

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="651 488 846 515">Date : 14.11.2019</p> <p data-bbox="862 539 1089 566">O.A.No.1074 of 2019</p> <p data-bbox="651 599 1224 625">A.D. Sawant ..... Applicant</p> <p data-bbox="651 632 727 659">Versus</p> <p data-bbox="651 665 1243 692">The State of Maharashtra &amp; Ors. .... Respondents</p> <p data-bbox="651 736 1300 858">1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.</p> <p data-bbox="651 902 1300 1167">2. The only grievance which is pointed out by learned Advocate for the Applicant is that as per Pension rules, the Government servant is entitled for the pension as per last drawn pay and its 50% of last pay drawn. Before this, there was provision of calculating last 10 months pay and then decide pension of the Government servant.</p> <p data-bbox="651 1223 1300 1389">3. As submitted by learned Advocate Shri M.D. Lonkar, in the Applicant's case the pension has been calculated taking into consideration last 10 months pay while deciding his pension.</p> <p data-bbox="651 1444 1105 1470">4. It is better to hear the Respondents.</p> <p data-bbox="651 1526 1292 1599">5. Issue notice before admission returnable on 05.12.2019.</p> <p data-bbox="651 1654 1292 1776">6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. 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>8. 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>9. 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>10. 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>11. Meanwhile Respondents may examine issue and if they pass appropriate order supply the copy to the Applicant and also to the Tribunal.</p> <p>12. S.O. to 05.12.2019.</p> <p style="text-align: right;">Sd/- (Shree Bhagwan) Vice-Chairman</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.528 of 2019 in O.A. No.957 of 2019</u></p> <p>V.D. Saple &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. By this MA, the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and 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 style="text-align: right;">Sd/- (Shree Bhagwan) Vice-Chairman 14.11.2019</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A. No.957 of 2019</u></p>
	<p>V.D. Saple &amp; Ors. ..Applicants  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p>
	<p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p>
	<p>2. Ld. Advocate for the applicants submitted that promotions have been effected in excess against nomination quota. However, he is unable to point out how many promotees have encroached in nomination quota.</p>
	<p>3. Ld. CPO is directed to file reply and include the information regarding the strength of nomination and promotion quota and the strength of promotees.</p>
	<p>4. Issue notice returnable on 12.12.2019.</p>
	<p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p>
	<p>6. 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>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p>
	<p>8. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p>
	<p>9. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p>
	<p>Sd/-  (Shree Bhagwan)  Vice-Chairman  14.11.2019</p>
	<p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.11.2019</p> <p>O.A.No.1082 of 2019</p> <p>B.R. Kawathekar ..... Applicant Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for the Respondents.</li> <li>2. The Applicant has challenged the order on page 15, Exhibit-A, where the Applicant has been repatriated from deputation from Police Training Center, Jalna to his original cadre, Thane Rural Police.</li> <li>3. Learned Advocate has also pointed out Exhibit-D, page 18 where the Respondents have shown sympathetic consideration and extended the deputation period of applicant till 21.05.2020.</li> <li>4. In pursuant to impugned order at page 15, Exhibit A, Applicant was served letter dated 06.08.2019 by Police Training Center, Jalna. Applicant has approached to this Tribunal. Respondents are directed not to act on order dated 06.08.2019, Exhibit-B, page 16.</li> <li>5. Learned P.O. submits that applicant has joined Thane, under protest. However, prima facie, it appears that these orders i.e. orders dated 05.08.2019 (Exhibit-A, page 15), 06.08.2019 (Exhibit-B, page 16) and order dated 05.04.2018 (Exhibit-D, page 18) are contradictory.</li> <li>6. Respondents are directed not to take any coercive action against the Applicant and in the interest of justice they are further directed to issue necessary orders to follow their own order dated 05.04.2018. This order is to be implemented within one week from today.</li> <li>7. Steno copy and Hamdast is allowed.</li> <li>8. S.O. to 05.12.2019.</li> </ol> <p style="text-align: right;">Sd/- (Shree Bhagwan) Vice-Chairman</p> <p>prk</p>

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

Tribunal's orders

Date : 14.11.2019

O.A.No.1085 of 2019

S.L. Navkhare ..... Applicant  
Versus  
The State of Maharashtra & Ors. .... Respondents

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.
2. Learned Advocate for the Applicant submits that the Applicant was working in Education Department in the lower post and she became Superintendent on 04.03.2013 and her probation period was for two years i.e. upto 04.03.2015. Applicant's date of birth is 26.01.1969 and she completed 45 years of age on 26.01.2014.
3. There is provision that exemption can be granted from passing departmental examination after attaining age of 45 years. Here in peculiar case, the Applicant has attained 45 years of age, while in probation period only. The Applicant was to pass departmental examination in four chances.
4. Learned Advocate for the Applicant had pointed out Exhibit-W, page 78. In the said letter, the Applicant's name is at page 79, at serial No.1. Applicant fears that she might be terminated. In view of this she has approached this Tribunal. Against this order dated 19.09.2019 (Exhibit-W, page 78) first paragraph of Government decision. She has approached this Tribunal anticipating possible termination.
5. In view of this situation Respondents are restrained from terminating services of the Applicants as per G.R. dated 19.09.2019, Exhibit W, page 78 till final outcome of this O.A.
6. Adjourned to 12.12.2019. Steno copy and Hamdast is allowed.

Sd/-  
(Shrēe Bhagwan)  
Vice-Chairman

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.422 of 2019 in O.A. No.646 of 2016</u></p> <p>S.P. Sable ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.S. Deshpande, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO pointed out order dated 4.9.2019 in above MA and in para 8 observations has been made. Those observations are yet to be complied. In order dated 7.8.2019 in above MA in para 8 the respondents were directed to make a statement about list of seniority from which the promotions are likely to be effected.</p> <p>3. Ld. CPO files reply in MA and the same is taken on record. Ld. CPO submits that it is expected that within one week's time order will be complied with. However, considering other aspects time is granted till 5.12.2019. By that time the respondents are directed to take decision and communicate decision to the Tribunal as well as applicant.</p> <p>4. S.O. to 5.12.2019.</p> <p align="right">Sd/- (Shree Bhagwan) Vice-Chairman 14.11.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.11.2019</p> <p>M.A.No.615 of 2019 in O.A.No.1087 of 2019</p> <p>N.N. Khanolkar &amp; Ors. .... Applicants Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common and concurrent, application for leave to sue jointly is allowed subject to Applicants' paying requisite court fees, if not already paid.</p> <p>4. Miscellaneous Application is allowed.</p> <p style="text-align: right;">Sd/- (Shree Bhagwan) Vice-Chairman</p> <p>prk</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's arders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 14.11.2019</b></p> <p style="text-align: center;"><b>O.A.No.1087 of 2019</b></p> <p><b>N.N. Khanolkar &amp; Ors. .... Applicants</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. .... Respondents</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicants and Shri S.D. Dole, learned Presenting Officer for the Respondents.</li> <li>2. The issue pertains to vacation of quarters and learned Advocate submits that the Applicants are under apprehension.</li> <li>3. Considering the background of the Bench following order is passed,</li> <li>4. Issue notice before admission returnable on 25.11.2019.</li> <li>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>6. Applicants are authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> </ol>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>10 Respondents are directed not to take coercive action till next date of hearing or filing of the reply.</p> <p>11. Learned P.O. is directed to communicate this order to the Respondents.</p> <p>12. S.O. to <sup>25</sup>11.2019.</p> <p style="text-align: right;">Sd/- (Shr�e Bhagwan) Vice-Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Offica Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.11.2019</p> <p>M.A.No.614 of 2019 in O.A.No.1086 of 2019</p> <p>M.S. Shinde &amp; Ors. .... Applicants Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common and concurrent, application for leave to sue jointly is allowed subject to Applicants' paying requisite court fees, if not already paid.</p> <p>4. Miscellaneous Application is allowed.</p> <p style="text-align: right;">Sd/- (Shree Bhagwan) Vice-Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 14.11.2019</b></p> <p align="center"><b>O.A.No.1086 of 2019</b></p> <p><b>M.S. Shinde &amp; Ors. .... Applicants</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. .... Respondents</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The issue pertains to vacation of quarters and learned Advocate submits that the Applicants are under apprehension as per letter dated 05.11.2019, page 12.</li> <li>3. Considering the background of the Bench following order is passed,</li> <li>4. Issue notice before admission returnable on 25.11.2019.</li> <li>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>6. Applicants are authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> </ol>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>10 Respondents are directed not to take coercive action as per letter dated 05.11.2019 till next date of hearing <del>on</del> filing of the reply. <i>ra</i></p> <p>11. Learned P.O. is directed to communicate this order to the Respondents.</p> <p>12. S.O. to 25.11.2019. <i>ra</i></p> <p style="text-align: right;">Sd/- (Shree Bfagwan) Vice-Chairman</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1071 of 2019</u></p> <p>A.B. Suryawanshi . . . . . Applicant  Vs.  The State of Maharashtra &amp; Ors. . . . . Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The matter relates to Police Recruitment Procedure of 2017 where the applicant has applied in General NTC category. The applicant's grievance is that though in advertisement at page 30 point no.xxv it has been mentioned that all the information will be uploaded on mahapolice.mahaonline.gov.in website. However, this was not done.</p> <p>3. As per Exh.L page 91 respondents have replied to the application of applicant dated 3.11.2017 and 11.11.2017 that they tried to contact on applicant's mobile number and email id. Subsequently applicant had obtained information under RTI which is placed at page 97 and questions of the applicant have been answered by the respondents. However, in the interest of justice the respondents are directed to file detailed reply.</p> <p>4. Issue notice returnable on 12.12.2019.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>6. 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>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p>9. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p style="text-align: right;">Sd/-  (Shree Bhagwan)  Vice-Chairman  14.11.2019</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1029 of 2019</u></p> <p>P.M. Velswamy .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents</p> <p>Heard Shri Kranti L.C., learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that after long litigation applicant have been promoted against roster point. After that they had made representation but respondents have not given deemed date of promotion and consequential benefits.</p> <p>3. Ld. PO desires to take instructions from the respondents. Ld. PO is directed to take instructions from the department and file reply why applicant is denied deemed date of promotion and consequential benefits.</p> <p>4. Issue notice returnable on 12.12.2019.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>6. 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>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p>9. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p style="text-align: right;">Sd/- (Shree Bhagwan) Vice-Chairman 14.11.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.11.2019</p> <p>M.A.No.616 of 2019 in O.A.No.1088 of 2019</p> <p>D.U. Sawant &amp; Ors. .... Applicants Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common and concurrent, application for leave to sue jointly is allowed subject to Applicants' paying requisite court fees, if not already paid.</p> <p>4. Miscellaneous Application is allowed and is disposed off.</p> <p style="text-align: right;">Sd/- _____ (Shree Bhagwan) Vice-Chairman</p> <p>prk</p>



IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

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	<p data-bbox="654 371 849 400">Date : 14.11.2019</p> <p data-bbox="865 422 1097 451">O.A.No.1088 of 2019</p> <p data-bbox="654 473 1239 502">D.U. Sawant &amp; Ors. .... Applicants</p> <p data-bbox="654 506 732 535">Versus</p> <p data-bbox="654 539 1252 568">The State of Maharashtra &amp; Ors. .... Respondents</p> <ol data-bbox="654 592 1308 1860" style="list-style-type: none"> <li data-bbox="654 592 1308 703">1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li data-bbox="654 738 1308 931">2. Learned Advocate for the Applicants has pointed out that some coercive / restrained action is expected by the Respondents regarding vacation of the quarter and for that they have approached this Tribunal. Interim relief is at page 30, paragraph 10(b).</li> <li data-bbox="654 966 1308 1329">3. Learned Advocate for the Applicants has invited my attention at page 212, Exhibit-F, and submits that though the person had retired, his son is working in the police force only and he further submits that the Commissioner of Police has requested the State Government for allotting the said quarter to son of the retired ASI, Bakal No.3592/Goraknath, Vishnu Sawant. The proposal to that has been submitted by the Commissioner of Police to the State Government, which is pending with the State Government.</li> <li data-bbox="654 1364 1308 1475">4. In this situation, it is necessary that the Respondent No.2 is directed to take decision on the proposal of Commissioner of Police within two weeks.</li> <li data-bbox="654 1510 1308 1860">5. Further, regarding Applicant No.9 is concerned, learned Advocate for the Applicant has also placed on record Exhibit-I, page 219. In the said letter issued by the Joint Commissioner of Police, Administration, on behalf of Respondent No.1, Respondents are directed to examine the letter and if Applicant no.9 falls in that category as per existing rules and regulations provide him the benefit to that effect within two weeks time and communicate the decision to the Applicant as well as the Tribunal.</li> </ol>

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	<p>6. Issue notice before admission returnable on 25.11.2019.</p> <p>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>8. Applicants are authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>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. Applicants are directed to file Affidavit of compliance and notice.</p> <p>11. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>12 S.O. to 25.11.2019. Steno copy and Hamdast is allowed.</p> <p style="text-align: right;">Sd/- (Shree Bhagwan) Vice-Chairman</p> <p>prk</p>

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1073 of 2019</u></p> <p>M.G. Kale ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant invited attention to Exh. A-10 page 67 and particularly the observation in para 7 at page 69. She also placed on record judgment of the Hon'ble Supreme Court in (2018) 18 SCC 114 Lok Prahari Vs. Election Commission of India and relies on para 16 which reads as under:</p> <p style="text-align: center;"><i>"16. .... As the decision in Lily Thomas has clarified, a stay of the conviction would relieve the individual from suffering the consequence inter alia of a disqualification relatable to the provisions of sub-sections (1), (2) &amp; (3) of Section 8."</i></p> <p>3. Ld. Advocate for the applicant submits that nothing has been paid to the applicant in view of dismissal order like GPF, leave encashment etc. I am of the opinion that respondents are free to stop other payments but it is not logical not to pay GPF to the applicant because it is the employees personal money and that should be paid to the applicant as early as possible.</p> <p>4. Ld. CPO submits that there is provision of appeal against the order of dismissal and the applicant has not exhausted the remedy of appeal. The applicant is directed to file appeal within a week and the respondents are directed to decide the same within 60 days from the date of receipt of appeal and communicate the decision to the applicant as well as to this Tribunal. OA will be heard after 70 days.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Preferring of appeal will not effect the process of OA filed by the applicant.</p> <p>5. Issue notice returnable on 28.1.2020.</p> <p>6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>7. 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>8. 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>9. 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>10. In case notice is not collected within seven days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p style="text-align: right;">Sd/- _____ (Suresh Bhagwan) Vice-Chairman 14.11.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.11.2019</p> <p>M.A.No.606 of 2019 in O.A.No.1083 of 2019</p> <p>S.A. Waghmare &amp; Ors. .... Applicants Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <p>1. Heard Shri M.B. Kadam/ Shri U.V. Bhosle, learned Advocates for the Applicants and Shri S.D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common and concurrent, application for leave to sue jointly is allowed subject to Applicants' paying requisite court fees, if not already paid.</p> <p>4. Miscellaneous Application is allowed.</p> <p style="text-align: right;">Sd/- (Shree Bnagwan) Vice-Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.11.2019</p> <p>O.A.No.1025 of 2019</p> <p>C.H. Patole &amp; Ors. .... Applicants Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. As per O.A. sheet matter was heard on 07.11.2019 and in the order at paragraph 3 it was mentioned as S.O. to 14.11.2019 for the interim relief to continue till next date.</p> <p>3. Due to non-availability of that Bench the same interim relief will continue till next date of hearing.</p> <p>4. S.O. to 20.11.2019 Steno copy and Hamdast is allowed.</p> <p style="text-align: right;">Sd/- (Shree Bhagwan) Vice-Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1063 of 2019</u></p> <p>U.G. Mane ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The matter was heard on 13.11.2019 and Ld. PO was directed to take instructions regarding why examinations were not held since 1992. As submitted by Ld. Advocate for the applicant, candidates who crossed 45 years of age were exempted from passing the examination and were only promoted by order dated 7.9.2019 (Exhibit A page 19). Ld. Advocate submits that these candidates are junior to the applicant. It is not understood why department has not taken examination since 1992. In view of this, Ld. PO is directed to file detailed reply about not holding the examination and what were the criteria for denying the applicant promotion before his juniors were promoted as per order dated 7.9.2019.</p> <p>3. Ld. Advocate for the applicant has invited my attention to Exh.D page 27 which are the Industries Inspector (Selection Grade) and Industries Inspector (Class-III) in the Directorate of Industries (Recruitment) Rules, 1992. Rule 3 of the said rules reads as under:</p> <p align="center"><i>"3. Appointment to the post of Industries Inspector (Selection Grade) shall be made by "promotion of a suitable person on the basis of seniority subject to fitness from amongst the persons holding the post of Industries Inspector (Class-III), having not less than three years regular service in that post in the Directorate."</i></p> <p>4. Ld. Advocate for the applicant submits that in this rule 3 there is no mention of passing of any examination and examination have not been taken since 1992 also. So denial of promotion to the applicant is illegal.</p> <p>5. However, Ld. PO has pointed out Rule 6 of the above said Rules of 1992, which is reproduced below:</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="964 526 1539 687"><i>"6. A person appointed to the posts whether by promotion or by nomination shall be required to pass the Department Examination and examination in Hindi and Marathi, according to the rules made in that behalf unless he has already passed or has been exempted from passing those examinations."</i></p> <p data-bbox="889 716 1539 825">6. Ld. Advocate for the applicant has relied on office order dated 8.1.1998 issued by Directorate of Industries (Exhibit B page 22) in which para 3 is correlated with Rule 6 of the above said Rules of 1992. Para 3 of the said order reads as under:</p> <p data-bbox="964 853 1539 909"><i>"३. उमेदवाराना नियुक्तीनंतर विहित कालावधीत विभागीय परीक्षा तसेच विहित नियमाप्रमाणे मराठी आणि हिंदी परीक्षा उत्तीर्ण व्हावे लागेल."</i></p> <p data-bbox="889 937 1539 993">7. The respondents are restrained from effecting any promotions till filing of reply.</p> <p data-bbox="889 1021 1539 1048">8. Issue notice returnable on 5.12.2019.</p> <p data-bbox="889 1077 1539 1132">9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p data-bbox="889 1161 1539 1291">10. 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 data-bbox="889 1320 1539 1428">11. 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 data-bbox="889 1457 1539 1588">12. 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 data-bbox="889 1616 1539 1725">13. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p data-bbox="889 1754 1539 1780">14. Hamdast granted.</p> <p data-bbox="1312 1765 1377 1798" style="text-align: right;">Sd/-</p> <p data-bbox="1235 1827 1409 1904" style="text-align: right;">(Shree Bhagwan) Vice-Chairman 14.11.2019</p> <p data-bbox="889 1911 932 1937">(sg)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.11.2019</p> <p>D.A.No.993 of 2019 with O.A.No.994 of 2019 with O.A.No.995 of 2019 with O.A.No.996 of 2019</p> <p>V.D. Kalsait (O.A.993/2019) S.A. Narawade (O.A.994/2019) S.Y. Raypure (O.A.995/2019) S.P. Tadavalekar (O.A.996/2019) ..... Applicants Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has placed on record Hon'ble High Court's order in Writ Petition Stamp No.26596 of 2019 and also relied upon the Writ Petition No.10547 of 2019. In both the cases orders have been delivered by Hon'ble High Court on 08.11.2019.</p> <p>3. In view of the orders passed by Hon'ble High Court the Respondents are directed not to fill the posts occupied by Petitioners namely, Shri V.D. Kalsait in O.A.No.993/2019, Shri S.A. Narawade in O.A.No.994 of 2019, Shri S.Y. Raypure in O.A.No.995/2019 and Shri S.P. Tadavalekar in O.A.No.996 of 2019, prior to their termination till the decision by Hon'ble High Court after 05.12.2019.</p> <p>4. S.O. to 11.12.2019. Steno copy and hamdast is allowed.</p> <p style="text-align: right;">Sd/- (Shree Bhagwan) Vice-Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

I N

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.11.2019</p> <p align="center">O.A.No.1021 of 2019</p> <p>S.K. Lolage ..... Applicant Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has placed on record Hon'ble High Court's order in Writ Petition Stamp No.26596 of 2019 and also relied upon the Writ Petition No.10547 of 2019. In both the cases orders have been delivered by Hon'ble High Court on 08.11.2019.</p> <p>3. In view of the orders passed by Hon'ble High Court the Respondents are directed not to fill the post occupied by Petitioner namely, Shri S.K. Lolage prior to their termination till the decision by Hon'ble High Court after 05.12.2019.</p> <p>4. S.O. to 11.12.2019. Steno copy and hamdast is allowed.</p> <p align="right">Sd/- (Shree Bhagwan) Vice-Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.11.2019</p> <p align="center">O.A.No.1020 of 2019</p> <p>S.M. Gavali ..... Applicant Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has placed on record Hon'ble High Court's order in Writ Petition Stamp No.26596 of 2019 and also relied upon the Writ Petition No.10547 of 2019. In both the cases orders have been delivered by Hon'ble High Court on 08.11.2019.</p> <p>3. In view of the orders passed by Hon'ble High Court the Respondents are directed not to fill the post occupied by Petitioner namely, Shri N.M. Gavali prior to their termination till the decision by Hon'ble High Court after 05.12.2019.</p> <p>4. S.O. to 11.12.2019. Steno copy and hamdast is allowed.</p> <p align="right">Sd/- (Shree Bhagwan) Vice-Chairman</p> <p>prk</p>

# 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 : 14.11.2019</p> <p>O.A.No.1083 of 2019</p> <p>S.A. Waghmare &amp; Ors. .... Applicants Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <ol style="list-style-type: none"><li>1. Heard Shri M.B. Kadam/ Shri U.V. Bhosle, learned Advocates for the Applicants and Shri S.D. Dole, learned Presenting Officer for the Respondents.</li><li>2. The issue pertains to vacation of quarters and learned Advocate submits that the Applicants are under apprehension as per letter dated 07.11.2019, page 12.</li><li>3. Considering the background of the Bench following order is passed,</li><li>4. Issue notice before admission returnable on 25.11.2019.</li><li>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li><li>6. Applicants are authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li></ol>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>10 Respondents are directed not to take coercive action as per letter dated 07.11.2019 till next date of hearing or filing of the reply.</p> <p>11. Learned P.O. is directed to communicate this order to the Respondents.</p> <p>12. S.O. to <sup>a</sup>25<sub>a</sub>.11.2019.</p>

Sd/-  
(Suresh Bhagwan)  
Vice-Chairman

prk