

**O.A.No.431/2018 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri G.G Bade, Ld. Counsel for the applicant and Shri V.A Kulkarni, Ld. P.O. for the respondents.

2. Learned advocate for the applicant submits that he has committed mistake while filing the earlier affidavit, which is at page 14 and he has to rectify the mistake by filing additional affidavit.

3. S.O to two weeks.

**Member(J)**  
(akn)

**Vice Chairman**

**O.A. No. 447/2017 (D.B.)**

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

**Dated : 26.8.2019**

Heard Ms. M.M Sudame, Ld. Counsel for the applicant and Shri P.N Warjurkar, Ld. P.O. for the respondents.

2. Matter be taken on Board after two weeks for final hearing. In the meantime, learned P.O may search for the relevant documents and produce the same on record.

3. **S.O to two weeks.**

**Member(J)**  
(akn)

**Vice Chairman**

**O.A.No. 105/2016 (C) (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri G.R Sadar, Ld. Counsel for the applicant and Shri M.I Khan, Ld. P.O. for the respondents.

2. It is submitted that two weeks time is required to file the minutes of the D.P.C meeting along with reasons for non-consideration of the applicant for promotion.

3. Learned P.O submits that steps are taken to promote the applicant. That being a post of Class-I Officer, two months time is required.

4. In view of the going Legislative Assembly Elections, two months time is granted.

5. S.O to two weeks.

**Member(J)**  
(akn)

**Vice Chairman**

**O.A.No. 833/2018(D.B.)**

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

**Dated : 26.8.2019**

Heard Shri S.S Ghatе, Ld. Counsel for the applicant and Shri A.P Potnis, Ld. P.O. for the respondents.

2. Learned counsel for the applicant states that he intends to file amendment to add clause in the prayer clause.

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

**Member(J)**  
(akn)

**Vice Chairman**

**O.A.No. 677/2018 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri R.K Joshi, Ld. Counsel for the applicant and Shri A.P Potnis, Ld. P.O. for the respondents.

2. During the course of hearing learned P.O has made statement that the impugned order was passed after giving opportunity of hearing. But the applicant did not avail that opportunity.

3. Learned P.O request one weeks' time to produce the documents to show that notice was given to the applicant before the impugned order was passed.

4. In this situation, S.O one week.

**Member(J)**  
(akn)

**Vice Chairman**

**O.A.No. 66/2013 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri A.S Murthy, Ld. Counsel for the applicant and Shri M.I Khan, Ld. P.O. for the respondents.

2. Learned P.O files reply of Respondent no. 4 to the amended O.A.
3. S.O to 16.9.2015 for hearing.

**Member(J)**  
(akn)

**Vice Chairman**

**O.A.No. 550/2014 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri G.K Bhusari, Ld. Counsel for the applicant and Shri M.I Khan, Ld. P.O. for the respondents.

2. Matter is partly heard. The applicant is challenging the seniority fixed by the department and he is also claiming to be senior on that post.

3. As per the record, the Revenue Qualifying Examination Rules came into force in the year 1998. The applicant passed the examination on 10.2.2006. It is necessary to see the relevant provisions under these rules, without which it is not possible to decide the matter.

4. Hence, applicant is directed to file the Revenue Qualifying Examination Rules, 1998.

5. S.O to two weeks.

**Member(J)**  
(akn)

**Vice Chairman**

**O.A.No. 650/2014 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri S.P Palshikar, Ld. Counsel for the applicant and Shri Shrikant Deo, Ld. C.P.O. for the respondents.

2. It is submitted that charge sheet was served on the applicant when he was in service. The applicant stood retired on superannuation on 20.6.2018. But till today the enquiry is not completed. It is also submitted that sanction from the Government is not received to continue the enquiry after retirement of the applicant. The applicant attended the enquiry on the last date of hearing, Except the Enquiry Officer, no one was present and now the enquiry is kept for hearing on 31.8.2019.

3. In view of this matter, issue notices to the Respondents returnable after two weeks.

**Member(J)**  
(akn)

**Vice Chairman**



**O.A. No. 858/2018 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri S.P Palshikar, Ld. Counsel for the applicant and Shri M.I Khan Ld. P.O. for the respondents.

2. As per the documents produced by the applicant as published by the Respondents, the applicant is a open category candidate. The applicant is removed from the service on the ground that applicant was appointed on a post which was reserved for S.T candidate, and the caste claim of the applicant is invalidated by the Caste Scrutiny Committee.

3. In this background, Respondents are directed to produce the record to show that really the applicant was appointed on a post which was reserved for S.T.

4. S.O two weeks. Steno copy granted.

**Member(J)**  
(akn)

**Vice Chairman**

**C.A 279/2019 in O.A. No. 485/2018 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri S.M Khan, Ld. Counsel for the applicant and Shri A.M Ghogre Ld. P.O. for the respondents.

2. It is submitted that another O.A 530/2018 is pending before the D.B. Both matters are connected. The applicant is challenging the charge sheet served on him after a period of 6 years.

3. In view of the fact that C.A is allowed, this matter be kept along with O.A 530/2018.

4. S.O to two weeks.

**Member(J)**  
(akn)

**Vice Chairman**



**O.A. No. 542/2019 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri B.D Pandit, Ld. Counsel for the applicant and Shri Shrikant Deo, Ld. C.P.O. for the respondents.

2. Learned C.P.O for Respondents no. 1 & 3 and Shri Sachin Khandekar and A.S Deshpande, learned advocate for Respondents no 4 to 6.

3. S.O to three weeks.

**Member(J)**  
(akn)

**Vice Chairman**

**O.A. No. 270/2019 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri A.P Sadavarte, Ld. Counsel for the applicant and Shri A.M Ghogre, Ld. P.O. for the respondents.

2. Learned P.O seeks time for filing reply.
3. S.O to 16.9.2019.

**Member(J)**  
(akn)

**Vice Chairman**

**O.A. No. 269/2019 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri N.S Warulkar, Ld. Counsel for the applicant and Shri H.K Pande, Ld. P.O. for the respondents.

2. Learned P.O files reply on behalf of Respondent no. 3. It is also sufficient for all the Respondents.

3. Learned P.O is directed to produce the record of the Enquiry Officer on the next date.

4. O.A is admitted. S.O to 24.9.2019.

**Member(J)**  
(akn)

**Vice Chairman**

**O.A. No. 177/2019 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri R.V Shiralkar, Ld. Counsel for the applicant and Shri H.K Pande, Ld. P.O. for the respondents.

2. At the request of the learned P.O, one weeks time is granted.

**Member(J)**  
(akn)

**Vice Chairman**

**O.A. No. 929/2018 (D.B.)**

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

**Dated : 26.8.2019**

None for the applicant and heard Shri A.P  
Potnis, Ld. P.O. for the respondents.

2. S.O to two weeks.

**Member(J)**  
(akn)

**Vice Chairman**



**O.A. No. 792/2018 (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri S.N Gaikwad, learned counsel for the applicant, Shri A.P Potnis, learned P.O for Respondents no 1 to 3 and Shri Abhishekh Deshpande holding for Shri H.D Marathe, Ld. advocate for the respondent no. 4.

2. He requested for time to file reply within one week.
3. One weeks time granted as a last chance.

**Member(J)**  
(akn)

**Vice Chairman**

**O.A. No. 656/2019 (C) (D.B.)**

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

**Dated : 26.8.2019**

Heard Shri A.M Kukday, learned counsel for the applicant and Shri Shrikant Deo, learned C.P.O for Respondents

2. It is submitted that the applicant was not permitted to appear for the written examination held on 25.7.20129. The applicant has shown his all identity papers to the Invigilators and the officers who was conducting the examination.

3. Thereafter, applicant later on lodged complaint with the Collector and the Collector hs reported the matter to the Government.

4. On perusal of the O.A it seems that Collector, District-Washim and the concerned S.D.O who is appointing authority are not made as Party Respondent in this O.A.

5. Therefore, the applicant is directed to join the Collector, Washim and S.D.O, the appointing authority immediately.

6. Issue notice returnable after one week.

**Member(J)**  
(akn)

**Vice Chairman**























O.A. No. 803/2017 **(SB)**

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

**Dated : 26.08.2019**

Shri S.D. Patil, Id. counsel holding for  
Shri S.P. Kshirsagar, Id. counsel for the  
applicant and Shri M.I. Khan, Id. P.O. for the  
respondents.

At the request of learned counsel for the  
applicant, **S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 160/2018 **(SB)**

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

**Dated : 26.08.2019**

None for the applicant. Shri S.A. Sainis,  
Id. P.O. for R-1&2. None for R-3.

**S.O. four weeks** along with O.A.  
161/2018.

**Member (J)**

dnk.

O.A. No. 161/2018 **(SB)**

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

**Dated : 26.08.2019**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1&2. Ms. Archita Sudame, Id. counsel holding for S. Zia Qazi, Id. counsel for R-3. None for other respondents.

At the request of Id. counsel for R-3, **S.O.**  
**four weeks** along with O.A. 160/2018.

**Member (J)**

dnk.

O.A. No. 326/2018 **(SB)**

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

**Dated : 26.08.2019**

Shri Nayase, Id. counsel holding for Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 28/8/2019**.

**Member (J)**

dnk.

O.A. No. 109/2017 (SB)



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

**Dated : 26.08.2019**

Shri Nayase, Id. counsel holding for Shri G.G. Bade, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 236/2019 (SB)

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

**Dated : 26.08.2019**

Shri R.V. Shiralkar, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1&2 and Shri S.V. Narsapurkar, Id. counsel for R-3.

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

**Member (J)**

dnk.

O.A. No. 304/2019 **(SB)**

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

**Dated : 26.08.2019**

Shri S.R. Charpe, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

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

Interim relief to continue till then.

**Member (J)**

dnk.

O.A. No. 375/2019 **(SB)**

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

**Dated** : **26.08.2019**

Shri A. Girdekar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4.

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

**Member (J)**

dnk.

O.A. No. 381/2019 **(SB)**

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

**Dated** : **26.08.2019**

Shri G.K. Bhusari, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 & 2. None for R-3.

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

**Member (J)**

dnk.

O.A. No. 412/2019 **(SB)**

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

**Dated** : **26.08.2019**

Shri V.B. Gawali, Id. counsel holding for  
Shri S.N. Gaikwad, Id. counsel for the applicant  
and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3.  
Await service of R-4.

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

**Member (J)**

dnk.

O.A. No. 472/2019 **(SB)**

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

**Dated** : **26.08.2019**

Shri S.A. Marathe, Id. counsel for the applicant and shri A.M. Khadatkar, Id. P.O. for R-1 to 3. Await service of R-4.

At the request of Id. P.O., **S.O. one week** for filing reply.

**Member (J)**

dnk.

O.A. No. 539/2019 **(SB)**

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

**Dated** : **26.08.2019**

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

The Id. P.O. files reply on behalf of R-3. It is taken on record. Copy is served on the applicant. The Id. P.O. submitted that the reply of R-3 is sufficient to decide the matter.

**Heard. Admit.**

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

**S.O. 30/08/2019.**

**Member (J)**

dnk.

O.A. No. 562/2019 **(SB)**

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

**Dated : 26.08.2019**



Heard Shri D.P. Dapurkar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2&3.

2. It is informed by the applicant vide Pursis dated 23/8/2019 that now he has no grievance and he is intending to withdraw the O.A.

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

**Member (J)**

dnk.

O.A. No. 597/2019 **(SB)**

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

**Dated : 26.08.2019**

**C.A.Nos. 307/2019 and 325/2019**

Ms. Archita Sudame, Id. counsel holding for Shri M.M. Sudame, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for the respondents and Shri M.V. Joshi, Id. counsel holding for Shri P.S. Wathore, Id. counsel for Intervener.

2. It is submitted by the learned P.O. that copy of application filed by the Intervener is not supplied to him, therefore, time is required. The Intervener is directed to supply the copy of the application to the learned P.O.

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

Status quo to continue till then.

**Member (J)**

dnk.

O.A. No. 770/2018 (SB)

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

**Dated : 26.08.2019**

Heard Shri S.D. Khati, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

The Id. CPO files reply on behalf of R-2. It is taken on record. Copy is served on the applicant.

**Heard. Admit.**

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

**S.O. 5/9/2019.**

**Member (J)**

dnk.

O.A. No. 771/2018 **(SB)**

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

**Dated : 26.08.2019**

Shri S.D. Khati, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

At the request of Id. CPO, **S.O. 5/9/2019**  
for filing reply.

**Member (J)**

dnk.

O.A. No. 580/2019 **(SB)**

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

**Dated : 26.08.2019**

Heard Shri S.C. Deshmukh, Id. counsel for the applicant and shri S.A. Deo, Id. CPO for R-1&2. Await service of R-3.

2. It is grievance of the applicant that he was due for transfer, but he was not considered.

The applicant submitted the total 10 choice postings as he was due for transfer, but no action is taken by the respondents. Under these circumstances, the respondents are directed to consider the options submitted by the applicant which are forwarded to the Divisional Agriculture Joint Director, Nagpur with letter dated 29/4/2019 within three months from the date of this order.

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

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 389/2019 **(SB)**

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

**Dated : 26.08.2019**

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

The learned P.O. submitted that the matter may be admitted for final hearing and in the meantime he will file reply.

**Heard. Admit.**

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

S.O. two weeks along with O.A.390/2019.

**Member (J)**

dnk.

O.A. No. 390/2019 **(SB)**

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

**Dated : 26.08.2019**

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

The learned P.O. files reply on behalf of R-2&3. It is taken on record. Copy is served on the applicant.

**Heard. Admit.**

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

S.O. two weeks along with O.A.389/2019.

**Member (J)**

dnk.

O.A. No. 648/2019 (SB)

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

**Dated : 26.08.2019**

Heard Shri G.K. Bhusari, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2 & 3 returnable on **30-08-2019**. Learned 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.

8. **S.O. 30/08/2019.**

Put up along with O.A.652/2019.

**Member (J)**

dnk.

O.A. No. 651/2019 **(SB)**

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

**Dated : 26.08.2019**

Heard Shri M.I. Dhattrak, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2 returnable **after two weeks**. Learned 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 two weeks.**

**Member (J)**

dnk.

O.A. No. 664/2019 (SB)

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

**Dated : 26.08.2019**

Heard Shri V.B. Gawali, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. I have perused the Affidavit filed on 26/8/2019 and the documents annexed to the Affidavit. The learned P.O. has filed order dated 20/8/2019. As per this order, the applicant is already relieved and therefore controversy can be decided on merits. The respondents are directed to file reply.

3. In the meantime, issue notice to R-2 to 7 returnable **after two weeks**. Learned C.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.

**S.O. after two weeks.**

**Member (J)**

dnk.

O.A. No. 373/2018 **(SB)**

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

**Dated : 26.08.2019**

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

**Closed for orders.**

**Member (J)**

dnk.

O.A. No. 382/2019 **(SB)**

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

**Dated : 26.08.2019**

Shri G.R. Sadar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The Id. counsel for the applicant has filed rejoinder. It is taken on record. Copy is served on the other side.

3. At the request of Id. P.O., **S.O. 3/9/2019.**

**Member (J)**

dnk.

O.A. No. 838/2018 (SB)

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

**Dated : 26.08.2019**

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

2. The learned P.O. has filed letter dated 21/08/2019 written by the Special Inspector General of Police (Establishment), Mumbai. This letter is written on behalf of the Director General of Police (M.S.), Mumbai. It is submitted that the respondents are ready to pay the amount of leave encashment, GIS, 10% of salary for holding additional charge and T.A. The respondents are directed to pay the said amount as per the rules within six weeks.

**S.O. six weeks.**

**Member (J)**

dnk.

O.A. No. 511/2018 (SB)

**Coram : Hon. Shri A.D. Karanjkar,**



**Member (J).**

**Dated : 26.08.2019**

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

2. The applicant was due for transfer, but unfortunately instead of submitting 10 options for the choice posting, he requested to post him at Buldhana in the Rural/Security/Welfare/Control Room, Buldhana. As the transfer is apparently not in violation of Section 22N of the Maharashtra Police Act and there is nothing on record to show that the transfer is malafide, therefore, no interference is permissible in this matter.

3. However, the learned counsel for the applicant made submission that wife of the applicant is suffering from Tuberculosis (TB) and she is under medical treatment and she has to visit at Aurangabad and therefore transfer at Janephal is not suitable. In this background, in the interest of justice the applicant is permitted to make representation to the respondents for any other convenient posting and the respondents may post the applicant if the posts are vacant. The respondents are directed to decide the representation of the applicant within a period of three months from the date of receipt of the representation.

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

**Member (J)**

dnk.

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O.A.No.196/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

**C.A.No.284/2019:-**

Heard Shri S.M.Vaishnav holding for Shri A.C.Dharmadhikari, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

**2. C.A. No. 284/2019 for early hearing is allowed.**

**3. S.O. 13.09.2019.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

**O.A.No.731/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :26<sup>th</sup> Aug. 2019.**

Heard Shri S.C.Deshmukh, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. As per the request of both the counsels, matter is **admitted** and kept for final hearing.

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

**4. S.O. 13.09.2019.**

5. *The Id. counsel for the applicant is at liberty to file rejoinder, if any.*

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

**O.A.No.733/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :26<sup>th</sup> Aug. 2019.**

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

2. The Id. P.O. desires two weeks to file reply.  
**S.O. two weeks.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

O.A.No.942/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

Heard Mrs. P.R.Arbat, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. one week to file reply.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

**O.A.No.186/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

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

2. The Id. P.O. is yet to file reply. However, Id. counsel for the applicant pointed out that applicant has filed representation dated 20.12.2017 (Annexure-A-6, Pg. No. 39). However, till now representation has not been decided by the respondents.

3. Respondents are directed to decide the representation dated 20.12.2017 by the applicant **within four weeks** from the date of this order.

4. With the above directions, **O.A. is disposed of with no order as to costs.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

**O.A.No.359/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

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

2. As per the record a detailed order was passed on 16.07.2019 and two week time was given. Respondents to take decision in para no. 5 of the Judgment.

3. However, Id. P.O. submits that he was not able to contact respondents and for that he desires further two days time.

4. **S.O. 28.08.2019.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.



**O.A.No.648/2017 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

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

2. The Id. counsel for the applicant has filed pursis dated 07.08.2019 and desires to withdraw the O.A.. He is permitted to withdraw the O.A..

**3. Hence O.A. stands disposed of as withdrawn.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

**O.A.No.578/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :26<sup>th</sup> Aug. 2019.**

None for the applicant. Shri A.M.Ghogre, the  
Id. P.O. for the State. Await service of respondent no.  
2.

**2. S.O. in due course.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

**O.A.St.No.1557/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

**C.A.Nos. 289 & 290/2019:-**

Heard Shri A.D.Girdekar, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

2. Smt. J.J.Aikari, the Id. counsel for the respondent nos. 2 & 3 is going to file vakalatnama.

**3. C.A. No. 290/2019 for Jt. O.A. is allowed.**

4. The Id. counsel for the respondent nos. 2 & 3 as well as Id. P.O. desires time to file reply. **S.O. two weeks.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

O.A.No.195/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

Heard Shri A.D.Girdekar holding for Shri M.R.Rajgure, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. As per the request of Id. P.O., matter is **admitted** and kept for final hearing.

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

4. **S.O. two weeks.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

**O.A.No.292/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

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

2. As communicated by Id. counsel for the applicant, **S.O. 29.08.2019.**

**Vice Chairman**

**Date:-26/08/2019.**

aps.

**O.A.No.338/2017 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

Heard Shri O.Y.Kashid, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has challenged the order dated 11.08.2016, Annexure-A-1, at P.B., Pg. No. 11, by which request for substituting the name of the other persons to be appointed on compassionate ground has been rejected. In the letter dated 31.03.2006, P.B., Pg. No. 24, G.R. of G.A.D. is mentioned. The respondents have taken decision as per the G.R. No. vdi&1004@i:dz 51@2004@v[B] dated 22/08/2005 and the order at Annexure-A-1, P.B., Pg. No. 11, dated 11/08/2016 is as per G.R. dated 22.08.2005.

3. Since, there is no provision in the G.R., applicant cannot claim for fresh decision as per recent G.R. of compassionate ground appointment. The Id. P.O. is directed to file latest G.R. of 2017 of compassionate appointment. In the said G.R. also there is no such provisions and the G.R. is issued on 21.09.2017.

4. The relief cannot be granted in view of Govt. G.Rs. and policies.

5. The Id. counsel for the applicant submits that he is going to challenge the said G.R.. He is at liberty to challenge the said G.R. with fresh O.A..

6. With the above observations, **the O.A. is disposed of with no order as to costs.**

**Date:-26/08/2019.**  
aps.

**Vice Chairman**

**O.A.No.300/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :26<sup>th</sup> Aug. 2019.**

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

2. At the request of Id. counsel for the applicant, **S.O. two weeks for filing rejoinder.**

**Vice Chairman**

**Date:-26/08/2019.**

aps.



**O.A.No.305/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :26<sup>th</sup> Aug. 2019.**

Heard Shri B.D.Pandit, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. At the request of Id. counsel as well as Id. P.O., **S.O. two weeks.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

**O.A.No.473/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

Heard Shri S.C.Deshmukh, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. The Id. P.O. has filed C.Rs. The Id. P.O. is directed to file C.Rs. in a tabular yearwise format.

A. It is not clear that whether this C.Rs. are communicated to the applicant or not ? If the C.R. are considered adverse to the applicant then it was necessary to communicate the C.R. to the applicant?

B. If the applicant belongs to backward class, whether meeting was taken place for granting him time bound promotion in 2001 or not and if meeting took place the minutes of meeting should be place on record?

C. If meeting was taken, then it was referred to the Social Welfare Department or not this point should be clarify by the Id. P.O. on the next hearing?

3. The Id. P.O. desires time. At his request, **S.O. 30.08.2019.**

4. **Matter is treated as P.H.**

5. **Steno copy is granted.**

**Vice Chairman**

**Date:-26/08/2019.**

aps.



**O.A.No. 23/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

Heard Shri D.P.Dapurkar, 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 pursis dated 14.06.2019 along with which he has filed report of the review committee, applicant is at Sr. No. 21 and it appears that offence no. 143/2018 U/s 294, 323, 506, 34 of I.P.C. has been registered against the applicant in Police Station Khadan, Akola. Chargesheet has been filed, enquiry are in progress, D.E. has been ordered. The review committee has taken regular review as on 13.08.2018, 06.11.2018, 14.02.2019 and 16.05.2019 as per the G.A.D. G.R. dated 09.07.2019.

3. Since, review committee has taken conscious decision on the suspension of the applicant, due process has been started by the respondents. In this situation, applicant cannot get benefit of G.A.D. G.R. dated 09.07.2019.

4. The Id. counsel for the applicant seeks time to go through the G.R. dated 09.07.2019. At his request, **S.O. two weeks.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.

**O.A.No. 24/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

Heard Shri D.P.Dapurkar, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. As per the Judgment of this Tribunal dated 16.03.2018, applicant has been reinstated on 18.06.2018. However, applicant's suspension period is yet to be decided. So, applicant has filed representation dated 17.07.2018 (Annexure-A-1, P.B., Pg. No. 11).

3. The respondents are directed to decide the applicant's representation dated 21.08.2018 (Annexure-A-2, P.B., Pg. No. 12) **within four weeks** as per the existing rules and regulations.

4. With the above directions, **O.A. is disposed of with no order as to costs.**

**Vice Chairman**

**Date:-26/08/2019.**

aps.

**O.A.No.386/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :26<sup>th</sup> Aug. 2019.**

Heard Shri A.D.Girdekar, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. As per the Tribunal order dated 16.08.2019, the Id. P.O. was directed to file the copy of letter given by the respondent no. 2 about post fact sanction of suspension order letter dated 10.05.2019. Post fact sanction order dated 14.06.2019 by respondent no. 2 has been filed by the Id. P.O. on record and copy is given to the Id. counsel for the applicant.

3. As admitted by Id. counsel for the applicant chargesheet has been served to the applicant. Since, chargesheet has been served, Departmental Enquiry should be completed **within three months**. Since, applicant is going to retire on 31.08.2019, respondents are directed to complete the enquiry in any case **within six months** from the date of this order.

4. With the above directions, **the O.A. is disposed of with no order as to costs.**

**Vice Chairman**

**Date:-26/08/2019.**  
aps.