

**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.27 of 2021</u></p> <p>Y.G. Lawande ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicant and advocate absent. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that reply has been filed.</p> <p>3. S.O. to 22.6.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.06.2021</p> <p>O.A.No.652 of 2015</p> <p>S. K. Nikalje .....Applicant Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Today, learned P.O. has tendered the proposal dated 07.08.2019 sent by Respondent No.2-The Settlement Commissioner and Directorate of Land Records, M.S.Pune to Respondent No.3- Principal Secretary (Revenue), State of Maharashtra for treating 2045 absence as extra ordinary leave. In proposal, the Respondent No.2 has recommended to the Government to consider the absence of 2045 days as extra ordinary leave and to consider the same for pension purpose.</li> <li>3. The Applicant (now deceased) retired on 31.07.2017. He died on 30.09.2017 leaving behind his widow and two daughters (one is married and another is unmarried).</li> <li>4. Shri A.V. Bandiwadekar, learned Counsel for the Applicant seeks to amend the O.A. so as to bring the name of widow on record and to pursue the matter for retiral benefits of the deceased.</li> <li>5. Indeed, the question of grant of retiral benefits depends upon the decision on the proposal dated 07.08.2019 forwarded by Respondent No.2 to Respondent No.3 which is still pending with the Government.</li> <li>6. Learned P.O. submits that the proposal will be decided soon.</li> <li>7. In view of above, we direct the Respondent No.3 to decide the proposal dated 07.08.2019 forwarded by the Respondent No.2 within four weeks from today and to pass appropriate order in accordance to law.</li> <li>8. Learned P.O. is also directed to instruct the Respondent No.3 to expedite the process since the widow of Applicant is deprived of her dues, if any, for a long time.</li> <li>9. In the meantime, leaned Counsel for the Applicant is at liberty to bring the name of widow on record.</li> <li>10. S.O. to 13.07.2021.</li> </ol> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p>

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

Tribunal's orders

Date: 15.06.2021

O.A. No.190 of 2020

S.A. Warang .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

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

2. In O.A. the Applicant has prayed only for direction to the Government to decide Review Application dated 11.12.2018 filed by the Applicant against order passed by the Government, thereby ~~setting aside~~ <sup>Settling</sup> ~~order~~ aside order of dismissal of service and imposing punishment of withholding of one increment for two years without cumulative effect.

3. Thus, the Applicant seems to have filed Review Application invoking section 27 (B) of Maharashtra Police Act. Though period of more than two years is over it is not decided which ought to have been decided expeditiously on its own merit.

4. Learned Advocate for the Applicant submits that because pendency of Review Application Applicant chances of promotion are affected.

5. In view of above, O.A. is disposed of with direction to the Respondent - Government to decide Review Application dated 11.12.2018 filed by the Applicant within three months from today, in accordance to law and decision as it may be, shall be communicated to the Applicant within two weeks thereafter.

Sd/-

(A.P. Kurhekar)  
Member (J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 15.06.2021</b></p> <p><b>M.A. No.192 of 2021 in O.A. No.203 of 2018</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <b>(Org. Resp.)....Applicant</b></p> <p><b>Versus</b> <b>S.K. Devkar (Org. Appl.).....Respondents.</b></p> <p>1. Heard Smt K.S. Gaikwad, learned Presenting Officer for the Applicants (Org. Respondents) and Shri A.V. Bandiwadkar, learned Advocate for the Respondent (Org. Applicant).</p> <p>2. This M.A. is filed for extension of time for compliance of the direction given by the Tribunal in O.A. No.203/2018 by Judgment dated 02.02.2021. By the said Judgment Application for compassionate appointment was allowed and three months time was granted for compliance. Three months have expired on 09.05.2021.</p> <p>3. This M.A. is filed on 09.06.2021 i.e. after the expiration of three months period. The Application for extension of time ought to have been filed before the expiration of time limit by establishing steps taken by the Department in this behalf. Thus, it is belated</p> <p>4. Further, perusal of M.A. does not reveal that the Department have taken any steps in right earnest. As such there are no bonafide to claim extension of time. I am therefore not inclined to grant extension to time, therefore M.A. is dismissed.</p> <p>5. No order as to costs.</p> <p style="text-align: right;">Sd/- v <b>(A.P. Kurhekar)</b> <b>Member (J)</b></p> <p>NMN</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><b>Date : 15.06.2021</b></p> <p style="text-align: center;"><b>O.A.No.314 of 2021</b></p> <p><b>S. N. Tembe</b> <span style="float: right;"><b>....Applicant</b></span>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant, Shri Aniket Bansubhe, learned Counsel for the Respondent No.1, Shri M.D. Lonkar, learned Counsel for the Respondent No.2 and Smt. Archana B. K., learned Presenting Officer for the Respondent No.4.</p> <p>2. The Applicant has challenged the order dated 05.04.2021 passed by the Respondent No.1-Superintending Engineer, Public Works, Mumbai and seeking implementation of earlier order passed by the same authority on 01.03.2021.</p> <p>3. The Applicant is serving as a Store Keeper. He was posted in the office of Executive Engineer, National Highway Division, Thane under the control of Superintending Engineer, National Highway Division, Public Works Dept., Konkan Bhavan, Navi Mumbai.</p> <p>4. On his request, the Applicant was transferred by order dated 01.03.2021 in the office of Executive Engineer, Public Works Division, Mahad under the control of Superintending Engineer, Public Works Department, Raigad, Navi Mumbai. However, order dated 01.03.2021 was stayed by the Respondent No.1 on 03.03.2021. Later, the Respondent No.1 vacated the stay by order dated 23.03.2021 and confirmed the positing as per order dated 01.03.2021.</p> <p>5. However, later the Respondent No.1 changed the posting of the Applicant by order dated 05.04.2021 and posted him in the office of Executive Engineer, Highway Project Division, Mahad under the control of Superintending Engineer, Public Works Department, Konkan Bhavan, Navi Mumbai.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Shri A. V. Bandiwadekar, learned Counsel for the Applicant sought to contend that there was no ground much less justifiable to change the posting as issued by order dated 01.03.2021 and secondly in absence of placing the matter before the Civil Services Board (CSB), the impugned order is bad in law and sought interim relief.</p> <p>7. Per contra, Shri Aniket Bansubhe, learned Counsel for the Respondent No.1 and Shri M.D. Lonkar, learned Counsel for the Respondent No.2 opposed to grant interim relief contending that the Applicant has no legally vested right to ask for particular post and further pointed out that both the offices where the Applicant was transferred by order dated 01.03.2021 and modified by order dated 05.04.2021 are in the same complex and there is no hardship of any kind to the Applicant so as to seek interim relief.</p> <p>8. Indisputably, the Applicant was not due for transfer while he was serving at Thane and it is the Applicant who made request by his letter dated 12.12.2020 for transfer at Mahad contending that his mother stays at Raigad district and except him nobody is there to look after her. As such, it is on the request of Applicant, he was initially transferred in the office of Executive Engineer, Public Works Department, Mahad. Whereas, by order dated 05.04.2021, the change is in respect of establishment only. By order dated 05.04.2021, he is posted in the office of Executive Engineer, Highway Project Division, Mahad. In other words, by modified posting order, the Applicant is posted at Mahad itself and both the offices are in one complex/building. As such, there is no hardship to the Applicant.</p> <p>9. So far as the absence of recommendation of CSB is concerned, this appears to be transfer on request, and therefore, the matter was not placed before the CSB.</p> <p>10. Suffice to say, the request of the Applicant for transfer at Mahad is considered by the department sympathetically and by modified order only the establishment is changed which is in the same complex/building.</p> <p>11. In view of above, I am not inclined to grant interim relief.</p> <p>12. S.O. to 05.07.2021 for filing Affidavit-in-Reply.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</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><b>Date : 15.06.2021</b> <b>O.A.No.354 of 2021</b></p> <p><b>P. P. Sonar</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Shri K.R. Jagdale, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. the challenge is to the order dated 03.02.2021 whereby the Applicant's provisional pension is stopped and secondly the Applicant has also claimed gratuity.</p> <p>3. While the Applicant was in service, crime under the provision of Prevention of Corruption Act was registered against him in 2013. The Applicant stands retired on 30.06.2017.</p> <p>4. In so far as the criminal case is concerned, he was convicted by the Special Judge, Baramati on 24.02.2020 and sentenced to RI for six months with fine. Against the judgment of conviction, he preferred Criminal Appeal No.36/2021 before the Hon'ble High Court in which sentenced has been suspended by order dated 22.01.2021 and the Applicant was released on bail.</p> <p>5. As regard the order under challenge dated 03.02.2021 passed by the Respondent No.2-Special Inspector General of Police, Pune, the order is of temporary withholding provisional pension. This order seems to have been passed in D.E. initiated against the Applicant while he was in service. It appears that the said order of withholding pension temporarily is passed in view of conviction of the Applicant by Special Court.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. The submission advanced by the learned Counsel for the Applicant that because of stay to the sentence, the Applicant is entitled to full pension is totally misconceived and fallacious. What is stayed by the Hon'ble High Court is sentenced and not conviction.</p> <p>7. Needless to mention that on conviction, the Government is empowered to withhold the pension in terms of Maharashtra Civil Services (Pension) Rules.</p> <p>8. The Applicant has already challenged the order dated 03.02.2021 by filing appeal before the Respondent No.2 – Special Inspector General of Police. Since the appeal is pending before the Competent Authority, in first instances, it is for the Competent Authority to decide the appeal in accordance to law.</p> <p>9. In view of above, O.A. disposed of with direction to Respondent No.2 to decide the appeal within three months from today. The decision as the case may be, shall be communicated to Applicant within two weeks thereafter. If the Applicant felt aggrieved by the same, he may avail further legal remedy in accordance to law subject to the final decision of criminal appeal.</p> <p>10. 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  
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: 15.06.2021</b></p> <p><b>O.A. No.273 of 2021</b></p> <p><b>D.B. Nayak .....Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri M.D. Lonkar, learned Advocate 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 Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record. He further submits that Reply of Respondent No.1 is not required.</p> <p>3. Adjourned for hearing at the stage of admission with liberty to the Applicant to filed Rejoinder if any.</p> <p>4. S.O. to 28.07.2021.</p> <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</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><b>Date: 15.06.2021</b></p> <p align="center"><b>O.A. No.288 of 2021</b></p> <p><b>R.V. Kothmire</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record.</li> <li>3. No Reply is filed on behalf of Respondent No.1.</li> <li>4. Matter be kept for hearing at the stage of admission with liberty to file Rejoinder if any.</li> <li>5. S.O. to 09.07.2021.</li> </ol> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</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"><b>Date: 15.06.2021</b></p> <p align="center"><b>O.A. No.159 of 2021</b></p> <p>H.P. Kate .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Learned Advocate Shri V.V. Joshi, has sent his leave note.</li> <li>3. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</li> <li>4. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</li> <li>5. S.O. to 02.07.2021.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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><b>Date: 15.06.2021</b></p> <p align="center"><b>O.A. No.782 of 2020 to O.A. No.785 of 2020</b></p> <p><b>P.B. Shinde</b>  <b>N.S. Wagh</b>  <b>S.B. Patil</b>  <b>S.B. Kalel</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Applicant and his Advocate both are absent.</p> <p>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>4. S.O. to 02.07.2021.</p> <p align="right">^ Sd/- v <b>(A.P. Kurhekar)</b> <b>Member (J)</b></p> <p>NMN</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: 15.06.2021</p> <p align="center">O.A. No.280 of 2020</p> <p>R.T. More .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 08.07.2021.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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"><b>Date: 15.06.2021</b></p> <p align="center"><b>O.A. No.1062 of 2019</b></p> <p><b>Dr.B.T. Karavekar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ....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. Today Shri A.J. Chougule, learned P.O. has filed short Affidavit of Dr Pradeep Vyas, Additional Chief Secretary, Public Health Department, Mantralaya, Mumbai about the progress in a matter of D.E. and the steps taken by the Department. It is taken on record.</p> <p>3. On request of learned P.O. two weeks time is granted to show further progress in the matter by Additional Chief Secretary, Public Health Department, Mantralaya, Mumbai.</p> <p>4. S.O. to 29.06.2021.</p> <p align="right">Sd/-    <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 15.06.2021</b></p> <p><b>O.A. No.368 of 2021</b></p> <p><b>J.R. Chavan .....Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</li> <li>2. Issue notice before admission returnable on 13.07.2021.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>7. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</li> <li>8. S.O. to 13.07.2021.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(A.P. Kurhekar)</b> <b>Member (J)</b></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
---	-------------------

15.06.2021

O.A 346/2020

Shri G.S Karande ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned C.P.O for the Respondents.

2. Learned counsel for the applicant files affidavit in rejoinder and copy given to learned Presenting Officer for the Respondents. Same is taken on record.

3. As the pleadings are complete, place for final hearing on 31.8.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)  
Chairperson



**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
---	-------------------

**15.06.2021**

**O.A 191/2020**

Smt Sujata A. Warang ... Applicant  
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. Learned P.O submits that no instructions are received till date and seeks time.'

3. S.O to 29.6.2021.

Sd/-

(P.N<sup>l</sup>Dixit)  
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**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"><b><u>15.06.2021</u></b></p> <p align="center"><b><u>O.A 72/2020</u></b></p> <p>Shri R.R Wagh ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant files affidavit in rejoinder and copy given to the learned Presenting Officer. Same is taken on record.</p> <p>3. As the pleadings are complete, matter is admitted.</p> <p>4. Place for final hearing on 23.9.2021.</p> <p align="right">Sd/- _____</p> <p>Sd/- (R.N. DIXIT) Vice-Chairman (A)</p> <p align="right">/ (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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
---	-------------------

**15.06.2021**

**O.A No 698 & 699/2019**

Dr S.J Mane  
Dr A.R Jadhav ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. None present for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O seeks two weeks' time for filing affidavit in reply.

3. S.O to 1.7.2021.

Sd/-

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

Akn

Sd/-

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

**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
---	-------------------

15.06.2021

M.A 135/2021 in O.A 246/2021

Dr R.D Tate ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.M Kolge, holding for Shri V.P Potbhare, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O seeks time to affidavit in reply regarding condonation of delay in filing the O.A. Time granted.

3. S.O to 6.7.2021.

Sd/-

Sd/-

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

(Mridula Bhatkar, J.)  
Chairperson

Akn

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.322 of 2021</u></p> <p>P.P. Dalvi ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The applicant who was working as Accountant in the establishment of Directorate of Municipal Administration, Palghar, retired on 31.3.2020. Meanwhile following DE he was inflicted with punishment on 11.6.2020 of reduction in pension by Rs.2000/- for a period of one year. Against the same the applicant filed appeal before the Secretary, Urban Development Department on 6.7.2020. The representation is pending for decision. The applicant therefore prays that appeal may be decided within a period of four weeks.</p> <p>3. The office objections, if any, are to be removed and court-fee to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 29.6.2021. Ld. PO seeks a weeks time for informing about the same.</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 notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>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.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</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;"><del>M.A. No.171 of 2021 in</del> O.A. No.337 of 2021</p> <p>Shantilal R. Koli, since deceased by his L.Rs. Smt. Kokilabai S. Koli &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Shri Shantilal R. Koli has passed away on 21.9.2020. The present OA is filed by his heirs and legal representatives. The applicants are agitating against the impugned order dated 21.1.2020 whereby the deceased applicant was transferred to supernumerary post. They contend that the same needs to be quashed.</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 20.7.2021.</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 notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>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.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</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.As. No.140/2021, 147/2021, 163/2021 with O.A. No.1056/2019 with M.A. No.329/2020</u></p> <p>S.S. Atkekar &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri K.R. Jadgale, Ld. Advocate states that in OA No.1056/2019 with M.A. No.329/2020 he is discharged by order dated 6.4.2021. He submits that his name may not be shown in the appearance.</p> <p>3. The applicant in OA No.1056/2019 with M.A. No.329/2020 is personally present in the Court today and mentions that matter needs to be expedited as per order dated 11.1.2021.</p> <p>4. S.O. to 6.7.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</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.As. No.88, 89, 90 &amp; 114 of 2021</u></p> <p>Shri Utkarsh V. Deokule (OA.88/2021) N.C. Koli &amp; Ors. (OA.89/2021) S.N. Gaikwad &amp; Ors. (OA.90/2021) S.K. Belbhandare (OA.114/2021)..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 prays for interim relief for promotion to the applicants.</p> <p>3. Ld. CPO submits that she will file reply as per instructions within a week.</p> <p>4. S.O. to 29.6.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</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 align="center"><u>O.A. No.482 of 2020</u></p> <p>D.K. Shinde/Vathore ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle holding for Shri S.B. Gaikwad, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 13.7.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar. J.) Chairperson 15.6.2021</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.413 of 2020</u></p> <p>V.V. Tamhankar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The respondents have filed their reply on 1.4.2021. Ld. Advocate for the applicant states that he will file rejoinder during the course of the day with a copy to Ld. PO.</p> <p>3. As the pleadings are completed the matter is Admitted.</p> <p>4. S.O. to 23.9.2021 for final hearing.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</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
---	-------------------

**15.06.2021**

**O.A Nos 372, 373 and 374/2020**

J.K Khetre [O.A 372/2020]  
P.A Lad [O.A 373/2020]  
B.K Nagare [O.A 374/2020] ... Applicants  
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.

2. Learned counsel for the applicant states that affidavit in rejoinder in O.A 372/2020 is filed and copy is already submitted to the Respondents.

3. Learned counsel for the applicant states that he is filing affidavit in rejoinder in O.A 373/2020 and copy will be given to the learned Presenting Officer.

4. Learned counsel for the applicants further states that he will file rejoinder in O.A 374/202 within one week.

5. S.O to 24.6.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**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><b><u>15.06.2021</u></b></p> <p align="center"><b><u>C.A 03/2021 in O.A 951/2019</u></b></p> <p>Shri B.R Gaikwad ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Shri V.V Joshi, learned advocate for the applicant files leave note. Heard Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O informs that she has received communication dated 16.4.2021, informing that necessary action has been taken by the Respondents regarding the service book of the applicant and the same has been submitted to the office of the Accountant General (date not known) for verification. Copy of the said letter dated 16.4.2021 is taken on record and marked as Exh.1. She further informs that progress regarding the same would be communicated to the Tribunal in the next week.</p> <p>3. S.O to 24.6.2021.</p> <p align="right">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p align="left">Sd/- _____ (P.N Dixit) Vice-Chairman (A)</p> <p align="left">Akn</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><b><u>15.06.2021</u></b></p> <p><b><u>C.A 53/2014 in O.A 44/2009 with C.A 54/2014 in O.A 173/2009 with C.A 55/2014 in O.A 54/2010</u></b></p> <p>Shri R.G Joshi S.B Mahadik S.N Pitke &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O mentions that the Respondents will be filing affidavit in reply during the course of the day and the copy would be provided to the learned counsel for the applicants.</p> <p>3. S.O to 29.6.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N\Dixit) Vice-Chairman (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><b><u>15.06.2021</u></b></p> <p align="center"><b><u>C.A 39/2020 in O.A 50/2020</u></b></p> <p>Shri B.G Kshirsagar ... Applicant Vs. 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 P.O for the Respondents.</p> <p>2. Learned counsel for the applicant files NOC from Shri Sugdare, advocate for the applicant and files his Vakalatnama. The same is taken on record.</p> <p>3. Learned counsel for the applicant submits that he has filed the rejoinder on 3.6.2021 which was received by the learned P.O on 11.6.2021.</p> <p>4. Learned P.O mentions that the Respondents have considered the directions issued by the Tribunal in order dated 3.2.2020 and accordingly the applicant was communicated the same on 17.3.2021.</p> <p>5. Learned counsel submits that in the order dated 3.2.2020, the Tribunal had directed the Respondents to take decision in the light of the judgment mentioned therein.</p> <p>6. Learned P.O seeks time to file short affidavit in reply stating therein whether the judgment referred to by the Tribunal in its order dated 3.2.2020 has been considered.</p> <p>7. S.O to 2.7.2021.</p> <p align="center">Sd/- <b>(P.N Dixit)</b> <b>Vice-Chairman (A)</b></p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p>

Akn

**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><b><u>15.06.2021</u></b></p> <p align="center"><b><u>O.A 352/2021</u></b></p> <p>Shri B.R Kadam ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard V.P Sangvikar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned advocate for the applicant seeks time to produce the receipt of the communication from the Respondent no. 6, under whose establishment the applicant works.</p> <p>3. Learned advocate for the applicant seeks adjournment till 22.6.2021.</p> <p>4. S.O to 22.6.2021</p> <p align="center">Sd/- _____</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- _____</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p>

Akn



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>15.06.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 308/2021</u></b></p> <p>Ramkrushna S. Ughade ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri P.D Patil, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant in this Original Application in response to the advertisement for the post of Staff Nurse has appeared for the examination conducted by the Deputy Director, Health Services, Mumbai Circle, Thane. He has secured 146 marks out of 200.</p> <p>3. The applicant had moved the Hon'ble Bombay High Court in W.P 1286/2021 decided on 11<sup>th</sup> May, 2021. The Hon'ble Bombay High Court had directed Respondent no. 3 (Deputy Director, Health Services, Mumbai Circle, Thane) to decide the applicant's representation dated 29.4.2021 on merit on or before 18.5.2021. Accordingly the Respondent no. 3 has communicated the decision to the applicant on 12.5.2021. The impugned communication mentions that the applicant had marked two answers in response to question No. 96. The applicant claims that the information furnished in the impugned communication is erroneous as he did not mark two answers for question No. 96.</p> <p>4. Learned P.O seeks four weeks' time to take instructions in the matter.</p> <p>5. Issue notice made returnable on 13.7.2021.</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. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>9. S.O to 13.7.2021.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(P.N Dixit) Vice-Chairman (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</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
---	-------------------

**Date : 15.06.2021.**

**M.A.No.114 of 2021 in O.A.No.982 of 2019**

R.K. Bhosale ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned C.P.O. prays for time to make statement in respect of paragraphs 9, 10 and 11 of the affidavit-in-reply dated 05.03.2020 filed by Shri Sanjay Giridhar Patil, Deputy Secretary, Social Justice and Special Assistance Department.

3. Time granted. Adjourned to 29.06.2021.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**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
---	-------------------

**Date : 15.06.2021.**

**O.A.No.193 of 2021**

A.E. Shete ... Applicant  
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The Applicant has prayed for the relief of promotion to the post of Police Inspector.

3. The learned Counsel for the applicant submits that the applicant has made representation that he be given the deemed date as on the date when his juniors were promoted.

4. The learned C.P.O. submits that minimum two months are required to decide the representation.

5. The Respondents to decide the representation preferably within two months from the date of this order

6. In view of this O.A. is disposed off.

Sd/-

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

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

**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 align="center"><u>O.A. No.37 of 2021 with O.A. No.231 of 2021</u></p> <p>T.B. Naik ..Applicant Vs. The State of Maharashtra &amp; 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 mentions that reply filed in OA No.36 of 2021 will be adopted in OA No.37 of 2021 and accordingly she will file the same within two weeks. As far as OA No.231 of 2021 is concerned, she informs that her brief is not traceable.</p> <p>3. S.O. to 24.6.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</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.319 of 2021</u></p> <p>Dinesh L. Chavan ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.L. Kulkarni, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The applicant joined as a Police Constable in 1983 and become Writer in 1991. His promotion to the rank of Police Naik was withdrawn in 1995. The applicant was promoted to the rank of Head Constable in 2001. After he passed the Departmental Examination he was promoted to the rank of PSI in 2014. The applicant retired on 31.10.2020. According to him he was eligible for getting promotion beyond the rank of PSI. Applicant seeks relief in the form of promotion to the post of API as third Time Bound Promotion.</p> <p>3. The office objections, if any, are to be removed and court-fee to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 26.7.2021.</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 notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>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.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p style="text-align: center;">(Mridula R. Bhatkar, J.) Chairperson 15.6.2021</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.247 of 2021</u></p> <p>M.A. Amgaonkar ..Applicant Vs. The State of Maharashtra &amp; 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 submits that reply will be filed during the course of the day and copy would be given to the Ld. Advocate for the applicant.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>4. S.O. to 1.7.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

IN

Original Application No. of 20

## FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.27 of 2021</u></p> <p>Y.G. Lawande ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicant and advocate absent. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that reply has been filed.</p> <p>3. S.O. to 22.6.2021.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;"> <p>(P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-  (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

I N

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.10 of 2021</u></p> <p>N.N. Ghode ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks three weeks for filing reply.</p> <p>3. S.O. to 6.7.2021.</p> <p align="center"> Sd/-  (P.N. Dixit)  Vice-Chairman  15.6.2021  (sgi) </p> <p align="center"> Sd/-  (Mridula R. Bhaikar, J.)  Chairperson  15.6.2021 </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 align="center"><u>O.A. No.806 of 2020</u></p> <p>G.B. Pilgar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge holding for Shri V.P. Potbhare, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks two weeks time for filing reply.</p> <p>3. S.O. to 29.6.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</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.781 of 2020</u></p> <p>J.D. Koli ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, 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 seeks time to file rejoinder.</p> <p>3. S.O. to 6.7.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 15.6.2021 15.6.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.763 of 2020</u></p> <p>S.S. Kokane ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that instructions are still not received and <del>weeks</del> three weeks time. The respondents are directed to ensure that reply is filed.</p> <p>3. S.O. to 1.7.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 15.6.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.6.2021</p>


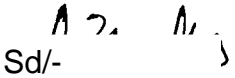
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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.561 of 2020</u></p> <p>Dr. K.S. Jawale ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.D. Gugale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO mentions that she has received instructions and will be filing reply within two weeks.</p> <p>3. S.O. to 24.6.2021.</p> <p align="center">  Sd/-  (P.N. Dixit)  Vice-Chairman  15.6.2021  (sgi) </p> <p align="center">  Sd/-  (Mridula R. Bhatkar, J.)  Chairperson  15.6.2021 </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
---	-------------------

O.A. No.501 of 2020

S.B. Mali ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Reply is filed on 3.3.2021
3. Ld. Advocate for the applicant seeks time to file rejoinder.
4. As the pleadings are complete the matter is Admitted.
5. S.O. to 30.9.2021 for final hearing.

Sd/-

(P.N. Dixit)  
Vice-Chairman  
15.6.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)  
Chairperson  
15.6.2021

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.350 of 2021</u></p> <p>Dr. S.A. Trimkbake ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. By this OA the applicant is praying for grant of extra ordinary leave with break.</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 13.7.2021.</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 notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>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.</p> <p style="text-align: right;">Sd/- (Medha A. Gadgil) Member (A) 15.6.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.737 of 2020</u></p> <p>S.R. Gaud ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that affidavit in reply will be filed during the course of the day.</p> <p>3. S.O. to 29.6.2021 for filing rejoinder.</p> <p align="right">Sd/- (Medha A. Gadgil) Member (A) 15.6.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.102 of 2020</u></p> <p>S.H. Shaikh ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files sur-rejoinder on behalf of respondent no.2 and the same is taken on record.</p> <p>3. S.O. to 29.6.2021 for hearing.</p> <p style="text-align: right;">Sd/- (Medha A. Gadgil) Member (A) 15.6.2021</p> <p>(sgj)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.224 of 2021</u></p> <p>B.N. Sathe ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files affidavit in reply on behalf of respondent no.1 and the same is taken on record.</p> <p>3. S.O. to 6.7.2021 for filing rejoinder.</p> <p align="right">Sd/- (Medha A. Gadgil) Member (A) 15.6.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.06.2021</p> <p align="center">O.A.No.265 of 2015</p> <p>M. L. Shrisat <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents 1 &amp; 2. None for Respondent Nos.3 and 4.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned to 17.06.2021.</p> <p>3. S.O. to 17.06.2021.</p> <p>Sd/- <span style="float:right">Sd/-</span></p> <p>(Medha Gadgil) <span style="float:right">(A.P. Kurhekar)</span> Member (A) <span style="float:right">Member(J)</span></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 : 15.06.2021</p> <p align="center">O. A. No.255 of 2015</p> <p>K. J. Mane <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. The Applicant and his Counsel are absent. Shri M.R. Patil, learned Counsel for the Applicant has sent leave note stating that due to Covid-19 Pandemic situation, he is unable to remain present for hearing.</p> <p>2. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. S.O. to 13.07.2021.</p> <p>Sd/- <span style="float: right;">Sd/-</span></p> <p>(Medha Gadgil) <span style="float: right;">(A.P. Kurhekar)</span> Member (A) <span style="float: right;">Member(J)</span></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 : 15.06.2021</p> <p align="center">O.A.No.542 of 2015</p> <p>R. H. Jadhav <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has sought time to file Rejoinder along with annexures to bring on record the subsequent orders passed by certain authorities.</p> <p>3. Whereas, learned P.O. objected for filing Rejoinder contending that the Tribunal by order dated 30.11.2015 admitted the O.A. on the statement made by the Applicant the she does not want to file Rejoinder.</p> <p>4. True, as per order dated 30.11.2015, O.A. was admitted on the basis of statement made by the Applicant that she does not want to file Rejoinder.</p> <p>5. By way of Rejoinder, the Applicant wants to produce on record certain orders passed by some authorities, subsequently.</p> <p>6. We are, therefore, inclined to allow the Applicant to file Rejoinder whether those orders have any bearing on the issue involved in O.A. is kept open.</p> <p>7. On request of learned Counsel, the matter is adjourned to 18.06.2021.</p> <p align="center">Sd/- <span style="float:right">Sd/-</span></p> <p>(Medha Gadgil) <span style="float:right">(A.F. Kurhekar)</span> Member (A) <span style="float:right">Member(J)</span></p> <p align="right">[P.T.O.]</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 : 15.06.2021</p> <p align="center">O.A.No.574 of 2016</p> <p>P. A. Pagare .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has filed Affidavit in Sur-Rejoinder for Respondent No.1. It is taken on record.</p> <p>3. The matter is adjourned for final hearing.</p> <p>4. S.O. to 30.06.2021.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/- Vv- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

**Contempt Application No.17 of 2021  
In  
Original Application No.1020 of 2019**

Shri Navnath Mukund Gawali )  
Working as Driver, in the office of P.W.D. )  
Central Building, Pune Circle, Pune )  
Residing at Sahyadri Heights, )  
Flat No.303, Manjri – Solapur Road, )  
Shewalwadi, Pune 411 230 ) **... Applicant**

**Versus**

1. Smt. Sujata Saunik )  
Additional Chief Secretary, )  
General Administration Department, )  
Mantralaya, Mumbai 400 032. )  
2. Shri Atul Chavan, )  
Superintending Engineer, )  
Public Works Circle, )  
Central Building, )  
Pune 411 001. ) **... Respondents**

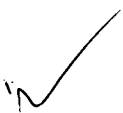
Smt. Punam Mahajan, learned Advocate for the Applicant.

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

**CORAM : JUSTICE MRIDULA BHATKAR, (CHAIRPERSON)  
SHRI P.N. DIXIT, VICE-CHAIRMAN**

**DATE : 15.06.2021.**

**PER : JUSTICE MRIDULA BHATKAR, (CHAIRPERSON)**



**ORDER**

1. Today, the learned P.O. for the Respondents files affidavit-in-reply dated 14.06.2021 on behalf of Respondent No.2, through Shri Atul Bhikaram Chavan, Superintending Engineer, Public Works Circle, Pune. The same is taken on record. Copy is served to learned Advocate for the Applicant.

2. Shri Atul Bhikaram Chavan, Superintending Engineer, Public Works Circle, Pune is present in the Tribunal.

3. The Contemnor in the affidavit-in-reply has submitted that after receiving the order dated 24.12.2020 the proposal was sent by the Public Works Circle, Pune to General Administration Department for necessary sanction and it is mentioned that the final approval and the sanction from G.A.D. is still awaited. It also submitted the date-wise sequence put up in tabular form in the affidavit. It is further submitted that since 05.01.2021 the Public Works Circle, Pune is waiting for the necessary sanction from G.A.D. Thereafter, when the Contempt Application was filed on 09.06.2021 Superintending Engineer, Public Works Circle, Pune issued reinstatement order in favour of the applicant and on 14.06.2021 issued the modified reinstatement order in favour of the applicant and now the Applicant Shri Navnath Mukund Gawali has joined yesterday i.e. on 14.06.2021. The applicant has mentioned that he has tendered the apology that the delay caused is not deliberate but the Superintending Engineer was having wrong impression that unless the G.A.D. gives sanction then only the applicant can be reinstated.





4. The learned Counsel for the applicant submits that on 05.03.2021 the Contempt notice was sent and it was received by the Contemnor on 08.03.2021.

5. After going through the order dated 14.06.2021 it is pointed out that in the said order one point is required to be modified and another fact is to be added :-

\* It is necessary to mention that the order of termination is set aside and quashed and therefore the applicant is to be reinstated from the date of termination.

\* In the orders dated 09.06.2021 and 14.06.2021 there is only reference of the order of the Hon'ble High Court upholding Maratha reservation, however, thereafter the Hon'ble Supreme Court finally decided ***Civil Appeal No.3123 of 2020 & Ors., Dr. Jaishri Laxmanrao Patil Versus The Chief Minister & Ors, dated 05.05.2021*** and set aside the order of the Hon'ble High Court. Thus, the said act of giving Maratha reservation as SEBC is declared void.

6. The Contemnor, Shri Atul Bhikaram Chavan who is present before the Tribunal submits that he will accordingly modify the order dated 14.06.2021 and issue fresh order either today or tomorrow with backdated effect.


7. The learned P.O. submits that since the Respondent-Contemnor has complied with the order of this Tribunal no further action of contempt be taken. It be condoned. The learned P.O. further submits that the Contemnor has today deposited an amount of Rs.10,000/- which was saddled on him on the last occasion.

8. As the order is substantially complied we direct the Registrar, Maharashtra Administrative Tribunal to return the amount of Rs.10,000/- to Shri Atul Bhikaram Chavan at the earliest.

9. In view of this, Contempt Application is disposed off.

Sd/-  
(P.N. Dixit)  
Vice-Chairman

prk

Sd/-   
(Mridula Bhatkar, J.)  
Chairperson