

**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>25.08.2020</u></p> <p align="center"><u>C.A 26/2020 in O.A 1125/2019</u></p> <p>P.S Sakhare & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. The applicants who are the Staff Nurses seek continuation of their service which was discontinued after 11 months with a break of one or two days on 29.4.2020. The applicants have not issued notice to the Contemnors 1 & 2 and they pray that the Contemnors have committed the contempt for the breach of the order dated 30.6.2015 passed by this Tribunal.</p> <p>3. Before filing the contempt proceedings, it is necessary for the applicant to serve personal notice to the Contemnors along with order of which breach is alleged and the service of the said notice is to be filed along with the Contempt Application.</p> <p>4. Learned counsel for the applicant is directed to verify as to whether Respondents no 1 & 2 were aware of this order of the Tribunal as the order is of 2015. The applicant therefore to issue notice to the Respondents and point out the impugned order.</p> <p>5. S.O to 19.11.2020.</p> <p align="center">Sd/- _____ (P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- _____ (Mridula R. Bhatkar J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 25.08.2020 Tribunal's orders

~~O.A.No.772 of 2019 with O.A.No.838 of 2019 with~~
~~O.A.No.840 of 2019 with O.A.No.841 of 2019 with~~
O.A.No.842 of 2019

S.K. Kapare (O.A.772/2019)

M.C. Chavan (O.A.838/2019)

R.G. Rahinj (O.A.840/2019)

S.S. Shevale (O.A.841/2019)

S.P. Magar (O.A.842/2019)

...Applicants

Versus

The State of Maharashtra & Ors.

...Respondents

1. Heard Dr. P.G. Kayande, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. In O.A.No.772/2019, Applicant challenged his general transfer order dated 31.05.2019, whereas in remaining Original Applications challenge is to transfer order dated 31.05.2018.

3. All these matters were heard for some time. On previous date and during the course of hearing, it was noticed that after passing of impugned order there is certain development and modification of the transfer orders is under consideration with the Government.

4. In O.A.No.838/2019, Applicant Smt. M.C. Chavan had made representation dated 09.07.2020 for posting at Kalvi, Pimpalgaon (Dukra) and Barvi, whereas learned P.O. submits that the matter is under consideration for her transfer at Kalvi.

5. In O.A.No.842/2019 also the Applicant has made representation on 09.07.2020 and sought posting at Khadke Zunja and Savargaon, whereas learned P.O. submits that the matter is under consideration for posting of Applicant at Tamaswadi and Devgaon. Applicant is present before the Tribunal and states that she is ready to work at Tamaswadi and Devgaon.

[P.T.O.]

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

Tribunal's orders

6. In O.A.No.841/2019, Applicant Smt. S.S. Shevale has also made representation for modification and posting of her representation is also under consideration for posting at Mahiravani or Ohodambe. Applicant is present before the Tribunal she is ready to work at Mahiravani and Dhodambe.

7. in O.A.No.772/2019, Applicant has also given representation for change in posting and sought Tamaswadi and Chatori. Applicant is present before the Tribunal and states that he be given Chatori.

8. In so far as O.A.No.840/2019 is concerned, Applicant Smt. R.G. Rahinj is said to be bed ridden for more than one year. She too made certain representation for change in posting. It seems that she is bed ridden for more than one year and ^{may} ~~not~~ not be in position to resume work at least for next six months. Learned Advocate Shri Kayande for the Applicant submits that after the applicant recovers and able to resume work she will file fresh representation for modification and posting and direction be given to consider the same sympathetically.

9. In view of the above, in so far as O.A.No.838/2019, O.A.No.841/2019, O.A.No.842/2019 and O.A.No.772/2019 are concerned as modification of posting is under consideration before the Government learned Advocate submits that these O.A.s be disposed of with directions to Respondents to pass suitable orders in the light of representations made by the Applicants and proposal pending for consideration.

10. For the aforesaid reasons, O.A.No.838/2019, O.A.No.841/2019, O.A.No.842/2019 and O.A.No.772/2019 are disposed of with directions to Respondents to pass final order ^{and} ~~and~~ proposal which is already under consideration as discussed above, within six weeks from today.

11. As regard O.A.No.840/2019, it is disposed of with liberty to the Applicant to make representation on recovery from illness and Respondents shall ^{consider} ~~concern~~ the same in appropriate manner.

12. In view of above, all these Original Applications are disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

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>25.08.2020</u></p> <p><u>M.A 498/2019 in O.A 818/2019</u></p> <p>Shri J.L Mondkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Swati Manchekar , learned C.P.O for the Respondents.</p> <p>2. As per the order of this Tribunal dated 25.2.2020, both Misc Application seeking condonation of delay in filing the present O.A and O.A seeking consideration of his case for promotion in case of his acquittal under Prevention of Corruption Act will be heard together</p> <p>3. Learned CPO is granted six weeks' time' to file reply to the O.A</p> <p>4. S.O to 27.10.2020.</p> <p>Sd/- <i>[Signature]</i> 25/8/20 (P.N Dixit) 25/8/20 Vice-Chairman (A)</p> <p>Sd/- <i>[Signature]</i> 25/8/20 (Mridula R. Bhatkar J.) Chairperson</p> <p>Alkn</p>

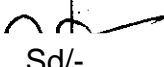

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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>25.08.2020</p> <p><u>O.A 303/2020</u></p> <p>Shri M.N Thosare ... 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 Respondens.</p> <p>2. Learned C.P.O states that affidavit in reply will be filed during the course of the day.</p> <p>3. S.O to 22.9.2020. Interim relief to continue till then. Matter will be finally heard at the stage of admission.</p> <p style="text-align: center;">  Sd/- </p> <p style="text-align: center;">  Sd/- </p> <p>(P.N Dixit) 25/01 Vice-Chairman (A)</p> <p>(Mridula R. Bhatkar J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO 393 OF 2020

DISTRICT : PUNE

Smt Sonali Sham Zol

)...**Applicant**

Versus

The State of Maharashtra & Others

)...**Respondents**

Shri M.D Lonkar, learned advocate for the Applicant

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

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

DATE : ~~30.07.2020~~ **25.08.2020**

PER : **Justice Mridula R. Bhatkar (Chairperson)**

ORDER

1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.
2. The applicant claims reservation from S.C female category. The applicant is not called for the interview for the post of Assistant Secretary (Technical), Maharashtra Engineering Administrative Services, Group-A which is going to be conducted on 8th and 9th September, 2020. So also she is not called for the interview for the post of Assistant Director (Technical) of Technical Education, M.S. /Deputy Secretary (Technical), Maharashtra State Board of Technical Education, Maharashtra Engineering and Administrative Services Group-A, which is going to be conducted on 15th & 16th September, 2020.

Learned counsel for the applicant submits that the applicant appeared for MPSC examination for these two posts and she has secured more marks than the cut-off marks which is 84 for the post of Assistant Director for the post of Assistant Secretary and 74 respectively for the two posts.

3. Learned counsel for the applicant submits that in the answer key supplied by MPSC she has secured more marks than the cut-off marks. Yet she is not called for the interview. At this stage, the applicant expresses that she should be allowed to argue her case, as she thinks that the counsel is incorrectly putting her case.

4. Learned counsel Mr Lonkar prays that he be allowed to be discharged from the case. Allowed to be discharged from the case. The Petitioner is allowed to argue her case. She submits that she has annexed carbon copies of her answer sheet at page no. 33, Assistant Secretary and at page no. 34 of Assistant Director. She submits that according to carbon copy and final answer key provided by MPSC she has secured 85 marks in the examination for the post of Assistant Secretary and in the examination for the post of Assistant Director, she has secured 84.25 marks.

5. Learned CPO submits that as per the instructions received from Shri Vilas Vaidya, Under Secretary, M.P.S.C, the marks secured by the applicant are less than the cut off marks. Hence she is not eligible to be called for interview.

6. MPSC is directed to make available all the necessary record for the perusal of learned CPO and after going through the said record, learned C.P.O is directed to make statement before this Tribunal on the next date.

7. S.O to 3.9.2020.

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

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

Place : Mumbai
Date : 25.08.2020.
Dictation taken by : A.K. Nair.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATIONS NO 372, 373 & 374 OF 2020

DISTRICT : PUNE

Shri J.K Khetre [O.A 372/2020]
Shri Pandurang A. Lad [O.A 373/2020]
Shri Baliram K. Nagare [O.A 374/2020]... **Applicants**

Versus

The State of Maharashtra & Others)... **Respondents**

Shri B.A Bandiwadekar, learned advocate for the Applicant.

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

CORAM : **Justice Mridula R. Bhatkar (Chairperson)**

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

DATE

25/8/2020 *Mridula Bhatkar*
30.07.2020

PER

: **Justice Mridula R. Bhatkar (Chairperson)**

ORDER

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.
2. The applicant in O.A 372/2020 & 373/2020 challenges the communication dated 16.6.2020 issued by the Deputy Commissioner, (Administration), Transport, State of Maharashtra, informing the applicants that are not eligible for consideration for the post of Assistant Inspector of Motor Vehicles on the ground that as an Ex-servicemen, the applicant in O.A 372/2020 has already got an employment in Agriculture Department of State of Maharashtra by order dated on 19.3.2014 (Order no. 20.2.2014) and applicant in O.A 373/2020 has been appointed as Statistical Assistant in the office of

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District Planning Committee, Collector Office, Sindhudurg. The learned counsel submits that the applicants were appointed on temporary basis and as per clause no. 12 of service conditions they could be removed any time without any prior intimation or giving reasons. Being Ex-servicemen, the applicants cannot be restricted to avail of only one chance in Government service. However, they can avail of even more chances and take the opportunity of the appointment as per G.R dated 30.12.1991.

3. Learned P.O points out clause no. 15 of the service conditions of the order dated 20.2.2014, wherein it is mentioned that after the appointment in the Government service as per the rules and provisions dated 31.10.2005, the DCPS scheme will be applicable. She further submits that the G.R of 30.12.1991 is to be considered in totality. She submits that if the services of the applicants are regularized in their respective department on completion of probation period, then applicants will be prevented from taking the benefit of G.R dated 30.12.1991 second time though they are Ex-servicemen.

4. Under such circumstances, it is necessary to find out the service record of the applicant from their respective Departments, Hence, learned counsel for the applicants is directed to add the Agriculture Department in O.A 372/2020 & Collector, Sindhudurg in O.A 373/2020 as a party to the respective O.As. Amendment to be carried out till 27.08.2020 and copy to be served on the Departments.

5. Applicant in O.A 374/2020 also challenges the communication dated 16.6.2020. The applicant is working in State Excise Department and posted at Ahmednagar. Hence, this matter pertains to Division Bench of M.A.T, Aurangabad. However as the issues raised in O.A nos 372/2020 & 373/2020 is same, hence O.A 374/2020 be clubbed together. Moreover at present there is no D.B at Aurangabad. Learned counsel for the applicant is directed to add Excise Department as party in the Original Application till 27.8.2020 and copy to be served on the department.

6. Learned P.O after going through the service record of the applicants from their respective departments should file short affidavit to that effect.

7. Issue notice returnable on 06.10.2020.

8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.

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

10. 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.

11. 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.

12. S.O to 06.10.2020. It will be finally disposed of at the admission stage.

Sd/-
(P.N. Dixit) 25/8/2020
Vice-Chairman (A)

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

Place : Mumbai
Date : 25.08.2020.
Dictation taken by : A.K. Nair.

**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 : 25.08.2020</p> <p align="center">M.A.No.703 of 2019 in D.A.No.1232 of 2019</p> <p>R.K. Mundhe & Ors. ...Applicants Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submits that he is filing the reply in M.A. during the course of the day. State is accepted. It be taken on record.</p> <p>3. Adjourned for hearing of M.A. on 08.09.2020.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

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

Tribunal's orders
Date : 25.08.2020

O.A.No.923 of 2019

Dr. D.S. Datkar ...Applicant
Versus ...Respondents
The State of Maharashtra & Ors.

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Smt. K.S. Galkwad, learned Presenting Officer for the Respondents and Shri Arvind V. Bandiwadekar, learned Advocate for the Respondent No.2.
2. Today, Shri A.V. Bandiwadekar learned Advocate for Respondent No.2 has filed affidavit/rejoinder to bring certain subsequent developments on record. Allowed to file affidavit/ rejoinder.
3. In present matter, challenge is to the transfer order dated 13.09.2019. Interim relief was declined by reasoned order dated 19.09.2019.
4. Shri A.V. Bandiwadekar learned Advocate for Respondent No.2 submits that subsequently the Government had appointed the Applicant as Private Secretary to the Hon'ble State Minister (P.W.D) by order dated 09.01.2020 and since then he is working as Private Secretary. Learned Advocate Shri A.V. Bandiwadekar, therefore, submits that the challenge to impugned transfer order dated 13.09.2019 has become infructuous.
5. Learned P.O. also supports the contentions raised by learned Advocate Shri A.V. Bandiwadekar.
6. Learned Advocate Shri M.D. Lonkar for the Applicant does not dispute about the posting of the Applicant as Private Secretary during the pendency of the O.A.
7. Thus, in view of the subsequent development and subsequent transfer of the Applicant, *prima facie*, O.A. seems to have become infructuous as the applicant has accepted fresh posting and admittedly working on that post.
8. Shri M.D. Lonkar, learned Advocate however, seeks short time to take instructions from the Applicant.
9. Adjourned to 31.08.2020.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.08.2020</p> <p>O.A.No.227 of 2020</p> <p>D.G. Pawar ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed affidavit-in-reply on behalf of Respondents. Learned Advocate for the Applicant has also filed affidavit-in-rejoinder. The same are taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4 S.O. to 31.08.2020.</p> <p style="text-align: right;">Sd/- Ww (A.P. Kurhekar) Member(J)</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 25.08.2020 Tribunal's orders

O.A.No.230 of 2020 with O.A.No.231 of 2020 with
O.A.No.232 of 2020

Dr. J.S. Jagtap (O.A.230/2020)
Dr. R.D. More (O.A.231/2020)
Dr. S.S. Thakur (O.A.232/2020) ...Applicants
Versus
The State of Maharashtra & Ors. ...Respondents

1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Today, learned P.O. has filed affidavit-in-reply of Respondent No.1 to 3 in O.A.No.230/2020 and O.A.No.231/2020. It is taken on record.
3. On request of learned Advocate for the Applicant two weeks time is granted for filing rejoinder.
4. In so far as O.A.No.232/2020 is concerned on request of learned P.O. two weeks time is granted as last chance.
5. S.O. to 10.09.2020.

^ u
Sd/-
W
(A.P. Kurhekar)
Member(J)

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 : 25.08.2020</p> <p style="text-align: center;">O.A.No.151 of 2020</p> <p>V.B. Lambture ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In O.A.No.151/2020 decided by this Tribunal on 20.08.2020, whereby transfer order dated 12.12.2019 is quashed and set aside, today, the matter is taken up for speaking to minutes.</p> <p>3. In operative order, the word "qua-applicant" is not mentioned inadvertently and therefore the operative order should be read as follows :-</p> <p style="text-align: center;"><u>ORDER</u></p> <p>(A) The Original Application is allowed.</p> <p>(B) The transfer order dated 12.12.2019 qua-applicant is quashed and set aside.</p> <p>(C) The Applicant be reposted on the post he was transferred from within two weeks from today.</p> <p>(D) No order as to costs."</p> <p style="text-align: right;">Sd/- w (A.P. Kurhekar) Member(J)</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 25.08.2020
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O.A.No.144 of 2020

J.B. Vankot ...Applicant
Versus
The State of Maharashtra & Ors. ...Respondents

1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondent No.1 and Shri U.V. Bhosle, learned Advocate for the Respondent No.2.

2. Learned P.O. Shri A.J. Chougule submits that reply of Respondent No.1 will be filed during the course of the day. Similarly, Shri U.V. Bhosle learned Advocate for Respondent No.2 also submits that he will be filing reply during the course of the day. Statements are accepted. The same be taken on record.

3. On request of learned Advocate Shri Shri Gaurav A. Bandiwadekar two weeks time is granted for filing rejoinder, if any.

4. Adjourned to 10.09.2020.

Sd/-
(A.P. Kurhekar)
Member(J)

prk

25/8/20

Affidavit in reply filed by

A.No.1 & 2.

@prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 25.08.2020

O.A.No.241 of 2020

S.E. Gaikwad ...Applicant
Versus
The State of Maharashtra & Ors. ...Respondents

1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Today, learned P.O. has filed affidavit-in-reply. It is taken on record.
3. Learned Advocate for the Applicant has also filed rejoinder. It is taken on record.
4. Adjourned for hearing at the stage of admission.
5. S.O. to 17.09.2020.

prk

Sd/-
(A.P. Kurhekar)
Member(J)

**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
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Date : 25.08.2020

O.A.No.252 of 2020

V.D. Bharle ...Applicant
Versus ...Respondents
The State of Maharashtra & Ors.

1. Heard Shri Gaurav A. Bandhwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Learned P.O. for the Respondents submits that affidavit-in-reply will be filed during the course of the day. Statement is accepted. It be taken on record.
3. On request of learned Advocate for the Applicant two week's time is granted for filing rejoinder.
4. S.O. to 10.09.2020.

Sd/-
v.v.v
(A.P. Kurhekar)
Member(J)

prk

25/8/20
Affidavit in Reply filed
by A.No.1.



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

Tribunal's orders

Date : 25.08.2020

O.A.No.230 of 2020 with O.A.No.231 of 2020 with
O.A.No.232 of 2020

Or. J.S. Jagtap (O.A.230/2020)

Or. R.O. More (O.A.231/2020)

Dr. S.S. Thakur (O.A.232/2020) ...Applicants

Versus

The State of Maharashtra & Ors. ...Respondents

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

2. Today, learned P.O. has filed affidavit-in-reply of Respondent No.1 to 3 in O.A.No.230/2020 and O.A.No.232/2020. It is taken on record.

3. On request of learned Advocate for the Applicant two weeks time is granted for filing rejoinder.

4. In so far as O.A.No.231/2020 is concerned on request of learned P.O. two weeks time is granted as last chance.

5. S.O. to 10.09.2020.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

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

Tribunal's orders

Date : 25.08.2020

O.A.No.155 of 2020 with O.A.No.157 of 2020 with
O.A.No.161 of 2020

D.L. Fupagar (O.A.155/2020)

D.Y. Kamble & Ors. (O.A.157/2020)

A.A. Zajam & Ors. (O.A.161/2020) ...Applicants

Versus

The State of Maharashtra & Ors. ...Respondents

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

2. Learned P.O. for the Respondents submits that affidavit-in-reply in all these matter will be filed during the course of the day. Statement is accepted. It be taken on record.

3. On request of learned Advocate for the Applicant two week's time is granted for filing rejoinder, if any.

4. S.O. to 08.09.2020.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

25/8/20

Affidavit in reply filed by
R.No. 122 in OA 155/2020
OA 157/20. and by R.No. 1 and
4 in OA 161/20.



**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 : 25.08.2020</p> <p>O.A.No.134 of 2020</p> <p>R.V. Bhadane ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Smt. K.S. Gaikwad, learned P.O. for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted as last chance for filing reply.</p> <p>3. Adjourned to 19.09.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 25.08.2020</p> <p>O.A.No.21 of 2020</p> <p>D.G. Hinge ...Applicant Versus ...Respondents The State of Maharashtra & Ors.</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicants and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has filed affidavit-in-rejoinder. It is taken on record.</p> <p>3. As the pleadings are complete, Admitted and adjourned for Final hearing.</p> <p>4. S.O. to 17.09.2020.</p> <p style="text-align: right;">n .b Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.08.2020</p> <p>O.A.No.18 of 2020</p> <p>S.A. Salunkhe ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Applicant and learned Advocate for the Applicant are absence. Heard Shri A.J. Chougule, learned Presenting Officer holding for Ms. N.G. Gohad, learned P.O. for the Respondents.</p> <p>2. Respondent No.2 has already filed reply. Learned P.O. submits that reply of Respondent No.1 is not required. No rejoinder is filed.</p> <p>3. The matter Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 17.09.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

Date: 25.08.2020

O. A. No.402 of 2020

A.N. Sable

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The Applicant who is working as Livestock Development Officer, Group-A, prays that the transfer order dated 07.08.2020 is to be set aside and he also challenged the G.R. dated 23.07.2020. He is transferred from Naitale, Tal. Niphad, Dist. Nashik to Mhasadi, Tal. Sakri, Dist. Dhule.

3. Learned Advocate for the Applicant submits that he was due for transfer and he has made representation on 14.08.2020 in which he has placed the three posting of Group-A, i.e 1) Lasalgaon, Tal. Niphad, Dist. Nashik. 2) Jaulke Vani, Tal. Dindori, Dist. Nashik. 3) Sayyad Pimpri Tal. Dist. Nashik. He has also ask for the extension of one year at the present post.

4. Learned P.O. submits as he falls in Group-A, counseling and preferring is not available to him. She further submits that in Dist. Dhule the service of this Livestock Development Officer is required and therefore he is posted at Dhule.

5. As the post from where he is transferred that is at Naitale, Tal. Niphad, Dist. Nashik is yet to be filled in. So the Respondent may allow Applicant to continue till his representation is decided. The Application may be decided within two weeks till then the Applicant to continue at same place and rendered his service to Government.

6. S.O. 08.09.2020.

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson

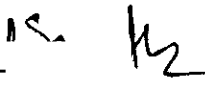
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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: 25.08.2020</p> <p>O. A. No.275 of 2020</p> <p>V.C. KumbharApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant, and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. For Admission</p> <p>3. S.O. to 15.09.2020.</p> <p style="text-align: right;">Sd/-  25/8/2020 (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</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
	Date: 25.08.2020
	O. A. No.401 of 2020
	<p>P.R. KapadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents No.1,2&4 and Shri M.D. Lonkar, learned Advocate for the Respondent No.3.</p> <p>2. Learned Advocate Shri M.D. Lonkar for Respondent No.3, seeks time to file Reply.</p> <p>3. The Transfer order dated 10.08.2020 is challenged by the Applicant who is serving as Circle Officer, Balkum is transferred from Thane, Balkum to Tahsildar Ambarnath.</p> <p>4. Learned Advocate for the Applicant Shri C.T. Chandratre submits that he was not due for transfer.</p> <p>5. S.O. to 08.09.2020.</p> <div style="text-align: right; margin-top: 20px;">  Sd/- _____ 20/08/20 (Mridula R. Bhatkar, J.) Chairperson </div>
	NMN

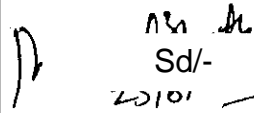
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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	<u>25.08.2020</u>	Tribunal's orders
		<p align="center"><u>O.A 400/2020</u></p> <p>Smt S.N Jagtap ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant, Shri A.J Chougule, learned Presenting Officer for Respondent no. 1 and Shri D.B Khaire, learned advocate for the Respondent no. 2.</p> <p>2. The applicant who is working as Food Safety Officer is challenging the order dated 10.8.2020 transferring the applicant from Raigad to Mumbai and Respondent no. 2, Mr S.R. Adhav is transferred from Mumbai to Raigad in place of the applicant. Learned counsel submits that applicant was due for transfer. However his case was not placed before the Civil Services Board. Secondly there is a violation of guidelines of G.R dated 9.4.2018 as stage no. 5 (III) is not followed. The preferential options were not considered.</p> <p>3. Learned P.O submits that the case of the applicant was placed before the Civil Services Board. Learned counsel for Respondent no. 2 submits that case of the Respondent no. 2 was also placed before the Civil Services Board and initially Civil Services Board has recommended posting Respondent no. 2 at Nasik.</p> <p>4. Learned P.O seeks two weeks' time to file reply</p> <p>5. S.O to 3.9.2020.</p> <p align="right">  Sd/- 20/01 (Mridula R. Bhatkar, J.) Chairperson </p>

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 align="center"><u>25.08.2020</u></p> <p align="center"><u>O.A 390/2020</u></p> <p>Shri P.P Sakhare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant challenges her transfer order dated 29.7.2020 and movement order dated 10.8.2020. The applicant is transferred from the post of Child Development Project Officer, Kalyan, Dist-Thane to the post of Superintendent, Government Girls Rehabilitation Shelter, Deonar, Mumbai. The order is challenged on the ground that though she was due for transfer, she had made representation on 14.7.2020 and she had given choice of five places where she can be accommodated. However, none of those choices given by her were considered.</p> <p>3. Matter is fixed on 31.8.2020 for instructions from the Respondents and statement of the learned P.O.</p> <p>4. Learned P.O is directed to consider whether the applicant can be accommodated in one of the five places as per the choice given by her.</p> <p>5. S.O to 31.8.2020.</p> <p align="right">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>Akn</p>

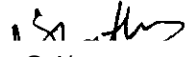
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>25.08.2020</u></p> <p align="center"><u>O.A 362/2020</u></p> <p>Shri V.J Pachpute ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. The applicant is challenging the order of suspension dated 20.12.2018 issued by Respondent no. 1 and prays that he be reinstated in service.</p> <p>3. Respondents are directed to take review of the case of the applicant on or before 31st Oct. 2020 and follow the ratio laid down in Ajay Kumar Choudhary Vs Union of India, through Secretary & Anr, (2015) 7 SCC 291.</p> <p>4. S.O to 24.11.2020.</p> <p align="right">  Sd/- _____ 09/10/20 (Mridula R. Bhatkar, J.) Chairperson </p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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"><u>25.08.2020</u></p> <p align="center"><u>O.A 379/2020</u></p> <p>Shri R.M Chavan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. The applicant is challenging the transfer order dated 10.8.2020. The applicant is working in Pune C.I.D in Handwriting and Photography department. He is being transferred from CID, Pune to CID Nagpur. The learned counsel submits that applicant has completed 2 years and 4 months and was not due for transfer. It is a specialized service and therefore, the procedure under Sec 22 J(3)(1) of Maharashtra Police Act is to be followed.</p> <p>3. On query, learned P.O submitted that it is a specialized service. However, for this services Maharashtra Police Act is not applicable and therefore, his case cannot attract the provisions under Sec 22 J(3)(1). It is submitted that the applicant is working in Pune for last 7 years and he was given extension.</p> <p>4. Learned P.O is directed to file reply on following points:-</p> <p>(i) Whether he was due for transfer?</p> <p>(ii) While transferring the applicant, which procedure is to be followed by the State?</p> <p>5. S.O to 22.9.2020:</p> <p align="right">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>Akn</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 align="center"><u>25.08.2020</u></p> <p align="center"><u>C.A 397/2020</u></p> <p>Shri S.R Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Applicant challenges the transfer order dated .10.8.2020, transferring him from the post of Tahsildar, Jawahar, Dist-Palghar to Tahsildar, (General) in the office of District Collector, Palghar. Learned counsel submits that he is covered under Section 5 (1)(a) of the Regulation of Transfer Act, 2005, by which the person should not be transferred if at all he is retiring within period of one year. Learned counsel says that applicant is going retire on 30.6.2021. Learned counsel submits that his post is kept vacant.</p> <p>3. Learned P.O wants one weeks' time to take instructions to answer the query of the Tribunal whether there is any rider to Section 5(1)(a) of Regulation of Transfer Act, 2005.</p> <p>4. S.O to 31.8.2020. The order of transfer dated 10.8.2020 is hereby stayed.</p> <p align="right">  Sd/- (Mridula R. Bhatkar, J.) Chairperson </p> <p>Akn</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: 25.08.2020</p> <p>O. A. No.386 of 2020</p> <p>A.S. DhuleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Allowed to withdraw. The letter of instructions to withdraw is taken on record.</p> <p>3. Disposed of.</p> <p> Sd/- 120 (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

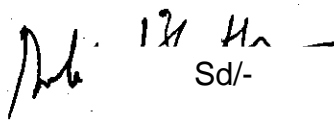
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 25.08.2020</p> <p>O. A. No.306 of 2020 with M.A. No.171 of 2020 with O. A. No.307 of 2020 with M.A. No.172 of 2020 With O.A. No.337 of 2020</p> <p>A.B. Gurav & Ors. P.N. Adsul & Ors. S.B. BahirApplicants Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicants in (O.A. 306/2020 & 307/2020), Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant in (O.A.337/2020) and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Affidavit-in-Reply is filed on behalf of Respondent No.1 in O.A. 306/2020 & 307/2020. It is taken on record.</p> <p>3. Matters are clubbed altogether and fixed for Final Hearing</p> <p>4. S.O. to 03.09.2020.</p> <p style="text-align: right;">  Sd/- 20 (Mridula R. Bhatkar, J.) Chairperson </p>

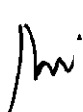
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M.A./R.A./C.A. No. of 20

IN

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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: 25.08.2020</p> <p>O. A. No.352 of 2020</p> <p>M.P. ShelkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant, and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits that Respondent No. 2 is admitted in the hospital and he is authorized to appear in this matter.</p> <p>3. S.O. to 15.09.2020.</p> <p> 17. 11 Sd/- 520 (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>