

**M.C.A.No.33/2022inO.A.No.528/2019 (D.B.)**

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

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

2. The Prayer in M.C.A. is as under:-

*“The Hon’ble Tribunal may please to allow an application and further be pleased to grant two months extension of time for challenging the order of the Hon’ble Tribunal by way of Writ Petition before the Hon’ble High Court in the matter of interest of justice.”*

3. Since the period of two months prayed in the M.C.A. is already over. Hence, **M.C.A. No. 33/2022 is disposed of.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.Nos.521,522,523&524/2014 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

None for the applicant. Shri A.M.Ghogre, ld.  
P.O. for the respondents. None for the R-6 & 7.

2. At the request of ld. P.O., **S.O. four weeks to  
file rejoinder on amended part of the O.A..**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.No.974/2017 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri S.K.Bhattacharya holding for Shri N.S.Warulkar, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. three weeks to file reply to respondent no. 6 i.e. Pay Verification Unit, Wardha.**

**(Justice M.G.Giratkar)**  
Vice Chairman

**(Shree Bhagwan)**  
Vice Chairman

**Date:- 01/02/2023.**

aps.

O.A.No.567/2020 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri S.N.Gaikwad, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. At the request of ld. Counsel for the applicant, **S.O. one week.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.Nos.634,635&636/2020 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

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

2. The Id. P.O. has filed reply on behalf of the respondents 1 & 2 in O.A. Nos. 634 & 635/2020. It is taken on record. Copy is served to the other side. He submits that it is sufficient to decide the matter. He further submits that he will file reply in O.A. No. 636/2020 during the course of the day.

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

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

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

6. *Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

7. *Till that time interim order will be continued.*

**(Justice M.G.Giratkar)**  
**Vice Chairman**  
**Date:- 01/02/2023.**  
aps.

**(Shree Bhagwan)**  
**Vice Chairman**

O.A.No.506/2021 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri N.R.Saboo, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents. None for R-4 & 5.

2. The ld. P.O. has filed reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

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

4. The ld. P.O. waives notice for the respondents.

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

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

**O.A.No.51/2022 (D.B.)**

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri S.R.Dambhare, ld. Counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the respondents 1 to 4 and Shri P.N.Warjekar, ld. Counsel for the respondent nos. 5 to 8.

2. As per the documents on PP. 42 & 72 pointed out by ld. Counsel for the respondent nos. 5 to 8, proposal is pending with the Government, applicant feels that seniority has been violated since proposal is pending with the Government. If the applicant is aggrieved with the seniority, he is at liberty to challenge the same.

3. With the above directions, **O.A. is disposed of with no order as to costs.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.No.662/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri A.D.Girdekar, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. three weeks to file reply.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman



C.A.Nos.514&409/22inO.A.No.880/22 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri P.P.Khaparde, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents. None for the R-5 & 6.

2. At the request of ld. Counsel for the applicant, **S.O. next week.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.No.973/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri G.K.Bhusari, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents. Await service of R-2 & 3.

2. Ld. Counsel for the applicant submits that he will file service affidavit during the course of the day. At the request of ld. P.O., **S.O. four weeks to file reply.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.No.1083/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri P.N.Warjekar, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. three weeks to file reply.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.Nos.25,26,27&28/2023 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri K.Agrawal, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the State. Await service of R-2 to 4.

2. Issue fresh notice to Respondents 2 to 4, returnable on three weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

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

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

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

9. **I.R. to be continued.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.No.89/2023 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

**C.A.No.41/2023:-**

Heard Shri B.Kulkarni, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the State.

2. All the applicants are working as Peon (Class-IV) with the respondents. They are seeking the same relief. Hence, **C.A.No.41/2023 is allowed and disposed of.**

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

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

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

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

9. **S.O. four weeks**.

**(Justice M.G.Giratkar)**  
**Vice Chairman**

**(Shree Bhagwan)**  
**Vice Chairman**

**Date:- 01/02/2023.**

aps.

**C.P.36/22inRev.18/21inO.A.94/21 (D.B.)**

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri S.V.Deshmukh, ld. Counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the respondents 1, 7 & 12 and Shri T.M.Zaheer, ld. Counsel for the respondents 3, 4, 5, 8, 9 & 10.

2. Ld. Counsel for the applicant has pointed out order dated 02.02.2022 passed in Review Application No. 18/2021, para no. 5 reads as under:-

*“5. As submitted by ld. C.P.O., respondents are ready to comply with the order of this Tribunal dated 28.06.2021. The only hurdle they pointed out that as on today they have filled up all the posts of Civil Engineering Assistant on compassionate ground. But no hurdle in complying with the order of appointing the applicant to that post. They are directed to appoint the applicant as and when post of Civil Engineering Assistant becomes vacant at first instance and if it is vacant today itself, they should appoint the applicant today itself and communicate the same to the applicant as well as his counsel and the ld. C.P.O..”*

3. Ld. Counsel for the respondent nos. 3, 4, 5, 8, 9 & 10 seeks time to engage senior counsel and ld. P.O. seeks time too.



4. It is pertinent to note that the order was passed on 02.02.2022, if the respondents are aggrieved by the said order they were at liberty to challenge the same. Now, they are bound to comply the order. During the course of arguments, it was submitted by the ld. P.O. that post cannot be filled by giving appointment from waiting list on compassionate ground.

5. **Respondents are directed to comply the order within a period of one month.** If they fail to comply the order, concerned officer/ appointing authority should remain present before this Tribunal on next date.

6. **S.O. 02.03.2023.**

7. **Steno copy is granted.**

**(Justice M.G.Giratkar)**  
**Vice Chairman**

**Date:- 01/02/2023.**  
aps.

**(Shree Bhagwan)**  
**Vice Chairman**

**O.A.692/14withC.A.418/19&C.A.375/17 (D.B.)**

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

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

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

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.No.157/2016 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri P.V.Thakre, ld. Counsel for the applicant, Shri H.K.Pande, ld. P.O. for the respondents and Shri A.W.Paunikar, ld. Counsel for the respondent no. 2.

2. At the request of ld. Counsel for the applicant, **S.O. 10.02.2023.**

**(Justice M.G.Giratkar)**  
Vice Chairman

**(Shree Bhagwan)**  
Vice Chairman

**Date:- 01/02/2023.**  
aps.

O.A.No.256/2018 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Vice Chairman  
Dated : 01/02/2023.**

Heard Shri S.R.Deshpande, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents. None for the R-5.

2. Ld. Counsel for the applicant is relying on Judgement of Hon'ble Bombay High Court in W.P. No. 2859/2017 decided on 13.02.2019.

3. At the request of ld. P.O., **S.O. 09.02.2023 to file IInd set of reply of R-3 & 4.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.Nos.168,169&170/2021 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

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

2. Both the counsels are directed to file full bench judgment of M.A.T., Mumbai.
3. S.O. 10.02.2023.
4. Matter be treated as P.H..

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.No.284/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri U.G.Bawangarh holding for Shri S.M.Khan, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. At the request of ld. Counsel for the applicant, **S.O. 16.02.2023.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.No.745/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

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

2. At the request of ld. P.O., **S.O. 17.02.2023 for final hearing.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

**C.A.No.216/2022inO.A.No.545/2022 with**

**O.A.No.568/2022 (D.B.)**

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Smt. Moon, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents. None for the R-4.

2. At the request of ld. Counsel for the applicant, **S.O. 13.02.2023 for final hearing.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman



O.A.No.1036/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Smt. Moon, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. At the request of ld. Counsel for the applicant, **S.O. 07.02.2023 for final hearing.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman

O.A.Nos.97&98/2019 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&  
Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 01/02/2023.**

Heard Shri S.P.Palshikar, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 16.02.2023 for final hearing.**

**(Justice M.G.Giratkar)**  
Vice Chairman  
Date:- 01/02/2023.  
aps.

**(Shree Bhagwan)**  
Vice Chairman