

O.A.Nos.74,75,76,77,78,79& 80/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 11/10/2019.

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

2. The Id. P.O. submits that respondent no. 3 i.e. Assistant Director, Health Services, Akola retired on 30/09/2019, that is the reason that he could not get the reply. At the request of Id. P.O., **S.O. 04.11.19 for reply as a last chance.**

3. If reply is not file till next date, the matter be heard on merit.

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No. 204/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 11/10/2019.

C.A.No.101/2019:-

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent nos. 3 to 127.

2. The Id. P.O. desires to file reply on C.A. as well as O.A.. **S.O. After Diwali Vacation.**

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.250/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 & 2. Await service of respondent no. 3.

2. The Id. P.O. submits reply of R-2. It is taken on record. Copy is served to the other side. He further submits that it will suffice the purpose of the other respondents.

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

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

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

Vice Chairman

Date:-11/10/2019.

aps.

O.A.No.356/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. The Id. P.O. submits reply of R-2. It is taken on record. Copy is served to the other side.

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

4. The Id. P.O. waives notices for the respondent nos. 1 & 2.

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

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.502/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

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

2. The Id. P.O. desires time to file certain documents on record. **S.O. 06.11.2019.**

Vice Chairman

Date:-11/10/2019.

aps.

O.A.No.568/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.**

None for the applicant. Shri P.N.Warjurkar,
the Id. P.O. for the respondents.

2. S.O. four weeks.

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.733/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.**

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

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

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.930/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

C.A.No.202/2019:-

Heard Shri G.G.Bade, the Id. Counsel for the applicant, Shri A.P.Potnis, the Id. P.O. for the respondent nos. 1 to 3 and Shri B.N.Jaipurkar, the Id. counsel for the respondent no. 4.

2. **C.A. No. 202/2019 for amendment is allowed.** The Id. counsel for the applicant is directed to carry out the amendment within one week.

3. The Id. P.O. seeks four weeks time to file reply. **S.O. four weeks.**

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.998/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.**

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

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

Vice Chairman

Date:-11/10/2019.

aps.

O.A.Nos.68 & 70/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.**

None for the applicant. Shri P.N.Warjurkar, the Id. P.O. for the respondents. None for the respondent no. 3 in O.A.No.70/2019.

2. The Id. P.O. submits that parawise reply of respondent no. 2 is received in O.A. NO. 70/2019.

3. **S.O. three weeks for reply.**

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.112/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

None for the applicant. Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. The Id. P.O. submits reply of R-2. It is taken on record. Copy is served to the other side. He further submits that it will suffice the purpose of the other respondents.

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

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

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

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.123/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

C.A.No.70/2019:-

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

2. The Id. P.O. submits that reply has been filed
on behalf of the respondent nos. 2 & 3. **C.A. No.
70/2019 will decide at the time of final hearing.**

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

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

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

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.224/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has shown letter dated 29/07/2019 issued by respondent no. 3. It is taken on record. Copy is supplied to the other side.

3. The Id. P.O. desires time to file reply. **S.O. two weeks.**

Vice Chairman

Date:-11/10/2019.
aps.

O.A.St.No.1872/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

C.A.No.357/2019:-

None for the applicant. Shri P.N.Warjurkar, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

2. The Id. P.O. has pointed out document filed by applicant on P.B. Pg. No. 12 (Annexure-A-4) applicant was appointed in Police Department on 12/12/1976 and subsequently as mentioned in para no. 2 of the C.A. 357/2019.

3. It is mentioned that applicant was compulsorily retired from service w.e.f. 13.08.1980 that time applicant was minor and after becoming major applicant submitted application for appointment on compassionate ground. Impugned order is not filed on record by which application was rejected. Though C.A. No. 357/2019 is filed for condonation of delay of 2761 days. All these facts does not allow to continue this O.A.

4. However, to hear the applicant and his counsel, **S.O. in due course.**

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.307/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.**

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

2. S.O. in due course.

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.366/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

None for the applicant. Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2. Shri B.S.Mandhare holding for Shri R.Bisen, the Id. counsel for the respondent no. 3.

2. As per the request of Id. counsel for the respondent no. 3, **S.O. After Diwali Vacation.**

Date:-11/10/2019.
aps.

Vice Chairman

O.A.No.314/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

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

2. By perusing all the records, it seems that issue is regarding suspension period and respondent no. 5 i.e. Indian Audit and Accounts Department through Accountant General, Civil Lines, Nagpur has been made one of the respondent. The respondent no. 5 i.e. Accountant General, Nagpur has filed reply and in para nos. 8 and 9, respondent no. 5 has clearly mentioned that once the things are settled between respondent nos. 1 to 4, then Accountant General will come in picture. Hence, his name is deleted.

3. S.O. After Diwali Vacation.

Vice Chairman

Date:-11/10/2019.

aps.

O.A.No.830/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

Heard Shri G.K.Bhusari, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State.

2. As submitted by Id. counsel for the applicant after his first appointment by respondent no. 1 i.e. Government of Maharashtra on 17/07/2014 was posted as Medical Officer, Group-A at Primary Health Center, Khamari, Tahsil and District Gondia which is Tribal and Naxal affected area. After his appointment on 17/07/2014, from last five years applicant is working in Tribal and Naxal affected area. He is still continued there for last more than five years.

3. The Id. counsel for the applicant has relied upon para no. D-2 at P.B., Pg. No. 21 of Government G.R. No. 11/07/2000 dated 06/08/2002. Applicant has submitted application on Annexure-A-1, P.B., Pg. No. 10, Annexure-A-2, P.B., Pg. No. 11 and final representation is submitted at Annexure-A-5, P.B., Pg. No. 25, where he has given four choices in the transfer.

4. As per the Government policy vide G.R. dated 11/07/2000 para 2-B, Government had taken policy decision regarding any officer of Group-A and B who had worked in Tribal Area for more than two years, he or she should be given posting as per his/her choice. Again vide his Government G.A.D. Circular dated 07/01/2006 has reiterated his policy

and directed the Government to follow the policy laid down in Government G.A.D. Circular dated 11/07/2000 and G.R. of G.A.D. 06/08/2002.

5. The Id. counsel for the applicant has given stress on relief clause 7 (ii) and submitted that applicant's representation to be decided as per Government policy laid down in G.R. No. 11/07/2000, G.R. of G.A.D. 06/08/2002 dated 06/08/2002.

6. Respondents are directed to decide the applicant's representation dated 05/10/2019 as per the policy of the Government in G.A.D. Circular dated 11/07/2000, G.R. dated 06/08/2002 and G.A.D. Circular dated 07/01/2006 **within four weeks** from the date of this order.

7. With the above directions, **O.A. is disposed of with no order as to costs.**

Vice Chairman

Date:-11/10/2019.

aps.

O.A.No.831/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

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

2. Shri S.G.Verma i.e. applicant is working as Police Inspector. The applicant has been transferred vide order dated 05/10/2019 (Annexure-A-3, P.B., Pg. No. 19) and he has been also relieved by order dated 06/10/2019 by giving additional charge to Shri P.B.Singh, P.S.I., subordinate to applicant by order dated 06/10/2019 (Annexure-A-8, P.B., Pg. No.27).

3. The Id. counsel for the applicant has also invited my attention to document at Annexure-A-7, P.B., Pg. No. 25, where at Sr. No. 18 applicant's wife is also working in Gram Panchayat Office having name Smt. D.K.Mohajare and she has been transferred from Tumsar to Bhandara on administrative ground vide order dated 11/06/2019 and her name appears on Sr. No. 18. There is Government policy that as far as possible husband and wife should be posted at same place or at nearby places.

4. The Id. counsel for the applicant however submits that applicant was posted at Bhandara in June, 2017 (as per O.A. Pg. No. 3, para no. 4) and he will complete three years in June, 2020.

5. In O.A.No. 395/2018 in this Tribunal only respondents have filed a chart showing minutes of Police Establishment Board no. 2 meeting dated 18/06/2019 at Pg. No. 37 and they have taken decision as per Section 22-N (1) of the Maharashtra Police Act, 2018.

6. In the impugned order dated 05/10/2019 (Annexure-A-3, P.B. Pg. No. 19) it is mentioned that the decision has been taken as per the Maharashtra Police Act, 1951, Section-22 (2). It is seen that Section-22-N (2) (C) competent authority for Police officers upto the rank of Police Inspector for transfer out of respective range/ commissionerate/ specialise agency is mentioned as Police Establishment Board No. 2.

7. The Id. counsel for the applicant further relied upon the document at Annexure-A-4, P.B., Pg. No. 20 where guidelines have been given for transfer during Assembly Election, August, 2019 in para no. 2 (iii) following observation has been given:-

"T; k l gk; d i ksy l fujh{k d o i ksy l mi fufj{k d nt kT; k vf/kdk&; kuh ftYg; kr ekxhy 04 o"kkz 03 o"kkR; k ?kVdkr dke dsys vl sy vFkok fnukd 31-10-2011 i ; r foghr dk; bly i wkz djr vl rhy vlf.k R; kpk fo/kkul Hkk fuoM.kdhp; k dkedktk'kh i R; {k ok vi R; {k l cdk ; s vl sy R; k i ksyhl vf/kdk&; kph cnyh R; kpk ue.kdhp fo/kkul Hkk ernkj l ak o mi foHkkxlp; k ckgg dj .; ; koh"

However, date is not mentioned on this document.

8. It is also not clear, whether respondents have followed any guidelines/directions issued by Election Commission of India.

9. Ld. Counsel for the applicant is directed to file following documents before next date of hearing:-

a. Annexure-A-4 with date.

b. Hon'ble Central Election Commission order 437/06/1/INST/ECI/FUNCT/MCC/2019, dated 16/01/2019 and 11/07/2019.

c. Government G.R. related to posting of husband and wife at one place or nearby places.

10. Issue notice to R-2 & 3, returnable on 06-11-2019. Learned P.O. waives notice for R-1. Hamdast allowed.

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

12. 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.

13. 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.

14. 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.

15. 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.

16. Since, applicant's charge has been given to the Subordinate Officer. **There is no problem, if applicant is continued to the same post till filing of the reply.**

In view of discussion in above para, following order:-

ORDER

1. Impugned order dated 05/10/2019 (Annexure-A-3, P.B., Pg. No. 19) as well as order dated 06/10/2019 (Annexure-A-8, P.B., Pg. No. 27) are stayed subject to any direction of Election Commission.

2. Respondents are directed to continue the applicant on the same post at Bhandara till filing of the reply, if any directions given by Election Commission is not violated or if the transfer order dated 05/10/2019 is as per the directions of Election Commissions.

4. Steno copy be supplied to both counsels.

Date:-11/10/2019.
aps.

Vice Chairman

O.A.No.420/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

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

2. The Id. counsel for the applicant relied on document at P.B., Pg. No. 58, Annexure-R-1, which is not related to Revenue Qualifying Examination. However, Id. counsel for the applicant desires that matter should be heard after vacation.

3. S.O. After Diwali Vacation.

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.414/2015 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.**

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

2. **S.O. in due course.**

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.502/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.**

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

2. S.O. in due course.

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.122/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

None for the applicant. Shri A.M.Ghogre, the Id. P.O. for the respondent nos. 1 to 3 and Shri J.Mokadam, the Id. counsel for the respondent no. 4.

2. Last occasion also none for the applicant. The Id. counsel for the respondent no. 4 submits that the Id. counsel for the applicant is not given copy of the O.A. to him.

3. **S.O. in due course.**

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.995/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

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

2. The Id. counsel for the applicant desires to file some citations, for that he seeks certain time.

S.O. After Diwali Vacation.

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.836/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11/10/ 2019.

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

2. The Id. counsel for the applicant has pointed out impugned order dated 11/09/2019 (Annexure-A-1, P.B., Pg. Nos. 12 to 14) where applicant's name appeared at Sr. No. 20 on P.B., Pg. No. 14. The Id. counsel for the applicant has relied upon the G.A.D. G.R. dated 11/07/2000 (Annexure-A-3, P.B., Pg. Nos. 21 to 26). The Id. counsel for the applicant has mainly relied upon para no. 2 (b) of the G.R. of the applicant where it is clearly mentioned that any officer who has served for more than two years in Tribal Area should be given next posting as per his/her choice.

3. Subsequently, the Id. counsel for the applicant has also relied upon G.R. dated 06/08/2002 (Annexure-A-4, P.B., Pg. Nos. 27 to 34) and he has mainly relied upon on P.B., Pg. No. 31 para D-2 for the applicant. The Id. counsel for the applicant further relied upon the Government G.A.D. circular dated 07/01/2006 on P.B., Pg. No. 46, where Government has already mentioned that there are many officers who are not following policy and instructions of the Government regarding transfer policy of the employees who are already working in the Naxal and Tribal Areas.

4. The Id. counsel for the applicant is submitted that applicant's application dated 11/05/2019 which is at Annexure-A-6, P.B., Pg. Nos. 37 and 38, by which it appears that applicant has been working in Gondia since 04/07/2015 till today which is Naxal and Tribal Area.

5. Issue notice to R-2 & 3, returnable on two months. Learned 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. The Id. counsel for the applicant submits that there are still vacancy existing in Nagpur and Bhandara District. In view of this applicant must be considered as per the Government policy of various G.Rs. and Circular like 11/07/2000, 06/08/2002 and 07/01/2006.

12. In view of above discussions and various Judgment produced in the Tribunal like O.A. No. 36/2018 following order is passed:-

ORDER

1. The impugned order dated 11/09/2019 at Annexure-A-1, P.B., Pg. NO. 12 to 14 is quashed and set aside to the extent of applicant at Sr. No. 20.
2. Respondents are directed to take necessary action as per Government Policy by various G.Rs. and Circulars of G.A.D. like dated 11/07/2000, 06/08/2002 and 07/01/2006.
3. **S.O. two months.**
4. **Steno copy is granted.**

Vice Chairman

Date:-11/10/2019.
aps.

O.A.No.836/2019 (S.B.)

**Coram :- Hon'ble Shri Shree
Bhagwan, V.C.**

Dated :- 11th October, 2019.

ORDER

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

2. The Id. counsel for the applicant has pointed out impugned order dated 11/09/2019 (Annexure-A-1, P.B., Pg. Nos. 12 to 14) where applicant's name appeared at Sr. No. 20 on P.B., Pg. No. 14. The Id. counsel for the applicant has relied upon the G.A.D. G.R. dated 11/07/2000 (Annexure-A-3, P.B., Pg. Nos. 21 to 26). The Id. counsel for the applicant has mainly relied upon para no. 2 (b) of the G.R. of the applicant where it is clearly mentioned that any officer who has served for more than two years in Tribal Area should be given next posting as per his/her choice.

3. Subsequently, the Id. counsel for the applicant has also relied upon G.R. dated 06/08/2002 (Annexure-A-4, P.B., Pg. Nos. 27

to 34) and he has mainly relied upon on P.B., Pg. No. 31 para D-2 for the applicant. The Id. counsel for the applicant further relied upon the Government G.A.D. circular dated 07/01/2006 on P.B., Pg. No. 46, where Government has already mentioned that there are many officers who are not following policy and instructions of the Government regarding transfer policy of the employees who are already working in the Naxal and Tribal Areas.

4. The Id. counsel for the applicant is submitted that applicant's application dated 11/05/2019 which is at Annexure-A-6, P.B., Pg. Nos. 37 and 38, by which it appears that applicant has been working in Gondia since 04/07/2015 till today which is Naxal and Tribal Area.

5. Issue notice to R-2 & 3, returnable on two months. Learned 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. The Id. counsel for the applicant submits that there are still vacancy existing in Nagpur and Bhandara District. In view of this applicant must be considered as per the Government policy of various G.Rs. and Circular like 11/07/2000, 06/08/2002 and 07/01/2006.

12. In view of above discussions and various Judgment produced in the Tribunal like O.A. No. 36/2018 following order is passed:-

ORDER

1. The impugned order dated 11/09/2019 at Annexure-A-1, P.B., Pg. NO. 12 to 14 is quashed and set aside to the extent of applicant at Sr. No. 20.
2. Respondents are directed to take necessary action as per Government Policy by various G.Rs. and Circulars of G.A.D. like dated 11/07/2000, 06/08/2002 and 07/01/2006.
3. **S.O. two months.**

4. **Steno copy is granted.**

(Shree Bhagwan)

Vice-Chairman.

Dated :- 11/10/2019.

aps