

O.A.No.918/2021 (D.B.)

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

Dated : 10/10/2022.

Heard Shri N.G.Raut, applicant in person and Shri S.A.Deo, Id. C.P.O. for the respondents.

2. By order dated 22.09.2022 the applicant was called upon to first make submissions on following two points :-

A. Whether the applicant can still be said to be a person aggrieved when an opportunity was given to him to participate in the process but he could not attain the benchmark and five persons have been already selected after undergoing the process.

B. Whether this O.A. can be heard without impleading these five selected candidates.

3. So far as the first point is concerned it is submitted by the applicant that his principal grievance is with respect to G.R. dated 17.06.2021 because in the said G.R. category of both legs affected persons is excluded from the purview of physically handicapped persons eligible for the post of Dean. It is further submitted by the applicant that his grievance shall very much remain inspite of selection of five candidates because unless the aforesaid G.R. is properly amended he would again suffer the same prejudice in future.

4. In reply it is submitted by the Id. C.P.O. that since the applicant was allowed to participate in the process and he failed to attain the benchmark, he can no longer be said to be a person aggrieved. It is further submitted that in the impugned advertisement, in clause no. 3.7 reservation is provided for physically handicapped persons and so far as the post of Dean is concerned persons suffering from physical handicap of both legs were excluded because nature of duties to be performed by Dean are also physically onerous.

5. So far as non-joinder of the selected candidates is concerned, the applicant sought to rely on the Judgment passed in O.A. No. 457/2007. This O.A. was disposed of by observing that it had become infructuous. According

to the applicant, during the pendency of the said O.A. no objection was raised regarding non-joinder of necessary parties and same analogy should apply here too. We are not inclined to accept this submission for the reason that aforesaid O.A. was disposed of as it had become infructuous whereas the instant O.A. will have to be decided on merits.

6. So far as the question of non-joinder of selected candidates is concerned, it is submitted by the Id. C.P.O. that by virtue of their selection certain rights have crystallized in their favour and, therefore, instant O.A. cannot be heard in their absence. We find merit in this submission.

7. During the course of submissions the applicant submitted alternatively that if this Tribunal directs him to implead the selected candidates as party respondents, he would comply with the said directions. We find that the selected candidates are necessary parties for deciding this O.A. fully and finally. We, therefore, direct the applicant to implead the selected candidates as party respondents.

8. The applicant submits that if necessary details of the selected candidates are directed to be furnished to him by the Id. C.P.O., he can comply with these directions of the Tribunal early. Id. C.P.O. shall furnish necessary details of the selected candidates within one week from today to the applicant.

9. Point no. 1 regarding whether the applicant can still be said to be a person aggrieved even after selection of candidates is kept open. It shall be decided along with other points raised at the time of final hearing.

10. **S.O. 21.11.2022.**

11. **Steno copy is granted.**

Member(J)
Date:-10/10/2022.
aps.

Vice Chairman

O.A. No. 985/2019 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri V.B. Gawali, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

The Id. P.O. submits that reply is ready and he will file within one week.

At the request of Id. P.O., **S.O. after one week** for filing reply.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. No. 172/2020 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri P.V. Thakre, Id. counsel for applicants and Shri V.A. Kulkarni, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. After Vacation** for filing reply.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. No. 400/2020 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Ms. Rashi Nagrare, Id. counsel holding for Shri A. Deshpande, Id. counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for respondents.

The learned P.O. submits that this matter may be kept along with similar matters.

S.O. after vacation along with similar matters.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 749/2020 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

None for applicant. Heard Shri A.M. Ghogre,
Id. P.O. for R-1 to 4 and 6. None for respondent no.5.

At the request of Id. P.O., **S.O. two weeks** for
filing reply.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. No. 35/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,**

Vice-Chairman.

Dated : 10/10/2022.

Heard Shri Potnis, Id. counsel holding for Shri U. Dastane, Id. counsel for applicant, Shri H.K. Pande, Id. P.O. for R-1 to 3 and none for R-4.

At the request of Id. P.O., **S.O. after vacation** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 78/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri S.R. Dambhare, Id. counsel for applicants, Shri M.I. Khan, Id. P.O. for R-1 to 5 and none for R-6.

The Id. P.O. files separate reply of R-1,3,5 & 6 and R-4. Same are taken on record.

The Id. P.O. submits that said reply are sufficient to decide the matter.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice respective respondents.

S.O. in due course.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 347/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri Potnis, Id. counsel holding for Shri M.M. Sudame, Id. counsel for applicant, Shri M.I. Khan, Id. P.O. for R-1&2 and Shri S.N. Gaikwad, Id. counsel holding for Shri M. Munshi, Id. counsel for R-3.

At the request of Id. P.O., **S.O. three weeks** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. Nos. 486 & 487 of 2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri S.N. Gaikwad, Id. counsel for applicants and Shri V.A. Kulkarni, Id. P.O. for R-1.

Await service of R-2 to 5.

The Id. counsel for applicant submits that the respondents are served.

At the request of Id. P.O., **S.O. three weeks** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A. No. 61/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

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

At the request of Id. P.O., **S.O. three weeks** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 161/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Ms. Priyanka Chandekar, Id. counsel holding for Shri P.S. Patil, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

The Id. P.O. submits that he has received parawise reply and he will file the same within two weeks.

At the request of Id. P.O., **S.O. after vacation** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 311/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri A.P. Sadavarte, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. three weeks** for filing reply as a last chance.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 384/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

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

The Id. P.O. files reply of R-1 to 3. It is taken on record and copy is given to the applicant.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for respondents.

S.O. After Vacation.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 427/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri G.K. Bhusari, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for respondents.

The Id. P.O. files reply of R-1 and 2. It is taken on record and copy is given to the applicant. The Id. P.O. submits that said reply is sufficient to decide the matter.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for respondents.

S.O. in due course.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 587/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

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

The Id. P.O. files reply of R-2&3. It is taken on record.

At the request of Id. P.O., **S.O. after vacation** for filing reply of R-1.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 627/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 10/10/2022.

Heard Shri Kaslikar, Id. counsel holding for Shri
V.A. Kothale, Id. counsel for applicants and Shri M.I.
Khan, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. after vacation**
for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 632/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 10/10/2022.

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

At the request of Id. P.O., **S.O. three weeks** for
filing reply as a last chance.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 665/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 10/10/2022.

C.A. No.246/2022 in O.A. No. 665/2022 -

Heard Shri Y.P. Kaslikar, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. three weeks** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 705/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 10/10/2022.

Heard Shri P.V. Thakre, Id. counsel for applicant, Shri H.K. Pande, Id. P.O. for R-1&3 and Shri T.M. Zaheer, Id. counsel for R-2&4.

At the request of Id. P.O. & Id. counsel for R-2&4, **S.O. After Vacation** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 807/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 10/10/2022.

Heard Shri D.M. Dhattrak, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. four weeks** for filing reply.

Till then, as per order dated 16/9/2022, interim order to continue

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 895/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 10/10/2022.

Heard Shri G.G. Bade, Id. counsel for applicant
and Shri A.M. Khadatkar, Id. P.O. for R-1.

Await service of R-2 to 5.

At the request of Id. counsel, **S.O. after
vacation** for filing service affidavit.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 967/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 10/10/2022.

Heard Shri G.K. Bhusari, Id. counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for R-1.

Await service of R-2&3.

At the request of Id. P.O., **S.O. after three weeks** for filing service affidavit.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

C.P. 03/2022 in O.A. No. 255/2018 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri G.R. Sadar, Id. counsel for applicant, Shri M.I. Khan, Id. P.O. for R-1,3&5 and none for for R-2&4.

Office objections are not removed.

The applicant to remove office objections.

S.O. after vacation.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

**C.P.42/2022 in O.A.549/2020, C.P. 43/2022 in
O.A.578/2020, C.P.44/2022 in O.A.551/2020 and
C.P.61/2022 in O.A.545/2020**

Heard Shri A.P. Sadavarte, Id. counsel for applicants and Shri A.P. Potnis, Id. P.O. for respondents.

2. The Id. P.O. files separate reply of R-2 and 3 in C.P.42/2022 in O.A.549/2020, C.P. 43/2022 in O.A.578/2020, C.P.44/2022 in O.A.551/2020. Same are taken on record.

3. As per submission of learned P.O., the order passed by this Tribunal is proposed to challenge before the Hon'ble High Court. Now the issue in respect of deemed date for counting the regular service is decided by the Hon'ble Supreme Court in Civil Appeal No.6531-6533/2022. The Hon'ble Supreme Court has given direction to count the deemed date for determination of regular service of the persons (Assistant / Mustering Assistant) from 31/03/1997. The Judgment of Hon'ble Supreme Court is application to all the Mustering Assistants. The Judgment of Hon'ble Supreme Court nowhere says that it is applicable to particular petitioner or respondents.

4. Hence, the Id. P.O. is requested to get review all the Judgments of this Tribunal and also the Judgements of Single Bench in view of the Judgment

of Hon'ble Supreme Court in Civil Appeal No.6531-6533/2022.

S.O. 17/11/2022.

Steno copy is granted.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 880/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,**

Vice-Chairman.

Dated : 10/10/2022.

C.A. 409/2022 -

Heard Smt. Kolhe, Id. counsel for applicant and
Shri A.M. Ghogre, Id. P.O. for R-1.

Await service R-2 to 6.

At the request of Id. P.O., **S.O. 13/10/2022.**

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 332/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

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

2. The reply is already filed. Pleadings are completed.

3. The matter is admitted and kept for final hearing. The Id. P.O. waives notice for respondents.

S.O. 18/11/2022.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 566/2013 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri P.P. Khaparde, Id. counsel for applicants, Shri A.M. Khadatkar, Id. P.O. for R-1 to 3 and Shri V.B. Gawali, Id. counsel for R-6 to 14,16,17 & 18. None for other respondents.

At the request of Id. counsel for applicant, **S.O. 18/10/2022.**

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

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

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri A.Z. Jibhkate, Id. counsel for applicant, Shri A.M. Ghogre, Id. P.O. for R-1 to 3 and none for other respondents.

2. The specific order was passed on 01/04/2022. The applicant was directed to make representation to the respondents about her grievances in respect of salary / monetary benefits and the respondents were directed to decide the same after hearing the applicant personally within 60 days from the date of representation.

3. As per submission of Id. counsel for applicant, the applicant has already submitted representation and hearing is going on. Today the date is fixed for hearing before the DHO, Zilla Parishad, Amravati.

4. The DHO, Zilla Parishad, Amravati is directed to decide the representation within 15 days from today.

5. The Id. P.O. to inform to the DHO, Zilla Parishad, Amravati in this regard. On the next date, the matter will be decided finally because the matter is pending since last eight years.

S.O. 17/11/2022.

Steno copy is granted.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 500/2015 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

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

At the request of Id. counsel for applicant, **S.O.**
19/10/2022.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. No. 752/2016 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri P.P. Khaparde, Id. counsel holding
for Shri G.G. Bade, Id. counsel for applicant and Shri
A.M. Khadatkar, Id. P.O. for respondents.

At the request of Id. counsel for applicant, **S.O.**
18/10/2022.

(Justice M.G. Giratkar)

(Shree Bhagwan)

Vice-Chairman

Vice- Chairman

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

**O.A.Nos. 919/2017,921/2017,83/2018, 320/2018,
321/2018, 322/2018,323/2018, 324/2018,764/2018 &
800/2019**

Heard Shri S.R. Deshpande, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. 19/10/2022.**

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 448/2018 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 10/10/2022.

Heard Shri R.D. Hajare, Id. counsel for applicant, Shri A.M. Ghogre, Id. P.O. for R-1 to 5 and none for R-6&7.

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

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

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri K.J. Khanorkar, Id. counsel for applicant, Shri A.P. Potnis Id. P.O. for R-1 and Shri H.D. Marathe, Id. counsel for R-3&4.

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

After Vacation.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. No. 239/2021 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 10/10/2022.

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

The applicant to remove office objection.

With the consent of learned counsel for both the parties, **S.O. 18/10/2022.**

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 550/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 10/10/2022.

Heard Shri R.M. Fating, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for respondents.

2. The learned counsel for applicant has pointed out the G.R. dated 7/4/2008. As per para-3 of the G.R., the Disciplinary Authority shall take the decision after the receipt of inquiry report within two months and where the advice of MPSC is required, then in that case from within one month from the date of receipt of the report of MPSC.

3. The learned counsel for applicant submitted that the Disciplinary Authority has received the inquiry report long back, i.e., on 25/8/2021, but since then no any decision is taken by the disciplinary authority.

4. In view of the G.R. dated 7/4/2008, we direct the respondents to take decision on the inquiry report submitted against the applicant within a period of one month from today.

5. The Id. P.O. is directed to inform the respondents to comply this order.

S.O. after one month.

Steno copy is granted.

(Justice M.G. Giratkar)

(Shree Bhagwan)

Vice-Chairman

Vice- Chairman

dnk*.

O.A.No.724/2014 (S.B.)

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

Dated : 10/10/2022.

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

2. It is pointed out by the learned P.O. that reply of respondents 2, 3 & 4 are filed.

3. On oral request of learned counsel for the applicants, **S.O. after vacation.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.823/2018 (S.B.)

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

Dated : 10/10/2022.

C.A.No.20/2021

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

2. On oral request of the learned P.O. **S.O.**
after vacation.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.457/2019 (S.B.)

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

Dated : 10/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
three weeks for filing reply.
3. **S.O. after vacation.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.557/2020 (S.B.)

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

Dated : 10/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
three weeks for filing reply.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.682/2020 (S.B.)

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

Dated : 10/10/2022.

Heard Shri V.A.Kothale, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents. Shri S.G.Jagtap, Id. counsel for the respondents 2 & 3.

2. On oral request of the learned P.O. **S.O. three weeks for filing reply as a last chance.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.976/2020 (S.B.)

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

Dated : 10/10/2022.

Heard Shri D.R.Rupnarayan, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.528/2021 (S.B.)

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

Dated : 10/10/2022.

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

2. Reply of respondent no.3 filed by the learned P.O. It is taken on record. It is stated to be sufficient. The O.A. is admitted.

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

Date :- 10/10/2022

rsm.

Member (J).

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

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

Dated : 10/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
two weeks for filing reply.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.934/2021 (S.B.)

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

Dated : 10/10/2022.

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

2. On oral request of the learned P.O. **S.O. two weeks for filing reply.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.985/2021 (S.B.)

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

Dated : 10/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
three weeks for filing reply.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.1154/2021 (S.B.)

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

Dated : 10/10/2022.

None for the applicant. Heard Shri V.A.Kulkarni, Id. P.O. for the respondents. Await service to respondents 2 to 6.

2. On oral request of learned P.O. **S.O.**
after vacation.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.183/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. Reply of respondent no.3 filed by the learned P.O. It is taken on record. It is stated to be sufficient. The O.A. is admitted.

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.338/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
four weeks for filing reply as a last chance.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.350/2022 (S.B.)

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

Dated : 10/10/2022.

Heard Shri N.D.Thombre, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

2. Reply of respondent no.3 filed by the learned P.O. It is taken on record. It is stated to be sufficient. The O.A. is admitted.

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.400/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. Reply of respondent nos.2 & 3 filed by the learned P.O. It is taken on record. It is stated to be sufficient. The O.A. is admitted.

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.433/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. The learned P.O. seeks time to file reply. Time is granted. It is submitted that on next date reply will be filed positively. If reply is not filed the matter shall be heard without reply finally.

3. S.O.14.11.2022.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.464/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. On oral request of the learned P.O., time of three weeks is granted to file reply as a last chance.

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.481/2022 (S.B.)

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

Dated : 10/10/2022.

Heard Shri V.A.Kothale, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

2. Reply of respondent no.2 filed by the learned P.O. It is taken on record. It is stated to be sufficient. The O.A. is admitted.

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.485/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. Reply of respondent no.2 filed by the learned P.O. It is taken on record. It is stated to be sufficient. The O.A. is admitted.

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.495/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
three weeks for filing reply.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.598/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
three weeks for filing reply.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.707/2022 (S.B.)

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

Dated : 10/10/2022.

Heard Shri D.P.Dapurkar, Id. counsel for the
applicant and Shri A.P.Potnis, Id. P.O. for the respondents.

2. On oral request of the learned P.O. **S.O.**
one week for filing reply.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.929/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. Reply of respondent no.1 filed by the learned P.O. It is taken on record.
3. The learned counsel seeks time to file re-joinder. It is pointed out by the learned P.O. that in this case state is operative.
4. Interim relief is continued till next date.
5. **S.O. 19.10.2022.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.968/2022 (S.B.)

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

Dated : 10/10/2022.

C.A.No.395/2022

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

2. C.A.No.395/2022 is allowed.

O.A.No.968/2022

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.

S.O. After four weeks.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.18/2019 (S.B.)

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

Dated : 10/10/2022.

C.A.No.408/2022 & C.A.No.169/2020

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

2. C.A.No.408/2022 is allowed.
3. Necessary amendment shall be carried out within one week from today.
4. **S.O. next week.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.758/2022 (S.B.)

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

Dated : 10/10/2022.

Heard Shri U.J.Deshpande, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

2. **S.O. after vacation.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.894/2022 (S.B.)

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

Dated : 10/10/2022.

Heard Shri N.R.Saboo, Id. counsel for the applicant and Shri M.I.Khan, 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.

S.O. After four weeks.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.980/2022 (S.B.)

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

Dated : 10/10/2022.

Heard Shri S.N.Gaikwad, Id. counsel for the applicant and Shri M.I.Khan, 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.

S.O. After four weeks.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.82/2020 (S.B.)

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

Dated : 10/10/2022.

Heard Shri S.P.Palshikar, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents. Shri T.M. Zaheer, Id. counsel for the respondent no.2.

2. Today the learned counsel for the respondent no.2 filed judgment of "*Lalit Mohan Sharma J. and J.S.Verma, J. and A.S.Anand, J. AIR 1992 Supreme Court 1414*". It is taken on record.

3. **Closed for orders.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.625/2016 (S.B.)

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

Dated : 10/10/2022.

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

2. **Closed for orders.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.744/2016 (S.B.)

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

Member (J)

Dated : 10/10/2022.

Heard Advocate D.I.Charlewar, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents. Shri N.Majithia, Id. counsel for the respondent no.2. None for the respondents 3, 4 & 5.

2. The learned counsel for the applicant states that today she is filing additional affidavit of the applicant. Copy shall be supplied to the other side.

3. **S.O. 14.11.2022.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.366/2017 (S.B.)

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

Dated : 10/10/2022.

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

2. **S.O. 18.10.2022.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.192/2018 (S.B.)

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

Dated : 10/10/2022.

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

2. S.O. after vacation.

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.17/2019 (S.B.)

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

Dated : 10/10/2022.

C.A.No.168/2020

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

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.19/2019 (S.B.)

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

Dated : 10/10/2022.

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

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.20/2019 (S.B.)

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

Dated : 10/10/2022.

C.A.No.170/2020

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

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.881/2019 (S.B.)

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

Dated : 10/10/2022.

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

2. The learned counsel for the applicant has placed on record communication dated 04.03.2020. It is marked-X for identification.

3. The learned P.O. states that in respect of this communication he will take instruction and make a statement on next date.

4. **S.O. after vacation.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.433/2020 with O.A.No.434/2020 (S.B.)

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

Dated : 10/10/2022.

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

2. **S.O. 15.11.2022.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.964/2020 (S.B.)

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

Dated : 10/10/2022.

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

2. **Closed for Orders.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.177/2021 (S.B.)

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

Dated : 10/10/2022.

Heard Shri S.U.Ghude, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents 1 & 2. Shri T.M.Zaheer, learned counsel for the respondent no.3.

2. **Closed for Orders.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.443/2021 (S.B.)

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

Dated : 10/10/2022.

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

2. **Closed for Orders.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.472/2021 (S.B.)

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

Dated : 10/10/2022.

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

2. **S.O. after vacation.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.814/2021 (S.B.)

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

Dated : 10/10/2022.

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

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.956/2021 (S.B.)

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

Dated : 10/10/2022.

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

2. **S.O. 18.10.2022.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.974/2021 (S.B.)

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

Dated : 10/10/2022.

Heard Shri Smt.S.W.Deshpande, Id. counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents 1 to 4. None for the respondents 5 & 6.

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

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.1104/2021 (S.B.)

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

Dated : 10/10/2022.

Heard Shri Y.P.Kaslikar, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents 1 to 5. None for the respondents 6 & 7.

2. **S.O. after vacation.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.1105/2021 (S.B.)

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

Dated : 10/10/2022.

Heard Shri Y.P.Kaslikar, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents 1 to 5. None for the respondents 6 & 7.

2. **S.O. after vacation.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.107/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. Reply of respondents 1 and 3 filed by the learned P.O. It is taken on record
3. **S.O. after vacation.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.446/2022 (S.B.)

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

Dated : 10/10/2022.

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

2. **S.O. after vacation.**

Date :- 10/10/2022

rsm.

Member (J).

O.A.No.1011/2022 (S.B.)

(Harish Suresh Bhamre Vs. State of Maharashtra and another.)

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

Dated : 10/10/2022.

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

2. The applicant has impugned order dated 06.10.2022 (Annexure A-2) transferring him as R.D.C. Gondiya. It is pointed out that pursuant to order dated 20.01.2020 the applicant had joined office of Commissioner, Nagpur on 23.01.2020.

3. It is his contention that the impugned order is an order of mid-term transfer which does not show due compliance of provisions of **The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.**

4. It is submitted that the applicant is not served with the copy of the impugned order of transfer and he has approached this Tribunal immediately after the said order was uploaded.

5. It is submitted that the applicant is required to be protected by an interim order so that the impugned order is not implemented. It is the apprehension of the applicant that pursuant to the impugned order he may be relived today itself. A statement is made that in place of the applicant no one is posted in the office of Commissioner at Nagpur.

6. It is submitted by the learned P.O. that he has no instructions as to whether the applicant is already relived. On behalf of the applicant a statement is made that the applicant is not yet relived. Having regard to these rival submissions an order of status quo deserves to be passed. The respondents are directed to maintain status quo with regard to the impugned order till day after tomorrow i.e.12.10.2022.

7. Issue notice to the respondents returnable **on 12.10.2022.** 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. **S.O. 12.10.2022.**

14. **Steno Copy is granted.**

Date :- 10/10/2022

rsm.

Member (J).