

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: 24.06.2021</p> <p style="text-align: center;">R.A. No.15 of 2020 in O.A. No.1000 of 2019</p> <p>G.M. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Ms. N.G. Gohad, learned Presenting Officer for the Respondents No.1 & 3 and Shri M.B. Kadam, learned Advocate for the Respondent No.2.</p> <p>2. This R.A. is filed in respect of the Judgment delivered by this Tribunal in O.A. No.1000/19 decided on 24.11.2020.</p> <p>3. The Applicant is posted at Raigad since 2013 and has completed normal tenure of six years. He made representation on 16.04.2019 for transfer to Pune on family difficulties which was recommended by Civil Service Board (C.S.B.). However, at the level of Government the Applicant No.2 – Shri Subhash P. Kamble was given posting at Pune though he was not due for transfer. Accordingly transfer order was issued on 18.09.2019 whereby the Applicant was transferred to Mumbai. Whereas, Respondent No.2 was transferred from Mumbai to Pune though he was not due for transfer. O.A. was decided on merit and impugned transfer order qua-Applicant was quashed since it was issued mid-term without proper compliance as contemplated in section 4(5) of Transfer Act 2005. Now R.A. is filed to modify the decision rendered by this Tribunal for giving posting to the Applicant at Pune.</p>

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4. When the matter is taken up for hearing, learned counsel for the Applicant seeks permission to withdraw R.A. with liberty to make representation to Respondent No.1 so that his representation can be decided within reasonable time. He has further pointed out that post of Pune is still vacant and submits that it be kept vacant till the decision of representation of the Applicant by the Government.

5. Shri M.B. Kadam, learned Advocate for the Respondent No.2 concedes for making representation to Applicant but opposed to keep the post of Pune vacant till the decision of representation.

6. In view of above, allowed to withdraw R.A. with liberty to the Applicant to make representation within a week from today. If such representation is made within a week Respondent No.1 shall decide the same within six weeks from the date of receipt of the representation.

7. Respondent No.1 shall not fill in the post of Pune till the decision of Representation.

Sd/-

jsw

(A.P. Kurhekar)
Member (J)

NMN

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	<p>Date: 24.06.2021</p> <p align="center">O.A. No.190 of 2021</p> <p>R.K. Shimpi & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A. the Applicants has challenged order dated 16.02.2021 and 17.02.2021 passed by the Respondent No.1 – Superintendent of Police (S.P.), Thane Rural whereby, they are temporary shifted from his establishment to Mira-Bhayander, Vasai Virar Police Commissionerate (newly created).</p> <p>3. The learned Advocate for the Applicants submits that in view of creation of new Police Commissionerate, willingness were invited by the Department for transfer, but the Applicants have not given consent or willingness for their transfer to newly created Police Commissionerate. He therefore submits that the order of temporary transfer without compliance of provision of Maharashtra Police Act amounting to transfer in eye of law.</p> <p>4. Per contra, Ms. N.G. Gohad, learned P.O. submits that in view of newly created Mira-Bhayander, Vasai Virar Police Commissionerate from the point of administrative exigencies the Applicants were temporary deputed and it is not transfer.</p> <p>5. Day before yesterday when the matter was taken up for hearing directions were given to the learned P.O. to take instructions from Respondent as to for how long temporary deployment would continue.</p>

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6. Today learned P.O. submits that now process for regular transfer of Police Personnel considering their willingness, seniority is in process. According to her the said process will be completed soon. She further submits on instructions for Shri Vikram Dashmane, S.P., Thane Rural that impugned order of temporary deployment will be recalled within a period of two months from today.

7. In view of above, O.A. is disposed of giving two months time to the Respondent No.1 to recall the impugned order.

8. Respondent is at liberty to complete the exercise of transfer of Police Personnel considering willingness, seniority etc, as may be permissible to him in law.

9. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

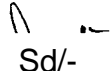
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	<p align="center">Date: 24.06.2021</p> <p align="center">O.A. No.722 of 2018</p> <p>Dr. R.A. SinghApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Tejal Disolkar, learned Advocate holding for Shri D.S. Pagare, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of Smt. Tejal Disolkar holding for Shri D.S. Pagare, learned Advocate for the Applicant that her senior is not available, matter is adjourned by way of last chance and no further time will be granted on next date.</p> <p>3. S.O. to 23.07.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p align="center">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.06..2021</p> <p style="text-align: center;">O.A.No.397 of 2021</p> <p>N. G. ShaikhApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 20.07.2021. 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 20.07.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06..2021</p> <p align="center">M. A. No.208 of 2021 in O.A.No.397 of 2021</p> <p>N. G. ShaikhApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents. 2. This is an application for leave to sue jointly. 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately. 4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid. 5. M.A.No.208/2021 is allowed. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date: 24.06.2021</p> <p align="center">O.A. No.200 of 2021</p> <p>S.R. Bagde & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S.D. Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The matter pertains to retrial benefits which are withheld for long time. 3. Respondents have not filed Reply yet. 4. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply by way of last chance. 5. S.O. to 09.07.2021. <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 24.06..2021</p> <p align="center">O.A.No.294 of 2021</p> <p>J. K. ShindeApplicant</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. one week time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 29.06.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06..2021</p> <p align="center">O.A.No.197 of 2021</p> <p>V.E. JogApplicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. submits that he will file reply during the course of the day. The statement is accepted. It is taken on record. 3. Learned P.O. is directed to serve the copy of reply to learned Counsel of the Applicant by evening. 4. On request of learned Counsel for the Applicant, the matter is adjourned for filing Rejoinder. 5. S.O. to 29.06.2021. <p align="right"> Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

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	<p>Date : 24.06..2021</p> <p>O.A.No. 115 of 2021</p> <p>H. C. SalokheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms N. S. Sharma, 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., one week time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 02.07.2021.</p> <p style="text-align: right;">^ Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06..2021</p> <p>O.A.No.122 of 2021</p> <p>D.D. RaneApplicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On previous date i.e. 05.04.2021, on request of learned P.O. two weeks time is granted for filing reply of Respondent Nos.1 and 2 in respect of relief claimed by the Applicant about deemed date of promotion since reply filed by Respondent is silent on that point. However, no additional reply is filed today.</p> <p>3. Since pleading is complete. The matter is adjourned for final hearing.</p> <p>4. S.O. to 20.07.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06..2021</p> <p align="center">O.A.No.110 of 2020</p> <p>A. S.A. S. NadeemApplicant</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 present.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 08.07.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06..2021</p> <p align="center">O.A.No.164 of 2020</p> <p>A. D. Khandare ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. B. Kadam, learned Counsel for the Applicant and Smt. Kranti Gaikwad, 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. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 23.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06..2021</p> <p>O.A.No.166 of 2020</p> <p>U. S JagtapApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. N. G. Gohad, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply.</p> <p>3. S.O. to 08.07.2021.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06.2021</p> <p align="center">O.A.No.20 of 2021</p> <p>N. K. GaikwadApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri B. A. Bandiwadekar, 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 filed Rejoinder. It is taken on record.</p> <p>3. S.O. to 15.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06..2021</p> <p align="center">O.A.No.119 of 2021</p> <p>R. T. KedariApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Punam Mahajan, learned Counsel is on leave note. Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.2. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 23.07.2021.</p> <p align="right">Sd/- W (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06..2021</p> <p align="center">M.A. No.218 of 2021 in O.A.No.1190 of 2019</p> <p>C. V. NairApplicant</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 Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. This M.A. is filed in pending O.A. No.1190/2019, therefore, issuance of notice is dispensed with. 3. Learned P.O. is directed to file reply on next date. 4. S.O. to 15.07.2021. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06..2021</p> <p align="center">O.A.No.40 of 2020</p> <p>D. K. WaghmodeApplicant</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 present.</p> <p>2. Today, the matter is for filing Rejoinder but not filed.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 23.07.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06.2021</p> <p align="center">M.A. No.325 of 2020 in O.A.No.61 of 2020</p> <p>N. D. BhosaleApplicant</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 for the Respondents is present.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.3 and 4. It is taken on record. No reply is filed on behalf of the Respondent Nos.1, 2 and 5.</p> <p>3. The matter is adjourned for hearing of M.A.</p> <p>4. S.O. to 23.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 24.06.2021</p> <p style="text-align: center;">O.A.No.398 of 2021</p> <p>DR. B. M. DahiphaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 20.07.2021. 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 20.07.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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	<p>Date : 24.06..2021</p> <p style="text-align: right;">O.A.No.406 of 2021</p> <p>A. M. Labdhe ...Applicant</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. Issue notice before admission returnable on 22.07.2021. 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 22.07.2021. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>


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	<p>Date : 24.06..2021</p> <p align="center">R.A. No.12 of 2017 in O.A.No.808 of 2016</p> <p>J. M. GuravApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant is conducting the matter in person but absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. S.O. to 22.07.2021.</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____

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 : 24.06..2021</p> <p align="center">M.A.No.277 of 2020 in O.A.No.612 of 2020</p> <p>S. V. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.B. Kadam, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply on behalf of the Respondent No.4 in M.A. It is taken on record. 3. On request of learned Counsel for the Applicant, the matter is adjourned for hearing of M.A. 4. S.O. to 02.07.2021. <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____

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 : 24.06.2021</p> <p align="center">M.A.No.90 of 2021 in O.A.No.164 of 2021</p> <p>R. B. PingleApplicant</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., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.2. It is taken on record. Reply of Respondent No.3 is already on record. No reply is filed by remaining Respondents.</p> <p>3. S.O. to 08.07.2021.</p> <p align="right"> ^ Sd/- v (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

Date: 24.06.2021


O.A. No.509 of 2020

M.A. DomaleApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. This is second round of litigation for appointment on compassionate ground, in earlier round of litigation directions were given to the Respondent to consider the Application made by the Applicant for appointment on compassionate ground subject to fulfillment of eligibility criteria in accordance to rule.

3. The Respondents have taken a name of the Applicant in waiting list but for Group 'D' employee.

4. This O.A. is filed on the ground that the Applicant possesses required qualification for Group 'C' post and to that extent challenged the communication issued by Respondent. 

5. This O.A. is already proceeded without Reply having found that no Reply was filed though enough time was granted.

6. Since, Shri A.J. Chougule, learned P.O. submitted that due to his personnel difficulties he could not prepare Reply or prepare the matter for hearing and requested for short adjournment.

7. In view of above, O.A. is adjourned for hearing at the stage of admission.

8. S.O. to 01.07.2021.


Sd/-

(A.P. Kurhekar)
Member (J)

IN

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.411 of 2019</u></p> <p>S.P. Kapile ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks three weeks time as he wants to engage Shri M.D. Lonkar, Ld. Advocate as counsel.</p> <p>3. S.O. to 15.7.2021.</p> <p style="text-align: right;">Sd/- (Medha A.^u Gadgil) Member (A) 24.6.2021</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.273 of 2020</u></p> <p>N.N. Thombre ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks three weeks time.</p> <p>3. S.O. to 15.7.2021.</p> <p style="text-align: right;">Sd/- (Medha A. Gadgil) Member (A) 24.6.2021</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.

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p align="center">24.06.2021 Tribunal's orders</p>
	<p align="center"><u>C.A 09/2021 in O.A 229/2019</u></p> <p>Shri G.A Kiture ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Ayesha Keshodwala i/b Talekar and Associates and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that M.P.S.C has sent letter on 18.6.2021 and 22.6.2021 to the Home Department, seeking their opinion whether there is any change in the reservation for candidates in the waiting list. Learned C.P.O further prays that one weeks' time be granted to comply with the order of this Tribunal.</p> <p>3. In all fairness, as the M.P.S.C has taken some steps, we grant them time till 6th July, 2021. However, we want Respondent-M.P.S.C to consider the law laid by the Hon'ble High Court, Hon'ble Supreme Court and the order of the Tribunal on this issue and proceed further in the matter if there is no response from the Respondent-State.</p> <p>4. S.O to 6.7.2021.</p> <p align="center">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**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
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24.06.2021

C.A 03/2021 in O.A 229/20129

Shri B.R Gaikwad ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.R Joshi, holding for Shri V.V Joshi, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.

2. Learned counsel for the applicant submits that he received Provisional Pension for one year and he is not getting provisional pension since 2017. Hence, the order dated 9.2.2021 are also not complied with. The applicant is also not given retiral benefits.

3. Learned P.O files one letter dated 23.6.2021 sent by Shri Sachin Baravkar, Sub Divisional Officer, Pune, In the letter we have come across point no. 6, wherein one month's time is asked for after completion of service book verification. However, there is no mention as to when the service book verification is going to take place. Learned P.O is directed to take instructions in the matter.

4. S.O to 25.6.2021. Hamdast.

Sd/-

(P.N^lDixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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I N

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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24.06.2021

O.A 806/2014

Shri S.D Borkar & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. None for the applicants. Heard Ms Neelima Gohad, learned P.O for the Respondents.

2. Shri U.V Bhosle, learned advocate a/w Shri M.B Kadam after taking instructions from Shri M.R Patil, learned counsel for the applicants makes statement that Mr Patil has instructed him to send letters to all the applicants that he want to withdraw from the matter.

3. Shri Bhosle, learned advocate states that he will issue letter to all the applicants and seeks two weeks' time.

4. S.O to 9.7.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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24.06.2021

O.A 236 & 237/2021

Shri K. Suryakrishnamurty (O.A 236/20210)
 Shri A.N Padwal (O.A 237/2021 ... Applicants
 Vs.
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri Akhilesh Dubey a/w Raguram Kuleriya i/b Troy Legal, learned advocate for the applicants in O.A 236/2021, Shri Atul Rajadhyaksha Senior Counsel a/w Shri Vagish Mishra, Uttam Dubey i/b Law Counsellors, learned advocate for the applicants in O.A 237/2021, Shri R.S Apte learned Senior Counsel with Ms Swati Manchekar, learned C.P.O for the Respondents, Shri Prasad Dhakephalkar a/w Shri B.S Shinde, learned advocate for Respondents no 4, 6 & 7 in O.A 236/2021, Shri Atul Dhamale, learned Senior Counsel i/b Shri B.S Shinde, learned advocate for Respondents no. 5 to 10 in O.A 237/2021 and Mrs Punam Mahajan, learned advocate for Respondent no. 11 in O.A 237/2021.

2. In the course of arguments of Shri Atul Rajadhyaksha, learned Senior Counsel, we find it necessary to have short affidavit in reply of the State on the following queries:-

- (i) Whether the select list of the batch of applicants in O.A 236 & 237/2021 when working as Tahsildar was prepared at any time before or after they were given the promotion to the post of Deputy Collector?
- (ii) Whether the name of the applicants in O.A 236/2021 & 237/2021 is appearing in the select list?
- (iii) Whether the Selection Committee constituted under Rule 9 of the Maharashtra Deputy Collectors (Recruitment, Fixation of seniority and confirmation) Rules, 1977, is the same Committee which functions as a Committee "Departmental Promotion Committee".
- (iv) Disclose the date of constitution of the Select Committee as per Rule 9 of the Maharashtra Deputy Collectors (Recruitment, Fixation of seniority and confirmation) Rules, 1977, which was formed in the case of the applicants, if any?
- (v) Disclose the date of the Departmental Promotion Committee which was constituted giving promotion to the applicants.
- (vi) Whether the select list of the applicants was published, if so, on which date?
- (vii) How many officers, i.e. Deputy Collectors in the batch of the applicants were reverted back after preparation of the select list?

3. S.O to 29.6.2021.

Sd/-

Sd/-

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

(Mridula Bhatkar, J.)
 Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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24.06.2021

O.A 400/2021 with M.A 210/2021 in O.A 400/2019

Shri P.B Jadhav & Ors ... 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. Shri U.V Bhosle, learned advocate submits that he is instructed to file Misc Application for intervention, which he will be filing during the course of the day.

3. Misc Application for intervention to be served on the learned counsel for the applicants.

4. S.O to 29.6.2021

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

IN

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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24.06.2021

C.A 26/2020 in O.A 1125/2013

Smt P.S Sakhare & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. Learned C.P.O submits that pursuant to the order dated 25.5.2021, the Respondents are filing affidavit in reply.

3. Learned advocate for the applicants seeks time to make statement in respect of participation of the applicants in the selection process. Time granted.

4. S.O to 23.7.2021.

Sd/-

Sd/-

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

(Mridula Bhatkar, J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	24.06.2021 Tribunal's orders
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C.A 63/2019 in O.A 1087/2014

Shri S.S Nalawade ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O states that pursuant to order dated 21.5.2021, the Respondents tried to take circulation before the Hon'ble Bombay High Court, but it could not reach as only urgent matters are taken by the Hon'ble High Court. It is further submitted that learned counsel appearing for Respondent, M.P.S.C was suffering from Corona and therefore no circulation was taken. However, she submitted on instructions that three weeks' time may be granted.

3. We expect learned counsel for Respondent, M.P.S.C to take urgent circulation and seek orders from the Hon'ble High Court so that steps in the contempt application can be taken.

4. S.O to 16.7.2021.

Sd/-

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

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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24.06.2021

O.A 188/2013 with O.A 189/2013

R.V Gandhe
S.M Tawade ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. None present for the applicant in O.A 188/2013. Heard Shri M.D Lonkar, learned advocate for the applicant in O.A 189/2013 and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Shri Lonkar, states that Shri S.B Deshpande, learned counsel for the applicant in O.A 188/2013 had suffered from Corona last month and he wants four weeks' time post Corona recovery.

3. S.O to 29.7.2021.

Sd/-

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

Akn

^? 11

Sd/-

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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24.06.2021

O.A 407/2013

Shri M.R Shaikh & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. This Original Application is of the year 2013 which remained unattended.

3. Learned counsel for the applicants informs that this matter pertains to issue of 192 Shop Inspectors and due to the integration of all the Grades, i.e. Grade-I, Grade I-A and Grade-II, the Respondents needs to look into the matter as the promotional channels of Shop Inspectors are affected adversely.

4. Learned C.P.O seeks one day's time to take instructions.

5. S.O to 25.6.2021.

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 _____

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<div style="text-align: center; margin-top: 20px;"> <p><u>22.06.2021</u></p> <p><u>O.A 403/2021</u></p> </div> <p style="margin-left: 40px;">Urmila J. Khot & ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicants submits that the applicants have cleared the Limited Departmental Competitive Examination, 2011 for promotion to the post of P.S.I. The applicants seek direction that they be sent for training as they are affected due to the reservation policy earlier adopted by the Respondents pursuant to the G.R dated 25.5.2004, as the rights of the applicants are crystallized by order dated 4.8.2017 passed by the Hon'ble Bombay High Court in W.P 2797/2015.</p> <p>3. Learned counsel for the applicants submits that the Petitioners in W.P 12319/2019 had earlier approached this Tribunal in O.A 353/2018. The said Petitioners are also similarly situated, who had appeared in the Limited Departmental Competitive Examination, 2011. Learned counsel for the applicants submits that the said O.A 353/2018 was dismissed by this Tribunal and so the said W.P 12319/2019 was filed. In the said Writ Petition, the Division Bench of the Hon'ble Bombay High Court by order dated 21.5.2021 has observed as under:-</p> <p style="margin-left: 40px;">“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.</p> <p style="margin-left: 40px;">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:-</p> <p style="margin-left: 40px;">(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</p>	

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><i>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."</i></p> <p>4. However, the order of the Hon'ble High Court dated 21.5.2021 in the above Writ Petition could not be complied with till 15.6.2021 and learned A.G.P sought time of one week. We reproduce the statement made by learned A.G.P on 15.6.2021 before the Hon'ble Bombay High Court in W.P 12319/2019.</p> <p><i>"4. At this stage, learned A.G.P submits that he received instructions from the concerned Officer that even if the training beings on 21st June, 2021, they will accommodate the Petitioner in that Batch subsequently. Statement is accepted."</i></p> <p>5. Learned counsel for the applicants submits that the applicants are similarly situated and therefore they are also to be sent for training.</p> <p>6. As the batch of candidates is already sent for training on 21.6.2021 and there is order of the Hon'ble High Court dated 21.5.2021 in W.P 12319/2019 referred to above, we pass the following order.</p> <p>7. 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.</p> <p>8. S.O to 10.8.2021. Hamdast.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(P.N Dixit) J^v (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</p> <p>Akn</p>