

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

M.A 63/2021 in O.A 1133/2018

DISTRICT : PUNE

Smt Bhagyashree A. Kale & Ors)...**Applicants**

Versus

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

Smt Punam Mahajan, 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 : **26.02.2021**

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

ORDER

1. By this application, 98 Staff Nurses have moved this Tribunal that the advertisement dated 18.1.2021 for filling up the vacant posts of Sister Tutors, Pediatric Nurses, Public Health Nurses, Psychiatric Nurses be stayed and the Staff Nurses are to be promoted to the various posts as they have claimed.

2. The interim application was heard and considered the submissions of Mrs Punam Mahajan, learned counsel for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents and especially Mrs Archana Waldhare, Under Secretary, Public Health Department, Mantralaya, Mumbai.



3. The applicants are working as Staff Nurse from 1997 onwards as per their appointment in various years. However, some of them were given additional charge of Sister in-charge and also Sister Tutors, Psychiatric Nurses, Pediatric Nurses, Public Health Nurses. However, they were not promoted as the process of promotion is stopped by the Respondents since 2014. The recruitment and promotions of the Nurses was as per the Rules of 1964 and revised on 15.4.2015.

4. Learned counsel for the applicants has submitted that from 1964 till 2006, the Staff Nurses were regularly promoted to the post of Tutors, Psychiatric Nurses, Pediatric Nurses, Public Health Nurses and they were further promoted to the post of Assistant Matron and Matron. Not a single recruitment has taken place by nomination, though 100% posts of Tutors, Psychiatric Nurses, Pediatric Nurses, Public Health Nurses are filled by nomination only. However, from 2006 to 2014 the process of promotion was stopped and only once the Staff Nurses were recruited to the post of Tutors, Psychiatric Nurses, Pediatric Nurses, Public Health Nurses by nomination. Learned counsel for the applicants submitted that the Government has not amended or made the rules for the promotion of the Staff Nurses to the higher posts. Some of the applicants have worked for 7 to 8 years on the post of Tutor on deputation and therefore, their seniority and experience should be considered for their promotion to the post of Tutor. Thus, the avenue of the promotion is completely closed in the absence of the necessary rules which has caused injustice to the Qualified Staff Nurses.

5. Learned counsel for the applicants further submitted that the applicants have come across the advertisement dated 18.1.2021 issued by the Respondents. Learned counsel submits that by this advertisement the Government has decided to fill up 50% of the post by nomination and if at all these posts are going to be filled up by nomination then the present applicants who have experience as well as educational qualification and seniority will lose their seniority if the new candidates

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to various posts are recruited by nomination. Therefore, she prayed that the advertisement dated 18.1.2021 to be stayed

6. Learned C.P.O on instructions from Mrs Archana Valzade, Under Secretary, Public Health Department, has submitted that in 2019, they have issued advertisement which is based on 1964 Rules and total vacancy sanctioned was 799. Out of which, for Tutors post were mentioned as 142, Public Health Nurse 126, Psychiatric Nurses 89 and 94 for Pediatric Nurses posts. However, it was revised as the Government has taken policy decision to fill up only 50% of the total revised vacant posts 681 out of sanctioned post 1028. Therefore, the 50% posts of the total vacant posts, which come to 350, with break up the vacancies considering the roster are as follows were advertised on 28.1.2021.

Tutor-151 posts, Public Health Nurse-77 posts,
Psychiatric-49 posts and Pediatric Nurses-73 posts.

7. Learned C.P.O submits that His Excellency has given assent to the new rules of 2021 and Government is going to publish the said rules within couple of days, the present applicants will be promoted as per their seniority and educational qualification in accordance with law, as per the new rules, wherein the 75% vacancies of the total vacant posts are to be filled in by promotion and 25% of the total vacant posts by nomination for Psychiatric Nurses, Pediatric Nurses, Public Health Nurses and for Tutor 50% by promotion, 25% by Limited Departmental Competitive Examination (L.D.C.E) and 25% by nomination.

8. Considered the submissions of both the parties. It is true that from 1964 there were no rules of promotion for the Staff Nurses. However, admittedly the Staff Nurses were given promotions nearly for a period of 40 years and the posts which were advertised were all filled up never by nomination, but only by promotion till 2006. However, in 2006,

it appears that the Government has realized that the Rules of 1964 are required to be amended on this point.

9. On query we were informed that the framing of the new rules has commenced in the year 2012 and for this purpose, the sanction of the Indian Nursing Council is required. So, many years were consumed in the process and finally the new rules are framed and now received the assent of His Excellency The Governor in this month. From the date of publication of the new rules will come into effect. The publication is going to take place within two to three days. Thus the present applicants can be promoted as per the new rules if they are found eligible to the higher posts. Thus, prima facie, we find that there is substance in the contentions raised by the applicants as there is legitimate expectation for promotion based on their educational qualification and the number of years of service put in the Department.

10. However, we do not think that giving stay to the advertisement dated 18.1.2021 is a solution to this problem. It will amount to negative action on the part of the Tribunal and therefore, we by way of via media which according to us is a golden mean to this issue and will protect the interest of both the parties. In view of the above, following order is passed.

(a) The Respondents are permitted to go with the process of recruitment as per their advertisement dated 18.1.2021 with following rider:-

- (i) The Respondents shall consider these applicants for their respective higher posts as per their educational qualification and seniority within a period of 3 months in accordance with law and as per the Revised Rules, which states specifically 75% of the total vacancy to be filled up by promotion for Psychiatric Nurses, Pediatric Nurses and Public Health Nurses.

- (ii) The seniority of the eligible applicants for promotion is to be maintained from the date of the publication of the rules above, qua the candidates who are going to be selected pursuant to the advertisement dated 18.1.2021.
- (iii) The promotion of the applicants if they are found eligible to be issued before the appointment of the candidates who are going to be selected pursuant to advertisement dated 18.1.2021.

11 On the point of promotion to the post of Tutors and work experience, the learned counsel for the applicants want to argue the matter. Hence only on this limited point, the matter can be heard on 19.3.2021.

12. S.O to 19.3.2021 at 2.30 pm

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

Sd/-
(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 26.02.2021
Dictation taken by : A.K. Nair.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.167 OF 2021

A.A. Deshmukh & Ors.

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

Dr. Gunratan Sadavarte, learned Advocate for the Applicants.

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

CORAM : JUSTICE MRS. MRIDULA BHATKAR, CHAIRPERSON

DATE : 26.02.2021

ORDER

1. Heard Dr. Gunratan Sadavarte, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The learned Advocate for the Applicant has requested the permission to amend the cause title of O.A.


3. Permission granted. Amendment be carried out forthwith and copy be served to learned P.O. for the Respondents.

4. The Applicants, working as Staff Nurses in various Government Hospitals prays that the order dated 18.02.2021 issued by the Respondent no.1, Deputy Director (Nursing) (Public service), refusing their study leave for the MSC nursing specialty be stayed.

5. All the Applicants working as Staff Nurses are holding the degree after acquiring the degree of B.Sc. (Nursing). They have put in 5 years in the Government service and they aspire to take the higher education i.e. M.Sc.(Nursing) in Government Nursing School. However, their application for seeking permission to study leave was rejected by letter dated 17.02.2021 by the Deputy Director Health Services, Mumbai on the ground that these applicants have availed the benefit of deputation/ study leave and therefore as per Rules 80 to 93 of Maharashtra Civil Services (Leave) Rules 1981 (hereinafter referred to MCS (Leave) Rules 1981 for brevity) such study leave is not permissible to the present Applicants and so it is rejected. The said letter is the cause of this O.A.

6. The learned Advocate Shri Sadavarte has submitted that there is urgency in the matter as the Principal of the Nursing Institute of J.J. Hospital has issued circular that only those candidates will be allowed to join M.Sc. (Nursing) course who report on or before cut-off date of 28.02.2021 and therefore interim relief to be granted urgently.

7. The learned Advocate Shri Sadavarte further submitted that the applicants have not taken study leave at all till today. When they were doing their B.Sc. (Nursing) course they were never given the study leave, but they were on deputation for the period of two years, so till today no study leave is availed of by the applicants. He has further relied on the decision of the Division Bench of the Bombay High Court



in **Writ Petition NO.10629 of 2012 dated 17.12.2012, Vishwajit P. Mathpall Versus The State of Maharashtra.** The learned Advocate has submitted that identical issue was considered by the Division Bench of Bombay High Court and those Nurses were allowed to take study leave for their higher educational qualification i.e. M.Sc. (Nursing). The case of the present applicants is also to be treated on parity.

8. The learned P.O. for the Respondents has produced the letter dated 07.02.2020 issued by the Under Secretary, State of Maharashtra, wherein it is mentioned that the Nurses who are desirous to take post-graduation i.e. M.Sc. (Nursing) are not to be given the leave especially if they want to complete their course through private institute. The Staff Nurses who want to complete their post graduation in Government institute or in the hospital can be considered. However earlier the Staff Nurses who has obtained the same degree on deputation, that deputation was treated as study leave and accordingly it was mentioned in their Confidential .R. and no further study leave can be granted to such Staff Nurses.

9. Perused the letter dated 16.02.2021 of the Principal of Nursing School wherein it is stated that the course has started from 18.01.2021 however the cut-off date given by the University is 28.02.2021. Also perused the letter dated 07.02.2021 issued by the Under Secretary, Public Health Department, State of Maharashtra on

the background of MCS (Leave) Rules 1981 which are mentioned in the refusal letter dated 17.02.2021. The 'Leave' as per the MCS (Leave) Rules 1981 in Rule 8 (28) is defined as follows :-

*“(28) **Leave** means permission to remain absent from duty granted by a competent authority under the Maharashtra Civil Services (Leave) Rules, 1981.”*

10. I have not come across the word 'Deputation' in these Rules. The deputation is a word used for transfer and the legal connotation of the word deputation is very well explained in the order of Bombay High Court in ***Writ Petition (L) No.2430/2021, dated 29.01.2021, The State of Maharashtra & Ors. Versus Dr. Ashok Ramchandra Anand.***

11. Thus, prima facie, the deputation cannot be said either leave or study leave. Leave means absence from the duty and deputation warrants presence. These applicants have rendered the services when they were on deputation and doing their course of B.Sc. (Nursing). The Rule 81 of MCS (Leave) Rules 1981 states as follows :-

“81. Maximum amount of study leave

The maximum amount of study leave, which may be granted to a Government servant, shall be-

- (a) ordinarily twelve months at any one time, and*
- (b) during his entire service, twenty-four months in all (inclusive of similar kind of leave for study or training granted under any other rules).”*

Thus, prima facie, it appears that the applicants have not availed for study leave earlier therefore they are entitled and to be allowed to take further education of M.Sc.(Nursing)

OPERATIVE ORDER

- (a) In view of this legal position as mentioned above, the present applicants are allowed to report the Respondent No.1, Principal of the College today and continue the M.Sc. (Nursing) course subject to the outcome of this application.
- (b) Steno copy and Hamdast is allowed.
- (c) Adjourned to 18.03.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 26.02.2021

**O.A.No.722 of 2019 (Aurangabad Bench)
Suo motu taken on record.**

G.B. Bansode ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Ms. S.P. Manchekar, learned C.P.O. for the Respondents.

2. As per the Hon'ble Supreme Court order dated 05.02.2021 in Civil Appeal No.104 of 2021, Gajanan B. Bansode & Ors Versus State of Maharashtra & Ors. the matter being time bound is taken on board as Suo Motu.

3. As per the said order dated 05.02.2021, the 636 respondents are to be served through the State. It is found that connected i.e. O.A. 1084 of 2019 also have same respondents. Therefore the State as well as the concerned Applicants, both parties are directed to serve the Respondents till next date till 15.03.2021.

4. The learned C.P.O. informs that there are other connected matters involved. However she seeks time to search such matters. The learned C.P.O. to mention if any such matters are already filed at M.A.T. Benches Nagpur and Aurangabad so as to club those matters with Mumbai matters as per the order of the Hon'ble Supreme Court.

5. S.O. to 15.03.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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 : 26.02.2021</p> <p align="center">O.A.No.583, 584, 585, 586 & 587 of 2020</p> <p>B. R. Lokhande & Ors.Applicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri L. S. Deshmukh , learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. All these Original Applications are arising from the transfer order dated 17.07.2020 whereby the Applicants who were serving as Teacher in Ashram School were transferred by the order of Additional Commissioner, Tribal Development, Thane.</p> <p>3. During the course of hearing of O.A., it is transpired that the Hon'ble Minister, Tribal Development by his letter dated 07.08.2020 (Page No.110 of PB) stayed the transfer order to avoid inconvenience to the Government servants in view of Covid-10 Pandemic situation. As such, in terms of direction of Government (direction issued by the Hon'ble Minister) transfers were required to be stayed but no such steps were taken by the Additional Commissioner, Tribal Development, Thane.</p> <p>4. Indeed, in terms of letter dated 07.08.2020 that itself amount to stay the transfer orders already passed by the concerned departments.</p> <p>5. In view of above, the Applicants were required to be reinstated at their previous posting but it was not done by the Additional Commissioner, Tribal Development, Thane, and therefore, the Applicants have approached this Tribunal. Indeed, he was under obligation to cancel the transfer orders in question but he seems to have disregarded the directions given by the Hon'ble Minister.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. It further appears from letter dated 10.10.2020 issued by the office of Commissioner, Tribal Development, Nashik addressed to Additional Commissioner, Tribal Development, Thane that in all other divisions namely Nashik, Amravati and Nagpur transfer orders are cancelled in view of the directions given by the Hon'ble Minister and serious note of it was taken by the Commissioner, Tribal Development, Nashik for not implementing the directions given by the Hon'ble Minister in so far as Thane division is concerned.</p> <p>7. In view of above, Secretary, Tribal Development, Thane is directed to file affidavit to explain the position of the Government in respect of letter dated 07.08.2020 referred to above.</p> <p>8. If the Government itself has cancelled the transfer orders, the Applicants were required to be reinstated at their original posts and accordingly, O.As will be disposed of with suitable directions.</p> <p>9. The Secretary, Tribal Development, Thane should file affidavit as stated above within a week.</p> <p>10. S.O. to 05.03.2021.</p> <p style="text-align: right;">Sd/- w (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 : 26.02.2021</p> <p style="text-align: center;">O.A.No.137 of 2021</p> <p>V. Y. JamdadeApplicant Versus The State of Maharashtra ...Respondent</p> <ol style="list-style-type: none"> 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents. 2. The dispute pertains to allotment of residential quarter. 3. Presently, the Applicant is staying in Police Quarter at Mahim but she was served with the notice dated 01.12.2020 to vacate the said quarter being in dilapidated condition. She then made representation on 10.02.2021 requesting the Respondent-Commissioner of Police to allot her some other suitable quarter at Mahim since her kids are taking education in Mahim. However, it was not responded. 4. On 17.02.2021, the Tribunal directed the Respondent to consider the representation made by the Applicant but nothing happened. 5. Today, learned P.O. on instructions submits that the Applicant being working as Clerk, she is not entitled to Police Quarter and she was to approach G.A.D. for allotment of quarter from common pool. 6. However, learned Counsel for the Applicant pointed out that in some cases quarters are already allotted to persons working as Senior Clerk but his client is subjected to discrimination. 7. At this stage, learned P.O. submits that Affidavit-in-Reply will be filed during the course of day. Statement is accepted. It be taken on record. 8. The matter is adjourned for hearing at the stage of admission. 9. In the meantime, the Respondent is directed to pass appropriate order on the representation made by the Applicant and apprise the Tribunal about the same. 10. S.O. to 15.03.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</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: 26.02.2021</p> <p>O.A. No.638 of 2020</p> <p>D.U. RathodApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. No reply is filed to the amendment made in O.A.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 19.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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: 26.02.2021</p> <p align="center">O.A. No.537 of 2020</p> <p>S.S. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Dr. Gunratan Sadavarte, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has filed the O.A. challenging the transfer of Respondent No.3 in her place. The Tribunal has granted interim relief on 06.10.2020. 3. Today, learned P.O. on instructions submits that the Government wants to continue the Applicant at the same place and some other posting will be given to private Respondent No.3. 4. As such no cause of action survives for O.A. 5. Respondent is at liberty to pass appropriate order in respect of posting of Respondent No.3. 6. In view of above, O.A. is disposed of with no order as costs. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

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	<p>Date: 26.02.2021</p> <p align="center">O.A. No.148 of 2020</p> <p>S.D. ManeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Y.B. Langare, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has approached this Tribunal for grant of retrial benefits. He retired on 31.05.2019 but his retrial benefits are withheld. It appears that one criminal case is pending against him which could be the reason for not granting gratuity but other benefits ought to have been released. However, even provisional pension is not granted. It shows total indifferent and insensitive attitude of the Respondents. 3. In view of above, I am not inclined to grant further time for Reply. 4. Adjourned for hearing at the stage of admission without Reply. 5. S.O. to 05.03.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

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	<p>Date: 26.02.2021</p> <p align="center">O.A. No.952 of 2019</p> <p>N.P. SwamiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. More than one week^{year} time is granted for filing Reply and same is not filed. </p> <p>3. Hence, I am not inclined to grant further time.</p> <p>4. Adjourned for hearing at the stage of admission without Reply.</p> <p>5. S.O. to 26.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 26.02.2021</p> <p align="center">M.A. No.516 of 2019 in O.A. No.950 of 2019</p> <p>S.K. InamkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Period of more than one year is granted but till date no reply is filed. Applicant is retired employee and claiming benefit of last increment which was not granted to him because he stood retired one day before due date of increment.</p> <p>3. Learned P.O. however again requested for grant of time to file Reply.</p> <p>4. One week time is lastly granted to file reply in M.A. as well as O.A. so that both can be heard and decided together expeditiously.</p> <p>5. S.O. to 05.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date: 26.02.2021

M.A. No.90 of 2021 in O.A. No.164 of 2021

R.B. PingleApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 26.03.2021.
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 Original Application. 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 26.03.2021.

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: 26.02.2021

M.A. No. 94 of 2021 in O.A. No.766 of 2020

M.M. MasudApplicant
 Versus
 The State of Maharashtra & Ors.Respondents.

1. Heard Shri V.D. Bhambure, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
2. O.A. No.766/2020 is filed challenging order dated 08.01.2016 whereby punishment was imposed and also seeks direction to release retrial benefits.
3. After filing of O.A. this M.A.94/2021 is filed for condonation of delay.
4. Since the Applicant retired in 2011, matter needs to be decided expeditiously.
5. In view of above two weeks time is lastly granted to Respondent to file Reply in M.A. as well as O.A.
6. S.O. to 12.03.2021.

Sd/-
 (A.Ā. Kurhekar)
 Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center">Date: 26.02.2021</p> <p align="center">O.A. No.1104 of 2019</p> <p>A.S. TejiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Anita Murgude, learned Advocate holding for Smt. Ranjana Todankar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits that the Advocate Smt. Ranjana Todankar who is in-charge of the matter, due to personal difficulties is unable to attend the matter.</p> <p>3. Hence requested for adjournment.</p> <p>4. S.O. to 12.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="left">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 align="center">Date: 26.02.2021</p> <p align="center">O.A. No.1220 of 2019</p> <p>R.R. JagtapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. N.L. Rajguru, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents No.1 to 3 and Shri D.B. Khaire, learned Advocate for Respondent No.4.</p> <p>2. Learned Advocate for the Applicants requested for time to file Rejoinder.</p> <p>3. Adjourned for two weeks.</p> <p>4. S.O to 16.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 26.02.2021</p> <p>M.A. No.71 of 2021 in O.A. No.138 of 2020</p> <p>S.B. KumbharApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.K. Mishra, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. fairly states that he is appearing on behalf of Respondents and waives the notices.</p> <p>3. Two weeks time is granted for filing Reply, if any.</p> <p>4. S.O. to 22.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 26.02.2021</p> <p align="center">O.A. No.167 of 2020 with O.A. No.168 of 2020 with O.A. No.169 of 2020 with O.A. No.170 of 2020 with O.A. No.171 of 2020</p> <p>Dr. N.N. Inamdar Dr. P.M. Ghorpade Dr. J.B. Ghorpade Dr. V.G. Memane Dr. G.V. ChouguleApplicant</p> <p>Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Learned Advocate Shri J.S. Deshmukh appearing for the Applicants is from Aurangabad and had sent a leave note and requested to keep the matter on 08.03.2021.</p> <p>2. Learned P.O. is present</p> <p>3. In view of leave note, adjourned for 08.03.2021 for hearing at the stage of admission.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 26.02.2021</p> <p align="center">M.A. No.86 of 2021 in O.A. No.600 of 2017</p> <p>S.G. DhanawadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant is seeking amendment to O.A. in respect of contention raised by the Government in Reply filed in O.A. that in view of pendency of issue before Hon'ble Supreme Court, decision in respect of deemed date of promotion of the Applicant cannot be taken. Government accordingly communicated the same by letter dated 28.01.2021. The Applicant wants to amend the O.A. suitably and challenge the said communication.</p> <p>3. This M.A. is for the purpose of amendment due to subsequent development which occurred during the pendency of O.A.</p> <p>4. Amendment is therefore allowed. It is to^{is} be incorporated within one week.</p> <p>5. Two weeks time is granted for filing Reply to the amended O.A.</p> <p>6. S.O. to 12.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 26.02.2021</p> <p align="center">O.A. No.142 of 2018</p> <p>A.S. HuddarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of Shri A.R. Joshi two weeks time is granted.</p> <p>3. S.O. to 12.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 26.02.2021</p> <p align="center">O.A. No.609 of 2018</p> <p>K.M. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents No.1 & 2 and Shri K.R. Jagdale, learned Advocate for Respondent No.3.</p> <p>2. Shri A.R. Joshi, learned Advocate submits that the Applicant had taken away brief long back, and thereafter, he has no instructions.</p> <p>3. Thus, it appears that Applicant is not interested in the matter.</p> <p>4. O.A. is therefore dismissed for want of prosecution.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 26.02.2021</p> <p align="center">O.A. No.637 of 2018</p> <p>D.C. PawarApplicant Versus The State of MaharashtraRespondent.</p> <p>1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant, and Shri A.J. Chougule, learned Presenting Officer holding for Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent.</p> <p>2. On perusal of O.A. it reveals that the Applicant challenged order dated 27.06.2018 whereby Applicant was directed to vacate service quarter allotted to him at Pune. He was transferred to Daund, and therefore, notice was issued to vacate the quarter. It further appears that one year extension was granted earlier by order dated 02.10.2017. Thus, even after extension period the Applicant has not vacated the quarter.</p> <p>3. Learned Advocate for the Applicant seeks permission to withdraw the O.A.</p> <p>4. Allowed to withdraw the O.A.</p> <p>5. In view of above, O.A. is disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 26.02.2021</p> <p align="center">O.A. No.834 of 2019</p> <p>S.B. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Anita Murgude, learned Advocate holding for Smt. Ranjana Todankar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits that the Advocate Smt. Ranjana Todankar who is in-charge of the matter, due to personal difficulties is unable to attend the matter.</p> <p>3. Hence requested for adjournment.</p> <p>4. S.O. to 12.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 26.02.2021</p> <p align="center">O.A. No.287 of 2020</p> <p>Dr. P.N. KakadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri N.Y. Ukey, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. requested for two weeks time to take instructions on Additional Affidavit filed by the Applicant on previous date.</p> <p>3. Respondents are directed to release provisional pension immediately.</p> <p>4. Adjourned for hearing at the stage of admission.</p> <p>5. Interim Relief to continue.</p> <p>6. S.O. to 09.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p>
	NMN

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	Tribunal's orders
	<p><u>C.A. No.8 of 2020 in O.A. No.989 of 2018 with C.A. No.9 of 2020 in O.A. No.990 of 2018</u></p> <p>R.Y. Kadam V.S. Kadam ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Y.B. Lengare, learned Advocate for the Applicants and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO informs that by letter dated 18.2.2020 the Revenue Department has taken decision to comply with the order dated 7.10.2019 passed by this Tribunal in the above OA. Similar decision of this Tribunal was confirmed by judgment and order dated 1.8.2019 passed in W.P. No.7753/2019.</p> <p>3. Ld. Advocate for the applicants points out that till today the order is not implemented. Provisional pension was paid but then again it is stopped.</p> <p>4. The matter is adjourned till 3.00 p.m.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman 26.2.2021</p> </div> <div style="text-align: center;"> <p>Sd/-  (Mridula R. Bhatkar, J.) Chairperson 26.2.2021</p> </div> </div> <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
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Date : 26.02.2021

C.A.No.07 of 2021 in O.A.No.891 of 2019

S.R. Patil ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned C.P.O. submits that the Appeal dated 05.02.2019 is wrongly placed before the Hon'ble Minister. However, it is to be placed before the Divisional Commissioner of Konkan Division.

3. The learned Counsel Mr. Lonkar requests that the Tribunal may direct the Respondents to transfer the said appeal and place it before the Divisional Commissioner of Konkan Division.

4. In view of this the respondents are directed to transfer the said appeal to the appropriate authority i.e. the Divisional Commissioner of Konkan Division till 05.03.2021. Thereafter within 2 months i.e. till 06.05.2021 the said appeal be decided.

5. Adjourned to 11.06.2021 to report compliance.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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>26.02.2021</u></p> <p>C.A 08/2020 in O.A.No.989 of 2018 with C.A 09/2020 in O.A 990/2018</p> <p>R.Y Kadam V.S Kadam ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>Later on:-</p> <p>1. Shri Vikram Nikam, Desk Officer, from Revenue Department, on instructions from Tahsildar, Collector Office, Satara, who is present, informs that pension and all pecuniary benefits are paid to the applicant.</p> <p>2. Learned P.O to submit the proof of the payment made to the applicant along with documents.</p> <p>3. S.O to 5.3.2021.</p> <p align="center">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J) Chairperson</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	Tribunal's orders
	<p>CA No.25 of 2020 in OA No.28/2018 with OA No.938/2018</p> <p>D.L. Awate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Presenting Officer for the Respondents.</p> <p>2. Ld. CPO submits that Review Application in the matter is yet to be heard and therefore matter may be adjourned.</p> <p>3. S.O. to 19.3.2021.</p> <p>Sd/- (P.N. Dixit) Vice-Chairman 26.2.2021 (sgj)</p> <p>Sd/- (Mridula R. Bhatkar, J.) Chairperson 26.2.2021</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	Tribunal's orders
	<p>CA.19/2020 in OA.1158/16 with OA.352/17 with OA.353/17</p> <p>Smt. S.K. Goraksha & 24 Ors. ..Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The order for which CA is filed is of 9.3.2020 wherein time limit to refund the amount is given of three months and if it is not refunded within three months, then after three months the amount is to be refunded with interest at the rate of 9% per annum.</p> <p>3. Shri Dattatray Dinkar Kulkarni, General Manager, Greater Mumbai Milk Scheme, Worli, Mumbai has filed his affidavit dated 24.11.2020. The affidavit states that partial compliance has been made and the recovered amount has been refunded. As far as remaining part of the order is concerned, Ld. PO during hearing, on instructions from Shri H.G. Tarware, Senior Assistant, Worli Dairy, submits that the Directorate of Accounts and Treasury, Mumbai has directed the respondents to obtain approval from the Finance Department. Ld. PO further mentions that the file is under process and progress would be intimated to this Tribunal.</p> <p>4. S.O. to 5.3.2021 for reporting progress.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- </p> <p>(P.N. Dixit) Vice-Chairman 26.2.2021</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula R. Bhatkar, J.) Chairperson 26.2.2021</p> </div> </div> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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C.A. No.63 of 2019 in O.A. No.1087 of 2014

S.S. Nalawade ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO informs that yesterday W.P. No.199 of 2020 in the above matter has appeared before the Hon'ble High Court, however, it could not reach. Therefore it was mentioned before the Hon'ble Chief Justice by the Ld. Advocate for MPSC and the Hon'ble Chief Justice has told the Ld. Advocate for MPSC to make a statement before this Tribunal that the Hon'ble High Court is ceased with the matter and appropriate time be sought. Ld. CPO therefore prays for time.


3. Ld. Advocate for the applicant vehemently opposes to give time and insists that it is to be heard today because oral submissions were made before the Hon'ble Chief Justice behind his back.

4. We wanted to adjourn the matter simply by four weeks on hearing submissions of Ld. CPO. However, as insisted by the Ld. Advocate for the applicant these submissions are taken on record.

5. S.O. to 26.3.2021.

Sd/-
(P.N. Dixit)
Vice-Chairman
26.2.2021

(sgj)

Sd/- 
(Mridula R. Bhatkar, J.)
Chairperson
26.2.2021

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	Tribunal's orders
	<u>C.A. No.5 of 2021 in T.A. No.1 of 2020</u> <u>(T.A. No.8/2018 Aurangabad)</u> <u>(W.P. No.11576 of 2014 Aurangabad)</u>
	Smt. Kiran C. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents
	Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
	2. Today during hearing of CA, Ld. PO on instructions from Shri Nitin Maske, Assistant Commissioner, Integrated Child Development Services Scheme (ICDS), Raigad Bhavan, Belapur, mentions that in this case though the facts are same it is learnt that person who was to be considered for appointment is not legal heir of Ex-Serviceman and therefore the department is in process of consulting other concerned department. She further submits that progress will be communicated within eight weeks.
	3. S.O. to 30.4.2021.
	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(P.N. Dixit)</p> <p>Vice-Chairman</p> <p>26.2.2021</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula R. Bhatkar, J.)</p> <p>Chairperson</p> <p>26.2.2021</p> </div> </div>
	(sgj)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

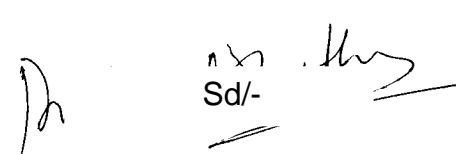
(Advocate)

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	Tribunal's orders
	<p style="text-align: center;"><u>C.A. No.43 of 2020 in O.A. No.143 of 2019</u></p> <p>Ashok R. Uttare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Akhil Kupade, learned Advocate i/b Manoj Harit & Co. 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 leave to withdraw the above CA in view of compliance of the order dated 4.9.2019 passed by this Tribunal in above OA No.143 of 2019.</p> <p>3. Leave granted. CA is allowed to be withdrawn and disposed off as such.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman 26.2.2021</p> </div> <div style="text-align: center;">  <p>Sd/- (Mridula R. Bhatkar, J.) Chairperson 26.2.2021</p> </div> </div> <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
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Date : 26.02.2021

M.A.No.355 of 2020 in O.A.No.794 of 2020

N.N. Chavan & Ors. ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.A. Desai, learned Advocate holding for Shri A.S. Pawar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The learned C.P.O. for the Respondents seeks time to file the affidavit-in-reply.
3. Time granted. Adjourned to 12.03.2021.

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

[Signature]
Sd/- 2
(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 26.02.2021

M.A.No.367 of 2019 in O.A.No.677 of 2019

H.T. Shinde ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.M. Kolge, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Chief Presenting Officer for the Respondents.

2. The learned Advocate for the Applicant seeks time to file affidavit-in-rejoinder.

3. Time granted. Adjourned to 26.03.2021.

Sd/-

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

Sd/-

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

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 26.02.2021

C.A.No.6 of 2021 in O.A.No.39 of 2021

S.S. Kamble ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Applicant in person and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. The learned C.P.O. of M.A.T. Bench Aurangabad to take note that the order of this Tribunal is not complied though the time given is over and this order is to be communicated to Mr. Pradeep Vyas Principal Secretary, Public Health Department.

3. This matter belongs to Aurangabad Bench hence it is transferred to back to Aurangabad. Due to oversight it was allowed at Principal Bench. It being the Contempt Application matter is adjourned to 05.03.2021 which will be heard on video conferencing at 2.30 p.m.

Sd/-

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

Sd/-

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

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 26.02.2021

M.A.No.61 of 2021 in O.A.No.456 of 2020

Y.B. Deshmukh ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant in M.A.No.61/2021 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Dr. Gunratan Sadavarte, learned Advocate for the Applicant in O.A.No.456/2020 is absent.
3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
4. Issue notice before admission returnable on 05.03.2021.
5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.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. Applicant is directed to file Affidavit of compliance and notice.
8. Adjourned to 05.03.2021 at 10.00 a.m.

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>Date : 26.02.2021</p> <p align="center">M.A.No.662 of 2019 in M.A.No.612 of 2019 (sue jointly) in O.A.No.1084 of 2019</p> <p>H.T. Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. Hansika Sable, learned Advocate holding for Shri S.A. Valimbe, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p align="center"><u>M.A.662/2019 (for amendment) in O.A.1084/2019.</u></p> <p>2. In this M.A. the applicant has prayed that the names of the Respondents from Serial No.635 to 819 and Serial no.828 may be allowed to be removed as no relief is sought against the same in the context of the G.R. dated 22.04.2019. Further it is also prayed in M.A. that that names of two respondents may be allowed to be added namely :-</p> <p align="center">(1) Shri Ghansham Kawduji Marwadi (2) Kiran Dilip Patil</p> <p>3. The learned C.P.O. has no objection to the same therefore this M.A. is allowed and disposed off accordingly.</p> <p align="center"><u>M.A.612/2019 (sue jointly) in O.A.No.1084/2019</u></p> <p>4. In this M.A., the Respondents are directed to file their affidavit-in-reply on 15.03.2021.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 15.03.2021.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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7. Applicant is authorized and directed to serve on Respondent 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.

8. 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.

9. 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.

10. To be clubbed along with O.A. 722/2019, Shri Gajanan Bansode. Aurangabad Bench which is remanded by the Hon'ble Supreme Court by the order dated 05.02.2021. Hence, the matter is time bound to be decided within 6 months from the date of the decision.

11. Adjourned to 15.03.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar, J.)
Chairperson