

**Date : 16.07.2020**

**O.A.NO.608 OF 2019**

**Dr. M.V. Pande**

**...Applicant**

**Versus**

**The State of Maharashtra & Ors.**

**...Respondents**

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Smt. S.P. Manchekar, learned C.P.O. for the Respondents.

2. Learned P.O. Shri A.J. Chougule for the Respondents submits that affidavit-in-reply is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record.

3. As the pleadings are complete the matter is admitted and adjourned for hearing on 06.08.2020.

Sd/-

**(A.P. Kurhekar)**  
**Member(J)**

prk

**Date : 16.07.2020**

**O.A.NO.77 OF 2020**

**S.V. Varunjikar**

**...Applicant**

**Versus**

**The State of Maharashtra & Ors.**

**...Respondents**

1. Applicant and his Counsel both are absent. Heard Smt. N.G. Gohad, learned Presenting Officer for the Respondents.

2. In this matter interim relief was granted by order dated 24.01.2020 and thereafter enough time is availed by the Respondents to file reply. Today, again learned P.O. requested for time to file reply.

3. As more than six months time is already availed for filing of reply, I am not inclined to grant further time. Matter to proceed without reply.

4. O.A. be kept for hearing at the stage of admission. Steno copy and Hamdast is allowed.

5. S.O. to 13.08.2020.

Sd/-

**(A.P. Kurhekar)**  
**Member(J)**

prk

**Date : 16.07.2020**

**O.A.NO.274 OF 2020**

**S.M. Sathe**

**...Applicant**

**Versus**

**The State of Maharashtra & Ors.**

**...Respondents**

1. Heard Shri U.V. Bhosale, learned Advocate holding for Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Today learned P.O. for the Respondents has filed affidavit-in-reply. It is taken on record.
3. On request of Shri U.V. Bhosale, learned Advocate for the Applicant adjourned for filing rejoinder, if any.
4. S.O. to 04.08.2020.

Sd/-

**(A.P. Kurhekar)**  
**Member(J)**

prk

**Date : 16.07.2020**

**O.A.NO.309 OF 2019**

**Dr. S.V. Patil**

**...Applicant**

**Versus**

**The State of Maharashtra & Ors.**

**...Respondents**

1. Heard Shri U.V. Bhosale, learned Advocate holding for Shri V.P. Potbhare, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Shri U.V. Bhosale, learned Advocate for the Applicant submits that due to COVID-19 pandemic situation Shri V.P. Pothare, learned Advocate for the Applicant is unable to attend the hearing and requested for two weeks time.
3. Adjourned to 30.07.2020.

Sd/-

**(A.P. Kurhekar)**  
**Member(J)**

prk

**Date : 16.07.2020**

**O.A.NO.6 OF 2020**

**R.M. Redekar** **...Applicant**  
**Versus**  
**The State of Maharashtra & Ors.** **...Respondents**

1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Reply of Respondents No.3 and 4 are filed long back. But the matter was adjourned from time to time for filing reply of Respondents No.1 and 2. Today, learned P.O. submits that reply filed by Respondents No.3 and 4 are enough and there is no need of separate reply on behalf of Respondents No.1 and 2.

3. Thus, the pleadings are complete. Admit. Adjourned for hearing.

4. S.O. to 13.08.2020.

Sd/-

**(A.P. Kurhekar)**  
**Member(J)**

prk

**Date : 16.07.2020**

**O.A.NO.575 OF 2017**

**A.R. Purve**

**...Applicant**

**Versus**

**The State of Maharashtra & Ors.**

**...Respondents**

1. Applicant and learned Advocate for the Applicant both are absent. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. This matter was partly heard in February 2020 but thereafter it was not taken up due to COVID-19 pandemic situation and lockdown.
3. As per the order passed by this Tribunal on 17.02.2020 directions were given to the Applicant to file certain documents which have bearing for the matter in issue.
4. It appears that due to lockdown Applicant and learned Advocate are unable to remain present.
5. In view of the above, adjourned to 06.08.2020.

**Sd/-**

**(A.P. Kurhekar)  
Member(J)**

prk

**Date : 16.07.2020**

**O.A.NO.839 OF 2019**

**Smt. R.L. Bhadane**

**...Applicant**

**Versus**

**The State of Maharashtra & Ors.**

**...Respondents**

1. Heard Dr. P.G. Kayande, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Learned Advocate seeks permission to withdrawn O.A. on the ground that applicant got revised posting order.
3. As the Applicant has received revised posting order challenge to the impugned order does not survive. Allowed to withdraw the O.A.
4. In view of the above, O.A. is disposed of with no order as to costs.

**Sd/-**

**(A.P. Kurhekar)  
Member(J)**

prk

**Date : 16.07.2020**

**O.A.NO.1229 OF 2019**

**M.R. Mujeed**

**...Applicant**

**Versus**

**The State of Maharashtra & Ors.**

**...Respondents**

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant submits that after filing of the O.A only certain developments are taken place because of the orders passed by this Tribunal and final order of punishment in D.E. has been served upon the Applicant belatedly.

3. Further, she has grievance that retiral benefits are still not served and applicant is entitled for interest on delayed payment. Thus, it appears that issue remains about the interest only. Learned Advocate wants to file M.A. for amending giving details of the interest. She is at liberty to file M.A.

3. Adjourned to 28.07.2020.

**Sd/-**

**(A.P. Kurhekar)  
Member(J)**

prk



**Date : 16.07.2020**

**O.A.NO.1202 OF 2019**

**S.B. Khalekar**

**...Applicant**

**Versus**

**The State of Maharashtra & Ors.**

**...Respondents**

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The matter is taken on today's board by circulation for hearing on the ground that the Applicant is subjected to prolonged suspension.

3. The Applicant has challenged suspension order dated 28.02.2019. The matter is at the stage of admission but due to COVID-19 pandemic situation and lockdown it was not taken up.

4. Learned Advocate for the Applicant submits that the matter be taken up for hearing as the Applicant is subjected to prolonged suspension.

5. Whereas, learned P.O. for the Respondents submits that today for the first time the matter is come for hearing via circulation and she needs time to take instructions from the Department on the point of D.E., if any.

6. Adjourned to 28.07.2020 for hearing at the stage of admission.

Sd/-

**(A.P. Kurhekar)**  
**Member(J)**

prk

**Date : 16.07.2020**

**O.A.NO.396 OF 2018**

**S.R. Bhoite & Ors.**

**...Applicant**

**Versus**

**The State of Maharashtra & Ors.**

**...Respondents**

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for Ms. N.G. Gohad, learned P.O. for the Respondents.
2. The matter is taken on circulation for final hearing on today's board and therefore learned P.O. seeks time for hearing.
3. As the matter pertains to appointment on compassionate ground it needs to be decided expeditiously.
4. S.O. to 04.08.2020.

**Sd/-**

**(A.P. Kurhekar)  
Member(J)**

prk

**16.07.2020**

**O.A 323/2020**

Shri Nilesh S. Patil ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. In this Original Application, the Petitioner claims that his name is to be listed in the waiting list dated 10.7.2020 for the post of Assistant Motor Vehicles Inspector by deleting the name of Respondent no. 3, Shri C.A Atigre.

3. The Petitioner claims that Respondent no. 3 is not medically fit as he is colour-blind. The Petitioner and Respondent no. 3 have applied in Open Sports Category and if Respondent no. 3 is found medically unfit, then as per case of the Petitioner, he can be taken in his place and his name can also be recommended in the waiting list of 10.7.2020.

4. Learned Presenting Officer submits that she wants to take instructions from Respondents no 1 & 2 on this point.

5. S.O to 23.7.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 136/2012**

Shri Pramod D. Dorkar & Others ... Applicants  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.A Desai, learned counsel for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.

2. The Learned Counsel for the applicants points out the order dated 4.12.2018 passed by Hon. High Court in W.P 12327/2016 along with W.P 1227/2017 wherein the order of the Tribunal dated 9.1.2015 was challenged.

3. Pursuant to this order of the Hon. High Court, the Tribunal is required to hear and decide finally O.A 136/2012. Hence the matter is taken on Board. The main reason for setting aside the order of this Tribunal as stated by the Hon. High Court was not giving audience to the parties who were aggrieved as they were selected. Pursuant to the said order of Hon. High Court, now a group of 35 Respondents are added as Respondent no. 3 of 1 to 35. As per learned Counsel Mr Desai all Respondents 3 of 1 to 35 are served in the month of March and he has filed affidavit of service dated 12.3.2020. However, none present for Respondent no. 3 of 1 to 35. Hence it is necessary to reserve them afresh.

4. These all Respondents 3 of 1 to 35 are required to be served through their concerned office, which is headed by Commissioner, Transport, Mumbai. Hence, allow to add the Commissioner, Transport, Mumbai as Respondent no. 4 for this purpose only as this proposed Respondent is already represented through Respondent no. 1. Allow to amend the caption forthwith. Respondent no. 4 is directed to send the notices at the respective work place / residence virtually and also seek their acknowledgement immediately so that the matter can be heard expeditiously. The Petitioner is directed to handover hard copy of notices along with soft copies of notices and soft copy of the Petition so that they can be served on all private Respondents. The Respondent no. 4 shall accordingly file short affidavit of service of notice.

5. S.O to 20.8.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

**16.07.2020**

**O.A 1133/2018**

Smt Kale Bhagyashree Ashok & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.R Deshpande, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. In this matter by order dated 8.8.2019, this Tribunal has directed the Respondents to expedite the process of framing of new Rules, in respect of the selection and filling up the post of Nursing cadre. It is informed by learned C.P.O today that the proposed Rules wherein the suggestion of 75% posts are to be filled by promotion and 25% to be filled by nomination is given, is pending with the Public Health Department.

3. There is inordinate delay from 2015 in framing of the rules and the promotions are stopped in Nursing cadre since 2007, we would like to know the date wise movement of this file initially from Public Health Department to G.A.D and from G.A.D to Public Health Department. Learned C.P.O informed that file was sent by Public Health Department on 13.4.2020 to G.A.D and G.A.D has raised some queries and sent it back to Public Health Department on 20.6.2020.

4. S.O to 23.7.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 448/2019**

Shri H.P Jaykar & Others ... Applicants  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.A Desai, learned counsel for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. This matter is appearing on final hearing Board. Matter pertains to absorption of three Petitioners in the seniority list. The issue in short (i) whether they are to be absorbed on the basis of their date of joining/date of appointment of the service or (ii) as per the date of the G.R dated 22.4.2019 or (iii) that is whether it should be from the date of the order 18.11.2016 passed by this Tribunal in Review Petition.

3. Respondents are directed to file affidavit disclosing whether any absorption/appointment had taken place between 18.11.2016 till 22.4.2019.

4. 135 persons who are in the list of seniority are also made Respondents. They were served as per submission made by Learned Counsel for the applicants on 16.9.2019 by email. Nearly 10 months are over and nobody is before this Tribunal.

5. Due to Covid-19 pandemic, there is a possibility that the Respondents might not have come before this Tribunal. Hence they are to be reserved by sending fresh email to all the Respondents 135. However, the emails are to be send by the learned counsel for the Petitioners to the office of Respondent no. 4, i.e. Commissioner, Transport. Respondent no. 4 is directed to serve either physically or by email and seek their acknowledgement and both the parties file the service of affidavit.

6. S.O to 27.8.2020. Part Heard.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

**16.07.2020**

**O.A 94/2018**

A.S Jakkanawar ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Shri M.D Lonkar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. S.O to 20.8.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 829/2019**

Shri A.P Ghadge & Others ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Shri M.M Deshmukh, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.

2. S.O to 20.8.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn



**16.07.2020**

**O.A 979/2019**

Shri Y.K Waghmare ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Shri K.R Jagdale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Admit. To be heard in due course.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 1096/2019**

Shri P.D Chavan ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Admit. To be heard in due course.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 90/2020**

Shri V.D Kulkarni ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Shri U.D Chemburkar, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.

2. S.O to 20.8.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 186/2020**

Smt A.H Shaikh ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Shri N.S Sharma, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. S.O to 13.8.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 218/2020**

Shri K.B Vaidya ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Shri Mahesh Thorat, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. S.O to 13.8.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 268/2020**

Shri B.R Savandkar ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri Gunratan Sadavarte, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. S.O to 13.8.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 269/2020**

Shri T.D Ghuge & Others ... Applicants  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Dr Gunratan Sadavarte, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.
2. S.O to 13.8.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 286/2020**

Shri R.Y Reddiyar ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. S.O to 30.7.2020.

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

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn



**16.07.2020**

**M.A 174/2020 in O.A 272/2020 with M.A 175/2020  
in O.A 273/2020 with M.A 176/2020 with O.A  
274/2020**

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Shri Ranjeet D. Shirsath & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Shri Palshikar, learned advocate for the applicants and Ms S.P Mancherkar, learned C.P.O for the Respondents.
2. These applications are moved under Section 25 of the Administrative Tribunals Act, 1985.
3. Learned C.P.O wants time to file reply to all the Misc Applications. Time granted.
4. S.O to 30.7.2020.

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn

**16.07.2020**

**O.A 309, 314, 315 & 316/2020**

Shri Shankar V. Raut ... Applicants  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.

2. The common issue involved in all these matter is withdrawal of benefit of second time bound promotion (in-service) Assured Career Progression Scheme on the ground that the Petitioners though have cleared Uttama of Mumbai Hindi Vidyapeeth, it is not equivalent to Graduation.

3. Learned Counsel submits that the requirement of second ISCPS is to clear 10<sup>th</sup> standard. The Counsel for the Petitioners submits that all the Petitioners have cleared Uttama of Mumbai Hindi Vidyapeeth, which is equivalent to 10<sup>th</sup> pass.

4. No notice is required to be served as it is waived due to Covid-19 pandemic. However, Learned Counsel for the applicant is directed to serve the copies of the Original Application to the office of the Learned Chief Presenting Officer and the Respondents.

5. S.O to 13.8.2020.

Sd/-  
**(Mridula R. Bhatkar, J.)**  
**Chairperson**

Akn