

O.A.St.No.2268/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :13/06/2023.**

C.A.Nos.405/2022&259/2023:-

Heard Shri Khirsagar holding for Shri H.D.Futane, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents. R-4 await service in C.A.No.405/2022.

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

Vice Chairman

Date:- 13/06/2023.

aps.

**M.C.A.No.24/2023inO.A.No.502/2021 (D.B.)
Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :13/06/2023.**

Heard Shri A.A.Potnis holding for Shri A.M.Sudame, Id. Counsel for the applicant, Shri M.I.Khan, Id. P.O. for the respondents and Smt. Rani Tate, Deputy Commissioner (Entertainment) having additional charge of Divisional Enquiry Officer, Nashik.

2. On last date the matter was placed before Chairperson, M.A.T., Mumbai. The Hon'ble Chairperson directed Id. P.O. to call Enquiry Officer for filing reply and ask explanation that why he did not proceeded and completed the enquiry within two months after her appointment.

3. Smt. Rani Tate stated that she is having additional charge of Enquiry Officer and she require more six months time.

4. The O.A. was finally heard and disposed of with direction to the respondents to decide within a period of six months. This order was passed on 17.11.2022.

5. Looking to the submission of Enquiry Officer, **two months time is granted to complete the enquiry.**

6. **S.O. after two months.**

7. **Steno copy is granted.**

Vice Chairman

Date:- 13/06/2023.

aps.

O.A.Nos.120,121,122&123/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :13/06/2023.**

Heard Shri M.R.Rajgure, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents. None for R-3 to 8 in O.A.Nos.120,121&122/2022. None for R-3 to 7 in O.A.No.123/2022.

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. 05.07.2023.**

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

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.1052/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :13/06/2023.**

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

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

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.16/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :13/06/2023.**

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

2. The ld. P.O. has filed reply on behalf of the respondents 1 to 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

4. The ld. P.O. waives notice for the respondents.

5. **S.O. 20.06.2023.**

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

7. *Put up this matter along with O.A. No. 383/2023.*

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.Nos.405,407&413/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :13/06/2023.**

Heard Shri N.R.Saboo, ld. Counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents, Shri R.Joshi, ld. Counsel for the R-4 in O.A. No. 407/2023 and Shri S.N.Gaikwad, ld. Counsel for the R-4 in O.A. No. 413/2023.

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

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.539/2023 (D.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :13/06/2023.

Heard Shri A.S.Dhore, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. Ld. Counsel for the applicant has prayed to grant stay to the ongoing process of promotion for the post of Principal, in pursuance of the communication dated 29.05.2023 (A-28) issued by the respondent no. 2 till the decision of this O.A..

3. As per the submission of ld. Counsel for the applicant, applicant completed the age of 55 years on 26.06.2023 and thus entitled from exemption from appearing Departmental Examination in view of Government Notification dated 26.02.2018 (A-34). Hence, prayed to stay the process of promotion of the post of Principal. In anticipation of this, stay cannot be granted. Moreover, if the applicant is entitled to get promotion he will definitely get the relief but process of promotion cannot be stayed.

4. Issue notice to Respondents, returnable on 06.07.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of

hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

10. **S.O. 06.07.2023.**

Vice Chairman

Date:- 13/06/2023.

aps.

C.P.No.50/2023inO.A.No.1126/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :13/06/2023.**

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

2. Issue Notice to the respondents returnable in **20.06.2023** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. Shri A.M.Ghogre, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

4. **S.O. 20.06.2023.**

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.252/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

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

2. The Id. P.O. has filed reply on behalf of the respondents 2 to 4. It is taken on record. He submits that he will serve it 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 Id. P.O. waives notice for the respondents.

5. **S.O. 04.07.2023.**

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

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.945/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

None for the applicant. Shri V.A.Kulkarni, ld. P.O. for the State and Shri M.V.Bute, ld. Counsel for the R-4. Await service of R-2 & 3.

2. Ld. Counsel for the Respondent no. 4 submits that following order was passed on 21.03.2023:-

“The applicant’s husband was terminated in 1982. There is no merit in the application. The applicant’s husband has not served with the respondents 2 & 3.”

3. Today also none appears for the applicant. It appears that applicant is not interested to prosecute the matter. Hence, **O.A. is disposed of for want of prosecution.**

Vice Chairman

Date:- 13/06/2023.
aps.

**O.A.836/22withC.A.260/23inO.A.1024/22with
1025,1049/22withO.A.74,78,125&193/23S.B.
Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

Heard Shri A.Joshi holding for Shri S.S.Ghate,
& M.Deo, ld. counsel for the applicants and Shri
A.M.Ghogre, ld. P.O. for the Respondents.

2. One of the Dr. Chandrakant Mahadeorao
Bokade is retired on 30.04.2023.

3. Heard ld. P.O.. In view of the submission
following order is passed.

O R D E R

- A. Respondents are directed to pass the
pension case of the applicant i.e. Dr.
Chandrakant M.Bokade.
- B. Respondents may withhold the amount of
Rs. 16,54,630/- subject to the decision of
this O.A..
- C. C.A. is disposed of.

O.A.Nos.836,1024,1025,1049/2022&74,78,125&
193/23:-

Ld. P.O. is requested to file the reply. On the
next date, matter will be fixed for final hearing.

S.O. 26.06.2023.

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.1152/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

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

2. At the request of ld. P.O., **S.O. 26.06.2023 to file reply.**

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.95/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

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

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

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.133/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

Heard Shri P.S.Kshirsagar, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State. Await service of R-2 to 4.

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

3. **S.O. after one week.**

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.140/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

Heard Shri P.S.Khirsagar, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State. Await service of R-2 & 3.

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

3. **S.O. after one week.**

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.206/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

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

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

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.Nos.393,400&401/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

Heard Shri B.Kulkarni, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State. Await service of R-2 & 3 in O.A. No. 393/2023. Await service of R-2 to 5 in O.A. No. 400/2023. Await service of R-2 in O.A. No. 401/2023.

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

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.1104/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the Respondents 1 & 2. None for the R-3.

2. On the last date, respondents were directed to decide the representation of the applicant. Ld. P.O. is requested to get the instructions from the respondents about the decision on the representation of the applicant, **S.O. 27.06.2023.**

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.735/2016 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

Heard Shri M.R.Rajgure, ld. counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the Respondents and Shri V.G.Wankhede, ld. Counsel for the R-3.

2. Ld. Counsel for the applicant has pointed out order dated 30.08.2023. Advocate for respondent no. 3 was directed to get instructions regarding D.P.C. meeting dated 02.02.2015 as to why the name of the applicant is not appeared in the D.P.C. meeting. Ld. Counsel for respondent no. 3 submits that record of meeting dated 02.02.2015 is not available in the office of Zilla Parishad. Therefore, he could not filed the same.

3. Ld. Counsel submitted that he has filed material document in support of the reply.

4. **S.O. 22.06.2023 for final hearing.**

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.833/2019 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

Heard Shri H.M.Bobade, 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. 27.06.2023 for final hearing.**

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.683/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

Heard Shri V.B.Gawali, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

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

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.516/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

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

2. **Closed for orders.**

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.551/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

Heard Shri R.M.Fating holding for Shri S.N.Gaikwad, 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. 20.06.2023** for final hearing.

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.677/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

Heard Shri M.R.Patil, 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. 20.06.2023 for placing some documents.**

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.491/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

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

2. On last date i.e. 19.04.2023, ld. P.O. was requested to get instructions as to when the applicant vacated the Government Quarter. Ld. P.O. seeks time to get instructions, **S.O. 28.06.2023.**

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.02/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

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

2. At the request of ld. P.O., **S.O. 26.06.2023** for final hearing.

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.194/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 13/06/2023.**

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

2. At the request of ld. P.O., **S.O. 16.06.2023** for final hearing.

Vice Chairman

Date:- 13/06/2023.
aps.

O.A.No.1053/2019 (S.B.)

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

Dated : 13/06/2023.

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

2. Reply of respondents 1 to 3 filed by learned P.O. is taken on record. It is stated to be sufficient. The O.A. is **admitted** and kept for final hearing.

3. **S.O. first week of July.**

Member (J).

rsm.

O.A.No.66/2020 (S.B.)

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

Dated : 13/06/2023.

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

2. Learned P.O. states that parawise comments have been received.

3. On oral request of learned P.O., **S.O. two weeks as last chance.**

Member (J).

rsm.

O.A.No.418/2020 (S.B.)

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

Dated : 13/06/2023.

Heard Shri P.K.Mishra, ld. counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the respondents 1 & 4 and Shri T.M.Zaheer, ld. counsel for the respondents 2 & 3.

2. Learned counsel for the respondents 2 and 3 seeks time to file reply.
3. Learned P.O. submits that reply of respondents 2 and 3 shall suffice to admit and finally decide the O.A.
4. **S.O. two weeks for filing reply.**

Member (J).

rsm.

O.A.st.No.09/2021 (S.B.)

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

Dated : 13/06/2023.

C.A.No.33/2021

Heard Shri Mohd.Shakir, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the State.

2. The delay caused in filing the O.A. of 74 days. For the reasons stated in the Civil Application delay is condoned.

O.A.st.No.09/2021

3. Issue notice to the respondents, returnable **after three weeks**. Learned P.O. waives notice for State. Hamdast allowed.

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

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

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

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be

obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. after three weeks.**

10. Learned P.O. submits that the issue of maintainability be kept open. The issue is kept open.

Member (I).

rsm.

O.A.No.714/2021 (S.B.)

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

Dated : 13/06/2023.

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

2. Learned counsel for the applicant submits that the respondents are served and in next week he will file service affidavit.

3. **S.O. one week.**

Member (J).

rsm.

O.A.No.42/2022 (S.B.)

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

Dated : 13/06/2023.

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

2. Learned P.O. seeks time of three weeks to file reply of respondent no.2. Time is granted. **S.O. three weeks.**

Member (J).

rsm.

O.A.No.99/2022 (S.B.)

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

Dated : 13/06/2023.

Heard Shri P.P.Khaparde, holding for Shri G.G.Bade, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

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

Member (J).

rsm.

O.A.No.492/2022 (S.B.)

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

Dated : 13/06/2023.

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

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

3. **S.O. 03.07.2023.**

Member (J).

rsm.

O.A.No.858/2022 (S.B.)

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

Dated : 13/06/2023.

Heard Shri B.M.Lonare, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

Member (J).

rsm.

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

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

Dated : 13/06/2023.

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

2. Submission of learned counsel for the applicant were heard on the previous date.

3. **Closed for Orders.**

Member (J).

rsm.

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

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

Dated : 13/06/2023.

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

2. Submission of learned counsel for the applicant were heard on the previous date.

3. **Closed for Orders.**

Member (J).

rsm.

O.A.No.1111/2022 (S.B.)

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

Dated : 13/06/2023.

Heard Shri A.Motlog, holding for Shri R.V.Shiralkar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

Member (J).

rsm.

O.A.No.196/2023 (S.B.)

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

Dated : 13/06/2023.

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

2. Reply of respondent no.6 filed by learned P.O. is taken on record. He seeks time to file reply of remaining respondents.

3. **S.O. one week as last chance.**

Member (J).

rsm.

**O.A.No.242/2023 with O.A.No.243/2023 with
O.A.No.244/2023 with O.A.No.245/2023 with
O.A.No.246/2023 (S.B.)**

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

Dated : 13/06/2023.

Heard Shri A.K.Neware, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

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

Member (J).

rsm.

O.A.No.293/2023 (S.B.)

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

Dated : 13/06/2023.

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

2. Learned counsel for the applicant states that the respondents are served and he will file service affidavit within one week.

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

Member (J).

rsm.

O.A.No.322/2023 (S.B.)

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

Dated : 13/06/2023.

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

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

Member (J).

rsm.

O.A.No.329/2023 (S.B.)

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

Dated : 13/06/2023.

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

2. Learned counsel for the applicant submits that the respondents are served and service affidavit is filed.

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

Member (J).

rsm.

O.A.No.471/2023 (S.B.)

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

Dated : 13/06/2023.

Heard Shri S.N.Gaikwad, holding for Shri Aditya Joshi, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Learned counsel for the applicant submits that representation filed by the applicant is pending. He makes a statement that the applicant is yet to be relieved.

3. Learned P.O. shall take instructions and make a statement tomorrow as to the present factual position.

4. **S.O. 14.06.2023.**

Member (J).

rsm.

O.A.No.472/2023 (S.B.)

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

Dated : 13/06/2023.

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

2. Learned counsel for the applicant states that the respondents are served and service affidavit is filed. Attention is invited to order dated 30.05.2023 whereby the respondents were directed to decide the representation dated 15.05.2023 made by the applicant. The respondents shall decide the representation within three weeks from today.

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

4. **Steno copy is granted.**

Member (J).

rsm.

**O.A.No.160/2018 with O.A.No.161/2018
(S.B.)**

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

Dated : 13/06/2023.

Heard Shri A.Y.Kapgate, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents 1 & 2. None for the respondent no.3 and 5. Shri S.N.Gaikwad, ld. counsel for the respondent no.4.

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

Member (J).

rsm.

O.A.No.556/2023 (S.B.)

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

Dated : 13/06/2023.

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

2. It is submitted that respondents be directed to decide representation filed by the applicant dated 21.05.2023 (Annexure A-3) within stipulated time. This prayer deserves to be allowed. Respondents shall decide representation dated 21.05.2023 (Annexure A-3) within eight weeks from today. With these directions O.A. is disposed of with no order as to costs.

Member (J).

rsm.

O.A.No.557/2023 (S.B.)

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

Dated : 13/06/2023.

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

2. It is submitted that respondents be directed to decide representation filed by the applicant dated 17.04.2023 (Annexure A-3) within the stipulated time. This prayer deserves to be allowed. Respondents shall decide representation dated 17.04.2023 (Annexure A-3) within eight weeks from today. With these directions O.A. is disposed of with no order as to costs.

Member (J).

rsm.

O.A.No.561/2023 (S.B.)

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

Dated : 13/06/2023.

Heard Shri D.T.Shinde, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the State.

2. By order dated 23.02.2023 the applicant was transferred from the post of Chief Officer, Bhamragarh Nagar Parishad, Dist.Gadchiroli to Rajura Nagar Parishad, Dist.Chandrapur. He joined on the transferred post. By order dated 07.06.2023 which is impugned in this O.A. the applicant has been transferred from Rajura to Kanhan Pipri.

3. Attention is invited to Column 4 of the impugned order wherein it is stated that the applicant is to be posted on the post which has fallen vacant on account of transfer of one Smt.Archana Mendhe.

4. It is further submitted that sub-sections (4) and (5) of Section 4 of the Maharashtra Government Servants Regulation of Transfer and Prevention of Delay in Discharge of Official Duties Act, 2005 have not been complied with.

5. A statement is also made that the applicant has not been relieved from the post of Chief Officer, Rajura Nagar Parishad.

6. On the basis of aforesaid facts and submissions, interim relief is sought. Case is made out to grant interim relief till the returnable date. Effect and implementation of the impugned order dated 07.06.2023 (Annexure A-2) is stayed till the returnable date.

7. Issue notice to the respondents, returnable **after two weeks**. 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. two weeks.**

14. **Steno copy is granted.**

Member (I).

rsm.

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

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

Dated : 13/06/2023.

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

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

Member (J).

rsm.

O.A.No.20/2016 (S.B.)

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

Dated : 13/06/2023.

Heard Shri T.S.Kene, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents. None for the respondent no.4.

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

Member (J).

rsm.

O.A.No.38/2022 (S.B.)

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

Dated : 13/06/2023.

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

2. Submissions of learned counsel for the applicant were heard yesterday.

3. **Closed for Orders.**

Member (J).

rsm.

O.A.No.885/2017 (S.B.)

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

Dated : 13/06/2023.

Heard Shri S.U.Bhuyar, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents 1, 2 & 4. None for the respondents 3, 5 & 6.

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

Member (J).

rsm.

O.A.No.927/2017 (S.B.)

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

Dated : 13/06/2023.

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

2. On oral request of ld. counsel for the applicant, **S.O. 27.06.2023.**

Member (J).

rsm.

O.A.No.280/2018 (S.B.)

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

Dated : 13/06/2023.

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

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

Member (J).

rsm.

O.A.No.312/2018 (S.B.)

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

Dated : 13/06/2023.

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

2. The O.A. is dismissed for want of
prosecution.

Member (J).

rsm.

O.A.No.406/2018 (S.B.)

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

Dated : 13/06/2023.

Heard Shri C.A.Joshi, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. **Closed for Orders.**

Member (J).

rsm.

O.A.No.320/2019 (S.B.)

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

Dated : 13/06/2023.

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

2. **Closed for Orders.**

Member (J).

rsm.

O.A.No.837/2019 (S.B.)

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

Dated : 13/06/2023.

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

2. Learned counsel for the applicant seeks time to add some parties to the O.A.

3. **S.O. one week for taking steps.**

Member (J).

rsm.

O.A.No.54/2020 (S.B.)

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

Dated : 13/06/2023.

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

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

Member (J).

rsm.

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

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

Dated : 13/06/2023.

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

2. **S.O. 16.06.2023.**

Member (J).

rsm.

**O.A.No.1152/2021 with O.A.No.1153/2021
with O.A.No.86/2022 (S.B.)**

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

Dated : 13/06/2023.

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

2. Learned counsel for the applicant has placed on record copy of order dated 20.12.2022 (marked-X for identification). Copy of this order is served to the learned P.O..

3. Learned P.O. shall take instructions in the light of contents of this order and make a statement.

4. **S.O. 27.06.2023.**

5. **P.H.**

Member (J).

rsm.

O.A.No.856/2022 (S.B.)

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

Dated : 13/06/2023.

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

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

Member (J).

rsm.

O.A.No.569/2022 (S.B.)

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

Dated : 13/06/2023.

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

2. By order dated 09.08.2021 the applicant was transferred from PHC, Gangalwadi, Taluka Brahmapuri to PHC Chaugaan, Taluka Brahmapuri.

3. By order dated 10.06.2023 (Annexure A-3) which is impugned in this O.A. the applicant has been transferred from PHC Chaugaan, Taluka Brahmapuri to Sub-District Hospital, Brahmapuri, Taluka Brahmapuri.

4. Order dated 10.06.2023 is impugned on the grounds that it is not in conformity with provisions of the Act, 2005 and it has been passed by an authority who had no powers.

5. It is pointed out that the impugned order does not refer to compliance of sub-sections (4) and (5) of Section 4 of the Maharashtra Government Servants Regulation of Transfer and Prevention of Delay in Discharge of Official Duties Act, 2005.

6. On the aforesaid grounds, the applicant prays that effect and implementation of the impugned order be stayed till the returnable date.

7. Learned C.P.O. has invited attention to application dated 12.06.2023 (Annexure A-4) filed by the applicant for transfer on request. Para 2 of this order reads as under-

मला प्राथ. आरोग्य केंद्र चौगाण येथे १ वर्ष ८ महिने व २१ दिवसाचा कालावधी झालेला आहे. त्यामुळे मी प्रशासकीय बदलीस पात्र नाही परंतु मी विनंती बदली मध्ये १) तालुका आरोग्य अधिकारी ब्रम्हपुरी, जि.चंद्रपूर २) तालुका आरोग्य अधिकारी, वडसा जिल्हा गडचिरोली हे पर्याय दिलेले होते. परंतु मला उपजिल्हा रुग्णालय ब्रम्हपुरी येथे बदली आदेश दिलेले आहे.

8. In the aforesaid background no case is made out at this stage to pass interim order. Issue of passing of interim order is kept open.

9. Respondent no.3 shall make an endeavour to decide representation (Annexure A-4) before the returnable date i.e. 23.06.2023.

10. Issue notice to the respondents, returnable **on 23.06.2023**. Learned C.P.O. waives notice for State. 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. **S.O. 23.06.2023.**
17. **Steno copy is granted.**

Member (I).

rsm.

O.A.No.567/2023 (S.B.)

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

Dated : 13/06/2023.

C.A.No.263/2023

Heard Shri M.R.Khan, holding for Shri N.R.Saboo, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the State.

2. C.A.No.263/2023 is allowed.

O.A.No.567/2023

3. Issue notice to the respondents, returnable **after four weeks**. Learned P.O. waives notice for State. Hamdast allowed.

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

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

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

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of

compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. after four weeks.**

Member (I).

rsm.

O.A.No.568/2023 (S.B.)

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

Dated : 13/06/2023.

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

2. **S.O. 14.06.2023.**

Member (J).

rsm.

