

O.A.No.738/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

Heard Shri A.Barahate holding for Shri N.R.Saboo, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents. None for the R-4.

2. The Id. P.O. has filed reply on behalf of the R-1 to 3. It is taken on record. Copy is served to the other side.

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

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

5. **S.O. last week of April, 2022.**

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

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

O.A.No.1081/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)  
Dated : 01/04/2022.**

Heard Shri T.J.Patil, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State. Hamdast not collected by R-2 to 6.

2. The Id. counsel for the applicant has not collected the hamdast for R-2 to 6 and today he will seek instructions from the applicant. It is made clear that if he will not collected the hamdast for today, **the matter will be dismissed.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

O.A.No.973/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri Justice M.G.Giratkar, Member (J)**  
**Dated : 01/04/2022.**

Heard Shri V.R.Deshpande, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents. Await service of R-3.

2. Office is directed to issue fresh notice to Respondent no. 3, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

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

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

O.A.No.484/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

Heard Shri A.Barahate holding for Shri N.R.Saboo, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

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

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

O.A.No.761/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

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

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

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**O.A.No.90/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

Heard Shri G.K.Bhusari, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents. None for the R-4.

2. At the request of Id. P.O., **S.O. two weeks to file reply.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

O.A.No.285/2022 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

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

2. At the request of Id. P.O., **S.O. four weeks to file reply.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**



**O.A.St.No.431/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

**C.A.No.66/2018:-**

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

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

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**C.A.38/22inC.P.17/20inO.A.197/2017 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)  
Dated : 01/04/2022.**

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

2. The Id. P.O. has filed correspondence dated 29.03.2022 by respondent no. 2 who is not holding that post. Now, he is been promoted and transferred to other place and he has pointed out this fact to the Tribunal by this letter. The Id. counsel for the applicant is directed to consider this aspect and what necessary steps he desires to take he should take it within two weeks.

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

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**C.P.No.02/2022inO.A.No.251/2017 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri Justice M.G.Giratkar, Member (J)**  
**Dated : 01/04/2022.**

Heard Shri I.S.Charlewar, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State. Await service of R-1 to 3.

2. The Id. counsel for the applicant serve all the respondents i.e. R-1 to 3. It is taken on record.

3. As submission made by the Id. counsel for the applicant, Respondents have stopped two increments of the applicant. Hence, applicant approached to this Tribunal. The order was passed by this Tribunal on 26.07.2021, after the order respondents issued order and granted him two increments which was stopped earlier.

4. After that respondents have sent service book to the pay verification unit. However, respondents are directed to follow with the pay verification unit and ensure that it should be done on priority after that the paper will go to the A.G., Office and then A.G. will finalized the pension. The whole process may take two months time.

5. **S.O. two months** time. Already provisional pension is granted to the applicant. Now, for revised pension the process is going on.

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**



**C.P.No.05/2022 in O.A.No.665/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

Heard Shri I.S.Charlewar, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the State. Await service of R-1 to 3.

2. The Id. counsel for the applicant is at liberty to file service affidavit in the office. **S.O. four weeks to file reply.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**C.P.No.34/2021inO.A.No.158/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)  
Dated : 01/04/2022.**

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

2. The Id. counsel for the applicant submits that he will not press for Contempt Petition seen the matter before Hon'ble High Court. After decision of Hon'ble High Court, matter will be heard in Tribunal. Since, the matter is before Hon'ble High Court, the matter is kept in abeyance. The Id. counsel for the applicant at liberty to circulate the matter once he requires.

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

O.A.No.858/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

Heard Shri R.M.Fating, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. **Closed for orders.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.341&348/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri Justice M.G.Giratkar, Member (J)**  
**Dated : 01/04/ 2022.**

Heard Shri A.B.Moon, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. The matter relates to the appointment of Police Constable Driver. Similar issue was decided in various O.A. Nos. 308/2022 & Ors. by this Tribunal on 31.03.2022. The grievance of the applicant in this O.A. is covered by the same Judgment. Respondents are also pointed out Government of Maharashtra, Law and Judiciary Department Circular dated 28.02.2017 issued by Chief Secretary of Government of Maharashtra and in para no. 3 it has been clearly mentioned in the case of **State of Uttar Pradesh & Ors. vs. Arvind Kumar Srivastava reported in 2015 (1) SCC 347** has laid down similar principle, thus:-

*"Normal Rule is that when a particular set of employees is given relief by the Court, all other identically situated persons need to be treated alike by extending that benefit. Not doing so would amount to discrimination and would be violative of Article 14 of the Constitution of India. This principle needs to be applied in service matters more emphatically as the service jurisprudence evolved by this Court from time to time postulates that all similarly situated persons should be treated similarly. Therefore, the*



*normal rule would be that merely because other similarly situated persons did not approach the Court earlier, they are not to be treated differently."*

3. In view of this situation, the applicants grievances are covered by Judgment of this Tribunal delivered on 31.03.2022 as well as Chief Secretary letter dated 28.02.2017.

4. The Id. counsel for the applicant is directed to go through the Circular of Hon'ble Chief Secretary letter dated 28.02.2017 and points out the respondents. In view of Judgment in various O.A. Nos. 22, 308, 309 & 325/2022 passed on 31.03.2022 and G.R. dated 28.02.2017 issued by Chief Secretary of Maharashtra, grievances of the applicants are covered. Hence, **O.As. are allowed in terms of prayer clause nos. 8 (i) & (ii). No order as to costs.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**O.A.Nos. 346& 347/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri Justice M.G.Giratkar, Member (J)**  
**Dated : 01/04/ 2022.**

Heard Shri A.B.Moon, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. The Id. counsel for the applicant has filed **Hon'ble Apex Court Judgment in the case of The State of Maharashtra & Another Vs. Keshao Vishwanath Sonone & Another in C.A. No. 4096/2020 and ors.** It is taken on record. Copy is served to the other side.

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

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

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

notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

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

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**O.A.No.359/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri Justice M.G.Giratkar, Member (J)**  
**Dated : 01/04/2022.**

Heard Shri S.A.Marathe, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State.

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

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

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

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

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

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

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

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**O.A.No.369/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/ 2022.**

Heard Shri H.D.Dangre, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State.

2. As pointed out by Id. counsel for the applicant, advertisement was issued by M.P.S.C. on 17.02.2020 and the applicant was primarily working as Assistant Professor (General Medicine) and by this advertisement he has applied for Professor (General Medicine) post. As per advertisement on page no. 47 column no. 3.3.1 in experience column following criteria was given :-

*"Experience:- Associate Professor in the subject for 3 years in a permitted/ Approved/recognised medical college/ institution with three Research publications (atleast two as Associate Professor) (only original papers, meta-analysis, systematic reviews, and case series that are published in journals included in Medicine, Pubmed Central, Citation index, Sciences Citation index, Expanded)"*

3. As submission made by the Id. counsel for the applicant 26 candidates were appointed and after scrutiny 7 were rejected due to other reason. So, 19 candidates were left for the post from Associate Professor to Professor in Medicine only. Out of the said 19 candidates, applicant is candidate for one post earmarked for General Open. According to the M.P.S.C. Rules, which is filed on record from A-4, Pg. Nos. 53 to 62 and relevant portion is on page no. 57, para no. 9 which is reproduced below:-

"9. Direct Recruitment:-(i) The number of candidates to be shortlisted for the interview shall be as follows:-

<i>No. of Posts advertised</i>	<i>No. of candidates to be called for Interview</i>
1	5
2	8
3 and more	3 times

*However, in cases of isolated posts at the State level i.e. Directors of field department etc. which are equivalent to the grade of Joint Secretary in Mantralaya or above, the Commission may decide from time to time, the number of candidates to be called for the interview. The number of candidates to be shortlisted for interview shall not exceed 10 times the number of such vacancies, in any case."*

4. So initial experience criteria was three years for this post. However, subsequently it was increased by this order dated 14.03.2022 (Page No. 74) and according to this on page no. 76 after the table in General Medicine experience criteria has been increased to 14 years and 11 months from 3 years. However, it was pointed out on page no. 81 date is given 21.03.2022 and on page no. 82 in experience column it is written 15 years and 7 months. So on three stages experience criteria has been changed first three years then 14 years and 11 months on 14.03.2021 and then 15 years and 7 months on 21.03.2021. On page no. 11 of the O.A., the Id. counsel for the applicant has placed the table which is reproduced below:-

<b>Actual experience</b>	6 years 2 months and 22 days
<b>Required as per advertisement</b>	3 years
<b>Required as per revised criteria, dated 14.03.2021</b>	14 years, 11 months
<b>Required as per revised criteria, dated 21.03.2021</b>	15 years and 7 months

5. The Id. counsel for the applicant also pointed out that in the M.P.S.C. Rule there is a provision that if number of candidates is large then screening and it may be conducted as pointed out by Id. counsel for the applicant in M.P.S.C. Rule at page no. 58 (vi) (pg no. 58) which is reproduced below:-

*"(vi) If the response to the advertisement is so large that application of such a criteria to shortlist candidates for Interview is not possible the Commission may decide to hold a screening test. Based on the merit of the performance in such a test the candidates will be shortlisted, the proportion being the same as mentioned in Rule 9 (i) above"*

6. The Id. counsel for the applicant further pointed out that Interview to this post was held on 22.03.2022 and before one day experience criteria was increased. Extending the experience criteria one day before Interview appears to be illogical. In view of this situation, **Respondent no. 3 i.e. M.P.S.C. is directed to arrange the Interview for the applicant within fifteen days from the date of receipt of this order and keep result of all the candidates in sealed cover till the outcome of the O.A.** Meanwhile, if M.P.S.C. is in hurry, Id. P.O. may circulate the matter.
7. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.
8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
9. 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.
10. 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.
11. 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.
12. 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.
13. **S.O. four weeks.**
14. **Steno copy is granted.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**



**C.P.No.45/2020inO.A.No.1025/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri Justice M.G.Giratkar, Member (J)**  
**Dated : 01/04/2022.**

Heard Shri B.Kumar holding for Shri N.B.Rathod, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The Id. P.O. has placed order of Hon'ble High Court in W.P. No. 913/2022 dated 23.03.2022. It is taken on record. Copy is served to the other side.

3. In the above said order in para no. 2, Hon'ble High Court has observed following direction which is reproduced below:-

*"We are informed that the Contempt Petition is filed for non-compliance of the impugned order. The Maharashtra Administrative Tribunal, Nagpur is requested to defer the proceedings in light of the request made by learned counsel for respondent nos. 1 & 2."*

4. The matter is going to be listed before Hon'ble High court on 13.04.2022. Hence, **S.O. four weeks.**

5. In between, if it is decided by the Hon'ble High Court the Id. counsel for the applicant is at liberty to circulate the matter.

**Member(J)**  
**Date:-01/04/2022.**

**Vice Chairman**

**O.A.No.593/2013 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)  
Dated : 01/04/2022.**

Heard Shri S.M.Khan holding for Shri P.V.Thakre, the Id. Counsel for the applicant, Shri A.M.Khadatkar, the Id. P.O. for the respondents. None for the R-4. Shri G.K.Bhusari, the Id. counsel for the R-5 and Shri S.Chaurasia holding for Shri G.M.Shitut, the Id. counsel for the R-6.

2. At the request of Id. counsel for the applicant, **S.O. after summer vacation.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**O.A.No.450/2014 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)  
Dated : 01/04/2022.**

Heard Shri A.Z.Jibhkate, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents. None for the R-4.

2. As pointed out by Id. P.O., the applicant was given appointment on 21.10.2015 as per Pg. No. 139 and applicant joined on 23.10.2015, by which applicant was directed to report to Medical Officer, Amravati, Zilla Parishad.

3. As submitted by Id. P.O., it is directed that applicant shall make a representation to the respondents about her grievances in respect of Salary / Monetary benefits and the respondents are directed to decide the same after hearing the applicant personally within 60 days from the date of representation.

4. **S.O. after two months.**

5. **Matter be treated as P.H.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**O.A.263/20WithC.A.223/20&149/21 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

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

2. At the request of Id. P.O., **S.O. 18.04.2022.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**O.A.No.66/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)  
Dated : 01/04/ 2022.**

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

2. The Id. P.O. has filed document dated 05.01.2022. It is taken on record. It is marked Exh. X for the purpose of identification.

3. The Id. counsel for the applicant is directed to file on record which Class-III posts becomes vacant and who was appointed in between these days. He granted three weeks. He is further directed to supply the same to the other side in advance before hearing on next date.

4. **S.O. 19.04.2022.**

5. **Matter be treated as P.H.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**O.A.No.193/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

Heard Shri R.V.Shiralkar holding for Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

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

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.69,70,71,72&73/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri Justice M.G.Giratkar, Member (J)**

**Dated : 01/04/2022.**

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

2. The Id. counsel for the applicant is directed to produce the chart with O.A. Nos., source of initial appointment and criteria in which they were promoted and if any other observation it should be comes under remarks column.

3. **S.O. Monday i.e. 04.04.2022.**

4. **Matter be treated as P.H.**

**Member(J)**  
**Date:-01/04/2022.**  
aps.

**Vice Chairman**

O.A. 868/2018 (S.B.)

**Coram:**Hon'ble Shri M.A.Lovekar, Member (J)

**Dated :** 01/04/2022.

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

**Closed for order**

**Member (J).**

RSM.

O.A. 737/2020 (S.B.)



**Coram: Hon'ble Shri M.A.Lovekar,  
Member (J)**

**Dated : 01/04/2022.**

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

**Closed for order**

**Member (J).**

RSM.

**O.A. 590/2018 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,  
Member (J)**

**Dated : 01/04/2022.**

Heard Shri N.R.Saboo, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

**On oral request of Ld. P.O., S.O. One week**

**Member (J).**

RSM.

**O.A. 591/2018 (S.B.)**

**Coram:** Hon'ble Shri M.A.Lovekar, Member (J)

**Dated :** 01/04/2022.

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

**On oral request of Ld. P.O., S.O. One week.**

**Member (J).**

RSM.

**O.A. 31/2019 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar, Member (J)**

**Dated : 01/04/2022.**

Heard Shri S.N.Gaikwad, Id. counsel for the applicant, Shri A.M.Ghogre, Id. P.O. for the respondent and Shri S.D.Marathe, Id. counsel for the R-4.

2. Learned counsel for applicant seeks time to file service affidavit.

3. On oral request of Ld. counsel for applicant, S.O. After vacation.

**Member (J).**

RSM.

**O.A. 151/2022 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar, Member (J)**

**Dated : 01/04/2022.**

**C.A.No.64/2022**

Heard Smt. N.S.Pathan,, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the respondents.

**2. C.A.No.64/2022 for joint O.A. is allowed.**

3. Learned counsel states that in a week time she will file service affidavit.

**4. On oral request of Ld. counsel for the applicant, S.O. one weeks.**

**Member (J).**

RSM.

**O.A.152/2022 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,  
Member (J)**

**Dated : 01/04/2022.**

Heard Smt. N.S.Pathan, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the respondents.

2. Learned counsel states that in a week time she will file service affidavit.

3. On oral request of Ld. counsel for the applicant, **S.O. one weeks.**

**Member (J).**

RSM.

**O.A.191/2022 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar, Member (J)**

**Dated : 01/04/2022.**

Heard Smt. N.S.Pathan, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the respondents.

2. Learned counsel states that in a week time she will file service affidavit.

3. On oral request of Ld. counsel for the applicant, **S.O. one weeks.**

**Member (J).**

RSM.

**O.A. 110/2020 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,  
Member (J)**

**Dated : 01/04/2022.**

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

2. Reply of respondent no.3 filed by Id. P.O. is taken on record. He states that this reply is sufficient to decide the matter finally. Hence, matter is **admitted** for final hearing.

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

**4. S.O. four weeks for final hearing.**

**Member (J).**

RSM.

O.A. 123/2020 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,**



**Member (J)**

**Dated : 01/04/2022.**

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

2. Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. 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).**

RSM.

**O.A. 848/2021 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,  
Member (J)**

**Dated : 01/04/2022.**

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

2. Learned P.O. submits that the letter on record which It is marked –X for identification would show that reliefs claimed in the application have been already extended to the applicant. Learned counsel for the applicant shall take necessary instructions and make statement on 8.4.2022.

**S.O.four weeks.**

**Member (J).**

RSM.

**O.A. 966/2021 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,**

**Member (J)**

**Dated : 01/04/2022.**

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

2. Reply of respondents 1, 2 & 4 filed by learned P.O. is taken on record. He submits that this reply is sufficient to decide the matter final. Hence, matter is **admitted** for final hearing.

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

4. **S.O.four weeks.**

**Member (J).**

RSM.

**O.A. 1061/2021 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,  
Member (J)**

**Dated : 01/04/2022.**

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

On oral request of Ld. P.O., **S.O. three weeks for final hearing.**

**Member (J).**

RSM.

**O.A. 230/2022 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,  
Member (J)**

**Dated : 01/04/2022.**

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

2. Today Learned counsel for the applicant states that she will file service report/ affidavit in the office.

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

**Member (J).**

RSM.

**C.A.561/2017 in O.A.St. 3008/2017 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar, Member (J)**

**Dated : 01/04/2022.**

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

2. Perused contention of application and record. Sufficient cause is made out on condonation of delay. **Hence, Application is allowed.** Delay is condoned.

O.A.St.No.3008/2017:-

Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. Hamdast allowed.

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

3. 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.

4. 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.

5. 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.

6. 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.

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

**Member (J).**

RSM.

**C.A.366/2018 in O.A.st. 1495/2018 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,**  
**Member (J)**

**Dated : 01/04/2022.**



Heard Shri N.B.Bargat, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. Perused contents of application, condonation of delay application is allowed for the reasons stated therein.

**O.A.st. 1495/2018**

3. Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. 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. after four weeks.**

**Member (J).**

RSM.

O.A. 885/2017 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,**  
**Member (J)**

**Dated : 01/04/2022.**

Heard Shri S.U.Bhuyar, Id. counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondent. None for the R-3, 5 & 6.

2. Reply of respondent no. 4 filed by learned P.O.. It is taken on record. Learned counsel seeks time to go through the reply and file rejoinder, if necessary.

3. **S.O. four weeks for rejoinder.**

**Member (J).**

RSM.

**O.A. 570/2021 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar, Member (J)**

**Dated : 01/04/2022.**

Heard Shri A.S.Khedkar, Id. counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents.

2. It is pointed out that the respondents had filed reply to which rejoinder is filed by the applicant today. Hence, matter is **admitted** and kept for final hearing.

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

4. **S.O. 04.04.2022.**

**Member (J).**

RSM.

**O.A. 202/2022 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar, Member (J)**

**Dated : 01/04/2022.**

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

On oral request of Ld. P.O., **S.O.three weeks** for filing reply.

**Member (J).**

RSM.

**O.A. 10/2014 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar, Member (J)**

**Dated : 01/04/2022.**

Heard Shri P.V.Joshi, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

2. Learned counsel states that during the pendency of this application, the appellate authority has modified the

impugned order. He states that in view of this developments he desires to amend the application. Learned P.O. states that the modification of the impugned order would furnish a new cause of action and hence proper remedy which the applicant could avail would be that of fresh application and not by way of amendment. Time of two weeks is granted to make submission on this point.

On oral request of Ld. P.O. **S.O.three weeks.**

**Member (J).**

RSM.

**O.A. 212/2021 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar, Member (J)**

**Dated : 01/04/2022.**

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

2. Learned counsel is placed on record copy of order dated 03.03.2020 passed by this Tribunal in O.A.No.871/2019.

3. On oral request of Ld. P.O., **S.O.04.04.2022** for final hearing..

**Member (J).**

RSM.

**O.A. 717/2017 (S.B.) with C.A.64 & 65/18 with**

**Coram: Hon'ble Shri M.A.Lovekar,  
Member (J)**

**Dated : 01/04/2022.**

Heard Ms. M.P.Munshi, Id. counsel for the applicant holding for Shri S.P.Palshikar and Shri V.A.Kulkarni, Id. P.O. for the respondents.

**S.O. One week for final hearing.**

**Member (J).**

RSM.

**O.A. 718/2017 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,  
Member (J)**

**Dated : 01/04/2022.**

Heard Smt. M.P.Munshi, Id. counsel for the applicant holding for Shri S.P.Palshikar and Shri A.P.Potnis, Id. P.O. for the respondents.



**S.O.One week for final hearing.**

**Member (J).**

RSM.

**O.A. 725/2016 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar, Member (J)**

**Dated : 01/04/2022.**

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

**S.O.next week for final hearing.**

**Member (J).**

RSM.

**O.A. 82/2020 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,  
Member (J)**

**Dated : 01/04/2022.**

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

**S.O. next week for final hearing.**

**Member (J).**

RSM.