

O.A.No.429/2017 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 19/01/ 2021.

C.A.No.72/2020:-

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

2. The Id. P.O. submitted that respondents have filed their reply and on P.B. Pg. No. 68 following observations have been made, which is reproduced below:-

"It is specifically stated here that the Hon'ble Bombay High Court, at Nagpur Bench, in W.P.No. 6247/2015, pleased to Stay the effect of G.R. dated 21st of October, 2015 vide its order dated 25.04.2016."

3. As submitted by Id. P.O., applicant now desires protection as per G.R. dated 21.12.2019 but since applicant was already terminated vide order dated 17.11.2010, so he was not granted protection as per G.R. dated 21.10.2015 also. Now applicant is again seeking protection under G.R. dated 21.12.2019. Hence, the Id. P.O. is opposing C.A. No. 72/2020 for amendment.

4. Hence, O.A. is not tenable and needs to be dismissed. However, since the Id. counsel for the applicant is not present. The matter be kept for next week.

5. S.O. next week.

Vice Chairman

Date:-19/01/2021.

aps.

O.A.Nos.908&909/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 19/01/ 2021.

Heard Smt. N.R.Saboo, the Id. Counsel for the applicant, Shri V.A.Kulkarni, the Id. P.O. for the Respondents and Shri N.C.Majethiya, the Id. counsel for the respondent no. 3.

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

Vice Chairman

Date:-19/01/2021.
aps.

O.A.Nos.942&943/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 19/01/2021.

Heard Shri J.S.Wankhede, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

2. The Id. P.O. has filed reply on behalf of the respondent nos. 1 & 2. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the O.A..

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:-19/01/2021.
aps.

O.A.No.94/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 19/01/ 2021.

Heard Shri R.Waghmare, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State.

2. Issue fresh notice to the Respondents, returnable on six 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. six weeks.**

Vice Chairman

Date:-19/01/2021.

aps.

O.A.No.01/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 19/01/ 2021.

Heard Smt. Saboo, the Id. Counsel for the applicant, Shri V.A.Kulkarni, the Id. P.O. for the Respondents and Shri S.A.Sahu, the Id. counsel for the respondent no. 2.

2. At the request of Id. counsel for the respondent no. 2, **S.O. three weeks to file reply.**

Vice Chairman

Date:-19/01/2021.
aps.

O.A.No.950/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 19/01/2021.

Heard Shri R.D.Karode, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents. None for the respondent no. 3 and respondent no. 4.

2. The Id. P.O. submits that reply of respondent nos. 1 & 2 have already been filed. The Id. counsel for the respondent nos. 3 & 4 i.e. Z.P., Akola and Z.P. Buldana are yet to file reply. Hence, the Id. counsel for the respondent nos. 3 & 4 are directed to file their reply.

3. The matter is **admitted** and kept for final hearing.

4. **S.O. in due course.**

Vice Chairman

Date:-19/01/2021.

aps.

C.P.No.31/19 in O.A.No.35/2018 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 19/01/2021.

Heard Smt.S.W.Deshpande, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

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

Vice Chairman

Date:-19/01/2021.
aps.

O.A.No.210/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.**

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

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

Vice Chairman

Date:-19/01/2021.
aps.

**O.A.Nos.910,911,1005,1006,1007&1008/2019
(S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.**

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

2. The Id. 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 O.A.

3. Hence, the O.A. 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:-19/01/2021.

aps.

O.A.Nos.1005,1006,1007&1008/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman

Dated :19/01/ 2021.

Heard Shri N.R.Saboo, the Id. Counsel for the applicant and Shri , the Id. P.O. for the respondents.

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

Vice Chairman

Date:-19/01/2021.

aps.

O.A.No.1000/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.

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

2. The Id. P.O. has stated order of this Tribunal dated 18.10.2019. However, that order has been complied and applicant has been given deemed date of promotion along with the pensionary benefits (para no. 8) as per their order dated 01.11.2019 (Annexure-A-1, P.B., Pg. No. 10). However, the Id. counsel for the applicant has objection about para no. 8, were applicant has not been given full salary from deemed date, he has given full salary of Assistant Police Inspector from the date he join the post i.e. 27.08.2018. The Id. P.O. seeks time to file reply.

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

Vice Chairman

Date:-19/01/2021.

aps.

O.A.No.535/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.

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

2. The Id. 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 O.A.

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

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

5. **S.O. 01st week of February, 2021.**

Vice Chairman

Date:-19/01/2021.

aps.

O.A.No.660/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.**

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

2. The Id. counsel for the applicant is directed to file C.A. for condonation of delay, **S.O. two weeks.**

Vice Chairman

Date:-19/01/2021.
aps.

O.A.No.221/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.

C.A.No.18/2021:-

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

2. The Id. counsel for the applicant submits that he want to file certain documents/ decision taken by respondents during pendency of the O.A. and for that he has filed C.A.. Hence, **C.A.No.18/2021 for amendment is allowed.** The Id. counsel for the applicant is directed to carry out the amendment within two weeks. He is further directed to supply the amended copy to the Id. P.O..

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

Vice Chairman

Date:-19/01/2021.

aps.

O.A.No.67/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.

Heard Shri A.B.Bambal, the Id. Counsel for the applicant, Shri A.M.Khadatkar, the Id. P.O. for the respondents and Ms. Priyanka Dubey holding for Shri M.S.Wakil, the Id. counsel for the respondent no. 4.

2. The Id. P.O. submits that due to election process he requires some more time. Hence, **S.O. 09.02.2021.**

Vice Chairman

Date:-19/01/2021.
aps.

O.A.No.51/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.

Heard Shri N.L.Jaiswal, the Id. Counsel for the applicant, Shri A.M.Khadatkar, the Id. P.O. for the respondents and Shri G.N.Khazode, the Id. counsel for the Intervenor.

2. The Id. counsel for the applicant is not ready to make the party to the Intervenor. This Bench is not agree to his arguments and he is directed to make party to the Intervenor. Hence, the Id. counsel for the applicant is directed to supply the copy to the Intervenor too.

3. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. 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. four weeks.**

Vice Chairman

Date:-19/01/2021.

aps.

O.A.No.792/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.**

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

2. At the request of Id. P.O., **S.O. four weeks.**

Vice Chairman

Date:-19/01/2021.
aps.

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.

Heard Shri P.P.Kotwal, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. The Id. P.O. has filed letter dated 22.02.2020 by Joint Director, Public Health Department (Malaria ,Filaria and Water Diseases) Pune to Principal Secretary, Public Health Department. In view of said proposal, the Id. P.O. desires four weeks time to get the proposal processed in the Government. At the request of Id. P.O., **S.O. 16.02.2021.**

Vice Chairman

Date:-19/01/2021.
aps.

O.A.No.603/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.

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

2. The Id. counsel for the applicant submitted that applicant has already reinstated. Hence, nothing survives in this O.A.. However, he is directed to file pursis in this regard along with the order. **S.O. two weeks.**

Vice Chairman

Date:-19/01/2021.
aps.

O.A.No.805/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.

Heard Shri S.Khandekar, 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 reply of Headmaster has been filed. However, reply of respondent no. 1 is necessary and for that he requires two weeks time. The Id. counsel for the applicant pointed out that the same plea was discussed in last hearing also; so it should be ensure by Id. P.O. that reply should be file within two weeks. At the request of Id. P.O., **S.O. 02.02.2021.**

Vice Chairman

Date:-19/01/2021.
aps.

O.A.No.468/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman

Dated :19/01/ 2021.

None for the applicant. Shri H.K.Pande, the
Id. P.O. for the respondents. None for the respondent
no. 3.

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

Vice Chairman

Date:-19/01/2021.

aps.

O.A.No.529/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/01/ 2021.

Heard Shri M.R.Rajgure, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents. None for the respondent no. 3.

2. The Id. P.O. submits that the name of the department changed and that's why proper reply has not been filed. Yesterday he received telephonic instructions from the department that within two weeks, the concerned department will file reply. In the interest of justice, the Id. P.O. is granted two weeks time to file reply by the concerned department.

3. The Id. counsel for the applicant submits that in another O.A., applicant is having the same grievance. Hence, the O.A. No. 735/2016 be tagged with this O.A.

4. **S.O. 04.02.2021.**

Vice Chairman

Date:-19/01/2021.
aps.

O.A. No. 574/2018 **(SB)**

Coram : Hon. Shri A.D. Karanjkar,
Member (J).

Dated : **19.01.2021**

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

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

Member (J)

dnk.

O.A. No. 688/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

Heard Shri S.N. Gaikwad, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1&2. Await service of R-3.

2. It is submitted that after filing of the O.A., the applicant is promoted and he has joined on the promotional post, therefore, nothing survives in the application.

3. In view of this fact, the O.A. stands disposed of as withdrawn. No order as to costs.

Member (J)

dnk.

O.A. No. 1012/2018 (SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

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

2. The learned P.O. submitted that the respondent nos. 3,4&5 have filed their reply, therefore, it is not necessary for the respondent nos.1&2 to file separate reply.

3. In view thereof, the O.A. is admitted and it be kept for final hearing.

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

S.O. four weeks.

Member (J)

dnk.

O.A. Nos. 391/2019 & 02/2020 (SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

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

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

Member (J)

dnk.

O.A. No. 570/2019 (SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

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

The learned P.O. files reply on behalf of
R-1 to 4. It is taken on record.

The matter is admitted and it be kept for
final hearing.

The Id. P.O. waives notice for the
respondents.

S.O. four weeks.

Member (J)

dnk.

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

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

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

Member (J)

dnk.

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

Heard Shri R.D. Karode, Id. counsel holding for Shri N.D. Thombre, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The Id. P.O. files reply on behalf of R-1 to 5. It is taken on record.

The matter is admitted and it be kept for final hearing.

The Id. P.O. waives notice for the respondents.

S.O. four weeks along with other connected matter.

Member (J)

dnk.

O.A. No. 714/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

Heard Shri R.D. Karode, Id. counsel holding for Shri N.D. Thombre, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The Id. P.O. files reply on behalf of R-1 to 5. It is taken on record.

The matter is admitted and it be kept for final hearing.

The Id. P.O. waives notice for the respondents.

S.O. four weeks along with other connected matter.

Member (J)

dnk.

O.A. No. 735/2019 **(SB)**

Coram : Hon. Shri A.D. Karanjkar,

Member (J).

Dated : 19.01.2021

Heard Shri R.D. Karode, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1 to 5 and none for R-6.

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

3. The learned counsel for the applicant submitted that the applicant has given instructions to withdraw the O.A.

4. In view of the submission made by the applicant, the O.A. stands disposed of as withdrawn. No order as to costs.

Member (J)

dnk.

O.A. No. 1009/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

Heard Ms. A. Singh, Id. counsel holding for Shri P.D. Meghe, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

The Id. P.O. files separate reply on behalf of R-1 to3,4 & 5. Same are taken on record.

The matter is admitted and it be kept for final hearing.

The Id. P.O. waives notice for the respondents.

Interim relief to continue till further orders.

S.O. three weeks.

Member (J)

dnk.

O.A. No. 905/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

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

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

Member (J)

dnk.

O.A. No. 793/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

Heard Shri R. Tajne, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

The matter is admitted and it be kept for final hearing.

The Id. P.O. waives notice for the respondents.

S.O. three weeks.

Member (J)

dnk.

O.A. No. 45/2021 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

Heard Shri J.M. Shamkuwar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the State.

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

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

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

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

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

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

without reference to Tribunal and papers be consigned to record.

8. **S.O. after four weeks.**

Member (J)

dnk.

O.A. No. 50/2021 (SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.01.2021

Heard Shri G.G. Bade, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the State.

2. The respondent no.2 is directed to decide the representation dated 15/7/2020,

Annex-A-1 made by the applicant within a period of two months from the date of this order.

3. In view thereof, the O.A. stands disposed of. No order as to costs.

Member (J)

dnk.

**

(D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 19/01/2021.

O.A. 257/2018, O.A. 949/2017 with C.A. 38/2018, O.A. 950/2017 with C.A. 39/2018, O.A. 913/2018 & O.A. 914/2018

Heard Shri N.R. Saboo, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. It came to the notice of the Bench, i.e., in O.A. Nos. 949 & 950 of 2017 interim order was passed and direction was given to the respondents not to appoint two candidates till decision of the O.A., but so far as other O.As. are concerned, no interim order was passed. It was contention of the respondents that the select list lapsed after expiry of one year and in this regard query was made by the Bench whether all the posts excluding two posts as per the interim order are filled in by the respondents as per the advertisement dated 21/1/2016.

3. The learned P.O. has produced before us letters written by the District Malaria Officer, Wardha and District Malaria Officer, Amravati dated 18/1/2021 and in both the letters, it is mentioned that advertisement was published in the year 2018 to fill the vacant posts by the District Malaria Officer, Amravati and advertisement was issued by the District Malaria Officer, Wardha on 24/02/2019. After reading these letters, the Bench came to the conclusion that the query made by this Bench is not answered by the respondents. Hence, the respondents are directed to give correct position as to how many posts are vacant as per the advertisement dated 21/1/2016. This information be placed before the Bench till tomorrow A.N.

S.O. 21/1/2021.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.