

O.A.No.785/2014 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

Heard Shri G.K.Bhusari, the Id. Counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the respondent nos. 1 to 3. None for the R-4, 5 to 7, 10, 11, 12, 15, 16, 18, 22, 23, 25, 27, 28, 29, 34 to 36, 41, 43, 45 & 46.

2. As submitted by Id. counsel for the applicant, notices was issued as per order dated 08.02.2022, he has served all the respondents except Sr. Nos. 8 & 10 (stood retired) and Sr. No. 11 (expired).

3. **S.O. four weeks.**

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.620/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

None for the applicant. Shri S.A.Deo, the Id.
C.P.O. for the State. Await service of R-2 & 3.

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

**Member(J)
Date:-08/03/2022.
aps.**

Vice Chairman

O.A.Nos.279&280/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

Heard Shri A.Motlog holding for Shri R.V.Shiralkar, 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:-08/03/2022.
aps.

Vice Chairman

O.A.No.691/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

Heard Smt. K.N.Saboo, the Id. Counsel for the applicant, Shri A.M.Khadatkar, the Id. P.O. for the respondents and Shri V.Kulsange, the Id. counsel for the R-3.

2. As submission made by the Id. counsel for the respondent no. 3, he has already filed reply. Hence, matter is **admitted** and kept for final hearing.

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

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

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.27/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

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

2. The Id. P.O. has supplied second set of reply of respondent nos. 2 & 3. The Id. counsel for the applicant submits that he has already received the reply and he is not intending to file any rejoinder. Hence, O.A. is **admitted** and kept for final hearing.

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

4. **S.O. 29.03.2022.**

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.468/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

Heard Shri S.M.Khan, 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:-08/03/2022.
aps.

Vice Chairman

O.A.No.530/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

C.A.No.186/2021:-

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of R-2 to 5 in C.A. and O.A.

2. **C.A.No.186/2021 for Jt. O.A. is allowed and disposed of.**

3. The Id. counsel for the applicant submits that notices have been served. The Id. C.P.O. desires four weeks time to file reply, **S.O. four weeks.**

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.650/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.

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

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

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

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

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

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

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.948/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

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

2. The Id. counsel for the applicant pointed out that reply is pending with Legal Officer of the department from the last two months. In this situation, three weeks further time is given as a last chance. If reply is not filed or any decision is not submitted on record, matter be heard on merit.

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

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.Nos.101,102,103&104/2022 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

Heard Shri G.K.Bhusari, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the State. Await service of R-2 to 5.

2. The Id. counsel for the applicant submitted that he is going to file service affidavit of respondent nos. 2 & 3. He further seeks time to file service affidavit of R-4 & 5.

3. **S.O. two weeks to file service affidavit.**

4. **I.R. granted in para no. 4 of the order dated 31.01.2022 will be continued till filing of the reply.**

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.824/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

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

2. At the request of Id. P.O., **S.O. two weeks to file reply.** If reply is not filed within two weeks, matter should be heard on merit.

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.Nos.971&972/2020 (D.B.)

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

Dated : 08/03/ 2022.

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

2. The Id. P.O. has filed reply on behalf of the respondent nos. 1 to 3. It is taken on record. He further submits that he will serve it to the other side.

3. While perusing the reply on page nos. 77 following submission have been made by the department:-

"The department is ready to reinstate the applicant in service with continuity without back wages, this proposal is accepted by the applicant. Hence we direct that the applicant should reinstate in service as Safaigar with continuity, he will not be entitled for any back wages. The respondents are directed to continue the pay of applicant; the applicant shall be entitled for all the benefits available to Government Servant."

4. The Id. P.O. also pointed out that in similar cases in O.A. No. 68/2016 order was passed on 15.01.2020 at pg. no. 70. This O.A. is having the same grievances and that order may cover the grievances of the applicant in this case also. Hence, matter is kept tomorrow for disposal.

5. **S.O. tomorrow i.e. 09.03.2022.**

Later on:-

Ms. Akansha Bhat, the Id. counsel for the applicant present. With the consent of both the counsels, matter is **admitted** and kept for final hearing.

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

3. **S.O. 15.03.2022.**

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.727/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

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

2. The Id. P.O. submits that Shri Khan is appearing in this matter. Hence, at the request of Id. P.O., **S.O. tomorrow i.e. 09.03.2022.** Shri Khan is further directed to appear in this matter tomorrow.

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.580/2015 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.

Heard Shri M.M.Sudame, 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 relied on Judgment of Hon'ble High Court Bombay in W.P. No. 2002 of 2019 in the case of Lata Shyamrao Sangolkar Vs. State of Maharashtra & Ors. delivered on 04.03.2021. He further relied on Judgment of Hon'ble High Court Bombay, Bench at Nagpur in W.P. Nos. 1925 & 1930 of 2014 in the case of Kanchan Vishwanath Jagtap Vs. Maharashtra Administrative Tribunal, Nagpur and Ors. delivered on 16.12.2015. He further relied on Judgment of Hon'ble High Court Bombay, Bench at Nagpur in W.P. No. 3290/2019 in the case of Seema D/o Sudhakar Munjewar Vs. Maharashtra Public Service Commission, through its Chairman, Mumbai & Another delivered on 28.07.2021. He further relied on Judgment of Hon'ble High Court Bombay, Bench at Nagpur in W.P. No. 6326 of 2018 in the case of Shantabai Laxman Doiphode Vs. State of Maharashtra & Ors. decided on 14.10.2020. He further relied on Judgment of Hon'ble Apex Court in the case of Saurav Yadav & Ors. Vs. State of Uttar Pradesh & Ors., (2021) 4 S.C.C. 542.

3. Hence, **closed for orders.**

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.945/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/2022.**

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

2. **Closed for orders.**

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

C.P.No.19/2021inO.A.No.324/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

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

2. As submitted by Id. P.O., department has preferred W.P. which is in progress. As per request of Id. P.O., **S.O. two weeks to file the progress report on record.**

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

C.P.No.22/2020inO.A.No.541/2016 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

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

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

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

C.P.No.33/2020inO.A.No.845/2018 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.

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

2. The matter was heard on 15.02.2022 and detailed order was passed in para nos. 2 & 3 which are reproduced below:-

"2. The Id. counsel for the applicant has filed pursis dated 18.01.2022 along with this he has attached the chart (Annexure-CP-1, Pg. No. 30). The only point of dispute is that applicant's grievance is that there is some discrepancy in this chart and it relates to less payment. However, Id. counsel for the applicant submits that somebody from Respondent nos. 2 & 3, Id. P.O. as well he (Id. counsel) had discussion on this point and the said officer agreed that there is some discrepancy in this matter. The Id. counsel for the applicant further submits that his applicant reached thrice time to the respondent's office but nothing concrete come out from respondents side. The Id. P.O. is directed to contact that officer and ask him to solve the grievance. He is further directed to take help of Id. counsel for the applicant in this matter.

3. S.O. 08.03.2022."

3. Today, the Id. counsel for the applicant submits that he further requires one week time to reconcile the discrepancy. Matter will be heard on 28.03.2022 and both the counsels are directed to reconcile the discrepancies.

4. S.O. 28.03.2022.

Member(J)
Date:-08/03/2022.
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 : 08/03/ 2022.**

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

2. The Id. P.O. has produced the documents by which it appears that respondents have gone to the Hon'ble High Court in W.P. No. 913/2022. The matter is kept before Hon'ble High Court on 24.03.2022.

3. Hence, **S.O. 01.04.2022.**

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.278/2012 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)**
Dated : 08/03/2022.

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

2. S.O. one week.

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.810/2015 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

Shri A.C.Dharmadhikari, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

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

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman

O.A.No.772/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

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

2. **S.O. next week.**

**Member(J)
Date:-08/03/2022.
aps.**

Vice Chairman

O.A.No.790/2017 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Member (J)
Dated : 08/03/ 2022.**

Shri P.D.Meghe, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. Though the matter pertains to 'Mustering Assistant', it should go before Single Bench along with other connected matters.

Member(J)
Date:-08/03/2022.
aps.

Vice Chairman