

ORIGINAL APPLICATION NO. 205 OF 2019
(Vajinath M. Karadkhele Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondents and Shri S.D. Dhongde, learned Advocate for respondent Nos. 2 & 3.

2. Record shows that rejoinder affidavit is already filed on record by the applicant.

3. S.O. to 20.09.2021 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1106 OF 2019
(Sanjay R. Koli Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri Sunil B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 20.09.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 581 OF 2020
(Ganesh S. Khetre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri V.P. Kadam, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 20.09.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 95 OF 2021
(Nitin S. Shelar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 16.09.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 189 OF 2021
(Sakharam C. Kashid Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri Avinash S. Khedkar, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent No. 1. Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 to 4.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for respondent Nos. 2 to 4 has filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

4. S.O. to 16.09.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 190 OF 2021
(Pratibha M. Bankar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri R.M. Jade, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent 1 & 2. Smt. Manjushri V. Narwade, learned Advocate for respondent Nos. 3 to 5, **absent.**

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 & 2. Time granted.

3. S.O. to 09.09.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 214 OF 2021
(Ramnath N. Raut Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri Avinash S. Khedkar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondents No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 & 3.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for respondent Nos. 2 & 3 has filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

4. S.O. to 16.09.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 291 OF 2021
(Dattatrya M. More Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri Sanket N. Suryawanshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 15.09.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 354 OF 2021
(Saraswati M. Gudmewad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri S.A. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 15.09.2021.

MEMBER (J)

**M.A. No. 259/2020 in O.A. St. No. 877/2020
(Vilas M. Yadav & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri Sunil B. Jadhav, learned Advocate holding for Shri S.B. Solanke, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, time is granted for filing rejoinder affidavit in M.A.

3. S.O. to 15.09.2021.

MEMBER (J)

**M.A. No. 260/2020 in O.A. St. No. 879/2020
(Indrakumar S. Auti & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri Sunil B. Jadhav, learned Advocate holding for Shri S.B. Solanke, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, time is granted for filing rejoinder affidavit in M.A.

3. S.O. to 15.09.2021.

MEMBER (J)

M.A. No. 261/2020 in O.A. St. No. 881/2020
(Rahul V. Manjare & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri Sunil B. Jadhav, learned Advocate holding for Shri S.B. Solanke, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, time is granted for filing rejoinder affidavit in M.A.

3. S.O. to 15.09.2021.

MEMBER (J)

**M.A. No. 38/2021 in O.A. St. No. 1369/2020
(Ashok B. Pagare Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A. Time granted.

3. S.O. to 20.09.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 117 OF 2021
(Sudhir R. Tambe Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri Ajit B. Gaikwad, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 14.09.2021.

MEMBER (J)

**M.A. No. 88/2021 in O.A. St. No. 323/2021
(Shrikant K. Bhale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply in M.A.

3. S.O. to 08.09.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 415 OF 2019
(Rejendra S. Jagdale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 09.09.2021.

MEMBER (J)

**M.A. 77/2021 in M.A. 78/2021 in O.A. 101/2020
(Milind V. Nakade Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021.

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate for the applicant and Shri M.P. Gude , learned Presenting Officer for the respondent Nos. 1, 2 & 4 and Shri S.B. Mene, learned Advocate for respondent Nos. 3 & 5.

2. The Original Application is filed by the applicant challenging his transfer order dated 15.01.2020 (Annexure A-3 of O.A.). During pendency of the O.A., the applicant has filed M.A. No. 77/2021 seeking amendment in the O.A. in view of certain developments. Thereafter, M.A. No. 78/2021 is made for interim relief.

3. At this stage, learned Advocate for the applicant submits that the applicant wishes to withdraw all the proceedings. The applicant is present before this Tribunal. He also seeks permission to withdraw all the proceedings.

4. In view of this, I have no difficulty in granting permission to the applicant to withdraw all the proceedings. Hence, M.A. 77/2021, M.A. No. 78/2021 & O.A. No. 101/2020 are disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 434 OF 2021
(Sanjay D. Phule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The applicant was working on the post of Assistant Superintendent at Taluka Agriculture Office, Ahmedpur, Dist. Latur. Upon completion of tenure, in the General Transfers by the order dated 06.08.2021 (Annexure A-1) he was transferred to Taluka Agriculture Office, Jalkot, Dist. Latur. The applicant was relieved from Ahmedpur, Dist. Latur. He joined the post at Jalkot, Dist. Latur as per joining report dated 07.08.2021 (Annexure A-5 collectively). He worked there from 07.08.2021 to 09.08.2021.

3. On 06.08.2021 (page No. 14 of paper book) the respondent No. 2 issued corrigendum, whereby the respondent No. 5, who was earlier transferred in the General Transfers of the year 2021 from Latur to Shirur Anantpal, Dist. Latur, is now transferred to Jalkot, Dist. Latur at the place of the applicant. The applicant has been relieved from Jalkot.

4. Learned Advocate for the applicant has placed on record a copy of relieving order dated 10.08.2021. Copy of the said order is taken on record and marked as document 'X' for the purpose of identification. On the same day, i.e. on 10.08.2021 (Annexure A-6), the applicant made representation raising the grievance of it. He stated that though he had given option of Chakur, he was not posted there and he was posted at Jalkot, Dist. Latur and now he has been reposted at Ahmedpur, Dist. Latur. In view of the above, learned Advocate for the applicant submits that interim relief in terms of para 11 (b) may be granted keeping post vacant at Chakur to accommodate the applicant.

5. Learned Presenting Officer submits that he has no instruction as to whether the post at Chakur is vacant or not and he would take instruction about the same.

6. In these circumstances, no any interim relief can be granted at this stage.

7. Issue notice to the respondents, returnable on 15.09.2021.

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

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O.A. No. 434/2021

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

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

11. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

12. S.O. to 15.09.2021.

13. Steno copy and Hamdast is allowed to both parties.

14. The present matter be placed on separate board.

MEMBER (J)

ORIGINAL APPLICATION NO. 429 OF 2021
(Vikas P. Tupare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The present Original Application is filed seeking to quash and set aside the impugned transfer orders of the applicant and the respondent No. 5 dated 06.08.2021 (Annexures A-6 & A-7 respectively) issued by the respondent No. 3 and the applicant is seeking interim relief in terms of prayer clause 12(E).

3. The applicant is working on the post of Awwal Karkun in the Tahsil Office, Sillod, Dist. Aurangabad since 29.06.2018. As per letter dated 23.04.2021, sent by the respondent No. 4 i.e. the Tahsildar, Sillod, Dist. Aurangabad to the respondent No. 3 i.e. the Collector, Aurangabad, the applicant in the General Transfers of the year 2021 had not completed his tenure of posting of three years at Sillod, Dist. Aurangabad and therefore, his name was requested to be deleted from the list of the Government servants due for transfer.

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O.A. No. 429/2021

Therefore, in the subsequent list (Annexure A-4 collectively) of the Government servants who were due for transfer, the name of the applicant does not appear. As of now, the applicant has completed three years of posting at Tahsil office, Sillod, Dist. Aurangabad, but he has not completed two tenures of three years each at Tahsil Office, Sillod, Dist. Aurangabad and therefore, his name obviously does not appear in the above list (Annexure A-4 collectively).

4. However, by the impugned order dated 06.08.2021 (Annexure A-6), the applicant has been transferred from Sillod to Aurangabad stating that he has completed three years tenure on the present posting and due to administrative reasons, he has been transferred. On the other hand, in view of completion of six years at Aurangabad, the respondent No. 5 by the order dated 06.08.2021 (Annexure A-7) is transferred from Aurangabad to Sillod in place of the applicant.

5. Considering above, it is evident that the applicant has not completed two tenures of three years each at headquarter at Sillod, Dist. Aurangabad and therefore,

his impugned transfer order can be said to be mid-tenure transfer.

6. It is interesting to note that in both the impugned orders, the applicant and the respondent No. 5 have been ordered to be relieved ex-parte on 09.08.2021.

7. Learned Presenting Officer submits that the respondent No. 5 has already joined on the place of the applicant. It is further pertinent to note that there is no mention of provisions of Section 4(4)(ii) and 4(5) of the Transfer Act, 2005 in the impugned transfer order of the applicant dated 06.08.2021 (Annexure A-6). In the said impugned transfer order dated 06.08.2021 (Annexure A-6), there is mention of the confidential letter dated 05.08.2021 sent by the respondent No. 4 i.e. the Tahsildar, Silldo, Dist. Aurangabad to the respondent No. 3 i.e. the Collector, Aurangabad. The applicant himself has produced copy of the said letter at Annexure A-8 stating that it is obtained by the applicant under R.T.I.

8. Learned Advocate for the applicant further submits that the complaints mentioned therein are already filed as reflected in documents of letter dated

08.04.2021 (wrongly mentioned as 08.04.2020) (Annexure A-9), letter dated 24.02.2021 (page No. 38 of paper book) and letter dated 08.07.2021 (page No. 44 of paper book). He further submits that the respondent No. 4 i.e. the Tahsildar, Sillod, Dist. Aurangabad, who wrote a letter dated 05.08.2021 himself has written ACRs. of the applicant for the period of 16.10.2020 to 31.03.2021 and rated him as “very good”.

9. Learned Advocate for the applicant also pointed out that the applicant has been relieved ex-parte only to frustrate the guidelines provided under Rule 29 to 31 of the Maharashtra Civil Services (General Conditions of Services) Rules, 1981, which speak of arrangement of relieving and taking charge.

10. However, it can be seen from confidential letter dated 05.08.2021 of the respondent No. 4 that there were complaints against the applicant and as such he was requested to be transferred elsewhere. Record prima-facie would show that those complaints are filed, but that apart in the impugned transfer order of the applicant nothing is mentioned in compliance of

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O.A. No. 429/2021

Section 4 (4)(ii) and 4(5) of the Transfer Act, 2005, which is mandatory provision. In view of the same, prima-facie it appears that the impugned transfer order of the applicant is in contravention of the mandatory provisions of the Transfer Act, 2005. However, in any case, the applicant has been relieved from his present post and learned Presenting Officer submits that the respondent No. 5 has already joined at the place of the applicant, at this stage, in my considered opinion, no useful purpose will be served by granting stay to the execution and implementation of the order of transfer of the applicant.

11. Moreover, upon perusal of the provisions of Rule 29 to 31 of the Maharashtra Civil Services (General Conditions of Services), Rules 1981, no doubt there is no bar for relieving the employee, but there should be coordination between the Government servant, who is relieved and who has to take charge. In both the impugned orders, it appears that the said care has not been taken for the reasons best known to the transferring authority. In view of the same, the respondents have created unwarranted situation

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O.A. No. 429/2021

where the applicant is constrained to join at the transferred place under protest.

12. In view of the same, issue notice to the respondents, returnable on 16.09.2021.

13. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

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

15. 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.

16. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in

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O.A. No. 429/2021

the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

17. S.O. to 16.09.2021.

18. Steno copy and Hamdast is allowed to both parties.

19. The present matter be placed on separate board.

MEMBER (J)

ORIGINAL APPLICATION NO.534/2020
(Rajesh N. Bade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. S.O. to 03-09-2021.

MEMBER (J)

ORIGINAL APPLICATION NO.297/2021
(Manjusha Mutha Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents.

2. S.O. to 03-09-2021.

MEMBER (J)

ORIGINAL APPLICATION NO.515/2020
(Aniket D. Rakh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri S.S.Tandale learned Advocate holding for Shri B.R.Kedar, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents.

2. S.O. to 03-09-2021.

MEMBER (J)

M.A.No.122/2020 IN O.A.St.No.349/2020
(Narandra Krishna R. Joshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri V.B.Wagh, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents.

2. S.O. to 01-09-2021.

MEMBER (J)

ORIGINAL APPLICATION NO.490/2018
(Bhaudas Vaishnav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Ku. Anagha Pandit learned Advocate holding for Shri S.B.Talekar, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. S.O. to 01-09-2021.

MEMBER (J)

ORIGINAL APPLICATION NO.711/2018
(Sanjay Nade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri V.G.Pingle, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. S.O. to 27-09-2021.

MEMBER (J)

C.P. NO. 36/2018 IN O.A.NO. 846/2011
C.P. NO. 37/2018 IN O.A.NO. 843/2011
C.P. NO. 38/2018 IN O.A.NO. 842/2011
C.P. NO. 39/2018 IN O.A.NO. 278/2012
C.P. NO. 40/2018 IN O.A.NO. 634/2011
C.P. NO. 41/2018 IN O.A.NO. 277/2012

(Shri Vilas S. Patil & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

(The present case has been placed before the Single Bench due to non-availability of Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicants in all the cases and S/Shri M.S. Mahajan, M.P. Gude, D.R. Patil & Smt. Sanjivani Deshmuh-Ghate, learned Chief Presenting Officer and learned Presenting Officers for the respective respondents in respective cases.

2. Both the sides seek time for reporting compliance on the line of order dated 22.7.2019. Time granted.

3. S.O. to 22.09.2021.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

C.P. NO. 1/2020 IN O.A.NO. 842/2016
(Dr. Asha A. Kadam Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri Shamsundar B. Patil, learned
Advocate for the applicant and Shri V.R. Bhumkar,
learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing
affidavit in reply. Time granted.
3. S.O. to 23.09.2021.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

C.P. NO. 18/2020 IN O.A.NO. 665/2019
(Dr. Vaishali S. Ganjewar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri Shamsundar B. Patil, learned
Advocate for the applicant and Shri I.S. Thorat,
learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing
affidavit in reply. Time granted.
3. S.O. to 23.09.2021.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

ORIGINAL APPLICATION NO. 732 OF 2018
(Akhtarkhan S. Pathan & Ors. Vs. State of Maha. & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer for the respondents.

3. S.O. to 6.10.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 833 OF 2019
(Komal R. Rathod Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri S.S. Tandale, learned Advocate holding for Shri Prashant M. Nagargoje, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Suresh Pidgewar, learned Advocate holding for Shri N.L. Choudhary, learned Advocate for respondent No. 3.

2. At the request of learned Advocate for the applicant, S.O. to 24.9.2021 for filing rejoinder affidavit.

MEMBER (J)

**ORIGINAL APPLICATION NO. 152 OF 2020
(Avinash B. Londhe Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Smt. Poonam V. Bodke Patil, learned
Advocate for the applicant and Shri D.R. Patil, learned
Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in
reply on behalf of respondent No. 2 and the same is
taken on record and copy thereof has been served on
the learned Advocate for the applicant.

3. S.O. to 24.9.2021.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

**ORIGINAL APPLICATION NO. 422 OF 2020
(Nilesh R. Tagad & Ors. Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate
for the applicants and Shri M.P. Gude, learned
Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O.
to 31.8.2021 as a last chance for filing affidavit in
reply on behalf of respondent Nos. 1 & 2.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

**ORIGINAL APPLICATION NO. 265 OF 2021
(Vasant S. Patil Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for
the applicant and Shri B.S. Deokar, learned Presenting
Officer for the respondents.

2. At the request of learned Presenting Officer, S.O.
to 24.9.2021 for filing affidavit in reply.
3. The present case be placed on separate board.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

M.A.NO. 61/2021 IN O.A.NO. 127/2020
(Smt. Resha P. Karhale Vs. State of Maha. & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned
Advocate for the applicant and Smt. M.S. Patni,
learned Presenting Officer for the respondents.

2. Await service.
3. S.O. to 21.09.2021.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

M.A.NO. 63/2021 IN O.A.NO. 1065/2019
(Dr. Jahagirdar D. Nizam Vs. State of Maha. & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri Vishwas B. Wagh, learned Advocate
for the applicant and Shri M.P. Gude, learned
Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O.
to 21.9.2021 for filing affidavit in reply.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

ORIGINAL APPLICATION NO. 137 OF 2017
(Namdeo S. Arsale Vs. State of Maha. & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the
applicant and Smt. Sanjivani Deshmukh-Ghate,
learned Presenting Officer for the respondents.

2. The present case is already part heard.
3. S.O. to 25.8.2021.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

ORIGINAL APPLICATION NO. 845 OF 2016
(Dineshkumar B. Bagul Vs. State of Maha. & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Ms. Angha Pandit, learned Advocate
holding for Shri S.B. Talekar, learned Advocate for the
applicant and Shri M.P. Gude, learned Presenting
Officer for the respondents.

2. S.O. to 03.09.2021.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

**O.A.NO. 368/2017 WITH O.A.NO. 369/2017
(Bapu R. Lad & Anr. Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri S.A. Deshmukh, learned Advocate for
the applicants in both these cases and Smt. Sanjivani
Deshmukh-Ghate, learned Presenting Officer for the
respondents in both these cases.

2. S.O. to 07.09.2021 for final hearing.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

ORIGINAL APPLICATION NO. 142 OF 2018
(Suresh L. Moholkar Vs. State of Maha. & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned
Advocate for the applicant and Shri V.R. Bhumkar,
learned Presenting Officer for the respondents.

2. S.O. to 8.9.2021 for final hearing.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

ORIGINAL APPLICATION NO. 374 OF 2019
(Dr. Mohammad Sharif Vs. State of Maha. & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the
applicant and Shri I.S. Thorat, learned Presenting
Officer for the respondents.

2. S.O. to 09.09.2021 for final hearing.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

ORIGINAL APPLICATION NO. 398 OF 2019
(Dr. Anilkumar B. Momale Vs. State of Maha. & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(The present case has been placed before
the Single Bench due to non-availability of
Division Bench).

DATE : 13.8.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the
applicant and Shri B.S. Deokar, learned Presenting
Officer for the respondents.

2. S.O. to 09.09.2021 for final hearing.

MEMBER (J)

ORAL ORDERS 13.8.2021-HDD

ORIGINAL APPLICATION NO.51 OF 2018
(David S. Gantur & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri Kiran M. Nagarkar, learned Advocate for the Applicants and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents submits that he would produce on record the eligibility criteria for promotion on the post of Police Sub-Inspector from armed police force.

3. S.O. to 18.08.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.304 OF 2018
(Sudhakar D. Mangalkar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri Kiran M. Nagarkar, learned Advocate for the Applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents submits that he would produce on record the eligibility criteria for promotion on the post of Police Sub-Inspector from armed police force.

3. S.O. to 18.08.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.430 OF 2021
(Dr. prema B. Bansode Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri Sanjay N. Pagare, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. The Original Application is filed challenging the impugned order of transfer of the Applicant dated 09.08.2021 (Annex. 'A-2') whereby the Applicant has been transferred from the post of Assistant Commissioner, Bull Rearing Center, Harsool, Aurangabad to the post of Assistant Commissioner, Animal Husbandry, Taluka Mini Veterinary Polyclinic, Jafrabad, Dist. Jalna.

3. It is contended that the Applicant's husband namely Dr. Balasaheb Pandurang Bansode also has been serving on the post of Live Stock Development Officer in the same department and he is presently posted at District Artificial Insemination Center, Khadkeshwar, Aurangabad w.e.f. 02.07.2018. The Applicant and her husband were posted at Aurangabad under the Government policy of couple convenience. Her husband would be due for transfer in general transfer of 2022. The Applicant before this impugned order made representation dated 03.05.2021 (Annex. 'A-4') seeking a retention considering that she was

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transferred under couple convenience and to avoid inconvenience to her daughter who is studying in IXth standard. After impugned order, the Applicant made another representation dated 10.08.2021 (Annex. 'A-3') collectively for retention of one year for the same reason.

4. In view of the above, learned Advocate for the Applicant seeks interim relief of stay to the execution and implementation of impugned transfer order.

5. Learned P.O. for the Respondents on the other hand submits that he would take instructions and would file reply.

6. Learned Advocate for the Applicant specifically submits that the Applicant has not been relieved.

7. Perusal of the impugned order does not show that the Applicant has been relieved from the post in order to join the transferred post. Considering the pending representations of the Applicant dated 03.05.2021 and 10.08.2021 made before and after the impugned order and more particularly considering the notification dated 27.11.1997 marked as document 'X' for the purpose of identification which is for couple convenience transfer, in my opinion, the Respondents could have considered her representations. However, nothing is reflected in the impugned order. In view of the same, the Applicant has made out prima-facie a fit case for grant of interim relief in terms of prayer clause 8(A).

8. In view of above, interim relief in terms of prayer clause 8(A) is granted till filing of reply by the Respondents.

9. Issue notices to the Respondents, returnable on 16.9.2021.

10. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

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

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.

13. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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14. S.O. to 16.9.2021.
15. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

SAS ORAL ORDERS 13.08.2021

ORIGINAL APPLICATION NO.432 OF 2021
(Mayadevi S. Khadiwale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Smt. A.N. Ansari, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. In the Original Application the applicant has challenged the impugned transfer order dated 09.08.2021 (Annex. 'A-3') issued by the Respondent No.1 transferring the Applicant from Veterinary dispensary Shirur Tajband, Taluka Ahmedpur, District Latur to Veterinary dispensary Grade-I, Ambulga Budruk, Taluka Nilanga, District Latur.

3. It is the contention of the Applicant that in April, 2021 she has undergone breast cancer surgery and she has been advised rest. In view of that she made representation dated 10.06.2021 to the Respondent No.1 seeking retention at the same place. Her request, however, is not considered and she has been transferred. After transfer, she made representation dated 10.08.2021 seeking modification in the transfer order and requesting transfer on the vacant post at Hundergulli, Taluka Udgir, District Latur. The Applicant has placed on record

requisite medical evidence. Her daughter is studying in IVth standard in Kendriya Vidyalay situated at Chakur, District Latur.

4. Learned P.O. for the Respondents submits that the Applicant has been transferred in the same district. The place of transfer is at equidistance as earlier posting. Hence, the impugned order is not even inconvenient. Therefore, he is seeking time for filing reply.

5. Considering the fact that the Applicant has undergone the breast cancer surgery and more particularly considering her pending representation dated 10.08.2021 made to the Respondent No.1 for at least modifying transfer order to Hundergulli, Taluka Udgir, District Latur and as the Applicant is not yet relieved, it would be just and proper to grant interim relief in terms of prayer clause 10 (A) till filing of reply by the Respondents. Accordingly, interim relief is granted till filing of reply by the Respondents.

6. Issue notices to the Respondents, returnable on 20.9.2021.

7. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

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8. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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 acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

11. S.O. to 20.9.2021.

12. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO.436 OF 2021
(Adinath V. Mundhe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Shri Siddeshwar S. Thombre, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. Issue notices to the Respondents, returnable on 25.8.2021.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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 acknowledgment be obtained and

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O.A.432/2021

produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 25.8.2021.

8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

**ORIGINAL APPLICATION NO.437 OF 2021
(Vilas N. Ingle Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Ms. P.R. Wankhade, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. The present Original Application is filed challenging the transfer order of the Applicant dated 09.08.2021 (Annex. 'A-7') issued by the Respondent No.2; whereby the Applicant has been transferred from Nanded to Aurangabad.

3. The Applicant entered the service of Respondent No.1 on the post of Junior Clerk on 21.06.2001. Initially he worked at Aurangabad. Thereafter, on administrative ground, he was transferred to Nanded on 19.07.2003. Since then, he is working at Nanded. Thereafter, on 12.04.2016, the Applicant was promoted and was given posting on present post of Senior Clerk. On that post, he has worked for about five years and two months till the date of issuance of transfer order. As such the Applicant has not completed the normal tenure of six years in the same post at Nanded. However, by impugned order dated 09.08.2021 (Annex. 'A-7'), he has been transferred by supposedly invoking the provisions under Section 4(1), 4(2) and 4(3) of the Maharashtra Government Servants

Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as Transfer Act, 2005).

4. The Applicant is seeking interim relief of stay stating that it is mid-tenure transfer and mandatory provisions of Section 4(4)(ii) and 4(5) of Transfer Act, 2005 are not fulfilled.

5. Learned Advocate for the Applicant submits that the Applicant has not been relieved from his present post. The Applicant has stated so in para no.8 of the O.A.

6. Learned P.O. for the Respondents seeks time for filing reply stating that the impugned transfer order of the Applicant is legal, proper and in accordance with law and the Applicant is not entitled for stay of the transfer order.

7. In the background of the facts narrated as above, prima-facie it appears that the impugned transfer order of the Applicant is covered under Section 4(4) and 4(5) of Transfer Act, 2005. However, the impugned transfer order mentions the provisions of Section 4(1), 4(2) and 4(3) of Transfer Act, 2005.

8. In view of same, in my opinion, it is fit case for grant of interim relief by way of stay to the execution and

implementation of transfer order till filing of reply by the Respondents. Accordingly, ad-interim relief in terms of prayer clause 12 (E) is granted till filing of reply by the Respondents.

9. Issue notices to the Respondents, returnable on 16.09.2021.

10. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

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

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.

13. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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14. S.O. to 16.09.2021.
15. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

SAS ORAL ORDERS 13.08.2021

**ORIGINAL APPLICATION NO.606 OF 2019
(Sayanna N. Aadpod Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.08.2021

ORAL ORDER :

Heard Ms. A.N. Ansari, learned Advocate for the Applicant, Shri V.R. Bhumkar, learned Presenting Officer for the Respondent No.1 and Shri A.B. Rajkar, learned Advocate for the Respondent No.4. Shri R.K. Ingole, learned Advocate for the Respondent Nos.2 & 3 (**absent**).

2. Learned Advocate for the Applicant placed on record letter dated 11.08.2021 received from the Applicant whereby the Applicant has sought to withdraw the Original Application as her grievance is redressed. The same is taken on record and marked as document 'X' for the purpose of identification.

3. In view of same, permission to withdraw the present Original Application is granted to the Applicant.

4. In the result, the Original Application is disposed of as withdrawn. No order as to costs.

MEMBER (J)

Date : 13.08.2021

M.A.NO.251/2021 IN O.A.ST.NO.1001/2021

(Manohar J. Patil V/s State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai**

1. Shri J.B.Choudhary Id. Advocate for the applicant and Shri V.R.Bhumkar Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on 20.09.2021. The case be listed for admission hearing on 20.09.2021.
3. Tribunal may take the case for final disposal at this stage and a 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 case. 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 13.08.2021

M.A.NO.250/2021 IN O.A.ST.NO.999/2021

(Pramod P. Narkhede V/s State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai**

1. Shri J.B.Choudhary Id. Advocate for the applicant and Shri N.U.Yadav Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on 20.09.2021. The case be listed for admission hearing on 20.09.2021.
3. Tribunal may take the case for final disposal at this stage and a 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 case. 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR