

O.A. No. 724/2014 (DB)

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

**Dated : 04.09.2019**

**C.A. 204/2019 -**

Heard Ms. A. Malke, Id. counsel holding for Shri S.D. Malke, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the respondents.

For the reasons stated in the application, the C.A.No.204/2019 is allowed.

**O.A. 724/2014 –**

**S.O. 25/09/2019.**

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 204/2015 (DB)

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

**Dated : 04.09.2019**

Heard Ms. A.M. Sudame, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

It seems that the earlier order dated 22/8/2019 is not complied by the Id. counsel for the applicant. The Id. counsel for the applicant submitted that she will delete the respondent no.4 during the course of day as per earlier order. She is permitted to do so.

**S.O. next week.**

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 864/2017 with C.As. 05 &  
345 of 2019 (DB)

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

**Dated : 04.09.2019**

**C.A. Nos.346 & 347 of 2019 -**

Heard Shri G.G. Bade, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 and Shri Bharat Kulkarni, Id. counsel for R-2.

2. So far as the C.A.Nos. 346 & 347 of 2019, we do not see any merit in the both the C.As. Hence, both the C.As. stand disposed of. No order as to costs.

**O.A. 864/2017 –**

Heard Shri G.G. Bade, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 and Shri Bharat Kulkarni, Id. counsel for R-2.

The Id. counsel for R-2 submitted that he would file copy of the appointment order of respondent no.2 on the next date. He also requested three weeks time to file reply on behalf of R-2. At his request, **S.O. three weeks.**

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 464/2018 **(DB)**

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

**Dated : 04.09.2019**

**C.A. 344/2019 -**

Heard Shri T. Parmar, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1&2 and Shri R. Joshi, Id. counsel for R-3.

For the reasons stated in the application, the C.A.No. 344/2019 is allowed.

**O.A. 464/2018 –**

**S.O. 26/09/2019.**

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 115/2019 (DB)

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

**Dated : 04.09.2019**

**C.A. 342/2019 -**

Heard Shri M.R. Rajgure, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

For the reasons stated in the application, the C.A. 342/2019 is allowed. The respondent no.3 be added in the O.A.

**C.A. 343/2019 –**

For the reasons stated in the application, the C.A.No.343/2019 is allowed. The applicant is permitted to file documents on record.

**O.A. 115/2019 –**

**S.O. four weeks** along with O.A. 908/2018.

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 908/2018 **(DB)**

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

**Dated : 04.09.2019**

Heard Shri M.R. Rajgure, Id. counsel  
for the applicant and Shri V.A. Kulkarni, Id.  
P.O. for the respondents.

**S.O. four weeks** along with O.A.  
115/2019.

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 597/2016 **(DB)**

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

**Dated : 04.09.2019**

**C.A. 324/2019 -**

Heard Shri T. Patil, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

For the reasons stated in the application, the C.A.No. 324/2019 is allowed.

**O.A. 597/2016 –**

The matter be kept for final hearing **on 01/10/2019.**

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 96/2019 with C.A. 81/2019 **(DB)**

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

**Dated : 04.09.2019**

**C.A.Nos. 196/2019 & 348/2019 -**

Heard Shri S.A. Marathe, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

For the reasons stated in the applications, the C.A.Nos. 196 & 348 of 2019 are allowed. The necessary amendment be carried out within one week.

**O.A. 96/2019 -**

**S.O. after one week.**

**Member (J)**

**Vice-Chairman.**

dnk.



O.A. No. 692/2019 (DB)

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

**Dated : 04.09.2019**

**C.A. 341/2019 -**

Heard Shri I.N. Choudhari, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. stands disposed of accordingly.

**O.A. 692/2019 –**

Heard Shri I.N. Choudhari, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2 to 6, 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.

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

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 638/2017 (DB)

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

**Dated : 04.09.2019**

Heard Shri R. Joshi, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1&3. None for R-2.

**Heard. Admit.**

The learned P.O. waives notice for R-1&3. In the meantime, the learned P.O. is at liberty to file reply, if any.

**S.O. 03/10/2019.**

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 689/2019 (DB)

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

**Dated : 04.09.2019**

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2 & 3, returnable **in 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.

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

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 690/2019 (DB)

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

**Dated : 04.09.2019**

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2, 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.

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

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 691/2019 (DB)

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

**Dated : 04.09.2019**

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2 & 3, 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.

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

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 830/2011 (DB)

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

**Dated : 04.09.2019**

Shri N.R. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1 to 3. None for R-4&5.

At the request of Id. counsel for the applicant, **S.O. 24/09/2019**.

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 236/2014 (DB)

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

**Dated : 04.09.2019**

None for the applicant. Shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O.**  
**23/09/2019.**

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 587/2018 **(DB)**

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

**Dated : 04.09.2019**

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

**S.O. 11/09/2019 (PH).**

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 760/2015 (DB)

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

**Dated : 04.09.2019**

Heard Shri M.R. Rajgure, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

The learned P.O. to take instructions from the Government as mentioned in the reply in para-7. It is stated that the decision on the applicant's reminders will be taken at the earliest.

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

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 69/2017 (DB)

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

**Dated : 04.09.2019**

Heard Shri S.C. Deshmukh, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 to 4. None for R-5.

2. The learned P.O. has produced letter dated 17/7/2019 written by the RDC on behalf of the Collector, Nagpur. It is informed that all the papers are forwarded to the Caste Scrutiny Committee with a request to verify the Caste Certificate submitted by the applicant and submit the report.

3. The applicant is reverted for the reason that he was unable to produce Caste Validity Certificate issued by the Competent Authority. Now, the matter is referred to the Caste Scrutiny Committee and the decision of the Caste Scrutiny Committee will be conclusive in this matter. We therefore are of the opinion that the O.A. be disposed of and the respondents to take decision as per the decision of the Caste Scrutiny Committee. No order as to costs.

**Member (J)**

**Vice-Chairman.**

dnk. \*\*\*

**O.A.No.329/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :04<sup>th</sup> Sep. 2019.**

Heard Shri N.D.Thombre, the Id. Counsel for the applicant, Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 1 to 4 and Shri S.C.Deshmukh, the Id. counsel for the respondent no. 5.

2. The applicant was working with Respondent no. 4 i.e. Civil Surgeon, Nagpur since 08.07.2018 till today. As submitted by Id. counsel for the applicant, he has not been paid salary from May, 2016 to June, 2018 by respondent no. 4.

3. Today, Id. counsel for the respondent no. 5 has produced documents i.e. letter dated 22.07.2019 written by Respondent no. 4 to Respondent no. 5 and he has attached last pay certificate where at point no. 2, it is mentioned that the pay of applicant upto 30.11.2013. Ideally, respondent no. 4 should have given last pay certificate when applicant was relieved from establishment of respondent no. 4.

4. During last hearing, it was directed that Respondent no. 4 should delete the applicant's name from Sevarth and also provide last pay certificate to Respondent no. 5. So that applicant can be paid regularly by respondent no. 5 after joining to respondent no. 5.

5. As pointed out by Id. counsel for the applicant, applicant has not been paid salary since May, 2016 to June, 2018. It appears to be gross negligence on the part of the respondent no. 4.

6. As submitted by Id. counsel for the applicant it appears that applicant was on leave and subsequently he joined the duty to Respondent no. 4. I fail to understand that why applicant was not paid salary for duty period by respondent no. 4. Unless Respondent no. 4 clears his back salary and provide documents to Respondent no. 5, Respondent no.5 cannot be made responsible for any lapses.

7. The Respondent no. 4 should either pay the salary of the applicant for working period i.e. from May, 2016 to June, 2018 and take necessary steps, otherwise he should personally appear before this Tribunal on next date of hearing and explain the reason as to why salary has not been paid since May, 2016 till relieving date, what is the hurdle in providing last pay certificate and deleting name from SEVARTH.

**8. S.O. 25.09.2019.**

9. *Steno copy is granted.*

**Vice**

**Chairman**  
**Date:-04/09/2019.**



aps.

O.A.No.979/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :04<sup>th</sup> Sep. 2019.**

Heard Shri I.G.Meshram, the Id. Counsel for the applicant, Shri S.A.Sainis, the Id. P.O. for the respondent no. 1. None for the respondent no. 2.

2. At the request of Id. P.O., **S.O.**  
**11.09.2019.**

**Chairman**  
**Date:-04/09/2019.**  
aps.

**Vice**

**O.A.Nos.626 & 627/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :04<sup>th</sup> Sep. 2019.**

Heard Shri N.R.Saboo, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

2. The Id. counsel for the applicant has pointed out Annexure-A-2, P.B., Pg. No. 19, where he has mentioned appointment date, first pay fixation and revised pay fixation. He is requested to add one more column i.e. what is the basic and grade pay was fixed on 27.08.2014 and 17.07.2019.

3. The Id. counsel for the applicant is also requested to make pay verification unit Nagpur as one of the respondent. After amendment, Registry is directed to issue notice to the Pay Verification Unit, Nagpur.

4. Interim relief is continued till filing of the reply.

5. Issue notice to newly amendment party, returnable on three weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

7. 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.

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. 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.

11. **S.O. three weeks.**

**Vice**

**Chairman**

**Date:-04/09/2019.**

aps.

O.A.No.199/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :04<sup>th</sup> Sep. 2019.**

None for the applicant. Shri S.A.Sainis, the  
Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. three  
weeks.**

**Vice**

**Chairman**  
**Date:-04/09/2019.**  
aps.

**O.A.No.250/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :04<sup>th</sup> Sep. 2019.**

Shri S.P.Palshikar, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 11.09.2019.**

**Chairman**  
**Date:-04/09/2019.**  
aps.

**Vice**

**O.A.No.70/2016 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :04<sup>th</sup> Sep. 2019.**

Shri S.P.Palshikar, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 11.09.2019.**

**Chairman**  
**Date:-04/09/2019.**  
aps.

**Vice**





**O.A.No.197/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :04<sup>th</sup> Sep. 2019.**

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

2. At the request of Id. P.O., **S.O. 25.09.2019.**

**Chairman**  
**Date:-04/09/2019.**  
aps.

**Vice**

O.A.No.710/2014 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :04<sup>th</sup> Sep. 2019.**

**Rev.Appl.No. 19/2017:-**

Shri G.G.Bade, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 13.09.2019.**

**Chairman**  
**Date:-04/09/2019.**  
aps.

**Vice**

O.A.Nos.840 & 382/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :04<sup>th</sup> Sep. 2019.**

**C.A.No.229/2018:-**

Shri I.G.Meshram, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O.**  
**11.09.2019.**

**Chairman**  
**Date:-04/09/2019.**  
aps.

**Vice**

O.A.No.124/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :04<sup>th</sup> Sep. 2019.**

Shri G.G.Bade, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. **C.A. No. 203/2019 is allowed. S.O. 24.09.2019.**

**Vice**

**Chairman**  
**Date:-04/09/2019.**  
aps.

**O.A.No.St.1480/2019**

**(S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**

**Dated :04<sup>th</sup> Sep. 2019.**

**C.A.No.272 & 273/2019:-**

None for the applicant. Shri S.A.Deo, the  
Id. C.P.O. for the respondents.

2. The Id. C.P.O. has pointed out relief clause  
at P.B., Pg. No. 08, where relief sought is  
contradictory i.e. applicant's father is requested  
for compassionate ground appointment at the  
same time applicant wants the service on  
compassionate ground.

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

**Vice**

**Chairman**

**Date:-04/09/2019.**

aps.

**O.A.No.233/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :04<sup>th</sup> Sep. 2019.**

**C.A.No.328/2019:-**

Shri S.D.Tadke, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. The Id. C.P.O. has pointed out at P.B., Pg. Nos. 30 and 35 in which order dated 17.01.1992 and 13.10.1996. While, communication dated 17.01.1992, applicant was communicated that his application for appointment on compassionate ground cannot be done. The Id. counsel for the applicant is directed to file condonation of delay application.

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

**Chairman** **Vice**  
**Date:-04/09/2019.**  
aps.

**O.A.No.685/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :04<sup>th</sup> Sep. 2019.**

Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

2. The Id. P.O. filed the affidavit-in-reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side.

3. The impugned order has been passed by Respondent no. 2 and Id. P.O. seeks time to file reply on behalf of the respondent no. 2.

4. The Id. counsel for the applicant has pointed out Tribunal order dated 03.09.2018 in para no. 2, it was observed that the Id. C.P.O. was requested to place original record of the D.E. However, Id. counsel for the applicant has pointed out at P.B., Pg. No. 60 (Annexure-A-8) which has been supplied to the Id. counsel for the applicant and the same is not legible. So, Id. counsel for the applicant could not file Rejoinder. As further submitted by Id. counsel for the applicant, the applicant was exonerated from both the charges of D.E. and also she was exonerated from Court cases too.

5. The Id. P.O. is directed to supply proper legible copy of the D.E. and Id. P.O. is also directed

to ensure that reply of respondent no. 2 will be  
filed reply till next date.

**6. S.O. 23.09.2019.**

**Chairman**  
**Date:-04/09/2019.**  
aps.

**Vice**



O.A. No. 162/2019 (SB)

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

**Dated : 04.09.2019**

Shri A.P. Tathod, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1&2, Shri S.N. Gaikwad, Id. counsel for R-3&4 and Shri A.P. Sadavarte, Id .counsel for R-5.

At the request of Id. counsel for the applicant, **S.O. 11/09/2019**.

**Member (J)**

dnk.

O.A. No. 875/2018 (SB)

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

**Dated : 04.09.2019**

Shri N.R. Saboo, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1,2,4&5. None for R-3.

At the request of Id. P.O., **S.O. three weeks** for filing reply as a last chance.

**Member (J)**

dnk.

O.A. No. 901/2018 (SB)

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

**Dated : 04.09.2019**

None for the applicant. Shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. two weeks** for filing reply as a last chance.

**Member (J)**

dnk.

O.A. No. 71/2019 (SB)

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

**Dated : 04.09.2019**

Heard Shri S.P. Chavhan, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The Id. P.O. files reply on behalf of the respondents. It is taken on record. Copy is served on the applicant.

**Heard. Admit.**

The Id. P.O. waives notice for the respondents.

**S.O. in due course.**

**Member (J)**

dnk.

O.A. No. 300/2019 (SB)

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

**Dated : 04.09.2019**

Shri M.V. Joshi, Id. counsel holding for  
Shri P.S. Wathore, Id. counsel for the  
applicant and Shri A.M. Khadatkar, Id. P.O.  
for the respondents.

2. The Id. P.O. files reply on behalf of  
R-1&2. It is taken on record. Copy is served  
on the applicant.

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 437/2019 (SB)

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

**Dated : 04.09.2019**

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. three weeks** for filing reply.

**Member (J)**

dnk.

O.A. No. 447/2019 (SB)

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

**Dated : 04.09.2019**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. two weeks** for filing reply.

**Member (J)**

dnk.

O.A. No. 489/2019 (SB)

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

**Dated : 04.09.2019**

Heard Shri S.M. Pande, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The learned P.O. requested time to file reply.

It is submitted that in pursuance of the order dated 1/7/2019 the applicant resumed the duty on the transferred post, but the Department has not paid him salary till today.

The learned P.O. is directed to give reply to this contention and file reply after one week.

**S.O. after one week.**

**Member (J)**

dnk.



O.A. No. 522/2019 (SB)

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

**Dated : 04.09.2019**

Shri N.R. Saboo, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 & 2 and Shri Bharat Kulkarni, Id. counsel for R-4. None for other respondents.

At the request of Id. P.O., **S.O. three weeks** for filing reply.

**Member (J)**

dnk.

O.A. No. 523/2019 (SB)

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

**Dated : 04.09.2019**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. three weeks** for filing reply.

Status-quo to continue till then.

**Member (J)**

dnk.

O.A. No. 525/2019 (SB)

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

**Dated : 04.09.2019**

Shri N.R. Saboo, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1&2. None for R-3.

At the request of Id. P.O., **S.O. two weeks** for filing reply as a last chance.

**Member (J)**

dnk.

O.A. No. 559/2019 (SB)

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

**Dated : 04.09.2019**

Shri S.P. Palshikar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. two weeks** for filing reply.

**Member (J)**

dnk.

O.A. No. 260/2016 (SB)

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

**Dated : 04.09.2019**

None for the applicant. Heard Shri S.A. Sainis, Id. P.O. for the respondents.

2. On the earlier dates i.e. on 12/7/2019, 31/7/2019 and on 14/8/2019 the applicant and her counsel were absent. Today also none appeared for the applicant. It seems that the applicant has not interested in prosecuting the matter.

Hence, the O.A. stands dismissed in default.

**Member (J)**

dnk.

O.A. No. 589/2018 (SB)

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

**Dated : 04.09.2019**

Shri S.N. Gaikwad, Id. counsel holding  
for Shri D.M. Kakani, Id. counsel for the  
applicant and Shri A.M. Khadatkar, Id. P.O.  
for R-1. None for R-2&3.

At the request of Id. counsel for the  
applicant, **S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 83/2019 (SB)

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

**Dated : 04.09.2019**

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

2. It is submitted that the departmental inquiry is now completed and the Inquiry Officer has exonerated the applicant from the charges. The respondent no.2 who is the Disciplinary Authority is directed to take decision in this matter within four weeks.

**S.O. four weeks.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 489/2018 (SB)

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

**Dated : 04.09.2019**

Heard Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 to 4. None for R-5.

2. The applicant has completed age of 53 years. It is grievance of the applicant that in violation of the G.R. dated 6/8/2002 he is posted in Wildlife Project. After perusing this G.R., it is cleared that the employee in service of the Forest Department should not be posted in the Wildlife Project, if he has crossed age of 50 years. It is brought to my notice that the applicant has obeyed the transfer order and resumed the duty. It is not a case that it was not at all possible for the Department to post the applicant outside the Wildlife Project on any post.

3. In view of this, the respondents are directed to consider this fact at the time of General Transfers of the year 2020 and give posting to the applicant outside Wildlife Project.

4. Accordingly, the O.A. stands disposed of. No order as to costs.

**Member (J)**

dnk.

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O.A. No. 693/2019 (SB)

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

**Dated : 04.09.2019**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the State.

2. The applicant was transferred vide order dated 19/7/2017 to Hingna. It is contention of the applicant that before completion of the normal tenure vide order dated 30/8/2019 he is transferred from Hingna to Gadchiroli. It is submitted that the applicant was appointed in service vide order dated 30/8/2011 and his first posting was at Gadchiroli as Assistant Engineer, Grade-I. It is submitted that the Circular was issued by the Government on 10/12/2012 that newly appointed Officers shall be posted in the Naxalite Area or Tribal Area. According to the applicant, his transfer is in violation of the Government policy as he was not due for transfer. It is submitted that two more transfer orders are passed by the respondent no.1 on 30/8//2019 and the new candidates are appointed in the service and appointments are given to them not in the Naxalite Area or Tribal Area. It is submitted that this conduct of the respondent no.1 is in

violation of the guidelines framed by the respondent no.1 while issuing G.R. and Circular. It is submitted that the applicant is not yet relieved, therefore, interim protection be given.

3. In view of this, I direct that the respondents shall not relieve the applicant till filing of reply by the respondents.

4. Issue notice to R-2, returnable **after two weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

6. 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.

7. 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.

8. 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.

9. 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.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 694/2019 (SB)

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

**Dated : 04.09.2019**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the State.

2. The applicant was posted vide order dated 19/7/2017 to Kuhi. It is contention of the applicant that before completion of the normal tenure vide order dated 30/8/2019 he is transferred from Kuhi to Sironcha. It is submitted that the applicant was appointed in service vide order dated 14-9-2007 and his first posting was at Sub division Manglurpir as Dy. Engineer. It is submitted that the Circular was issued by the Government on 10/12/2012 that newly appointed Officers shall be posted in the Naxalite Area or Tribal Area. According to the applicant, his transfer is in violation of the Government policy as he was not due for transfer. It is submitted that two more transfer orders are passed by the respondent no.1 on 30/8//2019 and the new candidates are appointed in the service and postings are given to them not in the Naxalite Area or Tribal Area. It is submitted that this conduct of the respondent no.1 is in violation

of the guidelines framed by the respondent no.1 while issuing G.R. and Circular. It is submitted that the applicant is not yet relieved, therefore, interim protection be given.

3. In view of this, I direct that the respondents shall not relieve the applicant till filing of reply by the respondents.

4. Issue notice to R-2, returnable **after two weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

6. 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.

7. 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.

8. 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.

9. 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.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 695/2019 (SB)

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

**Dated : 04.09.2019**

Heard Shri S.N. Gaikwad, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. The applicant is challenging the order dated 22/8/2019 by which the applicant is transferred from Police Station, Gondia City to Police Control Room, Gondia. It is submission of the applicant that he is the victim of frequent transfers.

3. The learned counsel for the applicant invited my attention to order dated 1/6/2017 by which the applicant was transferred from Police Control Room, Gondia to Special Branch, Gondia. Vide order dated 13/8/2017 the applicant was transferred from Special Branch, Gondia to District Traffic Branch, Gondia. Vide order dated 8/6/2018 the applicant was transferred from District Traffic Branch, Gondia to Police Station, Ramnagar. Again on 26/10/2018 the applicant was transferred from Police Station, Ramnaar to Police Station, Amgaon and on 1/7/2019 the

applicant was transferred from Police Station, Amgaon to Police Station, Gondia City. It is submitted that the impugned transfer order is in violation of letter dated 26/7/2019 issued by the Additional Director General of Police (Establishment). This letter was issued by the Additional Director General of Police in view of the forthcoming Assembly Election and direction was given not to transfer any Officer without permission of the Additional Director General of Police (M.S.). It is contended that no reason is mentioned in the transfer order and therefore the impugned order be stayed.

4. However, during course of argument the learned counsel for the applicant candidly made submission that the applicant has handed over the charge of his post, but no one is appointed at Police Station, Gondia City, but as the applicant has already handed over the charge and as the transfer is in the same city, therefore, it is not suitable to give interim protection. The applicant may resume the duty at Police Control Room, Gondia and after appearance of the respondents the issue regarding legality of the transfer order can be examined. In this situation, issue notice to R-2 to 4, returnable **after three weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.



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

6. 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.

7. 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.

8. 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.

9. 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.**

Steno copy is granted.

**Member (J)**

dnk. \*\*\*