

**O.A.No.1160/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri A.P.Sadavarte, ld. Counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents and Shri Jaipurkar, ld. Counsel for the R-4 is going to file vakalatnama on behalf of the R-4.

2. At the request of ld. P.O., **S.O. 16.12.2022.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

O.A.No.195/2017 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

**C.A.No.104/2017:-**

Heard Ku.K.K.Pathak, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. after winter vacation.**

**Member(J)**

**Date:-08/12/2022.**

aps.

**Vice Chairman**

**O.A.No.959/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri P.Deshmukh, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. after winter vacation.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**C.A.273/22inC.P.23/21inO.A.278/18 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. Ld. P.O. has filed reply on behalf of the respondent no. 4. It is taken on record. Copy is served to the other side.

3. **S.O. 16.12.2022.**

**Member(J)**

**Date:-08/12/2022.**

aps.

**Vice Chairman**

**C.P.No.38/2022inO.A.No.102/2020 with**

**C.P.No.39/2022inO.A.No.545/2021 with**

**C.P.No.40/2022inO.A.No.858/2020 with**

**C.P.No.41/2022inO.A.No.316/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. Ld. P.O. has filed reply on behalf of the respondent nos. 2 & 3 in O.A. No. 102/2020. It is taken on record. Copy is served to the other side.

3. At the request of ld. P.O., **S.O. after winter vacation.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.419/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. By consent matter is **admitted** and kept for final hearing.

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

4. **S.O. 19.12.2022.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.847/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. Ld. P.O. desires time to file reply, **S.O. 01<sup>st</sup> week of January, 2023.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.1110/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

**C.A.No.498/2022:-**

Heard Shri R.S.Khobragade, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the State.

**2. C.A.No.498/2022 for Jt. O.A. 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.**

10. **Put up this matter along with O.A. Nos. 1078, 1079 & 1085/2022.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.1098/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri S.A.Marathe, ld. Counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents and Shri N.D.Thombre, ld. Counsel for the R-5.

2. Ld. Counsel seeks permission to withdraw this original application with liberty to file fresh original application for the redressal of same grievances.

3. Hence, **O.A. is allowed to be withdrawn with liberty as sought.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**M.C.A.41/22inC.P.04/22inO.A.330/2021(D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri G.N.Khanzode, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. Ld. Counsel for the applicant has placed documents along with this he has given opinion of the Law and Judiciary Department and as per last para on page no. 15 which is reproduced below:-

*“Hon’ble MAT in its earlier order has directed to consider the representation as per rules and regulations and in contempt order has clearly stated to promote the present applicant subject to final outcome of the proceedings.*

*In view of the above noted factual position and papers on record the order passed by Hon’ble MAT seems to be correct and proper and no perversity is seen in the order and I do not find any substance to file writ petition in the matter. Hence, I approve the above submissions as this is not a fit case to file writ petition in the matter.”*

3. In this situation order of M.A.T. has attend judicial finality. However, Id. P.O. seeks some time to get certain instructions. S.O. 13.12.2022 as a last

chance otherwise department officer will have to remain present.

**4. S.O. 13.12.2022 as a last chance.**

**5. Steno copy is granted.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**C.P.No.33/2022inO.A.No.89/2017 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

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

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**C.P.No.48/2022inO.A.No.925/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri S.A.Marathe, 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. four weeks to file reply.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**C.P.No.68/2022inO.A.No.767/2017 with**

**C.A.473/22inRev.St.2551/22inO.A.767/17D.B.**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)  
Dated : 08/12/2022.**

Heard Smt. K.P.Wathore, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. Ld. Counsel for the applicant submits that she want's to file reply on review application, **S.O. after winter vacation.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**C.A.No.504/2022inO.A.No.877/2022with**

**C.A.No.501/2022inO.A.No.768/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. Ld. Counsel for the applicant has relied on G.R. dated 14.01.2016 in which related paras are reproduced below:-

“राज्य सरकारी चतुर्थश्रेणी कर्मचारी मध्यवर्ती संघटनेने असे निवेदन दिले आहे की, ‘सध्या चतुर्थश्रेणी संवर्गात ७० ते ७५ टक्के कर्मचारी एस.एस.सी./एच.एस.सी, पदवी व पदव्युत्तर पदवी उर्तीर्ण कर्मचारी कार्यरत असून त्यांना शासकीय कामाचा चांगला अनुभव आहे. शासनाने चतुर्थश्रेणी कर्मचाऱ्यांना पदोन्नती देण्याचे २५ टक्केचे निकर्ष रद्द करून २५ टक्के ते ५० टक्के पर्यंत वाढविल्यास शासकीय कामाचा निपटारा उत्तम प्रकारे होईल. महाराष्ट्रातील चतुर्थश्रेणी कर्मचा-यांच्या मंजुर पदांच्या २५ टक्के पदे कमी केली तरी चालतील.’

गट-क मधील जास्तीत जास्त २५ टक्के पदे गट-ड मधील अर्हताप्राप्त कर्मचा-यांमधून भरण्याची अट सुधारीत करून ही मर्यादा ५० टक्के पर्यंत करण्यात येत आहे. तसेच सदर संवर्गाच्या सेवाप्रवेश नियमात आवश्यक सुधारणा करण्यात येतील.”

3. As per the submission of Id. Counsel for the applicant and the said G.R., why department is not implementing the same. Ld. P.O. is directed to take necessary instructions whether department is going to implement this G.R. while filling post by way of



this advertisement or not for Nagpur and Amravati  
Region?

4. **S.O. 02.01.2023.**
5. **Steno copy is granted.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.824/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**  
**Dated : 08/12/2022.**

Heard Ms. A.D.Warjekar, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. Ld. Counsel for the applicant has relied on Judgment in O.A.No. 775/2022 of this Tribunal dated 29.07.2022. By relying on same Judgment, respondent no. 2 is directed that order dated 03.08.2022 (A-8, P-21) is stayed till further orders. Respondent no. 2 is further directed to take the applicant on duty till outcome of the O.A..

3. **S.O. after winter vacation.**

4. **Steno copy is granted.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.988/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

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

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**C.P.No.48/2020inO.A.No.15/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. **S.O. six weeks.**

**Member(J)**

**Date:-08/12/2022.**

aps.

**Vice Chairman**

**C.P.No.81/2022inO.A.No.210/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. Issue Notice to the respondents returnable in **05.01.2023** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. Shri M.I.Khan, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

4. **S.O. 05.01.2023.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**C.P.No.82/2022inO.A.No.683/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. Issue Notice to the respondents returnable in **05.01.2023** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. Shri M.I.Khan, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

4. **S.O. 05.01.2023.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.1201/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri S.A.Marathe, Id. Counsel for the applicant and Shri A.M.Khadatkar, 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:-08/12/2022.**  
aps.

**Vice Chairman**



**O.A.No.394/2015 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. At the request of ld. P.O., **S.O. 05.01.2023 for final hearing.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.32/2016&253/2017 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

None for the applicant. Shri M.I.Khan, Id. P.O.  
for the respondents.

2. At the request of Id. P.O., **S.O. after winter  
vacation.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.638/2017 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri R.Joshi, ld. Counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents and Shri A.R.Fule, ld. Counsel for the R-2.

2. At the request of ld. P.O., **S.O. 16.12.2022 for final hearing.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.831/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri R.M.Fating holding for Shri M.R.Khan, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. after winter vacation for final hearing.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.869/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. At the request of Id. P.O., **S.O. 09.01.2023 for final hearing.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.454/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri M.S.Patil holding for Shri V.G.Bhamburkar, Id. Counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

2. At the request of Id. Counsel for the applicant, **S.O. after winter vacation for final hearing.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.641/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri R.M.Fating, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. Ld. P.O. submits that applicant's claiming for grant of A.C.P. from 1995 has been rejected by Hon'ble High Court. Now, applicant is claiming A.C.P. from 1996 for that preceding five years C.Rs. are required.

3. At the request of ld. P.O., **S.O. 10.01.2023 for final hearing.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.686/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. At the request of ld. P.O., **S.O. 12.12.2022 for final hearing.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**



**O.A.No.424/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri A.Barahate holding for Shri N.R.Saboo, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents. None for R-3.

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

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.27&304/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

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

2. At the request of Id. P.O., **S.O. 13.12.2022 for final hearing.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**

**O.A.No.335/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 08/12/2022.**

Heard Shri A.D.Girdekar, ld. Counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents. None for the R-3.

2. At the request of ld. P.O., **S.O. 11.01.2023 for final hearing.**

**Member(J)**  
**Date:-08/12/2022.**  
aps.

**Vice Chairman**