implemented within one month from the date of order dated 12.1.2021. No application seeking extension of time is filed by the Respondents. The Respondent is given last chance to file affidavit in reply and inform about the execution of order on the next date.

3. In the event of failure of doing so, we make it clear, this Tribunal will have to take strict action against the Respondents.

4. S.O to 15.3.2021 at 3.30 pm.

Sd/-

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

Akn

Sd/- 

(Mridula Bhatkar, J.)
Chairperson

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08.03.2021

O.A 85/2021 with M.A St. 153/2021 (Aurangabad)
(Through Video Conference)

Dr B.M Shinde ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri V.B Wagh, learned advocate for the applicant and Shri M.S Mahajan, learned C.P.O for the Respondents.
2. Learned C.P.O informs that this is altogether a different and second enquiry dated 25.11.2020 and it is not related to the first enquiry dated 29.5.2018.
3. Learned C.P.O is directed to file affidavit in reply.
4. S.O to 23.3.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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08.03.2021

O.A 136/2012

Shri P.D Dorkar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Ms Apurvi Joshi i/b Shri A.A Desai, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondents no 1 & 2 and Shri B.A Bandiwadekar, learned advocate for Respondents no. 6 & 7

2. Learned advocate Mr Bandiwadekar submits that after remand Respondents no. 6 & 7 are made party in the array of the O.A recently and copy of Original Application is served on the Respondents. Therefore, he seeks time to file affidavit in reply. At his request time granted.

3. Learned advocate for the Respondents no 6 & 7 is directed to file affidavit in reply and serve copy of the same on learned advocate for the applicant and learned C.P.O before the next date.

4. S.O to 25.3.2021

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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| | <p align="center"><u>O.A. No.186 of 2020</u></p> <p>Ms. Aasma H. Shaikh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. None for the applicant.</p> <p>2. Ld. PO files reply on behalf of respondents no.1 to 4 and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant to remain present to satisfy the query made by the Tribunal on 11.3.2020, else the matter will be dismissed.</p> <p>4. S.O. to 30.3.2021.</p> <p align="center">Sd/- (P.N) Dixit Vice-Chairman 8.3.2021</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 8.3.2021</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.91 of 2021</u></p> <p>Kirankumar B. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Applicant wants implementation of the order of promotion dated 24.11.2020. According to the applicant, respondent no.1 is not relieving the applicant.</p> <p>3. Ld. PO files replies on behalf of respondent no.1 & 2 and respondent no.3 and the same are taken on record.</p> <p>4. S.O. to 10.3.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 8.3.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 8.3.2021</p> |


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| | <p align="center"><u>O.A. No.128 of 2021</u></p> <p>Udaykumar M. Vhatkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Applicant wants implementation of the order of promotion dated 22.1.2021. According to the applicant, respondent no.1 is not relieving the applicant.</p> <p>3. Ld. PO files replies on behalf of respondent no.1 & 2 and respondent no.3 and the same are taken on record.</p> <p>4. S.O. to 10.3.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 8.3.2021 (sgj)</p> <p align="center">Sd/-  (Mridula R. Bhatkar, J.) Chairperson 8.3.2021</p> |


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| | <p align="center"><u>O.A. No.392 of 2020</u></p> <p>Dilip K. Jadhav & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.P. Sangvikar, learned Advocate for the Applicants and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files affidavit in reply on behalf of respondent no.2 and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder, if any.</p> <p>4. S.O. to 30.3.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 8.3.2021 (sgj)</p> <p align="right">Sd/-  (Mridula R. Bhatkar, J.) Chairperson 8.3.2021</p> |

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| | <p align="center"><u>M.A. No.238 of 2020 in O.A. No.392 of 2020</u></p> <p>Dilip K. Jadhav & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.P. Sangvikar, learned Advocate for the Applicants and Ms. Neelima Gohad, learned 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/- (P.N. Dixit) Vice-Chairman 8.3.2021 (sgj) </p> <p align="center">  Sd/- (Mridula R. Bhatkar, J.) Chairperson 8.3.2021 </p> |

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| | <p align="center"><u>O.A. No.321 of 2020</u></p> <p>K.R. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files affidavit in reply on behalf of respondent no.1 and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder, if any.</p> <p>4. S.O. to 5.4.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 8.3.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 8.3.2021</p> |

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| | <p align="center"><u>O.A. No.254 of 2020</u></p> <p>R.S. Kadam ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files affidavit in reply on behalf of respondent no.1 and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder, if any.</p> <p>4. S.O. to 5.4.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 8.3.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 8.3.2021</p> |

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| | <p align="center"><u>O.A. No.114 of 2020</u></p> <p>Rahul S. Jikare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.K. Hande, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant seeks one weeks time to remove the office objections.</p> <p>3. S.O. to 22.3.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 8.3.2021</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 8.3.2021</p> <p>(sgj)</p> |

Office Notes, Office Memoranda of Coram,
Appeals and Tribunal's orders or
objections and Registrar's orders

Tribunal's orders

O.A. No.189 of 2021

Sagar S. Narale ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. The applicant an aspiring candidate to become Police Constable challenges the order dated 28.8.2019 rejecting his candidature on the ground that he did not mention his caste or reservation. Though the applicant belongs OBC he has given his candidature in Open category. Ld. Advocate for the applicant submits that accordingly the applicant has also made representation in the midst of the selection process for his migration from Open to OBC.

3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.

4. Issue notice before admission returnable on 8.4.2021.

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

Sd/-

(P.N. Dixit)
Vice-Chairman
8.3.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
8.3.2021

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

Date : 08.03.2021

O.A.No.810 of 2018

T.L. Savane ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. The learned P.O. now submits that the respondents want to file sur- rejoinder and hence sought one week time.

3. Time granted. Adjourned to 15.03.2021. (P.H).

Sd/-

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

Sd/-

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

prk


**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>R.A. No.20 of 2018 in O.A. No.99 of 2011</u></p> <p>J.Y. Gangawane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. Applicant absent.</p> <p>2. Today none present though the matter is fixed under the caption 'Dismissal'. By way of efforts the office is directed to get the email and send the email to him that the matter is fixed for 'Dismissal' as he has not communicated anything since 15.1.2019. He has also not informed whether he has approached the Hon'ble High Court. Hence, the matter is again fixed under the caption 'Dismissal' on 30.3.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 8.3.2021 (sgj)</p> <p align="center">Sd/-  (Mridula R. Bhatkar, J.) Chairperson 8.3.2021</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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| | <p><u>O.A. No.124 of 2021</u></p> <p>Mahesh V. Ghuge ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.S. Solwat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant challenges the order dated 31.8.2019 cancelling his selection for the post of Junior Accountant/Junior Auditor issued by the respondents and prays that it should be quashed and set aside.</p> <p>3. Ld. Advocate for the applicant submits that after receiving this communication the applicant sent a representation so also thereafter a legal notice dated 20.12.2019 to the respondents. However, as there is no reply from the respondents the applicant filed W.P. (St.) No.4378 of 2020 and in the said writ petition the Hon'ble Division Bench by order dated 7.1.2021 directed the petitioner to approach this Tribunal for relief. Hence, the applicant is now before this Tribunal.</p> <p>4. Ld. CPO states that there are two other matters on the similar issue of requirement of MSCIT at the time of appointment as per the rules for this particular post. Ld. CPO seeks time.</p> <p>5. We direct the office of Ld. CPO to furnish the numbers of other similar matters.</p> <p>6. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 7.4.2021.</p> |

Tribunal's orders

8. 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.

9. 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.

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

Sd/-

(P.N. Dixit)
Vice-Chairman
8.3.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
8.3.2021

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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|---|---|
| | <p align="center"><u>O.A. No.154 of 2021</u></p> <p>Shridhar S. Samant ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.B. Kale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant who applied for the post of Talathi in District Thane challenges the order dated 25.12.2019 rejecting his candidature. Ld. Advocate for the applicant submits that the applicant has applied under EWS category. As per the GR dated 12.2.2019 the applicant should obtain EWS certificate within six months from the date of application or from the date of GR, whichever is later. Ld. Advocate for the applicant applied on 22.3.2019 and he secured the certificate on 9.10.2019. However, the period of six months got over on 21.9.2019. Ld. Advocate submits that thus the applicant was hardly 16 days late. Ld. Advocate for the applicant further submits that there is a clarification letter/order dated 14.9.2020 issued by GAD that the time for submission of the EWS certificate was extended upto March, 2020. Ld. Advocate submits that however, his rejection is inconsistent with this clarification letter.</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 8.4.2021.</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</p> |

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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| | <p><u>08.03.2021</u></p> <p style="text-align: center;"><u>O.A 975, 976 & 977 /2019</u></p> <p style="text-align: center;"><u>DRAFT ORDERS</u></p> <p>Shri G.S Bhajbuje & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri J.V Patil, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p style="text-align: center;">O.A 975/2019 - (OBC), OA 976/2019 - (SEBC), and O.A 977/2019 - SC FEMALE (two applicants).</p> <p>2. All the applicants have applied for the post of Ashram School Superintendent, pursuant to the advertisement dated 18.12.2018.</p> <p style="text-align: center;">For Vertical Reservation the total posts for Male candidates - 28. S.C-1, S.T-1, VJ (A)-1, Nomadic Tribe (B)-1, Nomadic Tribe (C) -0, Nomadic (D)-3, SBC-1, OBC-4, Open-13 and SEBC-3.</p> <p style="text-align: center;">For Horizontal Reservation Ex-service-3, Sportsmen-1, temporary-1 and PAP-1, Open General-22</p> <p style="text-align: center;">Female candidates- 84 posts.</p> <p style="text-align: center;">Vertical Reservation : SC-4, ST-4, VJ (A)-4, N.T (B)-5, N.T (C)- 3, NT (D)- 4, SBC -1, OBC-9, Open-42 and SEBC-8,</p> <p style="text-align: center;">Female General-84 posts: Horizontal Reservation : Ex-servicemen-13, Sports-2, Temporary-7, Earthquake affected -1, PAP-2, Open General-59.</p> <p>3. In two matters, the applicants are male candidates who claim in O.A 975/2019 from OBC-General out of reserved category 4, out of which one is Ex-servicemen. He claims from OBC-General.</p> <p>4. O.A 976/2019, applicant claims appointment from SEBC category. The applicant, male from SEBC, claims appointment out of 3 reserved posts.</p> <p>5. In O.A 977/2019, two female applicants claim appointment from SC-female category, out of 4 posts.</p> <p>6. Thus all the applicants may claim in a vertical reservation. All the applicants hold Post Graduation, in Social Work and had secured BSW and MSW. All the candidates challenge the calculation of their percentage and the calculation of the final marks as it is inconsistent with clause no. 2A of G.R dated 1.12.2018.</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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The contentions raised in all the applications is that while calculating the total marks, which includes 50% of the marks secured in the educational qualification plus 50% out of written examination, the procedure followed by the Respondents is incorrect as the marks secured in Post-Graduation, i.e. MSW were not at all taken into account. However, 50% of marks only in BSW have been considered.

7. In case of certain applicants, who did only MSW their marks of MSW have been considered. In case of candidates who did BSW, their marks of BSW have been considered. However, in case of candidates who have done BSW & MSW, their marks of only BSW have been considered and marks in MSW have not been considered. Therefore, the learned counsel contends that this violative of Art. 14 of the Constitution of India.]

8. Learned counsel for the applicants claim that he has served notice on the private Respondents through the office of the Respondents. However, there is no indication that private Respondents have actually received the same and there is no service report regarding the same.

9. Learned C.P.O has pointed out letter dated 15.2.2019 issued by Shashikala Ahirrao, Dy. Commissioner, Tribal Development Department, Nasik, wherein for cadre post the method of calculation of the marks as per the educational qualification is stated. However, the method of calculation in the said letter, prima facie, appears inconsistent with G.R dated 1.12.2018.

10. In O.A 975/2019, Private Respondents, Shri S.P. Dhudase, R/o: Nikandra, Tal-Sawali, Dist-Chandrapur 441 225. Mr Satish R. Zampalwar, R/o: Nerpinglal, Tal-Morshi, Dist-Amravati 444 707 and Mr. Bondre Dyaneshwer Ashok, are not served. However, they are selected.

11. In O.A 976/2019, private Respondents, Shahdatt S. Puyad, Pavse Satish Eknath, Bakshi G. Nivrutti, Tambe Ghanshyam Vinayakrao and Karale B. Antram are not served, however they are selected.

12. In O.A 977/2019: private Respondents Madhuri to Trupti, Minakshi W. Nandeshwar, Pratibha S. Salunkhe, T rishalya K. Khune, Pranalee D. Satdive, Poonam N. Sable, Sonali B. Gaikwad, Swati V. Kapale, Mamat a K. Munjamkar, Dipti S. Nikam, Minakshi S. Sonawane, Trupti A. Tayade, are not served. However, they are selected.

13. The learned counsel for the applicant is required to serve on all the Respondents by Speed Post or by Courier. Learned counsel for the applicant is directed to furnish his email id to Respondent no. 2 and Respondent no. 2 is directed to provide the email address as well as postal address of the private Respondents to the learned advocate for the applicant so as to enable the learned advocate for the applicant to serve notice on the private Respondents. Respondent no. 2 is further directed to find out if the private Respondents have joined the service and communicate to the private Respondents about the pending matter and ask them to appear before this Tribunal on the next date either in person or through their counsel.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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14. S.O to 25.3.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 08.03.2021</p> <p style="text-align: center;">M.A. No.104 of 2021 in O.A.No.190 of 2021</p> <p>R. K. Shimpi & Ors.Applicants</p> <p style="text-align: center;">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 Applicants 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.104/2021 is allowed. <p style="text-align: right; margin-right: 100px;">Sd/- v v (A.P. Kurhekar) Member(J)</p> <p style="margin-left: 100px;">vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p>Date : 08.03.2021</p> <p>R. A. No.03 of 2021 in O.A.No.792 of 2019</p> <p>Dr. D. B. BamaneApplicant</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. On request of learned Presenting Officer for the Respondents, two weeks time as a most last chance is granted for filing reply.</p> <p>3. S.O. to 22.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 08.03.2021</p> <p style="text-align: center;">O.A.No.123 of 2021</p> <p>P. B. PawarApplicant</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 Applicants and Ms N. G Gohad, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 05.04.2021. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 05.04.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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| | <p>Date : 08.03.2021</p> <p>O.A.No.119 of 2021</p> <p>R. T. KedariApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Ms N. G. Gohad, learned Presenting Officer for the Respondents is present.</p> <p>2. Learned Counsel for the Applicant has taken circulation of today but had sent leave note.</p> <p>3. S.O. to 12.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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|---|--|
| | <p>Date : 08.03.2021</p> <p>O.A.No.80 of 2021</p> <p>Dr. J. K. PagareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Shri J. S. Deshmukh, learned Counsel for the Applicant has filed leave note.2. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.3. Learned Counsel for the Applicant requested to keep the matter in the month of April.4. S.O. to 01.04.2021. <p>Sd/- Ww (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

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DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 08.03.2021</p> <p>O.A.No.81 of 2021</p> <p>Dr. A. R. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Shri J. S. Deshmukh, learned Counsel for the Applicant has filed leave note. 2. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present. 3. Learned Counsel for the Applicant requested to keep the matter in the month of April. 4. S.O. to 01.04.2021. <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

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DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 08.03.2021</p> <p align="center">O.A.No.496 of 2019</p> <p>S.P.KaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Vaishali Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant seeks permission to withdraw the Original Application and has tendered letter of the Applicant to that effect. It is taken on record and marked by letter 'X'.</p> <p>3. Allowed to withdraw the O.A.</p> <p>4. O.A. is disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 08.03.2021</p> <p style="text-align: center;">O.A.No.183 of 2021 with O.A.No.184 of 2021</p> <p>B. D. Potdar K.P. RamchandraApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 05.04.2021. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 05.04.2021. Sd/- <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p>Date : 08.03.2021</p> <p>M.A.No.219 of 2019 in O.A.No. 671 of 2018</p> <p>U. N. KhobragadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri S.S. Dere, learned Counsel along with his client is present. Smt. Archana B. K., learned Presenting Officer for the Respondents is also present.</p> <p>2. Learned Counsel for the Applicant seeks permission to withdraw M.A.No.219/2019.</p> <p>3. Allowed to withdraw M.A.</p> <p>4. Accordingly, M.A. is disposed of with no order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p>Date : 08.03.2021</p> <p align="center">M.A.No.351 of 2020 in O.A.No.246 of 2019</p> <p>P. K. BodakeApplicant</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 Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for hearing of M.A.</p> <p>3. S.O. to 23.03.2021.</p> <p align="right">Sd/- w (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

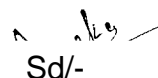

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

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|---|---|
| | <p>Date : 08.03.2021</p> <p align="center">M.A.No.356 of 2020 In O.A.No. 795 of 2020</p> <p>M.S. ShelakeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Rekha Musale i/b Shri Rajguru, 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 as for filing reply as a most last chance.</p> <p>3. S.O. to 22.03.2021.</p> <p 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

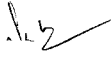
(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| | |
|---|---|
| <p align="center">Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p> | <p align="center">Tribunal's orders Date : 08.03.2021</p> |
| | <p align="center">O.A.No.575 of 2020 with O.A. No.589 of 2020</p> <p>P. K. Marde S. N. SawantApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar and Shri M. D. Lonkar, learned Counsels for the Applicants respectively and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted for filing reply but the same is not filed.</p> <p>3. Hence, I am not inclined to grant further time.</p> <p>4. Matters be kept for hearing at the stage of admission.</p> <p>5. S.O. to 30.03.2021.</p> <p align="right">Sd/-  Vw (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.....)

| | |
|--|---|
| <p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p> | <p>Tribunal's orders Date : 08.03.2021</p> |
| | <p>O.A.No.687 of 2020</p> <p>Dr. V. R. PatilApplicant</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 Respondent No.1. None appeared for Respondent No.2 though served.</p> <p>2. On request of learned P.O., two weeks time is lastly granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 15.03.2021.</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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|--|--|
| | <p>Date : 08.03.2021</p> <p>O.A.No.152 of 2021</p> <p>R.S. Vannam & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants 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 22.03.2021.</p> <p>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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 08.03.2021</p> <p align="center">O.A.No.13 of 2021</p> <p>Chandrakant N. DesaleApplicant</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. Today, learned Counsel for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record. 3. The matter is adjourned for hearing at the stage of admission. 4. S.O. to 01.04.2021. <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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

Tribunal's orders

Date : 08.03.2021

O.A.No.190 of 2021

R. K. Shimpi & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 22.03.2021.

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

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

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

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

7. In case notice is not collected within 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 22.03.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 08.03.2021</p> <p align="center">O.A.No.141 of 2020</p> <p>Dr. A. E. GawaliApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 05.04.2021.</p> <p 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____

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 08.03.2021</p> <p align="center">O.A.No.186 of 2021</p> <p>S. K. SarangApplicant</p> <p align="center">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has prayed for two reliefs. First pertains to grant of pay and allowances for the period of suspension from 29.05.2015 to 05.11.2019. Perusal of order dated 14.07.2020 (Page 16 of PB) reveals that the said period has been already treated as duty period for all purposes. This being so, the Applicant is obviously entitled to arrears of pay and allowances for the said period.</p> <p>3. Learned P.O. fairly stated that bill is prepared and submitted to the Accounts office. As such , this grievance is being attended too and the Applicant will get pay and allowances soon.</p> <p>4. Second prayer pertains to order of treating 70 days absence as without pay.</p> <p>5. So far as this aspect is concerned, learned Counsel for the Applicant submits that once his suspension period is treated as duty period and earned leave is credited at his credit, his grievance can be mitigated.</p> <p>6. It appears that necessary entries are not made in service book of the Applicant in terms of order dated 14.07.2020. If the Applicant is entitled for credit of earned leave for this period in that event, the department may treat absence of 70 days as earned leave, if rules permit.</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>7. In view of above, O.A. can be disposed of in short time.</p> <p>8. Respondent No.2 is directed to consider this aspect and to pass appropriate orders within reasonable time.</p> <p>9. In the mean time, issue notice before admission returnable on 05.04.2021.</p> <p>10. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>11. 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> <p>12. 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>13. 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>14. In case notice is not collected within seven 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>15. S.O. to 05.04.2021.</p> <p>16. Learned P.O. is further directed to apprise the Tribunal about leave period on next date.</p> <p>17. Steno copy granted.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |