

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

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)
Dated :12/04/2022.**

Heard Shri A.C. Dharmadhikari, the ld. Counsel for the applicants, Shri A.M. Khadatkar, the ld. P.O. for the State and Shri N. Khubalkar, the ld. Counsel for the respondent nos. 3 to 127.

2. After final order is pronounced, the ld. Counsel for the applicants is pressing for extension of interim order which was subsisting till today. This is stoutly opposed by all the respondents. Considering the facts of the case, it would be proper to extend interim order by three weeks from today so that the applicants would get reasonable opportunity to approach the Hon'ble High Court.

3. **Interim order is extended by three weeks from today.**

4. **Steno copy is granted.**

Member(J)
Date:-12/04/2022.
aps.

Vice Chairman

O.A.406/2022 (D.B)(F)

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

Dated : 12/04/2022.

C.A. No.137/22

Heard Shri R.B. Dhore, Id. counsel for the applicant & Shri S. Deo, Id. C.P.O. for the respondent Nos. 1 to 3, Shri A.P. Kalmegh, Id. Counsel for Caveator.

Caveat application No. 13/2022 is filed by the caveator. C.A. No.137/2022 is filed by Id. counsel for the applicant to file joint O.A. Both the applicants are aggrieved by the same cause of action and their grievances are same. In view of this, C.A. No.137/2022 for filing joint O.A. is allowed.

2. Heard Id. Counsel for the applicant & Ld. C.P.O. for the respondents. Ld. C.P.O. has relied on the Judgment delivered by the Principal Bench, Mumbai of the Tribunal in O.A. No.634/2017 dtd. 4/10/2018, in which review application was filed. Document is marked as 'X'. In the review application, it is clearly mentioned that the order was passed to the extent of applicants only. Ld. C.P.O. pointed out to the modified order in O.A. No.634/17, in which it is mentioned in the last line words " Primary Teachers who are serving in employment of Government of Maharashtra

and” seen in order clause B of paragraph 35 of Judgment of this Tribunal dtd.04/10/2018 be deleted and words “ The Applicants” be added.

3. Ld. Counsel for the applicant submits that in the Principal Bench at Mumbai 26 O.As. have been filed and the modification order is passed in O.A. No.634/17. Other 25 O.As. are still pending.

4. Ld. Counsel for the applicant is pressing for interim relief. At this stage, point of interim relief cannot be decided.

5. Issue Notice to the Respondents returnable after vacation. Ld. C.P.O. waives notice for State. 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.

S.O. After vacation.

Member (J)

Vice-Chairman

skt.

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

Dated : 12/04/2022.

Heard Shri D.M. Kakani, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

Ld. Counsel for the applicant submits that the small issue involved in this case is that the applicant is seeking direction to the respondents to place the applicant at proper place in the seniority list published by R/2 on 1/1/2021, in which the applicant has been shown junior. Now, as per procedure prescribed under the G.R. dated 21/06/1982, clause 4(2)(1)(2) (Annex. R-1) is reproduced below :-

“कोणत्याही पदावरील, संवर्गातील किंवा सेवेतील नेमणुकीसाठी एकाच तुकडीत निवड होऊन थेट भरती झालेल्या व्यक्तींनी नेमणूक आदेश निघाल्याच्या तारखेपासून तीस दिवसांच्या आत किंवा सक्षम प्राधिकारी स्वविवेकानुसार वाढवून देईल अशा कालावधीत जर नेमणुकीचा स्वीकार केला असेल तर त्यांच्या आपसातील ज्येष्ठता आयोगाने वा निवड मंडळाने किंवा प्रकरणपरत्वे सक्षम प्राधिकार यांच्याकडून नामनिर्देशनाद्वारे झालेल्या थेट भरतीच्या बाबतीत सदर सक्षम प्राधिका-याने लावलेल्या पसंती क्रमानुसार निर्धारित केली जाईल”

The matter pertains to the year 2021.

Ld. P.O. files reply on behalf of Respondent No. 2. Reply is taken on record and copy thereof is given to Id counsel for the applicant.

Admit.

Matter be taken for final hearing on
22/04/2022.

Member (J)

Vice-Chairman

skt.

O.A.780/2021 (D.B.)

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

Dated : 12/04/2022.

C.A.312/21 & 348/21

Heard Shri D.M. Kakani, Id. counsel for
the applicant and Shri H.K. Pandey, Id. P.O. for

the respondents. None for Intervenor. Ld. Counsel for the intervenor to supply the copy of intervention application to the other side.

Ld. Counsel for the applicant files C.A.No.348/21. It appears that the question involved is of seniority list in the office of Divisional Commissioner, Nagpur Division, Nagpur. The matter is pending before the Hon. Apex Court for adjudication. Meanwhile in the interest of administration, Govt. Of Maharashtra decided to clear the cases for promotion of various posts by issuing G.R. dtd.7/05/2021. In the said G.R. guidelines have been given as how to prepare the seniority list. It appears that Collectors of Nagpur Division had not prepared the list of Naib Tahsildars as per the said G.R. dtd.7/05/2021 and they have submitted the same to the office of the Divisional Commissioner, Nagpur. By C.A. No.348/21, the applicants' main prayer is that the seniority list should be prepared as per the directives given in the G.R. dtd.7/05/2021 pending Spl. Leave Petition in the Hon. Apex Court and then only promotion orders should be issued. In view of this situation, the C.A. 348/2021 is allowed and disposed of. Respondents Nos. 1 to 8 are directed to act according to the G.R. dtd. 7/05/2021 of the General Administration Department.(Annex.A-6, Page 208) and then only proceeded with the promotion orders. As prayed in the C.A. while preparing the seniority list, the objections of the employees must be

considered and then only proceeded further. While finalising the seniority list, the respondents should consider the G.R. also.

Steno copy be granted.

S.O. After vacation.

Member (J)

Vice-Chairman

skt.

O.A.325/2015 (D.B.)

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

Dated : 12/04/2022.

Taken on board

Shri S.P. Palshikar, Id. counsel for the applicant. Shri Khadatkar, Id. P.O. for the respondents.

This matter was to listed on 13/01/2022 and it was directed to keep the matter in next week. Since the Bench was not available, it was not listed. The matter be kept on 21/04/2022.

Ld. Counsel for the applicant pointed out that reply is not filed yet. Ld. P.O. is directed to file reply.

S.O. 21/04/2022.

Member (J)

Vice-Chairman

skt.

C.A.134/22 in O.A.11/2022 (D.B.)

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

Dated : 12/04/2022.

Shri N.R. Saboo, Id. counsel for the applicant. Shri Khadatkar, Id. P.O. for respondent Nos. 1 to 3. Shri P.S. Tidke, Id. Counsel for R/4 to 6.

Ld. Counsel for the applicant submits that the matter pertains to promotion/ seniority list and he has challenged the promotion. He is ready to argue the matter tomorrow. Ld. Counsel for R/4 to 6 is given choice whether he wants to argue the matter tomorrow or next any other date be provided. Restriction should be put on the joining of the applicant.

Matter be kept on 18/04/2022

S.O.18/04/2022, till that time status-quo be granted.

S.O. 18/04/2022.

Member (J)

Vice-Chairman

Skt

O.A. 752/2016 (D.B.)

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

Dated : 12/04/2022.

Shri G.G. Bade, Id. counsel for the applicant. Shri S.A. Sainis, Id. P.O. for the respondents.

As submitted by Id. Counsel for the applicant, the applicant was appointed as

Muster Assistant at Gadchiroli & subsequently he was inducted in Zilla Parishad, Gadchiroli in Class-IV category at Government Veterinary Hospital, Murugaon in the year 1997. The applicant moved an application for voluntary retirement on 13/07/2010. As per record, R/2 has accepted the voluntary retirement application of the applicant (Page-21) on 31/10/2010 (A.N.). The Id. Counsel for the applicant has also filed death certificate of the applicant at Annex-A-7, page-14, by which it seems that the applicant has expired on 10/06/2014. Ld. Counsel for the applicant has relied on the judgment of this Tribunal in O.A. No.669/2014, delivered on 09/04/2015. The judgment is taken on record and the copy of the same is supplied to Id. P.O.

S.O. after vacation.

P.H.

Member (J)

Vice-Chairman

skt.

O.A. 579/2018 (D.B.)

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

Dated : 12/04/2022.

Shri D.M. Kakani, Id. counsel for the applicant. Shri V.K. Kulkarni, Id. P.O. for the respondents.

S.O. 20/04/2022

Member (J)

Vice-Chairman

skt.

O.A.468/2021 (D.B.)

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

Dated : 12/04/2022.

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

3 weeks time granted to file reply.

S.O. after vacation.

Member (J)

Vice-Chairman

skt.

O.A.177/2019 (D.B.)

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

Dated : 12/04/2022.

Shri R.V. Shiralkar, Id. counsel for the applicant. Shri H.K. Pande, Id. P.O. for the respondents.

Ld. P.O. seeks time to file reply. 3 weeks time is granted to file reply as a last chance.

S.O. After Vacation.

Member (J)

Vice-Chairman

skt.

O.A.1023/18 (D.B.)

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

Dated : 12/04/2022.

Shri N.R. Saboo, Id. counsel for the applicant. Shri Khadatkar, Id. P.O. for the respondents.

Ld. P.O. submits that he will file parawise reply within one week's time.

S.O. 19/04/2022.

Member (J)

Vice-Chairman

skt.

O.A.948/2021 (D.B.)

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

Dated : 12/04/2022.

Shri S.P. Palshikar, Id. counsel for the applicant. Shri S.A. Sainis, Id. P.O. for the respondents.

Ld. P.O. has filed reply just now on behalf of R/1 & 2 . It is taken on record. The copy of the same is supplied to the Id. Counsel for the applicant.

The Id. Counsel for the applicant seeks time to go through the reply.

S.O. 26.04.2022

Member (J)

Vice-Chairman

skt.

O.A.405/2022 (D.B.)

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

Dated : 12/04/2022.

Shri R.B. Dhore, Id. counsel for the applicant. Shri S. Deo, Id. C.P.O. for the State.

2. Issue Notice to the Respondent Nos. 2 & 3, returnable after vacation. Id. 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.

S.O. after vacation.

Member (J)

Vice-Chairman

skt.

O.A.407/2022(D.B.)

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

Dated : 12/04/2022.

Shri R.B. Dhore, Id. counsel for the applicant. Shri S. Deo, Id. C.P.O. for the State.

2. Issue Notice to the Respondent Nos.2 & 3, returnable after vacation. Id. C.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 vacation.

Member (J)

Vice-Chairman

skt.

O.A.411/2022 (D.B.)

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

Dated : 12/04/2022.

Shri R.B. Dhore, Id. counsel for the applicant. Shri S. Deo, Id. C.P.O. for the State.

2. Issue Notice to the Respondent Nos.2 & 3, returnable after vacation. Ld.C.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 vacation.

Member (J)

Vice-Chairman

skt.

O.A.495/2021 (D.B.)

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

Dated : 12/04/2022.

Shri Vishal Anand, Id. counsel for the applicant. Shri S.A. Sainis, Id. P.O. for the respondents.

Ld. P.O. has filed reply on behalf of R/2 to 4. It is taken on record and the copy of the same is given to the Id. Counsel for the applicant.

O.A. is admitted and will be listed in due course.

Member (J)

Vice-Chairman

skt.

O.A.160/2021(D.B.)

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

Dated : 12/04/2022.

Shri Bharat Kulkarni, Id. counsel for the applicant. Shri H.K. Pande, Id. P.O. for the respondents.

The Respondents have filed reply on 13/10/2021.

The matter will be heard & decided in the **1st Week of June.**

Member (J)

Vice-Chairman

skt.

O.A.932/2021(D.B.)

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

Dated : 12/04/2022.

Shri Bharat Kulkarni, Id. counsel for the applicant. Shri A.P. Potnis, Id. P.O. for the respondents.

The Respondents have filed reply on 13/10/2021.

The matter will be heard & decided in the **1st Week of June.**

Member (J)

Vice-Chairman

skt.

O.A.1025/2021(D.B.)

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

Dated : 12/04/2022.

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

At the request of Id. P.O. **S.O.20/4/2022**

Member (J)

Vice-Chairman

skt.

O.A.114/2018(D.B.)

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

Dated : 12/04/2022.

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

Ld.P.O. submitted that the applicant has approached to the Industrial Court in ULP No.17/2017 and at the same time he has approached to this Tribunal also. Now, the applicant has to decide to withdraw the ULP filed in the Industrial Court or to pursue the matter in the MAT. If response is not received by the applicant, the matter would be Dismissed in default.

S.O.09/06/2022

Member (J)

Vice-Chairman

skt.

O.A.948/2017(D.B.)

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

Dated : 12/04/2022.

Shri A.M. Sudame, Id. counsel for the applicant. Shri H.K. Pande, Id. P.O. for the respondents.

In the order dtd.02/12/2021, it was directed that MPSC result was submitted on record, it was opened and applicant was not scored requisite marks. In view of this, nothing survives in the O.A, The O.A., therefore, stands disposed of as infructuous.

Member (J)

Vice-Chairman

skt.

O.A.113/2015(D.B.)

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

Dated : 12/04/2022.

Shri P.S. Sahare, Id. counsel for the applicant. Shri H.K. Pande, Id. P.O. for respondent Nos. 1 to 3. Shri A.R. Bhole, Id. counsel for R/4 . Shri S.N. Gaikwad, Id. counsel for R/5 to 7.

Ld. counsel for R/4 has filed reply on behalf of R/4. It is taken on record and the copy of the same is given to the other side.

Ld. counsel for the applicant submitted that the applicant No.2-Deepak Shrawanji Meshram has expired. Ld. counsel is directed to file death certificate along with Pursis on record.

Ld. counsel for R/5 to 7 submitted that he will verify whether reply of R/5 to 7 filed or not.

S.O. After vacation

Member (J)

Vice-Chairman

skt.

O.A.43/2022 (D.B.)

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

Dated : 12/04/2022.

Shri A.P. Khadatkar, Id. counsel for the applicant. Shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. P.O. 3 weeks time is granted to file reply.

S.O. After Vacation.

Member (J)

Vice-Chairman

skt.

O.A.27/2022 (D.B.)

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

Dated : 12/04/2022.

Shri S.Y. Deopujari, Id. counsel for the applicant. Shri S.A. Sainis, Id. P.O. for the respondents.

Ld. P.O. seeks time to file reply.

S.O. Two weeks.

Member (J)

Vice-Chairman

skt.

O.A.1087/2021 (D.B.)

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

Dated : 12/04/2022.

None for the applicant. Shri S.A. Sainis, Id. P.O. for the respondent Nos.1 to 4. Shri S.P. Palshikar, Id. Counsel for R/5.

Ld. P.O. requests time to file reply.

S.O. After Vacation.

Member (J)

Vice-Chairman

skt.

O.A. 791/2013 (D.B.)

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

Dated : 12/04/2022.

Shri S.P. Palshikar, Id. counsel for the
applicant. Shri S.A. Sainis, Id. P.O. for the
respondents.

S.O. After Vacation.

Member (J)

Vice-Chairman

skt.

O.A. 400/2020 (D.B.)

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

Dated : 12/04/2022.

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

Ld. P.O. desires to file reply of R/1.

S.O. After Vacation.

Member (J)

Vice-Chairman

O.A. 393/2022 (D.B.)

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

Dated : 12/04/2022.

Shri N.R. Saboo, Id. counsel for the applicant. Shri S. Deo, Id. C.P.O. for the respondents.

2. Issue Notice to the Respondent Nos. 1 to 3, returnable after vacation.
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 vacation.

Member (J)

Vice-Chairman

Skt

O.A. 205/2022 (D.B.)

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

Dated : 12/04/2022.

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

At the request of Id. P.O. **S.O.4/5/2022** to file reply.

Member (J)

Vice-Chairman

skt.

O.A. 184/2022 (D.B.)

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

Dated : 12/04/2022.

Shri A.M. Sudame, Id. counsel for the applicant. Shri S. Deo, Id. C.P.O. for the respondent Nos. 1 to 3. None for R/4.

Ld. C.P.O. pointed out that advertisement nos.5/2013 & 15/2013 were published by MPSC on 6/07/2013 and results were published and appointment orders were issued vide order dtd.14/12/2017 (Annexure-A-13,Page 100). The applicant applied for the post in 2013 and participated in the selection process. After the results, he has challenging the selection process in 2022. No proper ground is seen to condone the delay of 5 years from the date of appointments. In view of this, the O.A. does not survive. O.A. stands dismissed.

Member (J)

Vice-Chairman

Skt

C.A.15/22 in O.A. 51/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and**

**Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 12/04/2022.

C.A. No.15/2022

Shri S.R. Dambhare, Id. counsel for the applicant. Shri H.K. Pande, Id. P.O. for the respondents.

Ld. P.O. has granted 3 weeks time to file reply. If reply is not filed by the next date, matter will be decided on merit.

S.O. After Vacation.

Member (J)

Vice-Chairman

skt.

O.A.307/22 (S.B.)

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

Dated : 12/04/2022.

C.A.No.136/22

Heard Shri S.P.Palshikar, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for R-1, R-2 and Shri S.N.Gaikwad Id. counsel for the respondent 3 (Caveator).

2. On behalf of the applicant a statement is made that today the applicant will make an application to respondent no.2 seeking permission in writing to join on the transferred post. C.P.O. Shri Deo makes a statement that on such application being made by the applicant respondent no.2 shall pass necessary orders thereon. Learned C.P.O. prays for steno copy. Learned counsel for the applicant submits that if the C.P.O. telephonically informs respondent no.2 about this order that would curtail delay. C.P.O. makes a statement that he shall forward steno copy to respondent no.2 and inform him telephonically.

3. **C.A.No.136/2022 is disposed of.**

4. **S.O. to 25.04.2022.**

Member (J).

RSM.

O.A.472/2018 (S.B.)

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

Dated : 12/04/2022.

Heard Shri M.R.Khan, 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 learned P.O. is taken on record. It is stated that this reply is sufficient to decide the matter finally. Matter is admitted.

4. **S.O. After Vacation.**

Member (J).

RSM.

O.A.320/2019 (S.B.)

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

Dated : 12/04/2022.

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

2. Reply of respondent nos.3 & 4 filed by learned P.O. is taken on record. It is stated that this reply would be sufficient to decide the matter finally. Matter is admitted.

4. **S.O. to 21.04.2022.**

Member (J).

RSM.

O.A.444/2019 (S.B.)

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

Dated : 12/04/2022.

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

2. A statement is made by the learned counsel that the applicant has been permitted to join on the post prayed for by him and nothing survive in the application. In view of this statement the application is disposed of.

3. O.A. disposed of.

Member (J).

RSM.

O.A.331/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. On oral request of learned counsel for the applicant **after vacation for filing reply.**

Member (J).

RSM.

O.A.493/2021 (S.B.)

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

Dated : 12/04/2022.

C.A.35/2022

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

2. It is submitted by Shri Shiralkar, learned counsel for the applicant that the applicant has retired during pendency of this application. His claim regarding correction of date of birth is yet to be decided. It is submitted that for the present the respondents be directed to release the amount of leave encashment & G.P.F. because fixation of pension would depend on determination of date of birth. It is submitted that by directing the respondents to release the amount of leave encashment and G.P.F.. Civil application be disposed of. Respondents have no objection for the same. C.A.No.35/2022 is disposed of. The respondents shall release amount of leave encashment and G.P.F. within one month from the date of receipt of this order. On behalf of the applicant a statement is made that he shall submit necessary documents for release of this amount, to respondents within two weeks.

3. **S.O. to 12.6.2022.**

Member (J).

RSM.

C.A.No.394/2021 in O.A.559/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. On oral request of learned P.O. for hearing on **C.A.No.394/2021**. Reply of C.A.No.394/2021 filed by respondent no.1 is taken on record.

3. **S.O. to 18.04.2022.**

Member (J).

RSM.

C.A.No.346/2021 in O.A.695/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. Learned P.O. seeks time till 18.4.2022. This is serially objected to by the learned counsel for the applicant. It is pointed out that this is the third occasion on which the respondents have sought time. Time is granted as a last chance till 18.04.2022.

3. **S.O. to 18.04.2022.**

Member (J).

RSM.

O.A.772/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. Learned counsel states that he will file **service affidavit within one week.**

Member (J).

RSM.

O.A.834/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. Two Weeks.**

Member (J).

RSM.

O.A.1039/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. It is submitted by learned P.O. that reply of respondent no.3 which is filled on 22.03.2022 is sufficient to decide the matter finally. Matter is admitted.

3. **S.O. after vacation for final hearing.**

Member (J).

RSM.

O.A.1016/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. Learned counsel states that she will file Vakalatnama for respondent no.4 by next date. Learned P.O. seeks time to file reply.

3. **S.O. four weeks.**

Member (J).

RSM.

O.A.1056/2021 (S.B.)

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

Member (J)

Dated : 12/04/2022.

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

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

Member (J).

RSM.

O.A.1126/2021 (S.B.)

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

Member (J)

Dated : 12/04/2022.

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

2. Reply of respondent no.2 filed by learned P.O. is taken on record. It is stated that this reply is sufficient to decide the matter finally. Matter is **admitted**.
3. **S.O. to after vacation for final hearing.**

Member (J).

RSM.

O.A.3/2022 (S.B.)

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

Dated : 12/04/2022.

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

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

Member (J).

RSM.

O.A.247/2022 (S.B.)

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

Dated : 12/04/2022.

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

2. On oral request of learned C.P.O. **S.O. after vacation** for filing reply.

Member (J).

RSM.

O.A.299/2022 (S.B.)

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

Dated : 12/04/2022.

Heard Shri N.R.Saboo, Id. counsel for the applicant and Shri H.K.Pande, Id. C.P.O. for the respondents.

2. Learned counsel states that he will file service affidavit within one week.
3. **S.O. four weeks.**

Member (J).

RSM.

O.A.319/2022 (S.B.)

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

Dated : 12/04/2022.

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

2. Learned counsel states that he will file service affidavit within one week.
3. **S.O. four weeks.**

Member (J).

RSM.

O.A.892/2020 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. to 19.04.2022.**

Member (J).

RSM.

C.A.357/2019 in O.A.St.1872/2019 (S.B.)

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

Dated : 12/04/2022.

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

2. On oral request of learned counsel **S.O. to Next week.**

Member (J).

RSM.

O.A.634/2021 (S.B.)

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

Dated : 12/04/2022.

Heard Shri M.R.Patil, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

2. Reply of respondent no.4 filed by learned P.O. is taken on record. It is stated that this reply is sufficient to decide the matter finally. Matter is **admitted**.

3. **S.O. to 27.04.2022.**

Member (J).

RSM.

O.A.555/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. to 27.04.2022.**

Member (J).

RSM.

O.A.734/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. to 27.04.2022.**

Member (J).

RSM.

O.A.200/2017 (S.B.)

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

Dated : 12/04/2022.

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

2. It is submitted that pleadings are complete. Matter is admitted and kept for final hearing on 20.04.2022.

3. **S.O. to 20.04.2022.**

Member (J).

RSM.

O.A.59/2022 (S.B.)

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

Dated : 12/04/2022.

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

2. It is submitted that pleadings are complete. Hence, matter is admitted. Liberty to the applicant to file rejoinder is necessary.
3. Interim order to continue till next date.
4. **S.O. to 27.04.2022.**

Member (J).

RSM.

O.A.37/2022 (S.B.)

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

Dated : 12/04/2022.

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

2. Heard learned counsel and learned P.O. Issue notice returnable on 25.04.2022.

3. Issue notice to the respondents returnable **on 25.04.2022**. 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. 25.04.2022.

Member (J).

RSM.

O.A.368/2022 (S.B.)

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

Dated : 12/04/2022.

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

2. Heard learned counsel and learned P.O. Issue notice returnable on 25.04.2022.

3. Issue notice to the respondents returnable **on 25.04.2022**. 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. 25.04.2022.

Member (J).

RSM.

O.A.74/2020 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. to 18.04.2022.**

Member (J).

RSM.

O.A.695/2020 (S.B.)

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

Dated : 12/04/2022.

Heard Shri M.P.Kariya, Id. counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents.

2. **S.O. to 18.04.2022.**

Member (J).

RSM.

O.A.947/2020 (S.B.)

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

Dated : 12/04/2022.

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

2. Learned counsel seeks time to file citation.

2. **S.O. to 21.04.2022.**

Member (J).

RSM.

O.A.797/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. to 21.04.2022.**

Member (J).

RSM.

O.A.957/2021 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. to 20.04.2022.**

Member (J).

RSM.

O.A.156/2018 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. Two Weeks.**

Member (J).

RSM.

O.A.616/2018 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. Next Weeks.**

Member (J).

RSM.

O.A.96/2020 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. to 18.04.2022.**

Member (J).

RSM.

O.A.98/2020 (S.B.)

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

Dated : 12/04/2022.

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

2. **S.O. to 18.04.2022.**

Member (J).

RSM.

O.A.222/2022 (S.B.)

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

Dated : 12/04/2022.

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

2. **Closed for the order.**

Member (J).

RSM.

O.A.160/2022 (S.B.)

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

Dated : 12/04/2022.

Heard Shri S.N.Gaikwad (memo appearance) filed in Court today, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. The applicant is relying on G.R. dated 06.08.2002 (Annexure A-2). Internal page 5 of this G.R. states as follows.

१) आदिवासी क्षेत्रात ३ वर्षे चांगले काम केलेल्या गट 'क' व गट 'ड' च्या कर्मचा-यांना त्यांच्या पसंतीच्या जिल्हयात सोईप्रमाणे नेमणूका देण्यात याव्यात.

3. It is pointed out that the applicant has made representations dated 16.12.2020, 17.03.2021 and 06.05.2021 (Annexure A-4 collectively).

4. The applicant has been serving at Gondiya since 07.07.2017. It is submitted that his case is squarely covered by G.R. dated 06.08.2002.

5. Adv. Shri S.N. Gaikwad submitted that if the respondents are directed to consider representations of the applicant in the light of the guidelines regarding transfer contained in G.R. dated 06.08.2002, his purpose would be served. Case is made out to pass the order as prayed for by the applicant. Hence, the order.

Order

1. Representations dated 16.12.2020, 17.03.2021 & 06.05.2021 (Annexure A-4 collectively) shall be considered by the respondents in the light of guidelines contained in 06.08.2002 (Annexure A-2) while dealing with the claim of the applicant for transfer during the ensuing Annual General Transfers.
2. O.A. is disposed of.

Member (J).

RSM.

