

ORIGINAL APPLICATION NO.1099/2019
(Ramraje Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 31.08.2021
ORAL ORDER :

Heard Shri K.G.Salunke, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents.

2. From the internal communications at pages 51 (Annexure A-12) and 52 (Annexure A-13) of paper book referred to by the learned Advocate for the applicant stating that in view of the judgment of Hon'ble High Court promotions are not being granted has been communicated, however, promotions have been granted by order dated 05-03-2019 (page 53 of paper book, Annexure A-14).
3. Learned P.O. to take instructions regarding filing sur-rejoinder in view of the legal issues involved in the case. Time is granted to file sur-rejoinder.
4. S.O. to 28-09-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.407/2021
(Aziz Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 31.08.2021
ORAL ORDER :

Heard Shri G.L.Deshpande, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 and 2. He seeks time to file reply on behalf of respondent no.3 as well.

3. By referring to preliminary objection in the affidavit in reply filed on behalf of respondent nos.1 and 2, learned Advocate for the applicant seeks permission to include Secretary, Public Works Department as respondent and amend the O.A. He states he will file M.A. for amendment in O.A. He seeks time for the same. Time is granted.

4. S.O. to 20-09-2021.

MEMBER (A)

M.A.NO.96/2020 IN O.A.ST.NO.239/2020
(Kailas Walekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 31.08.2021
ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.4, 5 and 6. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant submitted that he was given rank of Karkoon under the provisions of G.R. dated 29-09-2003 issued by the Public Works Department, Government of Maharashtra, according to which after any employee is given benefit of upgradation of his designation and post, original post stands abolished.

4. However, learned Advocate for the applicant has cited that from the letter of Superintending Engineer, Mechanical Circle, Nanded which is enclosed as Annexure A-11 at page 29 of the paper book, order to the contrary has been passed in respect to number of employees. Therefore, the applicant is seeking similar treatment by filing this O.A. The applicant has mentioned the same in O.A. at paragraph 6.L). However, this point will be relevant at the time of final hearing of the matter, parties may be putting their arguments also.

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M.A.NO.96/2020 IN O.A.ST.NO.1228/2020

5. In view of request of learned Advocate for the applicant time is granted to file affidavit in reply in M.A. on behalf of respondent nos.1, 2 and 3.

6. S.O. 23-09-2021.

MEMBER (A)

YUK ORAL ORDERS 31.08.2021

M.A.NO.305/2020 IN O.A.ST.NO.1228/2020
(Dilipkumar Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 31.08.2021
ORAL ORDER :

Heard Shri Shivraj V. Deshmukh, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. Service affidavit was filed on 18-12-2020 in the M.A. However, thereafter matter remained dormant during the Pandemic period and it is taken up for hearing after a long time gap.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. S.O. 30-09-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.682/2019
(Vishal Aadmane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 31.08.2021
ORAL ORDER :

Heard Shri Santosh B. Bhosle, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents.

2. Parties have completed their arguments per-se and they have agreed to submit written notes of arguments. Learned Advocate for the applicant as well as the learned P.O. are granted time to file case laws, if any, and it is advised that they may share case laws in advance with each other.

3. Matter be taken up for arguments/discussion on case laws and issue of implication of a small family norm for getting benefit of the scheme of appointment on compassionate ground. Matter may be closed for order on the next date.

4. S.O. 30-09-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.873/2019
(Nivrutti Krushna Lote Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri V.B.Wagh, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant argued that the application of the applicant for appointment on compassionate ground was rejected without proper scrutiny and without getting details in prescribed format. As a result of which, appointing authority overlooked the point that the applicant has come after a long time gap after the death of the deceased employee, namely, Krushna Mahadu Lote who was working in the office of Executive Engineer, Ghatghar Hydro Electric Project N.3, Bhandardara for the reason that he was minor during intervening period.

3. Learned P.O. has submitted affidavit in reply on behalf of the respondent nos.1 to 3 and argued the matter. During the arguments, it has transpired that it is undisputed fact that the applicant was minor and he has applied within one year after attaining age of majority. It is also not disputed by the respondents that the applicant was not given a copy of scheme of appointment on compassionate ground as prescribed by clause 10 of

Annexure A of the Government Resolution No.अकंपा १२१७/प्र.क्र.१०२/आठ issued by General Administration Department, Government of Maharashtra, Mantralaya, Mumbai dated 21-09-2017. A copy of the said G.R. is furnished by the learned Advocate for the applicant for ready reference, which is taken on record and marked as document "X" for identification.

4. It has been also brought to my notice by the learned P.O. for the respondents who is assisted by Shri Narendra Dadoji Mahajan, Executive Engineer, Thane Irrigation Division, Thane, respondent no.2 that office of the respondent no.3 i.e. Executive Engineer, Ghatghar Hydropower Project N.3, Bhandardara i.e. respondent no.3 does not exist. However, there is one office of Assistant Engineer for Ghatghar Hydro Electric Project in Taluka Akole, Dist. Ahmednagar. At present, respondent no.2 is competent authority to deal with the application of the applicant for appointment on compassionate ground.

5. Learned P.O., after consulting the respondent no.2 Shri Narendra Dadoji Mahajan, Executive Engineer, Thane Irrigation Division, Thane who is present in person, has offered to get fresh application for compassionate appointment from the applicant through the Sub-Divisional Office located at Taluka Akole, Dist. Ahmednagar and will

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O.A.NO.873/2019

scrutinize and decide the application filed by the applicant on merit within 3 months from the date of receipt of the application.

6. Considering all the facts before me, the respondent nos.2 and 3 are directed to get a fresh application from the applicant in prescribed format, extend assistance to the applicant for submission of all necessary documents in the prescribed manner and get the same adjudicated on merit and decide the application within 3 months from the date of receipt of the same and if the application is found to be fit for granting benefit of appointment on compassionate ground the same be taken on waiting list and process further as per prescribed procedure.

7. Decision of Deputy Superintending Engineer, Koyna Public Works Circle dated 25-04-2011 (Annexure A-3, page 14 of paper book) rejecting claim of the applicant for appointment on compassionate ground is hereby quashed and set aside.

8. With the above directions, case is disposed of. There shall be no order as to costs.

MEMBER (A)

ORIGINAL APPLICATION NO. 60 OF 2021
(Ishwar B. Baviskar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri S.B. Shinde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other sides.

3. Learned Advocate for the applicant seeks time for filing rejoinder affidavit. Time granted.

4. S.O. to 04.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 61 OF 2021
(Shantilal H. Deore Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri S.B. Shinde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.

3. S.O. to 04.10.2021.

MEMBER (A)

MEMBER (J)

M.A. No. 246/2021 in O.A. No. 654/2013
(Dr. Amol S. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Smt. Surekha Mahajan, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 3 in O.A. No. 654/2013. Same is taken on record and copy thereof has been served on the other sides.

3. Issue notice to the respondents in M.A. No. 246/2021, returnable on 06.10.2021.

4. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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M.A. 246/2021 in
O.A. 654/2013

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 acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. S.O. to 06.10.2021.
9. Steno copy and Hamdast is allowed to both parties.
10. The present matter be placed on separate board.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 337 OF 2019
(Namdev D. Londhe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri O.Y. Kashid, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 04.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 11 OF 2019
(Bapurao A. Dongar & Ors. Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 30 OF 2019
(Vaishali V. Mhaske Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 81 OF 2019
(Manohar M. Musale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. At the request and by consent of both the sides, S.O. to 22.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 494 OF 2021
(Dr. Dhananjay K. Sawant Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 30.09.2021.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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.

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O.A. No. 494/2021

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 30.09.2021.
8. Steno copy and Hamdast is allowed to both parties.
9. The present matter be placed on separate board.

MEMBER (J)

**ORIGINAL APPLICATION NO. 169 OF 2020
(Megha B. Kapure Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri S.V. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.

3. S.O. to 23.09.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 359 OF 2021
(Hajrabee @ Nurbee Shaikh Nijam Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri C.V. Bodkhe, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 6.

2. Learned Advocate for the applicant submits that envelope containing notice and copy of petition are returned by the postal authority with a remark as “refused to accept”. On perusal of the said envelope, it seems that the said envelope was sent with proper name and address. However, it is returned with a postal remark “refused to accept”. In view of the same, notice of the O.A. and papers thereof deemed to have been served upon the respondent No. 7. The respondent No. 7 however, is not present today.

3. At the request of learned Presenting Officer for the respondent Nos. 1 to 6, time is granted for filing affidavit in reply.

4. S.O. to 24.09.2021.

MEMBER (J)

**M.A. No. 278/2021 in O.A. St. No. 1125/2021
(Anita D. Damodar & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. By this Misc. Application, the applicants are seeking permission to sue the respondents jointly.

3. The applicants are working as Part Time Sweepers with the respondent No. 4 since last so many years. It is their contention that they are entitled to get arrears (different amount of wages which was not paid) as per the minimum wages Act, which is fixed by the Government from time to time. Pursuant to the order of the Hon'ble High Court passed in C.P. No. 361/2019 in W.P. No. 2800/2018, the applicants made representations to the respondent authorities during the period from January, 2020 to February, 2021. Despite that the applicants have not been paid arrears of wages. Hence, this common application is made by the applicants for same relief on similar facts and circumstances.

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M.A. 278/2021 in
O.A. St. 1125/2021

4. In view of above, in my opinion, in order to avoid multiplicity of litigations, it would be just and proper to grant permission to the applicants to sue the respondents jointly, subject to payment of court fee stamps, if not paid. Accordingly, the present M.A. is allowed.

5. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 1125 OF 2021
(Anita D. Damodar & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 30.09.2021.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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.

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O.A. St. 1125/2021

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 30.09.2021.
8. Steno copy and Hamdast is allowed to both parties.
9. The present matter be placed on separate board.

MEMBER (J)

ORIGINAL APPLICATION NO. 982 OF 2019
(Govind Y. Bharsakhale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 22.09.2021 for final hearing.

3. Interim relief granted earlier to continue till next date.

MEMBER (J)

**ORIGINAL APPLICATION NO. 393 OF 2020
(Sanjay B. Barde Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 23.09.2021 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 148 OF 2020
(Gorakhnath J. Bhalerao Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant placed on record a copies of judgments delivered by the Principal Seat of this Tribunal at Mumbai in O.A. No. 1520/2019 (Sudhakar A. Pagar Vs. the Treasury Office & Anr.), dated 26.09.2016 and O.A. No. 1012/2017 (Shri Pandharinath V. Metkar Vs. The Directorate, Accounts and Treasuries & Ors.), dated 05.11.2020. He has also placed on record a copy of G.R. dated 01.02.2020. Same are taken on record.

3. At the request of learned Advocate for the applicant, S.O. to 20.09.2021.

4. The present matter is to be treated as part heard.

MEMBER (J)

**M.A. 280/2021 with M.A. 281/2021 in O.A. 483/2020
(Bhagwan L. Dahale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The M.A. No. 281/2021 is filed by the applicant seeking amendment in the O.A. No. 483/2020 in view of subsequent developments and the M.A. No. 280/2021 is filed seeking interim relief of interim stay to execution and implementation of the impugned transfer order of the applicant dated 07.08.2021, whereby he has been transferred from P.W.D. Sub Division, Sonpeth to P.W.D. Sub Division, Pathri.

3. The Original Application has been filed challenging the earlier transfer order of the applicant dated 03.11.2020, thereby the applicant is said to have been transferred from P.W.D. Parbhani to P.W.D. Sub Division, Sonpeth. This Tribunal by the order dated 05.11.2020 granted interim stay to the execution and implementation of the said order. In view of the same, the applicant continued to work at

//2// M.A. 280/2021 with M.A.
281/2020 in O.A. 483/2021

P.W.D. Parbhani. Affidavit in reply is filed on behalf of respondent Nos. 2 to 4 in O.A. No. 483/2020. During pendency of the said O.A., the applicant has been transferred by the subsequent impugned order dated 07.08.2021 from P.W.D. Sub Division, Sonpeth to P.W.D. Sub Division, Pathri.

4. Learned Advocate for the applicant submitted that the subsequent order of transfer prima-facie is also illegal, when the order of interim stay in O.A. No. 483/2020 was very much in existence. Perusal of the said order would show that the applicant said to have been relieved immediately. However, the applicant submits that he continued to work in the said office at P.W.D. Parbhani till 24.08.2021. He submits that nobody is appointed in place of the applicant as Senior Clerk in Parbhani on the Establishment -2. In view of the same, the applicant seeks interim stay.

5. Learned Presenting Officer on the other hand opposed the submissions made on behalf of the applicant and submitted that the applicant said to have been relieved from his post and therefore, no interim relief can be granted.

//3// M.A. 280/2021 with M.A.
281/2020 in O.A. 483/2021

6. Considering the above facts on record, it is evident that in view of interim relief granted by this Tribunal by the order dated 05.11.2020 in O.A. No. 483/2020, the earlier impugned order of transfer of the applicant from Parbhani to Sonpeth was stayed and therefore, the applicant continued to work on the post of Senior Clerk at Establishment-II, Parbhani office. According to the applicant, after issuance of subsequent impugned order dated 07.08.2021 showing his transfer from P.W.D. Sub-Division, Sonpeth to P.W.D. Sub-Division, Pathri, the applicant was allowed to work only up to 24.08.2021. Legality of his earlier transfer order dated 03.11.2020 is impugned in O.A. No. 483/2020. During pendency of the said O.A., the present transfer order dated 07.08.2021 is issued.

7. From the facts on record, it is evident that the situation has been created by the respondents whereby the applicant cannot work at Establishment-II, Parbhani, where he was working due to stay granted to the execution and operation of his earlier impugned transfer order dated 03.11.2020 in O.A. No. 483/2020. The alleged action taken by the

//4// M.A. 280/2021 with M.A.
281/2020 in O.A. 483/2021

respondents has it's own consequences. In such circumstances, granting interim stay or status-quo order would create unwarranted situation. Situation is such that the applicant constrained to join at the transferred place under protest, he being at the receiving end. In view of the same, notices will have to be issued in both the M.As.

8. Hence, issue notice to the respondents in both the M.A. Nos. 280/2021 & 281/2021, returnable on 27.09.2021.

9. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

10. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

11. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

//5// M.A. 280/2021 with M.A.
281/2020 in O.A. 483/2021

(Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

12. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

13. S.O. to 27.09.2021.

14. Steno copy and Hamdast is allowed to both parties.

15. The present matter be placed on separate board.

MEMBER (J)

ORIGINAL APPLICATION NO. 483 OF 2020
(Bhagwan L. Dahale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 27.09.2021 for filing rejoinder affidavit, if any.

3. Interim relief granted earlier to continue till next date.

MEMBER (J)

**O.A.NOS. 860 TO 864 ALL OF 2019
(Vithal H. Desale Vs. the State of Maha. &Ors.)**

CORAM :Hon'bleShriBijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER

Heard ShriJ.B. Choudhary, learned Advocate for the applicants in all these cases and S/ShriS.K. Shirse, V.R. Bhumkar, M.P. Gude, N.U. Yadav& Smt. SanjivaniDeshmukh-Ghate, learned Presenting Officers for the respective respondents in respective cases.

2. On perusal of affidavit in reply filed on behalf of respondent Nos. 1 to 4 with special reference to paragraph No. 8 thereof,it is revealed that the respondents have stated that those who fulfill conditions/norms mentioned in Government Resolutions will get the benefit of two-tier pay scale and this action will be taken immediately after receipts of all proposals from concerned institutes. This affidavit in reply has been filed on 10th December, 2019 and after a lapse of more than one and half year no progress is reported. Therefore, additional affidavit in reply should be filed by the respondent Nos. 2 & 3

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**O.A.NOS. 860 TO 864
ALL OF 2019**

about the status of the application with respect of all these Original Application Nos. 860, 861, 862, 863 & 864 all of 20419. Time of three weeks' is granted to the respondents to file additional affidavit in reply.

3. S.O. to 28.9.2021.

MEMBER (A)

ORAL ORDERS 31.08.2021-HDD

**ORIGINAL APPLICATION NO. 45 OF 2019
(Sitaram M. BhokareVs. the State of Maha. &Ors.)**

CORAM :Hon'bleShriBijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER

Heard ShriS.G. Kulkarni, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for getting instructions from the respondents for filing sur-rejoinder. Time granted.

3. S.O to 29.9.2021.

MEMBER (A)

ORAL ORDERS 31.08.2021-HDD

**ORIGINAL APPLICATION NO. 398 OF 2018
(Dnyaneshwar K. SanapVs. the State of Maha. &Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)
DATE : 31.08.2021
ORAL ORDER**

Heard ShriVivek G. Pingle, learned Advocate for the applicant and Smt. SanjivaniDeshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer for the respondents.

3. At the request of learned Presenting Officer, S.O. to 6.10.2021 for filing sur-rejoinder, if any.

MEMBER (A)

ORAL ORDERS 31.08.2021-HDD

**M.A.NO. 457/2019 IN O.A.ST.NO. 1693/2019
(Sakharam B. RakhVs. the State of Maha. &Ors.)**

CORAM :Hon'bleShriBijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER

Heard ShriVivek G. Pingle, learned Advocate for the applicant,ShriI.S. Thorat, learned Presenting Officer for the respondent No. 1 and Shri S.B. Mene, learned Advocate for respondent Nos. 2 to 4.

2. It has been brought to the notice of learned Advocate for the applicant that evidence regarding date of submission of T.A. bills for the months of January, 2017 and February, 2017 have not been enclosed with the Original Application.Moreover, it is stated in the Original Application that the applicant retired on 30.4.2017 and he made first representation about non-payment of pending T.A. bills on 12.4.2019 i.e. about two years after his retirement. This delay has not been explained and needs to be explained by additional affidavit.

3. At the request of learned Presenting Officer for respondent No. 1 and learned Advocate for respondent Nos. 2 to 4, S.O. to 8.10.2021 for filing affidavit in reply.

MEMBER (A)

**ORIGINAL APPLICATION NO. 495 OF 2021
(Vaibhav D. ShindeVs. the State of Maha. &Ors.)**

CORAM :Hon'bleShriBijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER

Heard ShriBalaji S. Shinde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant argued that the applicant had successfully passed the examination and secured top ranking in Maharashtra in 2019. He was, therefore, selected and appointed as Agriculture Development Officer, (Group-A) at ZillaParishad, Jalgaon by appointment order dated 17.02.2020 and within one and half year he has been transferred and posted at Sub Divisional Agricultural Officer, Jalgaon by the impugned order dated 27.8.2021. He submits that there is no any single complaint against him during his service period. He submits that the impugned transfer order has been issued in contravention of provisions of Government Resolution dated 29.7.2021 issued by the General Administration Department, Government of Maharashtra (Exhibit 'B', page-22 of paper book of O.A.).

3. The transfer order appears to have been issued under category of Special Reason Transfer as provided for in

clause No. 4 of the said G.R. dated 29.7.2021. Therefore, the same has to be examined in the light of provisions of clause Nos. 5, 6, 7 and any other relevant provisions of the said G.R. dated 29.7.2021.

4. At the same time, in the interest of justice the respondents are directed not to fill the post of Agriculture Development Officer (Group-A) at ZillaParishad, Jalgaon till submission of affidavit in reply by the respondents. Keeping in view public interest, the applicant is directed to comply with the impugned transfer order, subject to outcome of this Original Application.

5. Issue notice to the newly added respondent, returnable on 29.9.2021.

6. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

7. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would 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 acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

10. S.O. to 29.9.2021.

11. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION NO.330 OF 2018
(Pawangir L. Giri Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri Omprakash Y. Kashid, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents submits that the Respondent No.1 is adopting the affidavit-in-reply of Respondent No.2 and the affidavit-in-reply of Respondent No.3 is not necessary.

3. Learned Advocate for the Applicant submits that the Applicant does not wish to file affidavit-in-rejoinder.

4. S.O. to 04.10.2021.

MEMBER (A)

MEMBER (J)

C.P.NO.11 OF 2021 IN O.A.NO.558 OF 2020
(Vithal T. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri Anant D. Sugdare, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the Respondent No.3.

3. S.O. to 05.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.164 OF 2020
(Hemant M.Chhajer Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Shri A.M. Hajare, learned Advocate for the Applicant is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the Respondents.

3. S.O. to 06.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.422 OF 2020
(Nilesh R. Tagad & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate for the Applicants and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicants submitted that the Applicants have challenged the clause nos.6.4.3 and 6.4.4 of the advertisement dated 17.01.2020 published for the post of Assistant Motor Vehicle Inspector, Group-C. He submitted that in the Original Application, it is mentioned that as on the date of the filing of the application, the Applicants had not applied for the said post pursuant to the said advertisement.

3. However, they applied for the said post pursuant to the said advertisement thereafter and they were allowed to participate in the preliminary examination. The result of the preliminary examination is published on 24.08.2021.

4. Learned Advocate for the Applicants produced on record the publication issued by the Respondent No.3 i.e.

M.P.S.C. The Applicants, however, are not qualified for the main examination.

5. Learned Advocate for the Applicants, however, submitted that the Applicants are still aggrieved by the said advertisement.

6. Learned P.O. for the Respondents submitted that affidavit-in-reply of Respondent No.3 i.e. M.P.S.C. is on record. However, considering the facts, the affidavit-in-reply of Respondent Nos.1 & 2 is necessary. He submits that affidavit-in-reply of Respondent Nos.1 & 2 could not be prepared as the papers are misplaced. He, therefore, seeks time for filing affidavit-in-reply on behalf of the Respondent Nos.1 & 2.

7. Learned Advocate for the Applicants strongly opposed to grant of time and submitted that if the time is granted, interim relief should be granted in terms of prayer clause 'E' of the O.A.

8. Considering abovesaid scenario on record, in our opinion, no doubt though last chance was granted for filing affidavit-in-reply, in the present situation, it would be just and proper to seek affidavit-in-reply of Respondent Nos.1 & 2 and it is to be examined as to how in the present scenario, the Applicants are aggrieved as contemplated

//3//

O.A.422/2020

under Section 19 of Administrative Tribunals Act, 1985.
Hence, time is granted for filing affidavit-in-reply on behalf
of the Respondent Nos.1 & 2.

9. S.O. to 22.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.284 OF 2021
(Jitendra S. Sonawane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri Kiran G. Salunke, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Record shows that in the title clause of Original Application, it is mentioned that the Applicant is resident of District, Aurangabad. However, his place of working is not mentioned in the Original Application.

3. Learned Advocate for the Applicant submits that at the time of filing the Original Application, this Applicant was working in the concerned office in Aurangabad and subsequently, he is transferred to Jalna.

4. However, his place of posting is not mentioned in the present Original Application.

5. Learned Advocate for the Applicant seeks permission to carry out the amendment to that effect. He also seeks permission to correct the address of the Respondent No.1

//2//

O.A.284/2021

6. Permission is granted to carry out the amendment. Amendment be carried out forthwith.

7. Learned P.O. for the Respondents seeks time for filing affidavit-in-reply on behalf of the Respondent No.2. Time is granted.

8. S.O. to 29.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.300 OF 2021
(Aabasaheb Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri Kiran G. Salunke, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. Record shows that in the title clause of Original Application, it is mentioned that the Applicant is resident of District, Beed. However, his place of working is not mentioned in the Original Application.

3. Learned Advocate for the Applicant submits that at the time of filing the Original Application, this Applicant was working in the concerned office in Beed and subsequently, he is transferred to Aurangabad.

4. However, his place of posting is not mentioned in the present Original Application.

5. Learned Advocate for the Applicant seeks permission to carry out the amendment to that effect. He also seeks permission to correct the address of the Respondent No.1

//2//

O.A.300/2021

6. Permission is granted to carry out the amendment. Amendment be carried out forthwith.

7. Learned P.O. for the Respondents seeks time for filing affidavit-in-reply on behalf of the Respondent No.2. Time is granted.

8. S.O. to 29.09.2021.

MEMBER (A)

MEMBER (J)

M.A.NO.252 OF 2021 IN O.A.NO.103 OF 2020
(Vishwnath G. Nampalle Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri O.A. Kashid, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. The Original Application is filed challenging the *de-novo* departmental enquiry ordered against the Applicant by setting aside the final order dated 23.01.2019 in the departmental enquiry held against the Applicant.

3. The Respondent No.4 i.e. Police Inspector was enquiry officer. Final order of punishment was passed by the Respondent No.3 i.e. Superintendent of Police, Nanded. In the Original Application, the communication dated 20.01.2020 issued by the Respondent No.4 i.e. Police Inspector addressed to the Applicant has been placed on record. In the said communication it is mentioned that the order of *de-novo* departmental enquiry is passed by the Superintendent of Police, Nanded. However, the Applicant sought relief stating that the said order of *de-novo* departmental enquiry is passed by the Respondent No.4 i.e. Police Inspector.

**//2// M.A.NO.252 OF 2021 IN
O.A.NO.103 OF 2020**

4. The Applicant has made this amendment application in order to bring on record that infact the said de-novo departmental enquiry order is passed by Respondent No.2 i.e. Special Inspector General of Police, Nanded Range and it is dated 03.08.2019.

5. In view of same, the Applicant seeks to amend the Original Application. Considering abovesaid facts, we are of the opinion that the proposed amendment is necessary to determine the real controversy between the parties and the proposed amendment is not going to change the nature of proceedings.

6. In view of above, the Misc. Application No.252 of 2021 is allowed. The Applicant would carry out amendment within a week. Amended copy of Original Application be served to the Respondents.

7. S.O. to 04.10.2021.

MEMBER (A)

MEMBER (J)

**M.A.NO.279 OF 2021 IN O.A.ST.NO.812 OF 2021
(Asmita M. Kekan & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 31.08.2021

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate for the Applicants and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. At the request of learned Advocate for the Applicants, S.O. to 03.09.2021.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 31.08.2021

**C.P.NO.40 OF 2019 IN O.A.NO.798 OF 2018
(Rajendrakumar P. Barhate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 31.08.2021

ORAL ORDER :

Heard Shri M.P. Gandle, learned Advocate holding for Shri S.S. Deshmukh, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents produces on record the copy of death certificate of the Applicant. It is taken on record and marked as document 'X' for the purpose of identification. It shows that the Applicant has died on 30.04.2020.

3. Learned P.O. for the Respondents submits that the legal representatives of the deceased Applicant have been paid pensionary benefits. In this regard, he produced the documents. The same are taken on record and marked as 'X-1' collectively for the purpose of identification.

4. S.O. to 29.09.2021.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 31.08.2021

**M.A.NO.283 OF 2021 IN O.A.NO.187 OF 2021
(Vimal Balchand Navpute & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 31.08.2021

ORAL ORDER :

Heard Shri D.K. Dagadkhair, learned Advocate for the Applicants, Shri Arjun R. Lukhe, learned Advocate holding for Shri Avishkar S. Shelke, learned Advocate for Respondent No.1 (Applicant in O.A.) and Shri V.R. Bhumkar, learned Presenting Officer for the Respondent Nos.2 & 3.

2. Issue notice to the respondents in M.A.No.283/2021, returnable on 28.09.2021.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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M.A.283/21 IN O.A.187/21

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 acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 28.09.2021.

8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 31.08.2021

**M.A.NO.149 OF 2021 IN O.A.NO.187 OF 2021
(Padmakar V. Thakur Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the Applicant in the present M.A., Shri V.R. Bhumkar, learned Presenting Officer for the Respondent Nos.2 & 3 in the present M.A. and Shri Arjun R. Lukhe, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the Respondent No.1 in the present M.A./applicant in O.A.

2. With consent of both the sides, S.O. to 28.09.2021.

3. The interim relief granted earlier in the O.A.No.187/2021 to continue till then.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 31.08.2021

C.P.NO.14 OF 2021 IN O.A.NO.187 OF 2021
(Ramrao K. Pallewad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri Arjun R. Lukhe, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. By earlier order dated 06.08.2021, the Original Application No.187/2021 and M.A.No.149/2021 in O.A.No.187/2021 pending before the Single Bench is ordered to be tagged with this Contempt Petition No.14 of 2020.

3. By consent of both the sides, adjourned to 28.09.2021.

MEMBER (A)

MEMBER (J)

O.A.NOS.358, 359 AND 362 ALL OF 2020
(Vidya R. Bornare & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate holding for Shri S.A. Deshmukh, learned Advocate for the Applicant in all these O.As. and Shri M.P. Gude, Shri N.U. Yadav and Shri D.R. Patil, learned Presenting Officers for the respective Respondents in respective O.As.

2. Learned Advocate for the Applicant places on record the documents dated 04.06.2021 and 22.06.2021 issued by the Respondent No.5. These documents are taken on record and marked as document 'X' collectively for the purpose of identification.

3. Perusal of these documents would show that new training batches of police officials have been started at Police Training Centre, Babhalgaon-Latur from 05.07.2021. Further, such training is also started to batches of Police officials at Police Training Center, Jalna, Dhule, Akola, solapur and C.I.D., Nashik from 28.06.2021.

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**O.A.Nos.358,359 &
362 of 2020**

4. He submits that neither extension order is received by the Applicant after starting of these batches, nor any communication is received from the authority that their work during earlier training was not satisfactory. The Hon'ble Principal Bench of this Tribunal in order dated 21.1.2021 in this case was pleased to record the statement of learned C.P.O. who stated that the batches of the Trainee Police Officials are going to start and he will take instructions from the Respondents in an hour. Thereafter, the learned C.P.O. submitted that he has been instructed that the Respondents are going to hold the meeting on this issue within a fortnight.

5. Thereafter, in this matter, no any progress report is placed on record.

6. Learned P.O. for the Respondents submits that he would take necessary instructions and report within a week.

7. S.O. to 07.09.2021.

8. Steno copy and Hamdast allowed for the use of both the sides.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.582 OF 2020
(Muktar Fakira Tadvi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 31.08.2021

ORAL ORDER :

Heard Shri D.B. Shinde, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. Record shows that affidavit-in-reply is already filed jointly on behalf of Respondent Nos.1,3 & 4.
3. Learned Advocate for the Applicant submits that today he has collected the copy of said affidavit-in-reply.
4. Learned Advocate for the Applicant seeks time for filing affidavit-in-rejoinder. Time granted.
5. S.O. to 01.10.2021.

MEMBER (A)

MEMBER (J)

Date : 31.08.2021
M.A.NO.284/2021 IN O.A.ST.NO.823/2021
(Sandipan G. Kale V/s State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai**

1. Shri R.A.Joshi Id. Advocate for the applicant and Smt. Sanjivani Ghate Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on 28.09.2021. The case be listed for admission hearing on 28.09.2021.
3. Tribunal may take the case for final disposal at this stage and a 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 case. 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 31.08.2021
M.A.NO.286/2021 IN O.A.ST.NO.860/2021
(Sandipan G. Kale V/s State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai**

1. Shri D.H.Jadhavar Id. Advocate for the applicant and Smt. M.S.Patni Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on 29.09.2021. The case be listed for admission hearing on 29.09.2021.
3. Tribunal may take the case for final disposal at this stage and a 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 case. 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR