

O.A.No.34/2018 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. A.C. Dharmadhikari, learned Advocate for the Applicant, Mr. A.M. Khadatkar, learned Presenting Officer for Respondents No.1 to 4 and Mr. B.N. Jaipurkar, learned Advocate for Respondent No.5.

2. The learned Advocate for the Applicant submits that he has received the reply today.

3. Matter is admitted with liberty to learned Advocate to file rejoinder, if any.

4. Adjourned by six weeks.

**Vice Chairman**

**Chairperson**

prk

O.A.No.39/2019 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. A.Z. & P.A. Jibhkate, learned Advocate for the Applicant and Mr. A.M. Ghogare, learned Presenting Officer for Respondents no.1 to 3.

2. Mr. A.Y. Kapgate, learned Advocate for Respondents No.4 & 5 is absent.

3. The learned Advocate points out communications dated 10.01.2019 and 30.01.2019 issued by the Respondent No.5 stating that the retirement age of the applicant is 58 years and prays that he is entitled to continue as Medical Officer till he attains the age of 60 years and is also entitled to receive all the benefits accrued therefrom.

4. In this matter the interim relief was rejected by this Tribunal by order dated 26.02.2019. In view that the applicant has

attained the age of 60 years on 31.01.2021 for which he wanted his services to be extended, so as on today the prayer does not survive due to influx of time.

5. In view of above, O.A. has become infructuous and hence disposed off.

**Vice Chairman**

**Chairperson**

prk

O.A.No.38/2021 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. A.C. & N.A. Dharmadhikari, learned Advocate for the Applicant and Mr. A.M. Ghogare, learned Presenting Officer for Respondents.

2. Pursuant to the order dated 30.06.2021 the learned P.O. submits that he has received para-wise comments and on that basis he makes oral statement that the representation dated 14.12.2020 is not considered favourable.

3. The learned Advocate for the applicant submits that the Respondents to communicate in writing the decision of this representation at the earliest.

4. The Respondents are directed to communicate the decision on the said representation in writing within 10 days to the Applicant and also to file their affidavit-in-reply within three weeks.

5. Adjourned by three weeks.

**Vice Chairman**

**Chairperson**

prk

C.P.No.4/20019 in O.A.No.378/2018 with  
C.A.No.36/2019 in O.A.No.378/2018 **(DB)**

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. M.R. Khan, learned Advocate for the Applicant and Mr. P.N. Warjekar, learned Presenting Officer for Respondents.

2. Affidavit-in-reply is filed.
3. The learned Advocate for the Applicant seeks three weeks time to seek instructions from his client.
4. Time granted. Adjourned by three weeks.

**Vice Chairman**  
prk

**Chairperson**

C.P.No.17/2019 in O.A.No.516/2017 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. D.S. Sawarkar, learned Advocate for the Applicant and Mr. V.A. Kulkarni, learned Presenting Officer for Respondents.

2. The learned P.O. submits that the Respondents have sent the reply to the Contempt Notice.

3. The learned P.O. seeks time to file affidavit-in-reply and also reply to the notice.

4. Adjourned by two weeks.

**Vice Chairman**

**Chairperson**

prk

C.P.No.21/2019 in O.A.No.361/2017 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. M.R. Rajgure with D.S. Kaore, learned Advocate for the Applicant and Mr. V.A. Kulkarni, learned Presenting Officer for Respondents.

2. The learned P.O. submits that the order which is the subject matter of contempt is challenged before the Hon'ble High Court in Writ Petition No.819/2020 and is still pending.

3. In view of this adjourned by four weeks.

**Vice Chairman**

**Chairperson**

prk

C.P.No.37/2019 in O.A.No.607/2017 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. M.I. Khan, learned Presenting Officer for Respondents and Mr. J. Mokadam, learned Advocate for the Respondent No.4.

2. Mrs. M.D. Awachat, learned Advocate for the Applicant is absent.

3 The learned P.O. submits that the order of the Tribunal is complied with and all the retiral benefits are given to the Applicant vide Accountant General, Nagpur letter dated 10.12.2020. Taken on record and marked as Exhibit-A. Hence the matter is fixed for disposal on the next date.

4. However, time was given to the learned Counsel to verify whether the order is complied with. In view of this, matter will be disposed off on the next date.

5. Adjourned by three weeks.

**Vice Chairman**

**Chairperson**

prk

C.P.No.39/2019 in O.A.No.576/2018 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. A.M. Khadatkar, learned  
Presenting Officer for Respondents.

2. Mr. M.R. Rajgure, learned Advocate  
for the Applicant is absent.

3. The learned P.O. produced letter  
dated 28.01.2020 sent to the applicant by  
one Mr. Mahesh Pathak, Principal Secretary,  
Food and Civil Supplies Department informing  
that her request for pensionary benefit is  
rejected in view of the decision of the  
Bombay High Court, Aurangabad Bench in  
Writ Petition No.6622/2004 dated  
09.02.2005, Mrs. Jayshree N. Mhaske Versus  
State of Maharashtra.

4. Matter adjourned for dismissal after  
three weeks.

**Vice Chairman**

**Chairperson**

prk

C.P.No.47/2019 in O.A.No.685/2010 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. Sachin Khandekar, learned Advocate for the Applicant and Mr. V.A. Kulkarni, learned Presenting Officer for Respondents.

2. The learned Advocate produces pursis that the order dated 23.02.2021 regarding pension payment is issued by the office of Accountant General. He further submits that most of the grievances of the applicant are redressed. However his only grievance regarding quantum of pension sanctioned by the office of Accountant General is to be challenged for which he will file fresh from O.A.

3. In view of this C.P. is disposed off.

**Vice Chairman**

**Chairperson**

prk

C.P.No.1/2020 in O.A.No.625/2007 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. H.K. Pande, learned  
Presenting Officer for Respondents.

2. Mr. G.N. Khanzode with Mrs. P.T.  
Joshi, learned Advocate for the Applicant  
both are absent.

3. The learned P.O. submits that the  
order which is the subject matter of  
Contempt Petition is already complied with.

4. The learned Advocate to take  
instructions within two weeks.

5. Matter is fixed for dismissal after two  
weeks.

**Vice Chairman**

**Chairperson**

prk

C.P.No.7/2020 in O.A.No.961/2018 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. N.B. Mohature & Mr. S.G. Karmarkar, learned Advocate for the Applicant and Mr. P.N. Warjekar, learned Presenting Officer for Respondents.

2. The learned P.O. submits that the order is complied with.

3. The learned Advocate submits that pursuant to order dated 23.07.2019 passed in O.A.NO.961/2018, the Contempt Petition is filed for non compliance of order.

4. The learned P.O. produced order dated 14.07.2020 issued by office of Animal Husbandry, State of Maharashtra wherein the applicant is promoted to the post of Livestock Development Officer (Group-A).

5. At the request of learned Counsel matter adjourned by one week to verify the position.

**Vice Chairman**

**Chairperson**

prk

C.P.No.14/2020 in O.A.No.58/2019 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. N.R. Saboo, learned Advocate for the Applicant and Mr. A.M. Ghogare, learned Presenting Officer for Respondents.

2. Perused the order dated 25.02.2021 issued by Mr. Gangarkar, Under Secretary giving applicant deemed date of promotion as per the order dated 01.07.2019 passed by the Division Bench of this Tribunal in O.A.No.58/2019. It is pointed out that in the order the name of Mr. S.D. Kulkarni is mentioned. However in the order issued by the Government the name of one Mr. Baban Tonde is mentioned. Taken on record and marked as Exhibit-A.

3. Adjourned by four weeks.

**Vice Chairman**

**Chairperson**

prk

C.P.No.37/2021 in O.A.No.959/2019 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. S.P. Palshikar, learned Advocate for the Applicant and Mr. H.K. Pande, learned Presenting Officer for Respondents.

2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.

3. Issue notice before admission returnable after four weeks.

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. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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. S.O. after four weeks.

**Vice Chairman**

**Chairperson**

prk

O.A.No.612/2017 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. P.S. Sahare, learned Advocate for the Applicant, Mr. S.A. Deo, learned Chief Presenting Officer for Respondents and Mr. S. Yerawar, learned Advocate for the Respondent No.3.

2.

**Vice Chairman**

**Chairperson**

prk

O.A.No.785/2014 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. D.M. Kakani with Mr. G.K. Bhusari, learned Advocate for the Applicant and Mr. A.M. Ghogare, learned Presenting Officer for Respondents

2. Mr. B.C. Pal, learned Advocate for the Respondent No.5. to 7, 10, 11, 15, 16, 18, 22, 34 to 36, 39, 41, 43, 45 & 46 is absent.

3. The learned Advocate submits that this matter will take time so it be adjourned by four weeks.

4. At the request of learned Advocate matter adjourned by four weeks.

**Vice Chairman**

**Chairperson**

prk

C.P.No.49/2019 in O.A.No.52/2015 **(DB)**

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. A.R. Kalele, learned Advocate for the Applicant and Mr. A.M. Goghare, learned Presenting Officer for Respondents.

2. The learned Advocate informs that the applicant has informed him that the order of the Tribunal is complied with.

3. In view of this nothing remains in C.P.. and

**Vice Chairman**

**Chairperson**

prk

C.A.No.109/2020 in O.A.No.207/2018 (DB)

**Coram : Justice Mridula Bhatkar,  
Hon'ble Chairperson &  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20.08.2021**

Heard Mr. S.N. Gaikwad with Mr. A.A. Dhawas, learned Advocate for the Applicant, and Mr. S.A. Sainis, learned Presenting Officer for Respondents.

2. The learned P.O. prays for one week time.
3. Time granted. Matter fixed after one week.

**Vice Chairman**

**Chairperson**

prk

**O.A. 580 of 2017 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

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

Pursuant to the order dated 18.08.2021, learned P.O. files letter sent by Desk Officer, Mr.Shedmakay, Animal Husbandry, State of Maharashtra dated 18.08.2021, it is taken on record and marked as exhibit 'A' written to Regional Jt. Commissioner, Animal Husbandry, Nagpur along with a letter dated 09.08.2021, it is taken on record and marked as exhibit 'A+' sent by Commissioner, Animal Husbandry to Principal Secretary, Animal Husbandry informing that 4% reservation is kept in promotion given to the Person with Disabilities and accordingly dated 09.08.2021 proposal is submitted to the Government. The P.O. is relying on the letter dated 18.08.2021 and submits that the grievances of the Applicant is taken into account by this communication from the Department of

Animal Husbandry were it is specifically mentioned that 4% reservation is kept in promotion for the Person with Disabilities.

He submits that nothing remains in the O.A., hence it is to be disposed of.

We have considered the submission and Government has kept reservation and so the case as per the Rules of consideration zone, the Applicant's case is to be considered in this 4% reservation as per seniority and Rules 34 (1) of Person with Disabilities.

Hence O.A. is disposed of accordingly.

**Vice-Chairman**

**Chairperson**

nmn.

**C.A. 109 of 2020 in O.A. No.207 of 2018  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri S.N. Gaikwad & A.A. Dhawas, Id.  
counsel for the applicant and Shri S.A. Sainis,  
Id. P.O. for the respondents.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.651 of 2021 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri Sachin Khandekar, Id. counsel for  
the applicant and Shri S.A. Deo, Id. C.P.O. for  
the respondents.

**Vice-Chairman**

**Chairperson**

nmn.

**C.A. No.129 of 2019 in O.A. No.16 of 2019  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri A.D. Dongore, Id. counsel for the applicant and Shri P.N. Warjekar, Id. P.O. for the respondents.

Learned P.O. seeks time to file Reply.  
Time as prayed is granted.

S.O. to Four weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.92 of 2017 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr. Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

None for the applicant, Shri P.N. Warjekar, Id. P.O. for the respondents and Shri P.D. Meghe, Id. counsel for the Respondent No.4 and Mrs. R.P. Wathore, Id. counsel for the Respondent No.4.

Respondents No. 1 & 2 filed Reply through Sunil P. Gade who is a Chief Administrative Officer, wherein it is informed that the Respondents are required to first amend the Recruitment Rules. He submits to implement G.R. dated 4.9.2021 the Respondents – State is required to amend the Recruitment Rules and the said process is still going on, after amendment of the Recruitment Rules the Recruitment process will be initiated for the Medical Officer, Group 'A'.

Learned P.O. submits that if the Applicant is found eligible then he can be considered thereafter.

In view of this nothing remains in this O.A., however learned Advocate for the Applicant is absent hence matter is kept back.

S.O. to One week.

**Vice-Chairman**

**Chairperson**

nmn.

**C.A. No.81 of 2019 in O.A. No.96 of 2019  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri S.A. Marathe, Id. counsel for the applicant and Shri P.N. Warjekar, Id. P.O. for the respondents.

S.O. to Four weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.663 of 2020 with O.A. No.664 of  
2020 with O.A. No.665 of 2020 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar**

**Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri Bharat Kulkarni, Id. Counsel holding for Shri N.D. Thombre, Id. counsel for the applicant and Shri S.A. Sainis with Shri A.P. Potnis with Shri H.K. Pande, Id. P.Os. for the respondents.

S.O. to Three weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.173 of 2021 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,**

**Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

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

S.O. to Three weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.228 of 2021 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri J.S. Wankhende, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

Learned Advocate for the Applicant submits that the Applicant No.3 has instructed him that he does not want to prosecute the present O.A. and to delete his name from the array of the Applicants.

Hence his name is to be deleted.

Accordingly the Pursis is filed on 12.08.2021.

In view of this, name of the Applicant No.3 is deleted.

Amendment to be carried out forthwith.

S.O. to Three weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.485 of 2021 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri R.M. Fating, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

Pursuant to order dated 19.07.2021. Matter is fixed after two months for taking decision.

S.O. to Two months.

**Vice-Chairman**

**Chairperson**

nmn.

**C.P. No.14 of 2019 in O.A. No.657 of 2017  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and**

**Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri Y.P. Kaslikar, Id. counsel for the applicant is absent and Shri P.N. Warjekar, Id. P.O. for the respondents is present.

S.O. to Two weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**C.P. No.49 of 2019 in O.A. No.52 of 2015  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri P.C. & V.P. Marpakwar & A.R. Kalele, D. Karnik & P.R. SSharma, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

Learned P.O. informs that all the pensionary benefits are given to the Applicant as per the order of this Tribunal.

Hence nothing remains in this Contempt Petition.

Learned Advocate for the Applicant seeks time to take instructions from the Applicant. Matter is kept back for the learned Advocate for the Applicant to take instructions from the Applicant.

**Vice-Chairman**

**Chairperson**

nmn.

**C.P. No.50 of 2019 in O.A. No.55 of 2015  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri A.R. Kalele, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

Learned P.O. submits that matter is pending for pay verification.

Learned P.O. further submits, thereafter the matter will be forwarded to Account General and it will take minimum six weeks.

Matter is fixed after Six weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**C.A. No.36 of 2021 in O.A. No.1007 of 2018  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri S.C. Deshmukh, Id. counsel for the applicant, Shri P.N. Warjekar, Id. P.O. for the respondents, Mrs. K.P. Wathore, Id. counsel for the respondents 5, 6, 8 to 12, 14 to 17, Mr. D.M. Kakani, learned Advocate for Respondents No.19, 21, 23 to 25, 28, 29, 31, 32, 35, 36, 41, 51, 52, 54, 55, 57, 66 to 69, 71 to 73, 75 to 84, 86 to 88, 90, 91, 94, 96 to 100, 104, 108 to 110, 113, 115 to 118, 123, 125, 128, 129, 132, 133, 135 to 137, 139, 140, 143 to 145, 147 to 152, 154, 155, 158, 160, 164 to 166, 170, 173, 174, 178, 181 & 183 to 185.

Learned Advocate for the Applicant submits that he has moved Civil Application with request that his O.A. is pending since 2018 and out of 49 posts of Planning Assistant reserved for S.C. category only 19 posts are filled in, in 2018. 30 posts are vacant, he prays that the Applicant be allowed to join in vacant post without prejudice. There are 271 Respondents apart from Respondents No.1 to 3 - State, 271 are private person.

Learned Advocate for the Respondents submits that they want to file Reply to O.A.

Learned Advocate for the Respondents submits that they are already appointed.

Learned Advocate for the Applicants submits that matter be placed as and when D.E. is available.

S.O. to Four weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**C.A. No.519 of 2019 in O.A. No.105 of 2019  
with**

**C.A. No.06 of 2020 in O.A. No.106 of 2019  
with C.A. No.520 of 2019 in O.A. No.107 of  
2019 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri P.D. Meghe, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

Learned Advocate for the Applicants has moved this Application for amendment in O.A., there are three connected matters. The Applicants in O.A. prays for having relief by quashing and setting aside reversion order. In all three matters the Applicants where earlier working as Agriculture Assistant are reverted to Nursery Assistant. Hence the said order of reversion is challenged.

Learned Advocate for the Applicants submits that by all these three C.As. the Applicants want to bring seniority lists and one order of promotion, wherein their Jr. were promoted to the post of Agriculture Assistant prior to their earlier promotions.

Learned P.O. opposes this C.As. on the ground that the amendment is irrelevant and all these proceeding were within the knowledge of the Applicants.

Considering the reversion claim of the Applicants, as it is a matter of reversion the Applicants should not be disabled, but advanced submission for want of such pleading and therefore in the interest of justice this amendment. Thus O.As. can be amended and all the C.As. are hereby allowed.

Learned Advocate for the Applicant is directed to amend the O.A. and the amended copy are to be served to all the Respondents.

Amendment to be carried out within one week. Thereafter, Respondents to file Affidavit-in-Reply to amended O.A. within three weeks.

S.O. to Six weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**C.A. No.239 of 2021 in O.A. No.240 of 2021  
in O.A. No.848 of 2019 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri Mrs. R.S. Sirpurkar, Id. counsel for the applicant, Shri A.M. Ghogare, Id. P.O. for the and Shri T.A. Fidvi, Id. Counsel holding for Shri M.M. Sudame for the respondents No.3.

The Applicant in this O.A. challenges the seniority list dated 31.08.2019 for the year 2018. As per the Applicant it is published in breach of order dated 17.02.2019. Learned Advocate for the Applicant submits that she wants to bring certain facts post filling of this O.A.

Learned P.O. submits to the order of the Tribunal. C.A. is thereby allowed, amendment to be carried out within two weeks.

Amended copy to be served to all the Respondents within One week and Respondents to file the Affidavit-in-Reply thereafter within two weeks.

C.A. of amendment is allowed.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.240 of 2021 in O.A. No.848 of 2019  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri Mrs. R.S. Sirpurkar, Id. counsel for the applicant, Shri A.M. Ghogare, Id. P.O. for the and Shri T.A. Fidvi, Id. Counsel holding

for Shri M.M. Sudame for the respondents No.3.

As moved the Application for stay to the seniority list in the District Technical Services (Animal Husbandry), Group – III dated 14.07.2021, which is published in the year 2021.

Thus relief in this C.A. is consonance to the amendment which is allowed now. Hence the Respondents to file Affidavit-in-Reply.

Learned Advocate for the Applicant submits that there is possibility of giving promotion to Respondents No.5 to 7, though they are served, they are not before the Tribunal. She submits that if they are promoted then the Applicants will lose the ground and sought for relief before the Tribunal. Therefore she prays that the appropriate order be passed in respect of the promotional order of Respondents No. 5 to 7, if issued by the Respondents.

It is verified that Respondents No.5 to 7 through served earlier, but did not appeared till today.

The Applicant is directed to re-serve the amended copy of Application and this C.A. also to be served to Respondent No. 5 to 7 through Department.

Now the O.A. and C.A. both are adjourned to 30.09.2021.

Till then if the promotion order of Respondents No.5 to 7 are issued, they are subject to outcome of the C.A.

S.O. to 30.09.2021.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.202 of 2021 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 20/08/2021.**

Shri G.N. Khanzode & Mrs. P.Joshi, Id. counsel for the applicant is absent and Shri A.M. Khadatkar, Id. P.O. for the respondents is present.

Issue fresh notice before admission returnable on Four weeks.

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

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

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.

The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

S.O. to Four weeks.

**Vice-Chairman**

**Chairperson**

nmn.



**O.A. No.697 of 2021 (S.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson**

**Dated : 20/08/2021.**

Shri N.R. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

Learned C.P.O. produces a letter given by Deputy Conservator of Forest dated 18.08.2021. The copy is given to learned Advocate for the Applicant, who needs time to take instructions. Time as prayed is granted.

S.O. to 23.08.2021.

**Chairperson**

nmn.

**O.A. No.700 of 2021 (S.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson**

**Dated : 20/08/2021.**

Shri S.G. Jagtap, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

Matter is fixed on Monday i.e. 23.08.2021, till he be continued at the same placed to work.

Hamdast granted.

S.O. to 23.08.2021.

**Chairperson**

nmn.

**O.A. No.701 of 2021 (S.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson**

**Dated : 20/08/2021.**

Shri G.K. Bhusari, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

C.P.O. to file Affidavit-in-Reply.

S.O. to 25.08.2021.

**Chairperson**

nmn.

**O.A. No.701 of 2021 (S.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson**

**Dated : 20/08/2021.**

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

The Applicant Smt. Anupama S. Virkhare, Sales Tax Officer, is due for transfer. The order dated 09.02.2021, transferring her from Gondia to Wardha is challenged.

1) Learned Counsel for the Applicant challenges order on the following grounds.

- a) He relied on the G.R. dtd. 06.08.2002 regarding posting at Naxlite area.
- b) Learned Advocate for the Applicant submits that he relies on Clause-III of G.R. dated 06.08.2002, wherein the preference is given to the Officer who have worked in Naxlite area.
- c) The Applicant have given choices of Amravati, Akola, Wardha, Nagpur, by the Application dated 05.04.2021.
- d) There was no counselling as per G.R. dated 2018.
- e) Two daughters of the Applicants are studying in College at Amravati.

f) Her Husband is Medical Representative and staying at Amravati.

C.P.O. seeks time to file Reply.

S.O. to 25.08.2021.

**Chairperson**

nmn.

**O.A. 580 of 2017 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri N.R, & Mrs. K.N. Saboo Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The Applicant was appointed on 02.11.2007 as Live Stock Development Officer, he is eligible for the promotion to the post of Assistant Commissioner of Animal Husbandry. He being the physically challenged person, claims promotion for the special post reserved for The Person with Disabilities under The Person with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

Learned P.O. submits that he will file latest Affidavit for all the Respondents and he will file it soon,

The learned Advocate for the Applicant produces the letter of G.A.D., Under Secretary dated 30.06.2021, written to the different Department, wherein G.A.D. has directed all the Administrative Department to take steps as per the judgement given by the **Hon'ble Bombay High Court in Writ Petition (S.T.) No. 6819/2021 dated 29.06.2021**. The learned Advocate for the Applicant has relied on the said judgement of **Hon'ble High Court in Writ Petition (S.T.) No.6819/2021 filed by Shri Ajay D. Jadhav & Ors. v/s. The State of Maharashtra through G.A.D. and Ors.** In Writ Petition he drew attention to para. no. 3,4,5 of the said judgement wherein, the Hon'ble High Court has quoted the statement made by the Hon'ble Advocate General in respect of following the procedure as per proviso of rights of Person with Disabilities Act, 2016. In respect of implementation of reservation in promotion and such instructions will be given to the Department by the State Government within one week.

The Hon'ble High Court on accepting the said statement made by Hon'ble Advocate General has given specific direction to the State Government.

Section 34 of 2016 person with disabilities proviso..

In view of this Submission 34 (1) is reproduced herein for right reference:-

(1) Every appropriate Government shall appoint in every Government establishment, not less than four per cent. of the total number of vacancies in the cadre strength in each group of posts meant to be filled with persons with benchmark disabilities of which, one per cent. each shall be reserved for persons with benchmark disabilities under clauses (a), (b) and (c) and one per cent. for persons with benchmark disabilities under clauses (d) and (e), namely:

(a) blindness and low vision;

(b) deaf and hard of hearing;

(c) locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;

(d) autism, intellectual disability, specific learning disability and mental illness;

(e) multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities:

Provided that the reservation in promotion shall be in accordance with such instructions as are issued by the appropriate Government from time to time:

In view of these submissions we direct the Respondents – State Government to file Affidavit-in-Reply of the responsible Officer.

Steno Copy granted.

S.O. to 20.08.2021.

**Vice-Chairman**

**Chairperson**

nmn.

**C.A. 109 of 2020 in O.A. No.207 of 2018  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri S.S. Sainis, Id. P.O. for the respondents.

The Applicant who is aspiring person who applied for Police Constable in the category of Home Guard. He participated in the process of the appointment of Constable of Police Force pursuant to the advertisement given by the Department in 2016. He claims that his name stands in Sr. No.1 in Wait List. Now he claims post pursuant to the advertisement dated 05.02.2018, he has also placed representation to the Additional D.G.P. dated 05.03.2018.

Learned P.O. seeks time to file Affidavit-in-Reply.

We note that Affidavit-in-Reply is not filed since last two years. It is necessary for Respondents to file Affidavit-in-Reply, specifically mentioning whether the decision was taken on the representation made by the Applicant and whether it was communicated to him. So also the Respondents to consider the Rules in respect of life of the wait list as it is generally only for one year or on date of the next advertisement whichever is earlier.

S.O. to 20.08.2021.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.30 of 2019 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri N.A. Waghmare, Id. Counsel holding for Shri P.B. Patil, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

Learned P.O. has filed Affidavit-in-Reply on behalf of the Respondent No.3, Shri Ishwar V. Chaudhari, Assistant Command, S.R.P.F., dated 16.05.2019. It is taken on record. Objections be removed. Copy served to other side.

Admitted with liberty to file Rejoinder.

S.O. to six weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.713 of 2020 (D.B.) with  
O.A.No.1011/2019 with O.A. No. 1012/2019  
with O.A. No. C.A. No.77/2020 in O.A.  
No.05/2020 with O.A.18/2020 with O.A.  
No.19/2020 with O.A. No.127/2020 with  
O.A. No.161/2020**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri V.P. Thakre along with Bharat Kulkarni, Id. counsel for the applicant, and Shri P.N. Warjekar along with H.K. Pande along with A.M. Ghogre along with S.A.Sainis, along with A.P. Potnis, along with A.M. Khadparkar, Id. P.O. for the respondents.

In view of the order dated 12.01.2021 passed by Hon'ble Chairperson, Maharashtra Administrative Tribunal, Mumbai in these all 16 matters where the issue is of revaluation of answer sheets of the examination of

Maharashtra Finance and Accounts Services  
Class-III examination. These all matters are  
fixed on 30.09.2021..

Affidavit is to be filed in all these  
matter on or before 07.09.2021.

S.O. to 30.09.2021.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.951 of 2020 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri O.A. Ghage, Id. counsel for the applicant and Shri Shreekant Dev, Id. C.P.O. for the respondents.

Learned P.O. seeks time to file Reply.

Time as prayed is granted. Four weeks to file Affidavit-in-Reply.

S.O. to Four weeks

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.123 of 2021 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

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

Learned P.O. submits that he wants time to file Affidavit-in-Reply.

Learned Advocate for the Applicant relies on the order of this Tribunal dated 28.07.2021, wherein it is specifically mentioned that if the Reply is not filed within three weeks then interim-relief will be considered during the next hearing.

Learned Advocate for the Applicant by way of interim-relief claims his release of amount of leave encashment and he also challenges the D.E. which is mainly on the point of delay and latches.

The Applicant retired on 31.05.2017, thereafter, the charge-sheet served on 13.08.2019. The enquiry officer is appointed

on 03.12.2020. In view of chronology, as the Affidavit-in-Reply is not filed in time and also, in view of pursuant order. We direct the Respondents to release amount of Leave Encashment of the Applicant on or before 03.09.2021. We direct Respondents to file Affidavit-in-Reply on or before 31.08.2021 as matter is fixed on 31.08.2021.

S.O. to 31.08.2021.

**Vice-Chairman**

**Chairperson**

nmn.

O.A. No.123 of 2021 (D.B.)

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

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

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.220 of 2021 with O.A.343 of 2019  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri G.G. Bade, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents along with A.M. Khadparkar, Id. P.O. for the respondents.

Learned P.O. submits that he has received parawise comment and requested for three weeks.

Affidavit-in-Reply to be filed within three weeks and copy to be served to the Counsel on the other side well in advance.

S.O. to three weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.651 of 2021 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri Sachin Khandekar, Id. counsel for the applicant and Shri Shreekant Dev, Id. P.O. for the respondents.

Learned P.O. produces a letter dated 18.08.2021 written by Archana Walzaday, Under Secretary, State of Maharashtra to C.P.O. Nagpur explaining the rationale behind the policy of keeping quota between female 90% and male 10% in recruitment of Nurse in Public Health Department, Psychiatric Nurse, Paediatric Nurse.

Matter is fixed on 20.08.2021 for hearing. It can be disposed of at the stage of admission.

S.O. to 20.08.2021.

**Vice-Chairman**

**Chairperson**

nmn.

**C.A. No.05 of 2021 in O.A. St. No.05 of  
2021 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri A.S. Bhendarkar, Id. counsel for  
the applicant and Shri V.A. Khadpakar, Id.  
P.O. for the respondents.

**Vice-Chairman**

**Chairperson**

nmn.

**C.A. No.30 of 2019 in O.A. No.794 of 2017  
(D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri A.S. Bhendarkar, Id. counsel for  
the applicant and Shri V.A. Khadpakar, Id.  
P.O. for the respondents.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.217 of 2018 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri Shubhankar Phadnis, Id. counsel  
holding for Shri N.C. Phandnis, Id. counsel for

the applicant and Shri A.M. Goghre, Id. P.O.  
for the respondents.

At the request of learned Advocate for  
the Applicant.

S.O. to two weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**C.A. No.05 of 2021 in O.A. St. No.05 of  
2021 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri A.S. Bhendarkar, Id. counsel for the applicant and Shri V.A. Khadpakar, Id. P.O. for the respondents.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.702 of 2021 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri M.M & A.M. Sudane, Id. counsel for the applicant and Shri Shreekant Deo, Id. P.O. for the respondents.

The Applicant Superintendent Engineer challenges the D.E. proceeding pursuant to the charge-sheet dated

12.10.2019 and also seeks direction that he is to be considered for promotion for the post of Chief Engineer (Civil) in P.W.D. by way of interim relief. He prays that the select list of the Superintendent Engineer dated 15.06.2021 is to be stayed. Applicant to be granted promotion in view of G.R. dated 08.03.2017 and 15.12.2017 or alternatively keep one of Chief Engineer (Civil) in P.W.D. vacant during the pendency of the Application.

Issue notice before admission returnable on Two weeks.

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

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

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.

The service may be done by hand delivery/ speed post/courier and

acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

Respondents to take instructions especially why name of the Applicant is not considered in D.P.C. Whether the pendency of D.E. or other reason. Instructions are to be obtain and submission to be made in view of G.R. dated 15.12.2021.

S.O. to two weeks.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.612 of 2017 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri P.S. Sahare, Id. counsel for the applicant and Shri Shreekant Dev, Id. P.O. for the respondents and Shri S. Yerawar, Id. P.O. for the respondents No.3.

Today Reply is filed on behalf of Respondent No.3. It is taken on record.

Division Bench is fixed only for two days. This matter was heard partly with a view that it can be over within 15 to 20 minutes. However, it is not possible to complete the matter in such a short time Hence the matter is adjourned.

Learned Advocate for the Applicant prays that the matter be placed on 20.08.2021. As board is of nearly 40 to 42 matters and 2 to 3 matter are already fixed for hearing finally. Hence it is not possible to take this matter which needs same deliberation.

The matter is fixed at the end of the board if time permits, it will be heard otherwise it will be adjourned.

S.O. to 20.08.2021.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.281 of 2015 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri G.G. Bade, Id. counsel for the applicant and Shri S.S. Sainis, Id. P.O. for the respondents and H.D. Marathe, Id. P.O. for the respondents No.2 None for the Respondent No.3 to 5.

On request of learned Advocate for  
the Applicant.

S.O. to 27.08.2021.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.945 of 2019 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri M.R. Khan, Id. counsel for the  
applicant and Shri S.A. Sainis, Id. P.O. for the  
respondents No.1 to 3 and Smt Bharti D.  
Deshmukh, Id. P.O. for the respondents No.4  
is absent.

On request of learned Advocate for  
the Applicant.

S.O. to 01.09.2021.

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.411 of 2017 (D.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar**

**Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri S.P. Palshikar, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for the respondents and Shri P. Rane, Id. P.O. for the respondents No.3 is absent.

The Applicant prays that the order dated 09.12.2017 recommending the Respondent No.3 to the post of Assistant Professor, Kaya Chikitsa from Other Backward Class to open category is illegal and bad in law, needs to be quashed and set aside.

Learned Advocate for the Applicant submits that Respondent No.3 Dr. Sheetal P. Antapurkar has resigned and produces letter dated 24.08.2020 whereby it is mentioned that Respondent No.3 has resigned on 25.07.2020. Hence nothing remains in this matter.

Letter dated 24.08.2020 is taken on record and marked by letter 'A'.

O.A. is disposed of

**Vice-Chairman**

**Chairperson**

nmn.

**O.A. No.22 of 2016 (S.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri S.P. Palshikar, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for the respondents and Shri P. Rane, Id. Adv. for the intervener is absent.

At the request of learned Advocate for the Applicant.

S.O. two weeks.

**Chairperson**

nmn.

**O.A. No.700 of 2021 (S.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

Shri S.G. Jagtap, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The Applicant is working as warden in Tribal Boys Government Hostel No.1, Amravati challenges order of transfer to Tribal Boys Government Hostel No.2 at Paratwada dated 13.08.2021.

- 1) Applicant was due for transfer.
- 2) Learned Advocate for the Applicant challenges the transfer on the following ground.
  - a) The order dated 13.08.2021 discloses the remark as transfer as on request of the Applicant which is false.
  - b) The father of the Applicant is 75 years old and his is suffering from paralysis.

- c) The Son of the Applicant is studying in 10 std. in vocational course at Amravati and no such facilities is available at Paratwada.
- d) The Applicant has moved application on 03.05.2021 for mutual transfer along with other warden Chandrashekar Vajpayee, from Tribal Boys Government Hostel No.1, Amravati to Tribal Boys Government Hostel No.2 at Paratwada.
- e) This representation was not considered.

Learned P.O. seeks time to take instructions in view of the grounds submitted by the Applicant.

Learned P.O. is also directed to get instructions as to what decision is taken by the authority for the mutual representation made by the Applicant and Chandrashekar Vajpayee dated 03.05.2021. Learned P.O. also to take instructions whether the Applicant can be given one year extension at the same place or mutual transfer is possible in view of the ground made by him.

Learned P.O. to make statement till then the Applicant not to be relieved.

S.O. to 20.08.2021.

**Chairperson**

nmn.

**O.A. No.701 of 2021 (S.B.)**

**Coram: Smt. Justice Mridula R. Bhatkar  
Hon'ble Chairperson and  
Mr Shree Bhagwan,  
Hon'ble Vice-Chairman**

**Dated : 18/08/2021.**

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

The Applicant is Deputy Collector, Land Acquisition, Yavatmal challenges the order of her transfer dated 06.08.2021 to Land Acquisition, Buldhana.

Applicant was due for transfer.

Learned Advocate for the Applicant specifies ground as follows:-

- a) The Applicant has made representation dated 28.05.2021 and also on 07.08.2021 that her daughter is suffering from Cerebral Palsy, she is being given treatment at Aurangabad and her other daughter is taking education at Pune, and therefore she has to be given posting at Aurangabad or Pune Division.

Learned Advocate for the Applicant relied on G.R. dated 14.07.2021. issued by G.A.D. he pointed out Clause No.12 under which challenge to revenue division is justified, if the family member is Government servant herself/himself or the family member is suffering from diseases enlisted therein.

Medical certificate of her daughter disclosing 60% mental disabilities is enclosed. Her daughter is at present 21 year old.

Learned P.O. seeks time to obtain instructions.

Learned P.O. is directed to produce the copy of the Reply given to the representation / letter made to the office of Additional Principal Secretary, Revenue and Forest Department and also obtain instructions why G.R. dated 14.07.2021 Clause No.12 is not considered. The Applicant to continue at her work place Yavatmal.

Steno copy granted.

S.O. to 20.08.2021.

**Chairperson**

nmn.

**O.A. 216 of 2020 (D.B.)**

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

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

**Dated : 03/12/2020.**

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

At the request of Id .P.O., **S.O.**  
**10/12/2020** for filing reply.

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. 282 of 2020 with C.A. 188/2020 (D.B.)**

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

**Dated : 03/12/2020.**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1 to 3 and none for R-4.

The learned P.O. files reply on behalf of R-1 to 3. It is taken on record. Copy is served on the other side.

The matter is admitted and it be kept for final hearing. The Id. P.O. waives notice for R-1 to 3.

The Id. P.O. submitted that he would file some Judgments before the next date.

**S.O. 7/12/2020.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. 309 of 2020 (D.B.)**

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

**Dated : 03/12/2020.**

Shri S.K. Varma, 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)**  
**Chairman**

**Vice-**

dnk.

**O.A. 461 of 2020 (D.B.)**

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

**Dated : 03/12/2020.**

**C.A.Nos.**

Heard Shri D.M. Kakani, Id. counsel  
for the applicants, Shri S.A. Deo, Id. CPO for -  
--- and Shri S.G. Jatap, Id. counsel for

**Member (J)**  
**Chairman**

**Vice-**

dnk.

O.A.No.667/2021 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :20/08/ 2021.**

**C.A.No.244/2021:-**

Heard Shri A.K.Neware, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the Respondents.

2. The applicant filed a C.A. No. 244/2021 in O.A. No. 667/2021 for order dated 11.08.2021. In the said order, it has been mentioned that at Annexure-A-7 on P.B., Pg. No. 41 one Shri Vinodsingh Gautam has been transferred at the applicant place and applicant has been transferred by order dated 09.08.2021 by Annexure-A-4, Pg. No. 27.

3. As per **C.P.C. 152. Amendment of Judgments, decrees or orders-Clerical or arithmetical mistakes in Judgments, decrees or orders or errors arising therein from any accidental slip or omission may at any time be corrected by the court either of its own motion or on the application of any of the parties.**

4. Hence, as per the above para; In the order dated 11.08.2021; **wherever the Annexure-A-7, Pg. No. 41 has been mentioned the same may be read as Annexure-A-4 at Pg. No. 27. Hence, C.A. No. 244/2021 is allowed and disposed of.**

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

**Chairman** **Vice**

**Date:-20/08/2021.**

aps.