

O.A.No.272/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :08/01/ 2021.**

Heard Shri P.B.Patil, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply on behalf of all the respondents. It is taken on record. Copy is served to the other side.

3. Hence, matter is **admitted** and kept for final hearing.

4. The Id. P.O. waives notices for the respondents.

5. **S.O. three weeks.**

6. *The Id. counsel for the applicant is at liberty to file Rejoinder.*

**Vice**

**Chairman**

**Date:-08/01/2021.**

aps.

**O.A.No.1082/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :08/01/ 2021.**

Heard Mrs.P.Joshi, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. Issue fresh notice to Respondent no. 2, returnable on three weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is 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 **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. three weeks.**

**Vice**

**Chairman**

**Date:-08/01/2021.**

aps.

O.A.No.142/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :08/01/ 2021.**

Heard Shri S.R.Bhatkhore, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. The Id. P.O. desires to file reply, **S.O. two weeks.**

**Chairman**  
**Date:-08/01/2021.**  
aps.

**Vice**

O.A.No.682/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :08/01/ 2021.**

Heard Shri D.R.Karnik, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. P.O. desires to file reply, **S.O.**  
**15.01.2021.**

**Chairman**  
**Date:-08/01/2021.**  
aps.

**Vice**

**Rev.No.06/2020 in O.A.No.924/2017  
(S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :08/01/ 2021.**

Heard Shri P.S.Sahare, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State.

2. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is 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 **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. four weeks.**

**Chairman**  
**Date:-08/01/2021.**  
aps.

**Vice**

O.A.No.122/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :08/01/ 2021.**

Heard Shri D.I.Charlewar, the Id. Counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 to 3 and Shri J.Mokadam, the Id. counsel for the respondent no. 4.

2. **S.O. 11.01.2021.**

**Chairman**  
**Date:-08/01/2021.**  
aps.

**Vice**

O.A.No.642/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :08/01/ 2021.**

Heard Shri S.S.Chavhan, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. P.O. desires to take instructions,  
**S.O. three weeks.**

**Chairman**  
**Date:-08/01/2021.**  
aps.

**Vice**

**O.A.No.231/2016 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :08/01/ 2021.**

Heard Shri A.C.Dharmadhikari, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant submitted that the order of suspension is dated 11.07.2000 (Annexure-A-1, P.B., Pg. No. 19) and a Criminal case was also lodged against the applicant. However, applicant got exonerated in said criminal case on 21.07.2007 by the court of Adhoc District Judge-1 & Additional Sessions Judge, Nagpur (Annexure-A-3, P.B., Pg. No. 24). In para no. 15 at P.B., Pg. No. 39 following observations have been made:-

*"As stated above there is no iota of material against the accused no. 2 to 6 also to prove the offence of cheating against them. I therefore, hold that the prosecution has proved its case only against the accused no. 1 pertaining to offence punishable under section 420 I.P.C. only."*  
(applicant was accused no. 3)

3. Since, the applicant was acquitted in the charge by the court for which he was suspended, hence suspension order and subsequent punishment order are not required to be inflicted on the applicant for that charge for which he has

been acquitted by court. In view of such situations, suspension order and subsequent punishment order related to said charge requires to be quashed and set aside. Hence, following order:-

### **ORDER**

1. O.A. is allowed in terms of prayer clause 7(A).
2. The order of suspension dated 11.07.2000 (Annexure-A-1, P.B., Pg. No. 18) is quashed and set aside.
3. The period of suspension of applicant be treated as duty period.
4. No order as to costs.

**Vice**

**Chairman**

**Date:-08/01/2021.**

aps.

**O.A.No.345/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :08/01/ 2021.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The Id. P.O. has filed letter dated 09.12.2020 by Joint Director, Health Department, Malaria and Filaria and Water Related Diseases, Pune. Copy of which is given to the Id. counsel for the applicant. The Id. counsel for the applicant submits that by this order, grievances of the applicant is redressed. Hence, nothing survives in the O.A..

3. Hence, **O.A. is disposed of with no order as to costs.**

**Chairman**  
**Date:-08/01/2021.**  
aps.

**Vice**

**O.A.No.540/2020 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :08/01/ 2021.**

None for the applicant. Shri H.K.Pande,  
the Id. P.O. for the respondents.

2. The Id. P.O. has filed letter dated 06.01.2021 by authorized officer and Assistant Commissioner, District Skilled Development, Employment and Entrepreneurship Guidance Centre, Nagpur along with Government order dated 01.01.2021 by which applicant suspension order has been revoked. Hence, nothing remains in this O.A.. In view of this, **O.A. is disposed of with no order as to costs.**

**Chairman**  
**Date:-08/01/2021.**  
aps.

**Vice**

O.A.No.527/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :08/01/ 2021.**

None for the applicant. Shri V.A.Kulkarni,  
the Id. P.O. for the respondents.

2. **S.O. four weeks.**

**Chairman**  
**Date:-08/01/2021.**  
aps.

**Vice**

O.A.No.506/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :08/01/ 2021.**

Shri N.R.Saboo, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. **S.O. two weeks.**

**Chairman**  
**Date:-08/01/2021.**  
aps.

**Vice**

O.A. 319/2015 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri M.D. Ramteke, learned counsel for the applicant, Shri A.M. Ghogre, learned P.O. for respondent Nos. 1 and 2 and Shri M.M. Sudame, learned Advocate for respondent No. 3.

2. At the request of learned Advocate for respondent No. 3, **S.O. after four weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

**C.A. 527/19 in O.A. 461/2017 (D.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

**C.A. 527/2019**

Heard Shri S.S. Ghate, learned counsel for the applicant and Shri H.K. Pande, learned P.O. for respondents.

2. The Xerox copy of the enquiry report is supplied to the applicant. Therefore, the C.A. No. 527/2019 is disposed of with no order as to costs.

**O.A. No. 461/2017**

**S.O. after four weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

O.A. 710/2019 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri D.M. Kakani, learned counsel for the applicant and Shri Shrikant Deo, learned C.P.O. for respondents.

2. The respondent No. 3 has filed his affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. Learned C.P.O. requested time for filing affidavit in reply on behalf of respondent No. 2, who is appointing authority. Time granted as a last chance.

4. **S.O. after two weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

O.A. 882/2019 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri A.P. Sadavarte,  
learned counsel for the applicant and Shri  
S.A. Sainis, learned P.O. for respondents.

2. At the request of learned P.O. for  
the respondents, **S.O. after two weeks**  
for filing affidavit in reply.

**Member (J)**  
kpb.

**Vice-Chairman**

O.A. 905/2019 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri M.R. Johrapurkar,  
learned counsel for the applicant and Shri  
A.M. Ghogre, learned P.O. for  
respondents.

2. At the request of learned P.O. for  
the respondents, as a last chance, **S.O.**  
**after two weeks** for filing affidavit in  
reply.

**Member (J)**  
kpb.

**Vice-Chairman**

**O.A. 121/2020 (D.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.M. Khan, learned counsel for the applicant, Shri P.N. Warjurkar, learned P.O. for respondent Nos. 1 & 2 and Smt. U.A. Patil, learned counsel for respondent No. 3.

2. Learned Advocate for the applicant has filed withdrawal pursis. It is informed that the relief is given to him by the respondents and therefore, the applicant does not want to proceed with the present O.A.

3. In view thereof, the O.A. stands disposed of as withdrawn with no order as to costs.

**Member (J)**  
kpb.

**Vice-Chairman**

**C.A. 381/20 in O.A. 38/20(D.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri Ayyer, learned counsel holding for Shri R. Chandurkar learned counsel for the applicant, Shri P.N. Warjurkar, learned P.O. for respondents and Shri G.G. Bade, learned Advocate for intervener.

2. The respondent Nos. 1 to 4 have filed their affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. Learned counsel appeared for the applicant and submits that time be given for replying the Civil Application No. 381/2020. Time granted.

4. **S.O. after three weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

O.A. 191/2020 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.R. Bhatkhare,  
learned counsel for the applicant and Shri  
V.A. Kulkarni, learned P.O. for  
respondents.

2. Learned P.O. submits that two  
weeks time is required to file affidavit in  
reply.

3. **S.O. after two weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

O.A. 192/2020 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.R. Bhatkhare,  
learned counsel for the applicant and Shri  
Shrikant Deo, learned C.P.O. for  
respondents.

2. Learned C.P.O. submits that two  
weeks time is required to file affidavit in  
reply.

3. **S.O. after two weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

**O.A. 952/2020 (D.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri M.V. Bute, learned counsel for the applicant and Shri Shrikant Deo, learned C.P.O. for respondents.

2. Issue notice to the respondents, returnable **after four weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is 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 **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

**S.O. after four weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

**O.A. 967/2020 (D.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri M.V. Bute, learned counsel for the applicant and Shri Shrikant Deo, learned C.P.O. for respondents.

2. It is contention of the applicant that he is in service since long and thereafter G.R. dated 21/12/2019 is issued by the Government and in pursuance of the G.R., the respondent no.1 has passed the order dated 11/03/2020 giving appointment to the applicant only for a period of 11 months. It is submitted that in similar matters interim relief is granted to the applicants. In view of the facts on the ground of parity the interim stay is granted to the order dated 11/03/2020 till filing of the reply.

3. Issue notice to the respondents, returnable **after four weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would 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. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

**S.O. after four weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

**O.A. 974/2020 (D.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri R.R. Chougule, learned counsel for the applicant and Shri Shrikant Deo, learned C.P.O. for respondents.

2. Issue notice to the respondents, returnable **after three weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is 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 **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

**S.O. after three weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

**C.P. 51/2020 in O.A. 417 of 2019 (D.B.)**

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. Issue Notice to the respondent Nos. 2 & 3 returnable in **three weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. Shri A.P. Potnis, the learned P.O. waives notice for respondent No.1. Hamdast granted.

4. **S.O. three weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

O.A. 157/2019 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.P. Palshikar, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for respondents.

2. The present O.A. is closed for orders.

**Member (J)**  
kpb.

**Vice-Chairman**

O.A. 316/2015 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri P.J. Mehta, learned counsel for the applicant and Shri S.A. Sainis, learned P.O. for respondents.

2. **S.O. after four weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

**O.A. 833/2018 (D.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.S. Ghate, learned counsel for the applicant, Shri A.P. Potnis, learned P.O. for respondent Nos. 1 to 3 and Shri Abhijit Deshpande, learned counsel holding for Shri C.N. Deshpande, learned counsel for respondent No. 4 .None for respondent No. 5.

2. At the request of learned counsel for respondent No. 4, **S.O. after three weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

O.A. 366/2020 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri V.B. Gawali, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for respondents.

2. **S.O. after three weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

O.A. 38/2018 (D.B.)

**Coram:** Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)

**Dated : 08/01/2021.**

Heard Shri G.M. Shitut, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for respondents.

2. Learned P.O. has submitted that for complying the order dated 27.02.2020, he is seeking time to take some instructions from the respondents. Time granted.

3. **S.O. after three weeks.**

**Member (J)**

kpb.

**Vice-Chairman**

**O.A. 946/2018 (D.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.R. Bhatkhare,  
learned counsel for the applicant and Shri  
A.M. Khadatkar, learned P.O. for  
respondents.

2. As pointed out by the learned  
Advocate for the applicant, issue pertains  
to Advertisement No. 87/.2015 (Annexure  
A-1, page No. 21), whereas one post is  
reserved for NT-D female category. As  
submitted by the learned Advocate for the  
applicant, there were three candidates i.e.  
at Sr. No. 128 (page No. 49) i.e. Tandale  
Swati Ramrao, 389 (page No. 59) i.e.  
Garje Deepawali Raosaheb and 521  
(page No. 64) i.e. Ilag Sonali Panjabrao  
(applicant). The respondent No. 3 is not  
in the said list. However, by lowering the  
criteria of experience the respondent No.  
3 was selected, but the respondent No. 3  
preferred not to join and the candidate at  
Sr. No. 128 and 389 are not in the merit

//2//

list. In this situation, the applicant is the only in the merit list.

3. Learned P.O. is directed to take instruction from the respondents rejecting the applicant, since she is the only from the merit list after the respondent No. 3 deciding not to join this post. Due to what reason the applicant's claim is not considered.

4. The present matter be treated as part heard and it be kept high on board on **21.01.2021**.

5. Steno copy allowed.

**Member (J)**

kpb.

**Vice-Chairman**

O.A. 610/2018(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri A.P. Sadavarte,  
learned counsel for the applicant, Shri  
H.K. Pande, learned P.O. for respondent  
Nos. 1 to 6 and Shri S.N. Gaikwad,  
learned counsel for respondent No. 7.

2. Learned P.O. is directed to comply  
the order dated 18.02.2020.

3. **S.O. after three weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

O.A. 772/2019 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.G. Lancharwar,  
learned counsel for the applicant and Shri  
H.K. Pande, learned P.O. for  
respondents.

2. Learned P.O. is directed to  
produce original selection list as per the  
merit list.

3. **S.O. after three weeks.**

**Member (J)**  
kpb.

**Vice-Chairman**

**O.A. 457/2020 (S.B.)**

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.P. Palshikar, learned counsel for the applicant, Shri P.N. Warjurkar, learned P.O. for respondent Nos. 1 & 2 and Shri D.M. Kale, learned counsel for respondent No. 3.

2. The respondent No. 2 has filed his affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. O.A. is admitted and it be kept for final hearing **after three weeks.**

**Member (J)**

kpb.

O.A. 466, 467, 468 all of 2020  
(S.B.)

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.B. Raut, learned counsel for the applicants in all these O.As. and S/shri A.M. Khadatkar, V.A. Kulkarni & A.P. Potnis, learned P.Os. for respective respondents in respective O.As.

2. Learned Presenting Officers seeks time for filing affidavit in reply. Time granted as a last chance.

3. S.O. **after two weeks.**

**Member (J)**

kpb.

**O.A. 539/2020 (S.B.)**

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Smt. S. Kulkarni, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for respondents.

2. The respondent Nos. 2 & 3 have filed their affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. O.A. is admitted and it be kept for final hearing **after three weeks.**

**Member (J)**

kpb.

**O.A. 721/2020 (S.B.)**

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.P. Palshikar, learned counsel for the applicant and Shri P.N. Warjurkar, learned P.O. for respondent.

2. Learned P.O. has produced letter dated 02.12.2020 written by the Legal Adviser to the Director General of Police, Maharashtra State. It is informed that the impugned order transferring the applicant from Deulgaon Raja to Dhule is cancelled vide order dated 03.11.2020, therefore, nothing remains in the present O.A.

3. In view of this, the O.A. stands disposed of with no order as to costs.

**Member (J)**

kpb.

**O.A. 469/2020 (S.B.)**

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.B. Raut, learned counsel for the applicant and Shri S.A. Sainis, learned P.O. for respondent.

2. Learned Advocate for the applicant has filed withdrawal pursis dated 08.01.2021 and informed that the applicant does not want to proceed with the present O.A. and wants to withdraw the same.

3. In view of this, the O.A. stands disposed of as withdrawn with no order as to costs.

4. Steno copy allowed.

**Member (J)**

kpb.

**O.A. 778/2020 (S.B.)**

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Shri D.M. Kakani, learned counsel for the applicant and Shri S.A. Sainis, learned P.O. for respondent.

2. Learned Presenting Officer is intending to file reply to the rejoinder filed by the applicant. In view of this interim protection (as per order dated 23.11.2020) given to the applicant shall continue till final disposal of the present O.A.

3. **S.O. after three weeks.**

**Member (J)**

kpb.

**O.A. 452/2019 (S.B.)**

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Shri A.S. Dhore, learned counsel for the applicant and Shri S.A. Sainis, learned P.O. for respondent Nos. 1 to 6 & 9 and Smt. S.M. Saware, learned counsel for respondent No. 8. None for respondent No. 7.

2. Learned P.O. is directed to supply copy of the service book to the applicant.

3. At the request of learned P.O., S.O. **after three weeks.**

**Member (J)**

kpb.

**O.A. 790/2020 (S.B.)**

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Shri S.N. Gaikwad, learned counsel for the applicant, Shri A.M. Ghogre, learned P.O. for respondent Nos. 1 to 3 and Shri V.B. Gawali, learned counsel for respondent No. 4.

2. I have perused the order dated 20.02.2019, by which the applicant was posted as Tahsildar Balapur, Dist. Akola. Admittedly, the applicant was not due for transfer. My attention is invited to order dated 01.10.2020, by which one Shri D.L. Mukunde was posted as Tahsildar Balapur. It was mentioned in the transfer memo that Shri D.L. Mukunde was posted by transfer in place of the applicant due to this transfer. In this transfer order, it was mentioned that no posting was given to the applicant and latter on, the respondent No. 1 issued the order dated 19.11.2020 and posted the applicant at Mahagaon, Dist. Yavatmal. As a matter of fact in view of O.A. No. 597/2020, it was necessary for

respondent No. 1 to post it at Balapurt, but it is not done.

3. Learned P.O. has submitted that there were administrative ground for posting the applicant at Mahagaon and he will make out that case after filing affidavit in reply. Hence, two weeks time is granted to the respondent to file their reply. It is made clear that the applicant shall have right to recover the salary for this period

4. **S.O. to 25.01.2021.**

**Member (J)**

kpb.

**O.A. 13/2021 (S.B.)**

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Shri R.M. Fating, learned counsel for the applicant and Shri P.N. Warjurkar, learned P.O. for respondents.

2. It is submitted by the applicant that he was not due for transfer and abruptly he is transferred to Naxalite area, in which he worked maximum period of his service. He has submitted that no reason has been mentioned in the transfer order and he is not relieved from the post till today. In view of this, the parties are directed to maintain status-quo as on today.

3. Issue notice to the respondents, returnable **after two weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the

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case would 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. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

**S.O. after two weeks.**

**Member (J)**

kpb.

**O.A. 764/2019 (S.B.)**

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Shri P.S. Patil, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for respondent.

2. The applicant is working in the Naxalite area since the year 2016 and in violation of the G.R., he is not transferred out of Naxalite area. The respondent Nos. 1 to 3 have filed their affidavit in reply, which is at page No. 62. In paragraph No. 4 of the reply, it is submitted that there were two sanctioned posts at Government College of Engineering, Nagpur, out of that one post is vacant.

3. Learned Advocate for the applicant has produced copy of the G.R. dated 07.12.2019 and submitted that now as per the staffing pattern, there were three sanctioned posts of Associate Professor at Nagpur. The respondents in paragraph No. 4 of their affidavit in reply have given assurance that they were transferred the applicant in the next

General Transfers of the year 2021. In view of this, as post is vacant at Nagpur, the respondents shall transferred the applicant in the next General Transfers of the year 2021 to Nagpur.

4. In view of this, the O.A. stands disposed of with no order as to costs.

**Member (J)**

kpb.

**O.A. 411/2020 (S.B.)**

**Coram: Shri A.D. Karanjkar, Member(J)**

**Dated : 08/01/2021.**

Heard Shri N.R. Saboo, learned counsel for the applicant and Shri A.P. Potnis, learned P.O. for respondent.

2. Arguments are partly heard and for further arguments, **S.O. to 15.01.2021.**

**Member (J)**

kpb.