

**C.P.No.30/2023 in O.A.No.803/2019 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated :09/06/2023.**

Heard Shri P.Ramteke, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents. C.F. applicant has not collected hamdast for R-1 to 4.

2. Ld. Counsel for the applicant submits that today he will collect hamdast for respondent nos. 1 to 4.

3. At the request of ld. P.O., **S.O. 03.07.2023 to file reply.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.310/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated :09/06/2023.**

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

2. As per the statement of Id. Counsel for the applicant, enquiry is pending since 2008 and till date it is not completed. Applicant is not getting pensionary benefit, he is getting only provisional pension. Hence, **respondents are directed to complete the departmental enquiry within a period of four months from the date of this order** (as per the judgment of **Hon'ble Supreme Court in the case of Akhilesh Jha & Another Vs. State of Madhya Pradesh & Another**).

3. S.O. 24.07.2023.

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

**O.A.No.417/2023 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated :09/06/2023.**

**C.A.No.234/2023:-**

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

2. All the applicants are claiming deemed date of appointment and also all the applicants are challenging the seniority list. Grievances of the applicants are same. Hence, **C.A.No.234/2023 for Jt. O.A. is allowed.**

**O.A.No.417/2023:-**

2. Issue notice to Respondents, returnable on 03.07.2023. Learned C.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. 03.07.2023.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

**O.A.No.408/2020 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated :09/06/2023.**

Heard Shri Paresh Thakur holding for Shri S.M.Vaishnav, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the State. Await service of R-2 & 3.

2. Ld. Counsel for the applicant has filed pursis. It is marked Exh. 'X' for the purpose of identification.

3. The applicants were reverted from the post of Junior Clerk to the post of Peon. During the pendency of this O.A., applicants have joined on the post of Peon. Therefore, they do not want to prosecute this original application.

4. Hence, **O.A. is disposed of with no order as to costs.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.948/2020 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated :09/06/2023.**

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

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

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.Nos.529&531/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. Ld. P.O. has filed reply in O.A. No. 529/2021 that is sufficient to decide both the matters.
3. Hence, matter is **admitted**.
4. Ld. P.O. waives notice for the respondents.
5. **S.O. 16.06.2023.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.816/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Smt. Saboo, ld. counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the Respondents and Shri M.V.Bute, ld. Counsel for the R-3. Await service of respondents 2, 4 & 5. None for the R-4 & 5.

2. Respondent no. 3 has filed reply on 14.07.2022. As per the submission of ld. P.O., reply of respondents 1 & 2 not required.

3. Hence, matter is **admitted**.

4. Ld. P.O. waives notices for the respondents.

5. **S.O. 15.06.2023 for final hearing.**

**Vice Chairman**

**Date:- 09/06/2023.**

aps.



O.A.No.954/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri S.D.Chande, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. Ld. P.O. has filed reply of respondent nos. 3 & 5. It is taken on record. Copy is served to the other side.

3. Ld. P.O. further seeks time to file reply of R-4, S.O. 21.06.2023.

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.237/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri R.M.Fating, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondents 1 & 2. 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. 28.06.2023.**

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

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.606/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Smt. Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. The ld. C.P.O. has filed reply on behalf of the respondents 2 & 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. 20.06.2023.**

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

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.962/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri R.M.Fating holding for Shri M.R.Khan, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents. Await service of R-2 & 3.

2. At the request of ld. Counsel for the applicant, **S.O. four weeks to file service affidavit.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.1065/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri N.S.Khandewale, 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. four weeks to file reply.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.1141/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri P.S.Khirsagar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. Ld. Counsel for the applicant submits that this matter is covered by this Judgment of this Tribunal. Reply is not filed, **S.O. 20.06.2023.**

3. On that date matter is fixed for hearing.

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.1230/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri R.M.Fating, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents and Shri H.D.Marathe, ld. Counsel for the R-2 & 3.

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

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.49/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri A.Motlog holding for Shri R.V.Shiralkar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondent no. 2. 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. 21.06.2023.**

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

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.



O.A.No.214/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated : 09/06/2023.**

Heard Shri V.Dahat, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. As submitted by ld. Counsel for the applicant, applicant is suspended as per order dated 07.12.2022. He submitted that as per his instructions chargesheet is served to the applicant after the 90 days from the date of order of suspension.

3. Ld. Counsel for the applicant has relied on the judgment of **Hon'ble Apex Court in the case of Ajay Kumar Chaudhary Vs. Union of India** and submitted that continuation of suspension is not legal and proper. Hence, prayed to revoke the suspension order.

4. Heard Shri Sainis, ld. P.O.. As per his submission he is seeking time to file reply.

5. Hon'ble Supreme Court in the case of Ajay Kumar Chaudhary Vs. Union of India has held that if the chargesheet is not served to the delinquent employee within a period of 90 days then suspension cannot be continued. Hence, the following order:-

O R D E R

A. O.A. is allowed.

- B. Suspension order dated 07.12.2022 is hereby revoked.
- C. **Respondents are directed to reinstate the applicant within a period of one month from the date of receipt of this order.**
- D. No order as to costs.

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.274/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

**C.A.No.256/2023:-**

Heard Shri S.Kadu, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the State. Await service of R-2 to 4.

2. Ld. Counsel for the applicant submits that he has served the respondents and today he is filing service affidavit.

3. At the request of ld. P.O., **S.O. four weeks to file reply.**

**Vice Chairman**

**Date:- 09/06/2023.**

aps.

O.A.No.304/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri S.S.More, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. No stay was granted on the first date of hearing. Today, ld. Counsel for the applicant has insisted to grant stay to the recovery started by the respondents. The applicant was transferred. After transfer of the applicant, applicant did not vacate the Government residential quarter. It was specifically observed by the Tribunal in the order dated 11.04.2023 that being the government servant it was his duty to vacate the government quarter after transfer. Therefore, stay was not granted. Nothing more is produce to show that he is entitled to get stay.

3. Ld. P.O. seeks time to file reply, **S.O. after three weeks.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.326/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri B.Kulkarni, 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.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.463/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri P.K.Mishra, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the State. C.F. applicant has not collected hamdast for R-2 & 3.

2. Ld. P.O. has pointed out that respondent no. 2 is made by name party. The act of the respondent no. 2 is in official capacity. Therefore, name of respondent no. 2 be deleted. Office is directed to do necessary amendment.

3. S.O. 19.06.2023.

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

**O.A.No.533/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

**C.A.No.257/2023:-**

Heard Shri R.M.Fating, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. All the applicants are claiming only increment which falls due on 31.07.2023 of the respective year. The prayer is common. Hence, **C.A.No.257/2023 for Jt. O.A. is allowed.**

**O.A.No.533/2023:-**

2. Issue notice to Respondents, returnable on 28.06.2023. Learned C.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. 28.06.2023.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.



O.A.Nos.523/2019&712/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri A.P.Chaware, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. Applicant has filed pursis on 31.03.2023 stating that during the pendency of this O.A., he has transferred as per his choice. Therefore, he do not want to prosecute.

3. Hence, **O.A. is disposed of as withdrawn with no order as to costs.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

**R.A.No.06/2021inO.A.No.837/2018 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri S.A.Sainis, ld. counsel for the applicant (Org. respondents) and Shri R.S.Sirpurkar, ld. P.O. for the Respondents (Org. Applicant).

2. At the request of ld. Counsel for the respondents (Org. Applicant), **S.O. 23.06.2023 to file reply.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.536/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated : 09/06/2023.**

Heard Shri B.Kulkarni, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. As per the submission of ld. Counsel for the applicant, applicant was due for transfer. He had given 10 options for transfer, without any counselling he was transferred to other Division. The posts at Delanwadi and Purada (Wadasa Division) are still vacant. The respondents have not considered the same and transferred him to Sironcha Division. Therefore, prayed direction to the respondents.

3. Ld. Counsel for the applicant further submits that respondents be directed to post the applicant at Delanwadi and Purada (Wadasa Division) as per the representation dated 05.06.2023.

4. Heard ld. C.P.O.. Ld. C.P.O. has pointed out O.A. No. 522/2023 (P. 72).

5. **Respondents are directed to consider the representation of the applicant dated 05.06.2023 for posting at Delanwadi or Purada (Wadasa Division).**

6. Issue notice to Respondents, returnable on 26.06.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

8. 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.

9. 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.

10. 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.

11. 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.

12. **S.O. 26.06.2023.**

13. **Steno copy is granted.**

**Vice Chairman**

**Date:- 09/06/2023.**

aps.

O.A.No.537/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated : 09/06/2023.**

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

2. As per the submission of Id. Counsel for the applicant, applicant was due for transfer. He had given options for transfer but those were not considered. The applicant is transferred from Wadasa to Bhambragad. Places of options given by the applicant are Kurkheda, Belgaon and Purada (Wadasa Division) are still vacant. Therefore, prayed for direction to consider the representation dated 05.06.2023.

3. **Respondents are directed to consider the representation of the applicant dated 05.06.2023 for posting at Kurkheda, Belgaon or Purada (Wadasa Division).**

4. Issue notice to Respondents, returnable on 26.06.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

6. 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.

7. 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.

8. 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.

9. 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.

10. **S.O. 26.06.2023.**

11. **Steno copy is granted.**

**Vice Chairman**

**Date:- 09/06/2023.**

aps.

O.A.No.538/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated : 09/06/2023.**

Heard Shri B.Kulkarni, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. As per the submission of ld. Counsel for the applicant, applicant was due for transfer. He had given 10 options for transfer. The applicant is transferred from Wadasa to Sironcha Division. Therefore, prayed direction to the respondents.

3. **Respondents are directed to consider the representation of the applicant dated 05.06.2023 for posting at Kurandi, Armori Range (Wadasa Division) or Sawalkheda, Armori Range (Wadasa Division).**

4. Issue notice to Respondents, returnable on 26.06.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

6. 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.

7. 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.

8. 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.

9. 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.

10. **S.O. 26.06.2023.**

11. **Steno copy is granted.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.



O.A.No.452/2016 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

None for the applicant. Shri A.M.Ghogre, ld.  
P.O. for the Respondents.

2. On last date also none for the applicant, **S.O.**  
**19.06.2023.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.811/2016 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. At the request of ld. Counsel for the applicant, **S.O. 15.06.2023.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.100/2019 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri K.J.Khanorkar, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the Respondents and Shri H.D.Marathe, ld. Counsel for the R-3 & 4.

2. At the request of ld. Counsel for the applicant, **S.O. after two weeks.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.280/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Smt. Saboo, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents. None for the R-4 to 8.

2. At the request of ld. Counsel for the applicant, **S.O. 28.02.2023.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.629/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

None for the applicant. Shri S.A.Deo, ld. C.P.O.  
for the Respondents.

2. At the request of ld. C.P.O., **S.O. 20.06.2023**  
**for final hearing.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.729/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. As submitted by ld. Counsel for the applicant, grievance of the applicant is now redressed. Hence, O.A. becomes infructuous.

3. **Matter is disposed of with no order as to costs.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.813/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri A.Motlog holding for Shri R.V.Shiralkar, 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. 21.06.2023.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

O.A.No.686/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri A.Motlog holding for Shri R.V.Shiralkar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 15.06.2023** for final hearing.

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.



O.A.No.705/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri R.S.Khobragade, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. Ld. Counsel for the applicant submits that he has instructions to withdraw this matter. Hence, **O.A. is disposed of with no order as to costs.**

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

**O.A.Nos.44,45,46,47&48/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 09/06/2023.**

Heard Shri A.Motlog holding for Shri R.V.Shiralkar, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the Respondents.

2. Ld. P.O. has filed communication dated 01.02.2023 showing as to why the salary of the applicant is not paid. **S.O. 12.06.2023.**

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

**Vice Chairman**

**Date:- 09/06/2023.**  
aps.

**O.A.No.552/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated : 09/06/2023.**

Heard Smt. S.Dashputre, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. As per the submission of ld. Counsel for the applicant, applicant was due for transfer. The respondents have notified the names of the employees who are due for transfer. The applicant had given two options for transfer in Yavatmal District. The applicant came to know from the reliable sources that he is transferred in Nanded District. Ld. Counsel for the applicant has further pointed out transfer order of Nirwan Dighade. Nirwan Dighade is transferred in place of applicant. She has submitted that applicant has not received any transfer order.

3. Ld. C.P.O. submits that O.A. itself is not maintainable. The applicant has not filed her transfer order. He further pointed out that she has not made party to Nirwan Dighade as respondents. Ld. Counsel for the applicant submits that transfer order of Nirwan Dighade is not challenged. He is claiming posting as per options given.

4. At this stage there is no any transfer order of the applicant. **Respondents may/ may not consider the options given by the applicant.** Without filing the transfer order it cannot be said that it is legal or illegal.

5. Issue notice to Respondents, returnable on 16.06.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

7. 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.

8. 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.

9. 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.

10. 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.

11. **S.O. 16.06.2023.**

12. **Steno copy is granted.**

**Vice Chairman**

**Date:- 09/06/2023.**

aps.

O.A.No.587/2021 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri B.Dafle, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. two weeks for filing reply.**

**Member (J).**

rsm.

**O.A.No.935/2022 (S.B.)**

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

**Dated : 09/06/2023.**

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

2. Reply of respondent no.3 filed by learned P.O. is taken on record.

3. Final arguments of learned counsel for the applicant is heard. Learned counsel for the applicant has placed on record copy of Judgment dated 15.02.2023 in O.A.No.1121/2022. He desires to rely on the Judgment of this Bench and also the reply filed by respondents in the said O.A.

4. For reply of learned P.O./respondents **S.O.**  
**13.06.2023.**

**Member (J).**

rsm.

**O.A.No.936/2022 (S.B.)**

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

**Dated : 09/06/2023.**

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

2. Reply of respondent no.3 filed by learned P.O. is taken on record.

3. Final arguments of learned counsel for the applicant is heard. Learned counsel for the applicant has placed on record copy of Judgment dated 15.02.2023 in O.A.No.1121/2022. He desires to rely on the Judgment of this Bench and also the reply filed by respondents in the said O.A.

4. For reply of learned P.O./respondents **S.O.**  
**13.06.2023.**

**Member (J).**

rsm.

**O.A.No.1135/2022 (S.B.)**

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

**Dated : 09/06/2023.**

**C.A.No.474/2022**

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

2. C.A.No.474/2022 is allowed.

**O.A.No.1135/2022**

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 (I).**

rsm.

O.A.No.1169/2022 (S.B.)

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

**Dated : 09/06/2023.**

**C.A.No.235/2023**

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

2. Reply of respondents 3 and 4 filed by learned P.O. is taken on record. This reply is stated to be sufficient. The O.A. **admitted** and kept for final hearing.

3. Learned counsel for the applicant submits that O.A.No.952/2022 be tagged with this O.A. since the issue involved in both the O.As. is identical. O.A.No.952/2022 be tagged with this O.A.

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

**Member (J).**

rsm.

O.A.No.1170/2022 (S.B.)

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

**Dated : 09/06/2023.**

Heard Mrs.K.N.Saboo, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. one week for filing reply.**

**Member (J).**

rsm.

O.A.No.1218/2022 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri V.Paliwal, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. three weeks.**
3. Interim relief to continue till next date.

**Member (J).**

rsm.

O.A.No.10/2023 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri P.P.Khparde, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. four weeks for filing reply.**

**Member (J).**

rsm.

O.A.No.294/2023 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri S.Pande, holding for Shri B.Kulkarni, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. four weeks for filing reply.**

**Member (J).**

rsm.

O.A.No.298/2023 (S.B.)

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

**Dated : 09/06/2023.**

Heard Mrs. K.N.Saboo, holding for Shri N.R.Saboo, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. four weeks for filing reply.**

**Member (J).**

rsm.

O.A.No.342/2023 (S.B.)

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

**Dated : 09/06/2023.**

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

2. On oral request of ld. P.O., **S.O. 23.06.2023**  
**for filing reply.**

**Member (J).**

rsm.



O.A.No.354/2023 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri S.C.Deshmukh, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. four weeks for filing reply.**

**Member (J).**

rsm.

O.A.No.356/2023 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri G.K.Bhusari, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

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

**Member (J).**

rsm.

O.A.No.410/2023 (S.B.)

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

**Dated : 09/06/2023.**

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

2. On oral request of Id. P.O., **S.O. four weeks  
for filing reply.**

**Member (J).**

rsm.

O.A.No.414/2023 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri A.P.Sadavarte, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

2. Learned counsel for the applicant states that the respondents have been served and during the course of the day he will file service affidavit.

3. On oral request of learned P.O. **S.O. four weeks for filing reply.**

**Member (J).**

rsm.

O.A.No.423/2023 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri A.P.Sadavarte, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

2. Learned counsel for the applicant states that the respondents have been served and during the course of the day he will file service affidavit.

3. On oral request of learned P.O. **S.O. four weeks for filing reply.**

**Member (J).**

rsm.

O.A.No.432/2023 (S.B.)

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

**Dated : 09/06/2023.**

None for the applicant. Heard Shri A.M.Ghogre, ld. P.O. for the respondents. Await service of respondents 2 to 6.

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

**Member (J).**

rsm.

O.A.No.433/2023 (S.B.)

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

**Dated : 09/06/2023.**

None for the applicant. Heard Shri A.M.Ghogre, Id. P.O. for the respondents. Await service of respondent no.2.

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

**Member (J).**

rsm.

**O.A.No.474/2022 with O.A.No.475/2022  
(S.B.)**

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

**Dated : 09/06/2023.**

Heard Shri S.Pande, holding for Shri M.R.Rajgure, ld. counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the respondent no.1 and Shri T.M.Zaheer, ld. counsel for the respondents 2 and 3.

2. On oral request of ld. counsel for the respondents 2 and 3, **S.O. one week for filing reply.**

**Member (J).**

rsm.



Rev.09/2022 in O.A.No.799/2021  
(S.B.)

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

**Dated : 09/06/2023.**

None for the applicant. Heard Shri A.M.Ghogre, ld. P.O. for the respondents. None for the respondent no.5.

2. Reply of respondents 2 and 3 filed by learned P.O. is taken on record. This reply is stated to be sufficient. Rev. Application is **admitted** and kept for final hearing.

3. **S.O. next week.**

**Member (J).**

rsm.

O.A.No.834/2019 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri S.B.Tiwari, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents and Shri S.Majid, ld. counsel for the respondents 3 & 4.

2. Learned counsel for the applicant seeks permission to delete respondent no.2 from the array of respondents. Permission is granted.

3. Learned P.O. submits that rest of the respondents have already filed reply. On behalf of the applicant it is submitted that the O.A. is required to be amended because of subsequent developments. Time is sought to amend the O.A.

4. **S.O. two weeks.**

**Member (J).**

rsm.

O.A.No.210/2019 (S.B.)

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

**Dated : 09/06/2023.**

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

2. On oral request of ld. P.O., **S.O. 16.06.2023** for filing reply.

**Member (J).**

rsm.

O.A.No.502/2022 (S.B.)

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

**Dated : 09/06/2023.**

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

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 (I).**

rsm.

O.A.No.1139/2022 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri C.F.Bhagwani, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State.

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 (I).**

rsm.

O.A.No.1194/2022 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri A.P.Deshmukh, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

2. Learned counsel for the applicant seeks time to amend the O.A. Time is granted.

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

**Member (J).**

rsm.



O.A.No.528/2023 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri S.P.Palshikar, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Learned counsel for the applicant submits that the issue is decided by the Hon'ble Supreme Court. Matter is heard finally.

3. **Closed for Orders.**

**Member (J).**

rsm.

O.A.No.542/2022 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri S.P.Palshikar, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State.

2. Issue notice to the respondents, returnable **on 16.06.2023.** 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. 16.06.2023.**

9. Question of Interim Relief is kept open.

**Member (I).**

rsm.

O.A.No.278/2016 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri A.D.Girdekar, ld. counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the respondents and Shri S.N.Gaikwad, ld. counsel for the respondent no.3.

2. **S.O. two weeks.**

**Member (J).**

rsm.

O.A.No.510/2017 (S.B.)

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

**Dated : 09/06/2023.**

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

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

**Member (J).**

rsm.

O.A.No.621/2017 (S.B.)

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

**Dated : 09/06/2023.**

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

2. **S.O. 19.06.2023.**

**Member (J).**

rsm.

O.A.No.570/2019 (S.B.)

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

**Dated : 09/06/2023.**

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

2. Learned counsel for the applicant submits that this matter is required to be tagged with O.A.No.1019/2022. This prayer is allowed.

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

**Member (J).**

rsm.

O.A.No.880/2019 (S.B.)

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

**Dated : 09/06/2023.**

Heard Mrs.K.N.Saboo, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. **S.O. two weeks.**

**Member (J).**

rsm.



O.A.No.1037/2019 with O.A.No.1038/2019  
(S.B.)

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

**Dated : 09/06/2023.**

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

2. **S.O. 23.06.2023.**

**Member (J).**

rsm.

O.A.No.378/2020 (S.B.)

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

**Dated : 09/06/2023.**

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

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

**Member (J).**

rsm.

**O.A.No.440/2020 with O.A.No.441/2020 with  
O.A.No.442/2020 with O.A.No.443/2020  
(S.B.)**

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

**Dated : 09/06/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the respondents and Shri P.P.Khaporde appearing on behalf of Shri G.G.Bade for Intervenor of respondent no.5.

2. **S.O. two weeks.**

**Member (J).**

rsm.

O.A.No.584/2020 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri A.Motlog, holding for Shri A.C.Dharmadhikari, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents 1 to 3. None for the respondent no.4.

2. **S.O. one week.**

**Member (J).**

rsm.

O.A.No.580/2021 (S.B.)

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

**Dated : 09/06/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. Learned counsel for the applicant seeks time to place on record some additional documents in support of his case.

3. **P.H.**

4. **S.O.13.06.2023.**

**Member (J).**

rsm.

O.A.No.801/2021 with C.A.No.321/2022  
(S.B.)

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

**Dated : 09/06/2023.**

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

2. On oral request of ld. counsel for the applicant, **S.O. 16.06.2023.**

**Member (J).**

rsm.

O.A.No.802/2021 (S.B.)

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

**Dated : 09/06/2023.**

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

2. On oral request of ld. counsel for the applicant, **S.O. 16.06.2023.**

**Member (J).**

rsm.

**O.A.No.550/2023 (S.B.)**

**(D.S.Mhala Vs. State of Maharashtra and Others)**

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

**Dated : 09/06/2023.**

Heard Shri R.V.Shiralkar, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. The impugned order transferring the applicant from Akola to Morshi is at Annexure A-8.
3. It is the submission of the applicant that she is a widow, her daughter is studying in 12<sup>th</sup> Std. and her mother is severely disabled. It is submitted that this being the factual position, condition nos.4, 6 and 7 mentioned in G.R. dated 09.04.2018 (Annexure-2) are attracted.
4. It is also submitted on behalf of the applicant that counselling which is a condition precedent for effecting transfer was not done.
5. It is submitted by the learned C.P.O. that the impugned order (Annexure A-8) states that the applicant was to be relieved on 05.06.2023 to join on the transferred post. A statement is made on behalf of the applicant that she is yet to be relieved. In this factual scenario status quo as on today at 12.00 noon shall be maintained till the returnable date.
6. Issue notice to the respondents, returnable **on 20.06.2023**. Learned C.P.O. waives notice for State. Hamdast allowed.
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
8. 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.
9. 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.



10. 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.

11. 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.

12. **S.O. 20.06.2023.**

13. **Steno copy is granted.**

**Member (I).**

rsm.

**O.A.No.544/2023 (S.B.)**

**(M.M.Dhenge Vs. State of Maharashtra and Others.)**

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

**Dated : 09/06/2023.**

Heard Shri P.A.Kadu, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the State.

2. The impugned order transferring the applicant from Amravati to Dhanora is at Annexure-1.
3. It is dated 31.05.2023. It states that the applicant shall be relieved on 05.06.2023 (A.N.).
4. A statement is made on behalf of the applicant that the applicant is yet to be relieved.
5. It is the grievance of the applicant that counselling which is a condition precedent for transfer was not done. Further grievance of the applicant is that though he suffers from 44% disability of right lower limb, preferences given by him were not taken into account as required under the policy which is set out in G.Rs. dated 15.12.2004 and 09.04.2018.
6. It is the contention of the applicant that if he is transferred to the post on which respondent no.4 is transferred and vice-versa, his grievances as well as grievances of respondent no.4 shall stand redressed. Respondent no.4 is required to be heard so far as this particular submission of the applicant is concerned.
7. Issue notice to the respondents, returnable **on 16.06.2023**. Learned P.O. waives notice for State. 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. If the applicant is not relieved so far pursuant to the impugned order (Annexure-1) he shall not be relieved till the returnable date.

14. **S.O. 16.06.2023.**

15. **Steno copy is granted.**

**Member (I).**

rsm.