

O.A.Nos.277,285,286&287/2019 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

Heard Shri A.Barahte holding for Shri N.R.Saboo, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.189/2020 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

Heard Shri V.B.Gawali, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents. R-3 to 8 await service.

2. Ld. Counsel for the applicant states that he has served the respondents. At the request of ld. P.O.,
S.O. four weeks to file reply.

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.524/2020 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.903/2020 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.959/2020 (D.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.

Heard Shri M.H.Awode, ld. Counsel for the applicant and Shri V.A.Kulkarni, 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. in due course.**

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.Nos.474&475/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

None for the applicant. Shri V.A.Kulkarni, ld.
P.O. for the State and Shri T.M.Zaheer, ld. counsel
for the respondent nos. 2 & 3.

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.570/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

C.A.No.249/2022:-

Heard Shri D.T.Shinde, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. At the request of ld. Counsel for the applicant, **S.O. 19.10.2022.**

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.699/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.724/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

2. At the request of Id. Counsel for the applicant, **S.O. 17.10.2022.**

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.759/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

Heard Shri M.L.Vairagade, 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. three weeks to file reply.**

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.760/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

Heard Shri M.L.Vairagade, 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. three weeks to file reply.**

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.813/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.837/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

2. **S.O. four weeks to serve the notice for R-2
& 3.**

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.853/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.863/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

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

Vice Chairman

Date:-11/10/2022.
aps.

Rev.No.14/2022 in O.A.No.993/2019 (D.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.

Heard Shri S.P.Palshikar, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the State.

2. Issue notice to Respondent no. 2, returnable on three weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original

Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. three weeks.**

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.1018/2022 (D.B.)

Dr.Unmesh Santram SelukarVs.M.P.S.C.&Another

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.

Heard Shri R.D.Hajare, Id. Counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the State.

2. As per the submission of the Id. counsel for the applicant, applicant has passed M.B.B.S. degree in the year 2003. Thereafter, applicant has passed Post Graduate Diploma in the Tuberculosis in the year 2010. Applicant was appointed as an adhoc basis as a Medical Officer. He worked at Gadchiroli, Gondia and Wardha. The applicant is working from 2014 till date with technical breaks.

3. As per the submission of the Id. counsel for the applicant, applicant has fulfilled the criteria given in the advertisement dated 31.12.2021. As per the advertisement, the M.P.S.C. called applications for 15 posts of Medical Officer (Tuberculosis), out of the 15 posts, two posts are reserved for Scheduled Caste, one post is reserved for Scheduled Tribe, one post is for N.T.-A, one post is for N.T.-B, two posts for E.W.S., two posts for O.B.C. and 6 posts are for Open Category. The applicant applied in the reserved category of Scheduled Caste. The applicant has submitted Caste Certificate, the Validity Certificate is also submitted. But he is not shown as eligible candidate for the post of Medical Officer, Tuberculosis. As per the list of eligible candidates

only 9 candidates are shown as eligible and they are called for Interview held on 14.10.2022.

4. It appears from the documents that applicant has passed Post Graduate Diploma in Tuberculosis. He is working as a Medical Officer in the department of Tuberculosis since last eight years. It appears that applicant has fulfilled the criteria shown in the advertisement. Therefore, he is eligible for the post of Medical Officer (Tuberculosis). Ld. P.O. Shri Sainis has pointed out Prayer Clause in the O.A. and submitted that only prayer is for direction to respondent to allow the applicant for interview to be held on 14.10.2022. Hence, the following order:-

ORDER

- A. The M.P.S.C./respondent no. 2 is directed to allow the applicant for Interview on 14.10.2022 for the post of Medical Officer, Tuberculosis.
- B. In view of the limited prayer, O.A. is disposed of with the above directions.
- C. Hamdast granted.**
- D. Steno copy is allowed.**

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.866/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.885/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.877/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

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

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

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.907/2022 (D.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.

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

2. As per the order dated 30.09.2022, ld. P.O. seeks time to get instructions. Again on 04.10.2022 ld. P.O. requested for time to get instructions. Today also ld. P.O. Shri Sainis seeks time to get instructions.

3. Ld. Counsel for the applicant insisted to grant the stay, he has pointed out proceedings before the inquiry officer. Now, the departmental inquiry is decided on 12.10.2022. Interim stay was not granted.

4. Ld. P.O. sought time to get instructions. Inquiry cannot be stayed at this stage.

5. The Rojnama before the inquiry officer filed on record. It is served to the other side. It is further marked exh.X for the purpose of identification.

6. **S.O. 19.10.2022.**

7. **Steno copy is granted.**

Vice Chairman

Date:-11/10/2022.
aps.

O.A.No.987/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :11/10/2022.**

Heard Shri R.D.Hajare holding for Shri S.A.Marathe, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the State. Hamdast not collected.

2. At the request of ld. Counsel for the applicant, **S.O. 20.10.2022.**

Vice Chairman

Date:-11/10/2022.
aps.