

**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><u>17.06.2021</u></p> <p align="center"><u>O.A 348/2021</u></p> <p>Shri S.S Chandaliya & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Issue notice made returnable on 29.7.2021.</p> <p>3. 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>4. 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>5. 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>6. S.O to 29.7.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>17.06.2021</u></p> <p align="center"><u>O.A 351/2021</u></p> <p>Shri Umesh S. Koli ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Issue notice made returnable on 29.7.2021.</p> <p>3. 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>4. 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>5. 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>6. S.O to 29.7.2021</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(P.N. Dixit) / (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center">Date : 17.06.2021</p> <p align="center">O.A.No.338 of 2021</p> <p>V. M. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1, 2 and 3 separately. Those are taken on record.</p> <p>3. The matter is adjourned for filing Rejoinder, if any.</p> <p>4. S.O. to 29.06.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 353 OF 2021**

DISTRICT : MUMBAI

Shri B.D Patil & Ors)...**Applicants**
Versus
The State of Maharashtra & Ors)...**Respondents**

Shri S.S Dere, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : Justice Mridula R. Bhatkar (Chairperson)
Shri P.N Dixit (Vice-Chairman) (A)

DATE : 17.06.2021

PER : Shri P.N Dixit (Vice-Chairman) (A)

ORDER

1. Heard Shri S.S Dere, learned advocate for the Applicants and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned counsel for the applicants submits that first five applicants appeared for the Limited Departmental Competitive Examination in the year 2010 and the applicant No. 6 appeared for the Limited Departmental Competitive Examination in the year 2007.



3. Learned counsel for the applicant prays that the Respondents should verify whether the facts in case of the applicants and the other candidates selected vide order dated 5.3.2018 of Limited Departmental Competitive Examination 2016 and if the applicants are similarly situated then the Respondents shall send the applicants to undergo the training by including their names in the list of candidates to be sent for training in the Batch 119 to start from 21.6.2021.

4. Learned counsel for the applicants has relied on the following decisions:-

- (i) Sudesh R. Kadam Vs. The State of Maharashtra & Ors, Writ Petition No (ST) No. 97384/2020, dated 22nd April, 2021
- (ii) Decision of the Nagpur Bench dated 6.5.2021 in O.A 353/2021
- (iii) Decision of the Nagpur Bench dated 17.5.2021 in O.A 383/2021
- (iv) Akhtar Hashim Shaikh & Ors Vs. State of Maharashtra & Ors, W.P 12319/2019 dated 21st May, 2021.
- (v) Decision of this Tribunal dated 28.5.200 in O.A 907/2018.

5. In Sudesh R. Kadam's case, W.P (S) No. 97384/2020, dated 22.4.2021, the Bombay Hon'ble High Court observed as under:-

"2. Inasmuch the aforesaid aspect is not in dispute, without prejudice to the rights and contentions of the parties and on the statement of learned counsel for the Petitioner, that the Petitioner would not claim any equities or seniority, we direct the Respondents to permit the Petitioner to undergo the training by including him in the list of candidates for training (batch no. 119) scheduled to go for training from 26th April, 2021."



6. In Akhtar Hashim Shaikh's case, W.P 12319/2019 dated 21.5.2021, the Hon'ble Bombay High Court observed as under:-

"2. The learned advocate for the Petitioners states that the Petitioners are similarly placed and are at par with the Petitioner in Writ Petition (ST) No. 97384 of 2021. Therefore, the Petitioners be included in the training session for the post of Police Sub Inspector in Batch No. 119.

3. The above Writ Petition was before us on 19th May 2021, when the learned AGP sought time on the ground that he has to confirm whether the Petitioners are similarly placed with the Petitioner in Writ Petition (ST) No. 97384/2021. Today, the learned AGP once again seeks time on the same ground. We are not inclined to accede to his request and proceed to pass the following order:-

- (i) Respondent no. 1 shall within a period of one week from today ascertain whether the Petitioner are similarly placed with the Petitioner in Writ Petition (ST) No. 97384 of 2021, and if they are found to be similarly placed, they shall be included in the training session for the post of Police Sub Inspector in Batch No. 119, which training is scheduled to commence on and from 21st June, 2021. It is clarified that all rights and contentions of the parties are kept open, in case they are required to be addressed at the time of hearing of the above Writ Petition."*

7. Learned counsel for the applicants also relied on the judgment of Hon'ble Supreme Court in State of Uttar Pradesh & Ors. Arvind Kumar Srivastava & Ors, Civil Appeal No. 9849/2014 (arising out of SLP (C) No. 18639/2012) dated 17th October, 2014. Relevant para is reproduced below:-

"23. The legal principles which emerge from the reading of the aforesaid judgments, cited both by the appellants as well as the respondents, can be summed up as under:-

- (1) Normal rule is that when a particular set of employees is given relief by the Court, all other identically situated persons need to be treated alike by extending that benefit. Not doing so would amount to discrimination and would be violative of Article 14 of the Constitution of India. This*



principle needs to be applied in service matters more emphatically as the service jurisprudence evolved by this Court from time to time postulates that all similarly situated persons should be treated similarly. Therefore, the normal rule would be that merely because other similarly situated persons did not approach the Court earlier, they are not to be treated differently.....

*(2) However, this exception may not apply in those cases where the judgment pronounced by the Court was judgment in rem with intention to give benefit to all similarly situated persons, whether they approached the Court or not. With such a pronouncement the obligation is cast upon the authorities to itself extend the benefit thereof to all similarly situated person. Such a situation can occur when the subject matter of the decision touches upon the policy matters, like scheme of regularization and the like (see **K.C Sharma & Ors Vs. Union of India** (supra). On the other hand, if the judgment of the Court was in personam holding that benefit of the said judgment shall accrue to the parties before the Court and such an intention is stated expressly in the judgment or it can be impliedly found out from the tenor and language of the judgment, those who want to get the benefit of the said judgment extended to them, shall have to satisfy that their petition does not suffer from either laches and delays or acquiescence.”*

8. In view of the above, the Respondents are directed to verify whether the applicants are similarly situated at par with the candidates selected vide order dated 5.3.2018 and if the applicants are found similarly placed at par with candidates selected vide order dated 5.3.2018, the Respondents shall send the applicants to undergo the training by including them in the list of candidates for training in Batch 119, which is scheduled to go for training from 21.6.2021. The said exercise should be completed within a week from the date of receipt of this order.

9. Learned counsel for the applicants request that the present matter be tagged along with O.A 907/2018, which is placed on Board on 2.7.2021.



10. O.A 353/20212 be tagged along with O.A 907/2018.
11. S.O to 2.7.2021. Hamdast.

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

Sd/-
~~(Mridula Bhatkar, J.)~~
Chairperson

Place : Mumbai
Date : 17.06.2021
Dictation taken by : A.K. Nair.

D:\Anil Nair\Judgments\2021\1.6.2021\O.A 353.21, Selection by promotion,

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

Tribunal's orders

17.06.2021

M.A 11/2012 in O.A 293/2009

The State of Maharashtra & Ors ... Applicants
(Ori Respondents)
Vs.
Dr A.N Galdhar ... Respondent
(Applicant)

1. Heard Smt K.S Gaikwad, learned Presenting Officer for the Applicants (Ori Respondents) and Shri B.A Bandiwadekar, learned advocate for the Respondent (Ori applicant).

2. Pursuant to earlier order dated 25.3.2021, we called upon the learned counsel for both the parties to make their submissions. However, it is found that the order in which the modification is sought was passed on 30.3.2009 in respect of condoning the technical breaks of the applicant.

3. In other O.A 823/2008, the Tribunal has taken view that they have not given any indication that there should not be any technical break. On the same line, the modification is sought in the order dated 30.3.2009, where it was held that the Respondents shall condone the technical breaks and continue the services of the applicant.

4. At the outset, we make it clear that this Misc Application was filed in the year 2012 for the modification of the order which was passed on 30.3.2009. The State has not taken any circulation for this Misc Application, which was pending on the file.

5. In the course of drive taken for pending matters, this matter is placed on Board by the Registry.

6. As a policy decision, the Government has regularized many ad hoc services of Medical Officers in between. Therefore, we made a query as to whether the applicant's service was also regularized in the said policy decision of the Government. We find that neither the learned counsel for the applicant nor the learned Presenting Officer was in a position to inform as to what is the position of the applicant.

7. We are of the view, that the earlier bench has taken a particular view about condoning the technical breaks. If the Government was not happy with the said decision, the recourse open for them was to challenge the order before the Hon'ble High Court or to file Review Application before the same Bench without losing any time. The clock cannot be put back.

8. Due to lapse of time, nothing remains in this Misc Application. We dispose it off.

Sd/-

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

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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	<p>Date: 17.06.2021</p> <p align="center">M.A. No.193 of 2021 in O.A. No.1355 of 2009</p> <p>The State of Maharashtra & Ors. (Org. Resp.)....Appl. Versus M.K. Subhedar (Org. Appl.).....Resps.</p> <ol style="list-style-type: none"> 1. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicant (Org. Respondent) and None for the Respondents (org. Applicant). 2. Smt. K.S. Gaikwad, learned P.O. has made this M.A. seeking six months extension to implement the order dated 08.12.2020 passed in O.A. No.1355/2009. She produces the service on the Applicant issued on 10.06.2021 and received by the Applicant on 16.06.2021, same is taken on record. 3. The Advocate for the Applicant in O.A. Shri A.V. Bandiwadekar mentions that if the Applicant instructs him then he would appear, but at present he does not have any instructions. 4. Learned P.O. further informs that the Advocate of the party Respondents have been served through Whatsapp platform except Shri Vivek Patil appearing for some of the Respondents. 4. Learned P.O. informs that the Respondent No.1 – State of Maharashtra has constituted the four Members committee on 14.05.2021 to segregate the tented and non-tented candidate involved in the selection process which is the subject matter of the O.A. She further informs that the department of Health is at presentably busy with conducting another selection process for various posts, she adds that due to COVID-19 Pandemic situation the various officers in the Department are engaged in fighting the Pandemic.

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	<p>5. She therefore pleads that the extension of six months may be given to implement the order of the Tribunal. We find that the extension of period of six months is quite long period, we therefore direct the Respondents to complete the process in period of four months from today and submit compliance report.</p> <p>6. M.A. is disposed of accordingly.</p> <p style="text-align: center;">Sd/- w (A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p>NMN</p>

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	<p><u>17.06.2021</u></p> <p align="center"><u>O.A 348/2021</u></p> <p>Shri S.S Chandaliya & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. S.O to 29.7.2021.</p> <p>Sd/-</p> <p>(P.N Dixit) Vice-Chairman (A)</p> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center">17.06.2021</p> <p align="center"><u>M.A 142/2021 in O.A 255/2021</u></p> <p>Nikita K. Jadhav & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Ayesha Keshodwala i/b Talekar & Associates, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Misc Application to sue jointly is allowed, subject to payment of court fees, if not already paid.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N Dixit) (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</p> <p>Akn</p>

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O.A 97/2021

Shri P.C Kumbhar ... 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 P.O for the Respondents.

2. Learned counsel for the applicant states that applicant has filed revision application on 21.8.2020 before the Respondents. He further informs that as per instructions the same has been decided recently and therefore, he states that the Original Application can be disposed of.

3. Accordingly, Original Application stands disposed of.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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O.A 67/2021

Smt Savita K.Titar (Datir) ... Applicant
Vs.

The State of Maharashtra & Ors ... Respondents

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

2. Learned P.O states that she has not received any instructions in the matter due to situation arising out of Covid-19 Pandemic.

3. Matter adjourned to 15.7.2021.

Sd/-

Sd/-

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

/(Mridula Bhatkar, J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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O.A 49/2021

Shri A.N Bhalchandra ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. Learned C.P.O seeks two weeks' time to file affidavit in reply. Time granted by way of last chance.

3. S.O to 15.7.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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	<p><u>17.06.2021</u></p> <p style="text-align: center;"><u>O.A 370/2021</u></p> <p>Shri R.A.R Shaikh ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri H.S Chitale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. In this Original Application, the applicant working as Police Inspector, Special Branch, in the office of Commissioner of Police, Pune, who is facing departmental enquiry challenges the order dated 15.12.2020, appointing Assistant Commissioner of Police, Pune City as Enquiry Officer in conducting the departmental enquiry. He also challenges order dated 18.2.2021 by which Enquiry Officer served the charge memo to him. By way of interim relief, the applicant prays that pending this application, the departmental enquiry be stayed.</p> <p>3. Learned counsel for the applicant on query as to what is the next date of hearing in the departmental enquiry. Learned counsel after taking instruction states that no date is given by the Enquiry Officer for the enquiry.</p> <p>4. Issue notice made returnable on 1.7.2021.</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 may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>8. S.O to 1.7.2021.</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 (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>17.06.2021</u></p> <p align="center"><u>O.A 371/2021</u></p> <p>P.G Dhavalikar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. The applicant, retired P.S.I, prays that the impugned order dated 9.4.2020 be quashed and set aside whereby the claim of the applicant was rejected for grant of deemed date of regular promotion/time bound promotion after completion of 12 years and 24 years of his service.</p> <p>3. It is found that the applicant who joined the Police Department in the year 1981 seeks time bound promotion after 12 years and 24 years of his regular service. It means that he has completed 12 years in the year 1993-94 and thereafter he completed 24 years in 2015-16 and he retired in the year 2018.</p> <p>4. Learned counsel for the applicant on query on the point of delay in filing the present Original Application, submits that after 2015 when he was promoted to the post of Police Naik, he made many application and representations to the Department that his case is to be considered for grant of time bound promotion. However, they were either rejected or kept under consideration and therefore he was waiting for the reply and he received the rejection of his representation by order dated 9.4.2020, which was received by him on 17.4.2020 and therefore, he states that the application is within limitation.</p> <p>5. We are not satisfied by this explanation as the representation he has made and the reply of denying his claim that was given by the Government, is not the point of computation of the cause of action. The cause of action arose when he was due for grant of time bound promotion after completion of 12 years of regular service.</p> <p>6. Hence, learned counsel for the applicant is directed to file application seeking condonation of delay in filing the present Original Application.</p> <p>7. S.O to 12.8.2021.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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17.06.2021**O.A 355/2021**

Mrs S.S Bhoir ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicant and Mrs Kranti S. Gaikwad, learned P.O for the Respondents.

2. The applicant, working as Clerk in Election Branch, Tehsil office, Thane, who is 58 years old, seeks voluntary retirement. The applicant has submitted application on 30.8.2017 seeking voluntary retirement to the Respondents. However, no action was taken within three months.

3. Learned P.O is directed to take instructions in the matter.

4. Issue notice made returnable on 1.7.2021.

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

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

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

8. S.O to 1.7.2021.

Sd/-

Sd/-

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

(Mridula Bhatkar, J.)
Chairperson

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 <u>17.06.2021</u>
	<p align="center"><u>O.A 373/2021</u></p> <p>A.K Jadhav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant, working as Deputy Director, Caste Scrutiny Committee, (Tribal), prays that he be declared as deemed to be regular/permanent Class-I Officer in the post of Project Officer, having thus deemed to have satisfactorily completed the probation period of two years commencing from 13.4.2006 on 12.4.2008 as per the provisions of G.R dated 21.3.2000.</p> <p>3. Issue notice made returnable on 13.7.2021.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. 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>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.</p> <p>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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. Learned C.P.O to take instructions in the matter.</p> <p>8. S.O to 13.7.2021.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="right">Sd/-  (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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	<u>17.06.2021</u> Tribunal's orders
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O.A 218/2020 with M.A 231/2020

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

1. Heard Shri Abhijeet U. Pawar i/b Shri P.S Anerao, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned advocate seeks time to file affidavit in rejoinder.

3. S.O to 22.7.2021.

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____

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.1059 of 2019</u></p> <p>M.G. Pathan ..Applicant Vs. The State of Maharashtra & 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. Ld. Advocate for the applicant seeks three weeks time.</p> <p>3. S.O. to 8.7.2021.</p> <p align="right">Sd/- (Medha A. Gadgil) Member (A) 17.6.2021</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.896 of 2019</u></p> <p>S.P. Bidarkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p align="center">Applicant and advocate absent. Heard Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 87.2021.</p> <p align="right">Sd/- (Medha A. Gadgil) Member (A) 17.6.2021</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 : 07.06.2021</p> <p align="center">O.A.No.278 of 2021</p> <p>A. V. BelorkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Ms N. G. Gohad, learned Presenting Officer for the Respondents is present.</p> <p>2. Learned P.O. has pointed out that the Applicant is serving at Amravati, and therefore, this O.A. ought to have been filed before Nagpur Bench.</p> <p>3. In O.A. address of the Applicant is of Amravati. As such, O.A. ought to have been filed before Nagpur Bench.</p> <p>4. Though the Applicant's Counsel has taken circulation for today, he is absent.</p> <p>5. Since the matter pertains to Nagpur Bench jurisdiction, O.A. be returned to Applicant for presentation before Nagpur Bench.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 7.06.2021</p> <p style="text-align: center;">O.A.No.372 of 2021</p> <p>A. A. ChavanApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. The Applicant is subjected to punishment of withholding of increments for three years without cumulative effect by order dated 28.12.2019. Against the order of punishment, he has filed appeal before the Respondent No.3- Director General of Police on 07.03.2020. However, it is not decided, and therefore, the Applicant has approached this Tribunal. 3. Learned Counsel for the Applicant submits that by way of interim relief, Respondent No.3 be directed to decide the Appeal and O.A. be kept pending. 4. Indeed, the Appeal filed on 07.03.2020 which ought to have been decided with expedition without unreasonable delay. However, it is pending though the period of more than one year is over. 5. Since the Appeal is pending in first place, it is for the Appellate Authority to decide the Appeal in accordance to law. Therefore, O.A. itself is premature. 6. In view of above, I am not inclined to keep the O.A. pending. 7. O.A. is therefore disposed of with direction to Respondent No.3 to decide the Appeal filed by the Applicant on 07.03.2020 within two months from today in accordance to law. 8. The decision as the case may be, shall be communicated to the Applicant within two weeks thereafter. 9. If the Applicant felt aggrieved by the decision, he may avail legal remedy. 10. Learned P.O. is directed to inform the Respondent No.3 for necessary compliance without fail. 11. No order as to costs. Sd/- <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____

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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>Date : 17.06.2021</p> <p align="center">M. A. No.196 of 2021 in O.A.No.41 of 2021</p> <p>E. B. Sayyed ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. M.A. No.196/2021 is filed during the pendency of O.A. for condonation of delay.</p> <p>3. On request of learned P.O. time is granted to file reply to M.A.</p> <p>4. S.O. to 06.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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
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Date : 17.06.2021

O.A.No.752 of 2020

S. A. Patil

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. The Applicant and his Counsel are absent. Smt.Kranti Gaikwad, learned Presenting Officer for the Respondents is present.
2. On request of learned P.O., two weeks time is granted for filing reply as a last chance.
3. S.O. to 02.07.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 17.06.2021

O.A.No.761 of 2020

D. R. Nalwad

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 and 3. It is taken on record. No reply is filed on behalf of Respondent No.2.
3. On request of learned Counsel for the Applicant, time is granted for filing Rejoinder.
4. S.O. to 02.07.2021.

Sd/-

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

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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>Date : 17.06.2021</p> <p>O.A.No.50 of 2021</p> <p>A. N. BhalchandraApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing reply as a last chance.</p> <p>3. S.O. to 06.07.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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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>Date : 17.06.2021</p> <p align="center">O.A.No.53 of 2021</p> <p>N. G. RanganekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission with liberty to Applicant to file Rejoinder, if any.</p> <p>4. S.O. to 30.07.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

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 : 17.06.2021</p> <p align="center">O.A.No.331 of 2021</p> <p>N. V. ThakareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. This matter is fixed on 23.06.2021 for hearing on interim relief but learned Counsel for the Applicant has taken on board in view of circulation granted to him. 3. Learned Counsel for the Applicant submits that since the reply is already filed, O.A. be heard on merit. His submission is quite fair. 4. The matter be kept for hearing at the stage of admission. 5. S.O. to 23.06.2021. <p align="right">Sd/-</p> <p align="right">  (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

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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 align="center">Date: 17.06.2021</p> <p align="center">O.A. No.1190 of 2019</p> <p>C.V. NairApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. In the Present case Applicant has challenged recovery order dated 04.01.2016, whereby sum of Rs.4,01,000/- was withheld from gratuity towards recovery. O.A. has been filed on 19.12.2019 without filing Application for condonation of delay. Office has also raised issue about the limitation, but no M.A. is filed.</p> <p>3. Shri M.D. Lonkar, learned Advocate therefore requested for grant of time to file M.A. for condonation of delay and to hear this O.A. after filing of M.A.</p> <p>4. One week time is granted to take necessary steps.</p> <p>5. S.O. to 24.06.2021.</p> <p align="right">Sd/- ✓ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. of 20

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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>Date : 17.06.2021</p> <p>O.A.No.101 of 2021</p> <p>A. Y. SakpalApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply.</p> <p>3. S.O. to 02.07.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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>Date : 17.06.2021</p> <p align="center">O.A.No. 83 of 2021</p> <p>M. S. DeoApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is for filing Rejoinder but the same is not filed.</p> <p>3. Hence, the matter be kept for hearing at the stage of admission.</p> <p>4. S.O. to 13.07.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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 : 17.06.2021</p> <p align="center">O.A.No.129 of 2021</p> <p>A. M. GaradApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent No.1 and Smt. Punam Mahajan, learned Counsel for Respondent No.2.</p> <p>2. Today, learned Counsel for the Respondent No.2 has filed reply. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. 13.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.06.2021</p> <p style="text-align: center;">O.A.No. 366 of 2021</p> <p>Y. U. ShaikhApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. A. Siddique, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. The Applicant has challenged the order dated 31.02.2020 and also raised grievance that he is not paid subsistence allowance. 3. Learned P.O. is directed to take instructions about the review of the suspension, if any taken and also to ensure that subsistence allowance is paid regularly. 4. Issue notice before admission returnable on 13.07.2021 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 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. 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. 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. 9. 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. 10. S.O. to 13.07.2021. Sd/- <p style="text-align: right;">(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 : 17.06.2021

O.A.No.376 of 2021

A. M. NatekarApplicant

Versus

The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 15.07.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 15.07.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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>Date : 17.06.2021</p> <p align="center">M. A. No.178 of 2021 in O.A.No.490 of 2020</p> <p>S. R. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record. 3. M.A. is filed for condonation of delay. 4. Learned P.O. is directed to file reply to M.A. 5. S.O. to 06.07.2021. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</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>Date : 17.06.2021</p> <p align="center">O.A.No.304 of 2016</p> <p>P. N. DalalApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, short time is granted to produce relevant record.</p> <p>3. S.O. to 29.06.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</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>Date : 17.06.2021</p> <p align="center">O. A. No. 327 of 2016</p> <p>M. M. Kathe & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The matter pertains to seniority but the persons who are likely to be affected are not joined. 3. Learned Counsel for the Applicant requested for grant of time to take necessary steps to join others who are likely to be affected. 4. Three weeks time is granted for taking necessary steps. 5. S.O. to 09.07.2021. <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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>Date : 17.06.2021</p> <p align="center">O.A.No.1101 of 2015</p> <p>S. D. DongaonkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is absent.</p> <p>2. Last time i.e. on 25.05.2021, the matter was adjourned for argument to give one opportunity to the Applicant and his Counsel though they ^{were} are absent.</p> <p>3. However, today also the Applicant and his Counsel both are absent. They seem not interested in the matter.</p> <p>4. Original Application is, therefore, dismissed in default.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.06.2021</p> <p align="center">O.A.No.202 of 2016</p> <p>S. S. KetkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Smt. Archana B. K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents seeks short adjournment on the ground that the matter is being conducted by Shri A.J. Chougule but he is unable to remain present due to personal difficulties.</p> <p>3. S.O. to 24.06.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.06.2021</p> <p align="center">O.A.No.1020 of 2015</p> <p>A.H. Rathod ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Abhijeet Pawar holding for Shri D. B. Khaire, 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 tendered letter of his client dated 31.05.2021 wherein it is stated that he does not want to proceed with O.A. and requested his Counsel to withdraw the same. The letter is taken on record and marked by letter 'X'.</p> <p>3. Allowed to withdraw O.A..</p> <p>4. In view of above, Original Application is disposed with no order as to costs.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.06.2021</p> <p>O.A.No.265 of 2015</p> <p>M. L. ShrisatApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar , learned Counsel for the Applicant and Smt. Kranti Gaikwad holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A., the Applicant is seeking appointment contending that she got total 103 marks as against the Respondent Nos.3 and 4 who got 73 and 72 marks respectively. However, the M.P.S.C. did not recommend the name of the Applicant.</p> <p>3. Today, during the course of argument, learned Counsel for the Applicant has tendered the copy of information received by his client under RTI from MPSC wherein it is stated that the Applicant has got 70 marks in written examination and 33 marks in oral. The communication is taken on record and marked by letter 'X'.</p> <p>3. Learned P.O. admits from instructions from M.P.S.C. that the Applicant has secured 70 marks in written examination and 33 marks in oral. This issue is crucial for the decision of the O.A. on merit.</p> <p>4. Learned P.O. has sought short adjournment on the ground that the matter was earlier dealt with by C.P.O. Hence, the matter is adjourned to 18.06.2021 for hearing of P.O.</p> <p>5. S.O. to 18.06.2021.</p> <p>Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p> <p>vsm</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>Date : 17.06.2021</p> <p align="center">O.A.No.1058 of 2015</p> <p>N. B. NarangApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has filed this O.A. for promotion to the post of PI as well as deemed date of promotion for the post of API.</p> <p>3. Shri C.T. Chandratre, learned Counsel for the Applicant fairly submits that after filing of O.A., the Applicant has been promoted to the post of PI by order dated 24.05.2016 and the Applicant also stands retired on 31.10.2016. According to him all that what remains is deemed date of promotion for the post of PI.</p> <p>4. In view of above, learned Counsel for the Applicant seeks permission to withdraw the O.A. to avail further remedy for deemed date of promotion for the post of PI after the decision of Criminal Case.</p> <p>5. Allowed to withdraw O.A. with liberty to avail further legal remedy if available to him in accordance to law.</p> <p>6. Original Application is disposed of with no order as to costs.</p> <p align="center">Sd/- _____ Sd/- _____ (Medhā Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm [P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.06.2021</p> <p align="center">O.A.No. 575 of 2015 with M.A. No.377 of 2015</p> <p>H. M. KshirsagarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, the matter is for final hearing but the Applicant and his Counsel are absent. This matter was earlier taken up for hearing on 28.05.2021 but on that date also the Applicant and his Counsel both are^{were} absent and the matter was adjourned to give opportunity of hearing to Applicant and his Counsel.</p> <p>3. However, today again the Applicant and his Counsel both are absent. They seem not interested in the matter.</p> <p>4. Hence, O.A. as well as M.A. is dismissed in default.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) 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>Date: 17.06.2021</p> <p align="center">O.A. No.152 of 2021</p> <p>R.S. Vannam & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents. 2. This O.A. is filed for direction to the Respondents to release the Applicants having completed the period of more than five years on deputation in Motor Transport Department. 3. Respondents have taken policy decision as reflected in circular dated 16.07.2018 as well as 02.04.2018 that deputation should not extend more than five years and on completion of five years they should be repatriated to their original establishment. 4. Since, it was ^{not} followed by the Respondents the Applicants have filed the present O.A. 5. Indeed, the Tribunal, in similar situation in O.A. No.83/2019, O.A. No.328 & 331 of 2019 gave direction to the Respondents to relieve the Applicants therein having found they have completed more than five years on deputation. 6. Shri A.V. Bandiwadekar therefore submits that on similar line this O.A. deserves to be allowed. 7. Whereas, learned P.O. has tendered copy of letter dated 19.04.2021 written by Jt. Commissioner of Police, wherein it is stated that Department Plans to prepare seniority list of the Drivers on deputation and as per seniority they will be repatriated.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. Shri A.V. Bandiwadekar made a statement that Respondent No.1 is infact not following any such seniority and repatriated so many Police Constable who were Junior to the Applicants. He has filed Affidavit-in-Rejoinder to that effect giving names of this Police Constable repatriated without considering seniority issue.</p> <p>9. Learned P.O. has therefore directed to take instructions from Respondent No.1 as to how Drivers who are Junior to the Applicants are repatriated and secondly how much time is required for preparing seniority list. Respondent No.1 to file Affidavit to the effect on next date.</p> <p>10. S.O. to 01.07.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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17.06.2021	
<u>M.A 193/2021 in O.A 1355/2009</u>	
	The State of Maharashtra & Ors ... Applicants (Ori Respondents)
Vs.	
	Shri M.K Subhedar ... Respondent (Ori Applicant)
	1. Heard Smt Kranti S. Gaikwad, learned P.O for the Applicants (Ori Respondents). None for the Respondent (Ori Applicant)
	2. Learned P.O states that this matter is wrongly placed before this Bench.
	3. Hence, Registry is directed to place this matter before the Division Bench consisting of Shri P.N Dixit, Hon'ble Vice-Chairman (A) & Shri A.P Kurhekar, Member (J) at 2.30 pm today.
Sd/- (P.N Dixit) Vice-Chairman (A)	Sd/- (Mridula Bhatkar, J.) Chairperson
Akn	