

O.A.No.1311/2023 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

Heard Shri G.G.Bade, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 22.12.2023.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.1317/2023 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. It is pointed out that so far no program is published in respect of forthcoming D.P.C..

3. The O.A. is opposed also on the ground of non joinder of necessary party. Said question is kept open.

4. Issue notice to Respondents, returnable on 17.01.2024. Learned 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. 17.01.2024.**

11. **Question of interim relief is kept open.**

Member (J)

Date:- 21/12/2023.
aps.

O.A.No.40/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. On oral request of ld. P.O., **S.O. Last Week of Jan., 2024 to file reply.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.53/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

Heard Shri A.M.Kukday, ld. counsel for the applicant & Shri M.I.Khan, ld. P.O. for the Respondents 1 to 7. None for the R-8. Await service of R-2 to 7.

2. On oral request of ld. counsel for the applicant, **S.O. After Winter Vacation for steps.**

Member (J)

Date:- 21/12/2023.
aps.

O.A.Nos.113&114/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. On oral request of Id. P.O., **S.O. 01st week of
Feb., 2024 to file reply.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.444/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

Heard Shri G.Gadge holdig for Shri P.S.Kshirsagar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 01st week of Feb., 2024 to file reply.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.592/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. On oral request of ld. P.O., **S.O. 05.01.2024 to file reply.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.621/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. On oral request of ld. P.O., **S.O. 01st week of Jan., 2024 to file reply.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.625/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondent no. 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. 01st week of Feb., 2024.**

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

Member (J)

Date:- 21/12/2023.
aps.

O.A.No.1221/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

Heard Shri M.K.Mishra, 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. 02nd week of Jan., 2024 to file reply.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.1275/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

Heard Shri G.K.Bhusari, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents 1 & 2 and Shri V.B.Gawali, ld. counsel for the R-3. Await service of R-2 & 3.

2. Ld. counsel for the applicant states that all respondents are served.

3. Ld. P.O. seeks time to file reply. It is pointed out that there is no interim order protecting the applicant, and, therefore, reply should be directed to be filed early.

4. **S.O. 04.01.2024 for reply.**

Member (J)

Date:- 21/12/2023.
aps.

O.A.No.1281/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. On oral request of ld. P.O., **S.O. 02nd week of Jan., 2024 to file reply.**

3. **Interim relief to continue till filing of the reply.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.869/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

Heard Shri B.Kulkarni, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 03rd week of Jan., 2024 to file reply.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.295/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

C.A.No.663/2023:-

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

2. Today reply of respondent no. 3 is filed by ld. P.O.. It is taken on record. Copy is served to the other side.

3. Reply of respondent no. 2 is already filed on record.

4. It is stated that these reply are sufficient to decide the matter finally.

5. **S.O. 18.01.2024 for final hearing.**

6. **C.A.No.63/2023 for early hearing is accordingly allowed.**

Member (J)

Date:- 21/12/2023.
aps.

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. Issue notice to Respondents, returnable on Last week of Jan., 2024. 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. Last Week of Jan., 2024.**

Date:- 21/12/2023.
aps.

Member (J)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. Issue notice to Respondents, returnable on two weeks. Learned P.O. waives notice for the sole respondents.

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. two weeks.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.1319/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. Issue notice to Respondents, returnable on 03rd week of Jan., 2024. 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. 03rd Week of Jan., 2024.**

Date:- 21/12/2023.
aps.

Member (J)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. Issue notice to Respondents, returnable on 03rd week of Jan., 2024. 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. 03rd Week of Jan., 2024.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.1330/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. By order dated 04.09.2023 (A-2) earlier order of transfer of the applicant dated 12.05.2023 (A-1) was modified. The applicant is aggrieved by the modified order as well. In order dated 04.09.2023 reasons have been recorded for modification and posting of the applicant. Under these circumstances it would be appropriate to issue notice to the respondents before considering question of grant of interim relief.

3. Issue notice to Respondents, returnable on 05.01.2024. 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. 05.01.2024.**

10. **Question of interim relief is kept open.**

Member (J)

Date:- 21/12/2023.
aps.

O.A.No.515/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. Ld. counsel for the applicant has invited attention to order dated 30.10.2023. It is submitted by ld. P.O. that duplicate service book of the applicant was required to be prepared, salary and pension papers were submitted to A.G., the papers have been processed by Pay Verification Unit as well and there are some queries which are to be replied. Ld. P.O. seeks time till 05.01.2024 to place on record documents which will reveal quantum of benefits to the applicant. It is submitted by the ld. P.O. that the work of processing pension papers shall go on and he will place on record copy of the papers so as to furnish information regarding quantum.

3. **S.O. 05.01.2024.**
4. **Matter be treated as P.H..**
5. **Steno copy is granted.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.624/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. On oral request of ld. P.O., **S.O. 01st week of
Feb., 2024 for final hearing.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.30/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

None for the applicant. Shri M.I.Khan, ld. P.O.
for the Respondents.

2. On oral request of ld. P.O., **S.O. 02nd week of
Feb., 2024 for final hearing.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.258/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. Ld. P.O. desires to place on record some recent judgments of Hon'ble High Court as well as this Bench.

3. On oral request of ld. P.O., **S.O. 11.01.2024 for final hearing.**

Member (J)

Date:- 21/12/2023.
aps.

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

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 02nd week of Jan., 2024 for final hearing.**

Date:- 21/12/2023.
aps.

Member (J)

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

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. **Closed for orders.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.1334/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. Issue notice to Respondents, returnable on 02nd week of Feb., 2024. 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. 02nd week of Feb., 2024.**

Date:- 21/12/2023.
aps.

Member (J)

O.A.No.1333/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 21/12/2023.

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

2. The impugned order is dated 23.08.2023 (A-1). It is apparent on record that the applicant was not due for transfer and she had served at Bhandara for one year and eight months. There are representations made by the applicant to consider posting her at Wardha. It is pointed out that Smt. Latika Lekurwale who was serving as D.S.O. at Wardha has been transferred to Akola and post of D.S.O., Wardha is vacant. It is also submitted that respondent no. 4 has taken charge of post of D.S.O. at Bhandara. It is the grievance of the applicant that said charge was taken by respondent no. 4 unilaterally and the applicant is kept in a hanging position. Considering facts of the case, it would be proper to issue notice to the respondents returnable on 05.01.2024. In the meantime, ld. P.O. shall take instructions whether the applicant can be accommodated on vacant post of D.S.O., Wardha in view of various representations already made by her.

3. Issue notice to Respondents, returnable on 05.01.2024. 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. 05.01.2024.**

10. **Question of interim relief is kept open.**

11. **Steno copy is granted.**

Member (J)

Date:- 21/12/2023.

aps.