

O.A.No.839/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents. None for the R-3.

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

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.905/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

C.A.No.214/2020:-

Heard Shri M.Anis holding for Shri M.R.Joharapurkar, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

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

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.524/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

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

2. The Id. P.O. has filed reply of respondent no.
4. It is taken on record. He further submits that he
will serve it to the other side.

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

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.558/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri D.M.Surjuse, 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. two weeks to file reply.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.950/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri M.R.Puranik, 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. 21.03.2022 to file reply as a last chance.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.164/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri S.M.Khan, 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.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.417/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

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

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

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.514/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. P.O. submits that he will file reply during the course of the day on behalf of respondent no. 4. The Id. P.O. further seeks time to file reply of Respondent nos. 2 & 3, **S.O. three weeks.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.915/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Smt. S.Tripathi, 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 nos. 3 & 4. It is taken on record. Copy is served to the other side.

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

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

5. **S.O. 1st Week of March, 2022.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.983/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri M.V.Bute, 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.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.1025/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 28/02/ 2022.

Heard Shri R.V.Shiralkar, 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.

3. As per order sheet dated 18.11.2021; it appears that respondent no. 3; Shri S.A.Choudhari in O.B.C. Quota has not appeared before this Tribunal and he has not filed any reply also. In subsequent hearings also respondent no. 3 has not appeared and not filed any reply.

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

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

6. S.O. 14.03.2022.

7. *In order sheet dated 18.11.2021 in para no. 4; I.R. was granted, the same will be continued till 14.03.2022.*

Member(J)
Date:-28/02/2022.

Vice Chairman

aps.

O.A.No.1048/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri S.P.Palshikar, 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. 3. It is taken on record. Copy is served to the other side.

3. As submitted by Id. counsel for the applicant, reply of respondent no. 2 will be necessary for adjudicating the matter. Hence, Id. P.O. is directed to file reply of respondent no. 2.

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

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.1115/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

None for the applicant. Shri S.A.Deo, the Id.
C.P.O. for the respondents.

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

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.1137/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 28/02/ 2022.

Heard Shri V.Kulsange, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. It appears that there is a dispute about Caste Verification Certificate of respondent no. 4 which is pending before Caste Verification Committee at Aurangabad. The matter was heard before Hon'ble High Court and order was passed on 05.04.2021. Respondents were asked to appear before respondent no. 2 – Committee on 19.04.2021 and six months time was granted to Caste Verification Committee to issue the certificate, unless said certificate was not issued, matter cannot be finalized. Meanwhile, the order is passed in W.P. No. 5046/2021 on 08.12.2021 and the said order is reproduced below:-

"The petitioner is seeking employment under the State Government. His remedy lies before the Maharashtra Administrative Tribunal. This writ petition, at this stage, before this Court is not maintainable and is, accordingly, dismissed with liberty to the petitioner to pursue his remedy in accordance with law. No costs."

3. The first issue is to be decided by Caste Verification Committee. Since that has not been complied within six months. The Id. counsel for the applicant is directed to appear before Hon'ble High Court for compliance of order, if he is aggrieved then he should approach to the Tribunal for the order of dated 08.12.2021. As since the O.A. is pre-mature, **matter is dismissed at this stage with no order as to costs.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.1143/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri R.B.Waghmare, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State.

2. The Id. counsel for the applicant submits that because of some confusion he has not served the notice to respondent no. 2. He is directed to serve the notice and file service affidavit after that Id. P.O. will file reply, **S.O. four weeks.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.62/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 28/02/ 2022.

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

2. By record it appears that chargsheet was served to the applicant on 29.07.2013 i.e. more than 8 years has been elapsed. Applicant stood retired on 03.06.2017 and because of non completion of D.E., he is denied all the pensionary benefits. The Id. P.O. desires further time to file reply of respondent nos. 1 & 2. Considering the applicant's retiral position and date of chargsheet and guidelines by Hon'ble Apex Court in this regard, the Id. P.O. is granted only three weeks time as a last chance. If he will not file reply, matter will be decided on merit.

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

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.Nos.63&64/2022 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri S.A.Pathak, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State. Await service of R-2 to 10.

2. The Id. counsel for the applicant submits that he will file service affidavit during the course of the day. **S.O. two weeks to file reply.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.67/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 28/02/2022.

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

2. Similar matters were heard in the form of O.A. No. 672/2021 and order was passed on 11.10.2021 (A-9, Pg. Nos. 62 & 63) prior to that respondent no. 2 has passed the order dated 05.08.2021 (A-10, Pg. No. 64) and in para no. 2 he has taken the help of Government of Maharashtra, G.A.D., G.R. 15.12.2017 dated under Section 9 and 11 and as a appointing authority he has taken the conscious decision in the favour of applicant. It appears that first conscious decision was not taken and subsequently it has been taken after the order of Tribunal.

3. At the request of Id. P.O., **S.O. 28.03.2022.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.807/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 28/02/ 2022.

C.A.No.79/2022:-

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

2. The Id. counsel for the applicant has filed C.A. No. 79/2022 for I.R.. However, Id. C.P.O. submits that he has filed letter dated 25.02.2022 which is marked Exh. 'X' for the purpose of identification. The contents of the letter are below:-

"I mHkz fl Oghy vtZclakd 79@2022 l qtko.khl kBh fnukad 28@02@2022 jksth ; skkj vl Y; kpsvki .k dGfoGsvkgsI nj vtke/; s ueq dyyys 16@02@2022 ps i= LFkfxr dj.; kckrph fourh vkgs i jarwl njp i= gs dloG i nkWurh l ferhP; k cBchdfjrk ekfgrh ekxfo.; kckr vl u l njph ekfgrh i klr >KY; kuarj ekfgrh l adyhr dj.kj i nkWurh l ehtrph cBd ?skkj R; kuarj cBchpk dk; bRrkar 'kkl ukl l knj dj .ks R; kuarj 'kkl u Lrjkohy fofo/k i zlh; k i wkZcl: u i R; {k i nkWurhdjhrk 2 rs 3 efgU; kpk dkyko/kh ykxyk-R; keGs fg ckc vki .k ek- U; k; f/kdj .kkps fun' kZukl vk.kuu n; kohj fg fourh:-"

3. The Id. P.O. further submits that he will file reply on C.A. No. 79/2022 within three weeks time, if require and supply the same to the Id. counsel for the applicant. The Id. counsel for the applicant if so desires he will file Rejoinder also.

4. The matter be kept for final hearing, **S.O. last week of March, 2022.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.932/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 28/02/ 2022.

Heard Shri B.Kulkarni, the Id. Counsel for the applicant and Shri A.P.Potnis, 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 supplied to the other side.

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

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

5. At the request of Id. counsel for the applicant, **S.O. last week of March, 2022 for final hearing.**

6. *Put up this matter along with O.A. No. 160/2021.*

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.208/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 28/02/ 2022.

C.A.No.77/2022:-

Heard Shri R.V.Shiralkar holding for Shri B.G.Kulkarni, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State.

2. C.A.No.77/2022 for Jt. O.A. is allowed and disposed of.

3. Issue notice to Respondents, returnable on four 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.

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

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

C.A.No. 66/2021 in C.P.No. 38/2019 in

O.A.434/2015 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Smt. 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 letter dated 26.02.2022 along with that he has also annexed G.R. dated 22.02.2022 by which it appears Government has decided to take both the applicants from previous date i.e. 01.06.2012. However G.R. was issued on 16.10.2012. Hence, both the applicants have been also paid back wages from 01.06.2012 till 26.12.2019 and the amounts of both the applicants comes to Rs. 20,85,075/-. Since extra supernumerary posts have been created for the applicants and all the back wages have been paid.

3. Hence, **C.A. No. 66/2021 in C.P. No. 38/2019 stands disposed of with no order as to costs.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.1015/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri P.S.Wathore and Shri B.Kulkarni,
the Id. Counsel for the applicant, Shri S.A.Deo, the Id.
C.P.O. for the respondents and Shri S.S.Sanyal, the Id.
counsel for the respondent no. 3.

2. **Closed for orders.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.609/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri A.A.Potnis holding for Shri A.M.Sudame, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. As per Interim order of the Tribunal dated 02.08.2021 in para no. 7, respondent no. 1 was directed to consider the applicant in Interview dated 05.08.2021 and keep the applicant's result in sealed envelope till final outcome of the O.A.. Today as submitted by Id. C.P.O., examination was conducted and applicant failed in the said examination. Since, applicant failed in the examination, no further action is required. Hence, **O.A. stands disposed of with no order as to costs.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.164/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 28/02/ 2022.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. Issue notice to Respondents, returnable on four 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.

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

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.215/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 28/02/ 2022.

Heard Shri B.Kulkarni, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. As per the O.A. in para no. 7.1; applicant retired as a Joint Commissioner, Human and Child Development, Amravati on 28.02.2021. Applicant was served chargesheet subsequently on 18.01.2022, it is mentioned that applicant was served chargesheet as per Rule 27 (2) (ii) of M.C.S.R. (Pension) Rules 1982.

3. Issue notice to Respondents, returnable on four 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.

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

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

C.P.No.09/2021inO.A.No.485/2018 with

C.P.No.10/2021inO.A.No.530/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

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

2. The Id. counsel for the applicant has filed written notes of argument in both the matters. It is taken on record. Copy is served to the other side.

3. Ld. P.O. desires to file reply on contempt petition as well as reply on his written notes of arguments. **S.O. three weeks.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

C.P.No.03/2022inO.A.No.255/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

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

2. The Id. P.O. has filed citation about Contempt of Courts Act, 1971 and Section 20 is reproduced below which is marked Exh. "X" for the purpose of identification:-

"20. Limitation for actions for contempt:-

No Court shall initiate and proceedings for contempt, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged have been committed."

3. The Id. counsel for the applicant submits that he will argue it on next date on point of limitation, **S.O. 14.03.2022.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

C.P.No.04/2022 in O.A.No.330/2021 With

**C.P.No.12/2021 in O.A.No.38/2018 With
C.P.No.13/2021 in O.A.No.219/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri G.N.Khazode, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State.

2. Issue Notice to the respondents returnable in **four weeks** 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 M.I.Khan, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

4. **S.O. four weeks.**

5. *Put up along with the C.P.No.11/2021 in O.A. No. 670/2017.*

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

C.P.No.11/2021 in O.A.No.670/2017 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 28/02/ 2022.

Heard Shri G.N.Khanzode, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State.

2. The order was passed on 01.08.2019. Now, Id. counsel for the applicant has filed C.P. No. 11/2021. The operative order is reproduced below:-

"1. The O.As. are allowed.

2. The respondents are directed to extend benefits of the G.Rs. dated 01.12.1995 and 21.04.1999 to the applicants and absorb them in service without giving any monetary benefits. No order as to costs."

3. Even lapsed of more than two years, it is surprising that order has not been complied and Id. counsel for the applicant submits that applicant is stood retired also. The respondents should have followed the order of the Tribunal dated 01.08.2019 within the reasonable time and atleast before retirement.

4. Issue Notice to the respondents returnable in **four weeks** 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.

5. Shri M.I.Khan, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

6. **S.O. four weeks.**

7. *Put up this matter along with C.P. No. 04/2022 in O.A.330/2021 with C.P.12/2021 in O.A. No. 38/2018 with C.P.13/2021 in O.A. 219/2018.*

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.946/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri K.P.Mahalle, 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.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.46/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri P.S.Wathore, 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.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.160/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri B.Kulkarni, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. last week of March, 2022 for final hearing.**

3. *Put up this matter along with O.A. No. 932/2021.*

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.753/2010 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Mrs. Tripathi holding for Shri I.S.Charlewar, 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. four weeks to file reply.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A.No.935/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 28/02/ 2022.

Heard Shri S.K.Chavan, 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.**

Member(J)
Date:-28/02/2022.
aps.

Vice Chairman

O.A. 543/2018 (S.B.)

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

Dated : 28/02/2022.

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

2. The learned P.O. has filed the documents in respect of the order passed by the respondent no.1 by which the deemed date promotion is given to the applicant. The documents are taken on record and marked Exh-X for identification.

3. The learned counsel for the applicant Shri P.S. Wathore wants to get instructions from the client.

S.O. 10/03/2022.

Member (J).

dnk.

O.A. 185/2019 (S.B.)

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

Dated : 28/02/2022.

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

2. The Id. P.O. has filed letter dated 11/02/2022 issued by the Joint Director of Technical Education Divisional Office, Mumbai addressed to the Principal, Government Polytechnic, Malwan. The letter is taken on record and marked Exh-X for identification. As per this letter, the suspension of the applicant is revoked and direction is given to pay the allowances of the suspension period from 24/7/2003 to 7/1/2009. As per the submission of learned P.O., the grievance of the applicant is now redressed.

3. The learned counsel for the applicant Shri R.V. Shiralkar submitted that the direction be given to the respondents to pay arrears of pay within a stipulated period.

4. In view of the said letter, the grievance of the applicant is now redressed and there is no cause to proceed the matter further. Hence, the O.A. is disposed off. No order as to costs.

Member (J).

dnk.

O.A. 247/2019 (S.B.)

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

Dated : 28/02/2022.

Heard Shri R.V. Shiralkar, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1, none for other respondents.

2. The specific order was passed on 14/2/2022. The learned counsel appearing for respondent no.2 Shri A. Deshpande wanted two weeks time to satisfy the claim of the applicant and also to file reply. But today none appeared for respondent no.2. The respondent no.2 is the main contesting party.

3. In view of above, two weeks time is granted to file reply as a last chance. It is made clear that if the reply is not filed on the next date, the matter will be proceeded for hearing.

S.O. 14/03/2022.

Member (J).

dnk.

O.A. 707/2019 (S.B.)

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

Dated : 28/02/2022.

C.A. 528/2019 -

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

2. The learned counsel for the applicant has filed written statement of condonation of delay. It is taken on record.

3. As per the submission of learned counsel for the applicant, similarly placed employee namely N.T. Tiwaskar who has represented his matter along with the applicant in O.A. 354/2019 with this Tribunal for getting similar benefits pertain to same period as that of applicant. The said O.A. has been allowed on 1/2/2021 without any question of condonation of delay.

4. The learned counsel for the applicant has pointed out order passed by this Tribunal dated 1/2/2021. The application is strongly opposed by the Id. P.O. Shri V.A. Kulkarni.

5. In view of the order passed by this Tribunal on 1/2/2021 in O.A. 354/2019, the C.A. is allowed. The delay, if any, is condoned.

O.A. No.707/2019 -

Heard Shri S.M. Khan, Id. counsel for the applicant and Shri V.A. Kulkarni, 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.

S.O. after four weeks.

Member (J).

dnk.

O.A. 1072/2019 (S.B.)

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

Dated : 28/02/2022.

Heard Shri D.M. Surjuse, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3,5 & 6 and Shri T.M. Zaheer, Id. counsel for R-4.

S.O. two weeks for filing reply of R-4.

Member (J).

dnk.

O.A. 85/2020 (S.B.)

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

Dated : 28/02/2022.

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

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

Member (J).

dnk.

O.A. 136/2020 (S.B.)

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

Dated : 28/02/2022.

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

The applicant to remove office objection.

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

Member (J).

dnk.

O.A. 781/2020 (S.B.)

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

Dated : **28/02/2022.**

None for the applicant. Shri S.A. Sainis,
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. 56/2021 (S.B.)

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

Dated : 28/02/2022.

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

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

Member (J).

dnk.

O.A. 230/2021 (S.B.)

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

Dated : 28/02/2022.

Heard Shri R.L. Alone, Id. counsel for the applicants and Shri A.M. Ghogre, 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. 405/2021 (S.B.)

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

Dated : 28/02/2022.

C.A. 37/2022 -

Heard the applicant in person and Shri S.A. Sainis, Id. P.O. for the respondents.

2. This is an application for amendment in the O.A.

3. Heard the applicant in person. He has submitted that due to subsequent development and during pendency of this O.A., the new transfer order is passed by the respondents and he wants to challenge the said transfer order. Hence, he prayed to allow the amendment the application.

4. The application is strongly opposed by the Id. P.O. Shri S.A. Sainis. He has submitted that the applicant has made false allegations against the respondents. The Id. P.O. also submitted that the applicant has already knowledge of his transfer to Nandurbar, but he has not challenged the said order. Now he cannot challenge the said order. The issue as to whether about the knowledge of applicant regarding transfer order is to be decided while deciding the O.A. finally.

5. At this stage, the application for amendment is allowed. The applicant is directed to carry out necessary amendment within two weeks.

O.A. 405/2021 –

S.O. after two weeks.

Member (J).

dnk.

O.A. 571/2021 (S.B.)

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

Dated : 28/02/2022.

Heard Shri Sadar, Id. counsel holding for Shri V.A. Kothale, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 14/3/2022** for filing reply.

Member (J).

dnk.

O.A. 846/2021 (S.B.)

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

Dated : 28/02/2022.

Heard Shri Kartik Rao, Id. counsel holding for Shri P.S. Patil, Id. counsel for applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 3 and Shri S.N. Gaikwad, Id. counsel for R-4.

At the request of Id. P.O., **S.O. 7/3/2022** for filing reply.

Member (J).

dnk.

O.A. 848/2021 (S.B.)

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

Dated : 28/02/2022.

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

2. The Id. P.O. has filed letter issued by the Administrative Officer, Govt. Medical College & Hospital, Nagpur. It is taken on record and marked Exh-X for identification.

3. The Id. counsel for the applicant wants to take instructions from his client in this regard. At his request, **S.O. two weeks.**

Member (J).

dnk.

O.A. 881/2021 (S.B.)

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

Dated : 28/02/2022.

None for the applicant. Shri V.A.
Kulkarni, Id. PO for R-1. Await service of R-2.

S.O. three weeks for filing service
affidavit.

Member (J).

dnk.

O.A. 971/2021 (S.B.)

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

Dated : 28/02/2022.

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

2. The learned P.O. files reply of R-4. It is taken on record. He has submitted that it is sufficient to decide the matter. Copy is given to the applicant.

3. The matter is admitted and kept for final hearing. The Id. P.O. waives notice for the respondents.

S.O. in due course.

Member (J).

dnk.

O.A. 09/2022 (S.B.)

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

Dated : 28/02/2022.

Heard Shri V.A. Kothale, Id. counsel for the applicant and Shri A.M. Khadatkar, Id .P.O. for R-1. None for R-2.

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

Member (J).

dnk.

O.A. 36/2022 (S.B.)

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

Dated : 28/02/2022.

Heard Shri G.N. Khanzode, Id. counsel for applicants and Shri S.A. Sainis, Id. P.O. for R-1.

The applicant has not collected notice for R-2 to 4.

S.O. three weeks to collect the hamdast.

Member (J).

dnk.

O.A. 46/2022 (S.B.)

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

Dated : 28/02/2022.

Heard Shri S. Pande, Id. counsel for the applicant and Shri M.I. Khan, 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. 57/2022 (S.B.)

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

Dated : 28/02/2022.

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

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

Member (J).

dnk.

O.A. 82/2022 (S.B.)

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

Dated : 28/02/2022.

Heard Shri S.M. Khan, Id. counsel for the applicant and Shri A.M. Ghogre, 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. 113/2022 (S.B.)

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

Dated : 28/02/2022.

None for the applicant. Shri A.M. Khadatkar, 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. 114/2022 (S.B.)

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

Dated : 28/02/2022.

None for the applicant. Shri H.K. Pande,
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. 235/2020 (S.B.)

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

Dated : 28/02/2022.

C.A. 142/2021 -

Heard Shri S.N. Gaikwad, Id .counsel holding for Shri G.G. Bade, Id .counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the State.

2. Notice on civil application be issued to the respondents returnable **after four weeks**.
3. The learned P.O. waives notice for State. Hamdast granted.
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 the C.A.
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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.

S.O. after four weeks along with other connected matters.

Member (J).

dnk.

O.A. 236/2020 (S.B.)

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

Dated : 28/02/2022.

C.A. 143/2020 -

Heard Shri S.N. Gaikwad, Id .counsel holding for Shri G.G. Bade, Id .counsel for the applicants and Shri S.A. Deo, Id. C.P.O. for the State.

2. Notice on civil application be issued to the respondents returnable **after four weeks**.
3. The learned C.P.O. waives notice for State. Hamdast granted.
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 the C.A.
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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.

S.O. after four weeks along with other connected matters.

Member (J).

dnk.

O.A. 237/2020 (S.B.)

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

Dated : 28/02/2022.

C.A. 144/2020 -

Heard Shri S.N. Gaikwad, Id .counsel holding for Shri G.G. Bade, Id .counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the State.

2. Notice on civil application be issued to the respondents returnable **after four weeks**.
3. The learned P.O. waives notice for State. Hamdast granted.
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 the C.A.
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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.

S.O. after four weeks along with other connected matters.

Member (J).

dnk.

O.A. St. 66/2020 (S.B.)

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

Dated : 28/02/2022.

C.A. 137/2020 -

None for the applicant. Heard Shri A.M. Khadatkar, Id. P.O. for the State.

2. Notice on civil application be issued to the respondents returnable **after four weeks.**
3. The learned P.O. waives notice for State. Hamdast granted.
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 the C.A.
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 an affidavit of compliance in the

Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.

S.O. after four weeks.

Member (J).

dnk.

O.A. 947/2018 (S.B.)

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

Dated : 28/02/2022.

C.A. No. 78/2022 -

Heard Shri H.D. Futane, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1,2,3 & 5. None for R-4.

The C.A. for appropriate direction is disposed off.

O.A. 947/2018 -

Heard Shri H.D. Futane, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1,2,3 & 5. None for R-4.

The matter is already admitted and kept for final hearing. The Id. P.O. waives notice for R- 1 to 3 & 5.

S.O. 15/3/2022.

Member (J).

dnk.

O.A. 1069/2021 (S.B.)

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

Dated : 28/02/2022.

C.A. No. 39/2022 -

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

2. From the perusal of the application, it appears that the relief in the O.A. is same. The reply is already filed in the O.A.

3. In view of above, the C.A. is disposed off.

O.A. 1069/2021 -

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

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for the respondents.

S.O. 9/3/2022 for final hearing.

Member (J).

dnk.

O.A. 119/2018 (S.B.)

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

Dated : 28/02/2022.

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

S.O. two weeks.

Member (J).

dnk.

O.A. 248/2020 (S.B.)

(Smt. P.N. Kasar Vs. State of Mah. & Ors.)

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

Dated : 28/02/2022.

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

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

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced

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

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

S.O. after four weeks.

Member (J).

dnk.

O.A. 07/2022 (S.B.)

(J.K. Pyarewale Vs. State of Mah. & Ors.)

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

Dated : 28/02/2022.

Heard Shri S.P. Palshikar, Id. counsel for the applicant, Shri A.M. Khadatkhar, Id. P.O. for R-1 to 3, Shri G.K. Bhusari, Id. counsel for R-4 and Shri D.M. Kale, Id .counsel for R-5 (Intervener).

2. The learned P.O. files today relevant document on record. Copies are supplied to the other sides.

3. With the consent of learned counsel for both the parties, **S.O. 01/03/2022.**

Interim relief to continue till then.

Put up along with other connected matter.

Member (J).

dnk.

O.A. 08/2022 (S.B.)

(R.P. Chikhalkhunde Vs. State of Mah. & Ors.)

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

Dated : 28/02/2022.

Heard Shri N.R. Saboo, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1&2 and Shri S.N. Gaikwad, Id. counsel for R-3.

2. With the consent of learned counsel for both the parties, **S.O. 01/03/2022.**

Interim relief to continue till then.

Put up along with other connected matter.

Member (J).

dnk.

O.A. 723/2020 (S.B.)

(S.M. Mhaske Vs. State of Mah. & Ors.)

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

Dated : 28/02/2022.

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

2. With the consent of learned counsel for both the parties, **S.O. 03/03/2022.**

Member (J).

dnk.

O.A. 798/2021 (S.B.)

(P.P. Dhole Vs. State of Mah. & Ors.)

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

Dated : 28/02/2022.

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

At the request of Id. P.O., **S.O. 7/3/2022.**

Member (J).

dnk.

O.A. No. 75/2013 (B.M. Wankhede Vs. State of Mah. & Ors.)

With

O.A. No. 76/2013 (M.M. Khade Vs. State of Mah. & Ors.)

With

O.A. No. 77/2013 (Smt. S.D. Ghule & 3 ors. Vs. State of Mah. & Ors.) (S.B.)

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

Dated : 28/02/2022.

COMMON ORDER

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

2. The applicants / deceased employee were initially appointed as a Mustering Assistant on 4/2/1981, 10/02/1989 and 15/02/1984 (as per the chart attached herewith). They were brought on regular pay scale of Rs. 750-940 w.e.f. 01/10/1988. One of the applicant namely, B.M. Wankhede in O.A. 75/2013 was discontinued from service w.e.f. 12/1/1988. He was reinstated as per the order of Labour Court. He was absorbed in a regular service on 25/10/2001.

3. The applicant Madhukar Khade in O.A. 76/2013 was not discontinued. He was given permanency as per the order of Labour Court, Amravati dated 25/8/1992. He was absorbed in regular service on the post of Talathi w.e.f. 5/8/2002.

4. The wife of deceased employee Shri D.S. Ghule filed O.A. No. 77/2013. The deceased employee was absorbed in regular service on the post of Talathi w.e.f. 4/1/2001.

5. All the applicants / deceased employee retired as per dates are given in the Chart. The details in respect of all the applicants / deceased employee are given in the Chart shown as under—

Sr. No.	O.A No.	Name of Employee	Entry in service under EGS as Muster Assistant	Regular Pay Scale as on (Rs. 750-940)	Date of T.O.	Order of Labour /Ind. Court	ORDER OF Absorption in Regular Service	Date of Retirement
1	75/13	B.M. Wankhede	04.02.81	01.10.88	12.01.88	I.R. 02.03.88. Final Order 19.01.92 In ULP Complaint 52/88	25.10.01 as Clerk	31.12.10
2	76/2013	Madhukar Khade	10.02.89	01.10.88		Order of permanency as per order passed by Industrial Court, Amravati dated 25.08.92	05.08.02 (Talathi) Promotion as Mandal Officer on 31.10.08	31.05.11
3	77/13	Smt.S.D. Ghule & 3 Ors	15.02.84	01.10.88		14.07.88 ULP Complaint 99/88	04.01.01 Talathi	30.06.09

6. The learned counsel for the applicants Shri N.R. Saboo relied on the Judgment of this Tribunal in O.A. 545/2020 along with connected matters, decided on 17/12/2021.

7. Heard Shri S.A. Sainis, Id. P.O. for the respondents. He has opposed all the O.As. This Tribunal relied on the Judgment of Hon'ble Bombay High Court, Bench at Aurangabad in the case of **Ramchandra Kondiba Mahajan Vs. State of Maharashtra & Ors.** and come to the conclusion that the Mustering Assistants are entitled for service benefits from the date of their initial appointments on the said post.

8. In view of the Judgment in O.A. 545/2020 along with connected matters decided on 17/12/2021, the following order is passed –

ORDER

(i) The O.As. are allowed.

(ii) The applicants in O.A.Nos.75 & 76 of 2013 and deceased employee Dattatraya S. Ghule (applicant Shashikala D. Ghule & Ors.) in O.A. 77/2013 shall be treated as permanent employees with effect from their entries in the service as Muster Assistants till the date of their superannuation.

(iii) The respondents shall accordingly consider the case of the applicants / deceased employee for all the pensionary benefits, as may be admissible, as per rules.

(iv) No order as to costs.

Member (J).

O.A. No.351/2019.

(D.B.)

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

Dated : 28th February 2022.

R.A. No. 04/2021.

Heard Shri S.N. Gaikwad, the learned counsel for the applicant and Shri A.M. Khadatkar, Ld. P.O. holding for Shri S.A. Sainis, the learned P.O. for the respondents.

Review Application will be kept on Wednesday i.e. on 2nd March 2022 due to absence of concerned P.O.

S.O. 2nd March 2022,

Vice-Chairman

O.A. No.126/2017.

(D.B.)

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

Dated : 28th February 2022.

R.A. No. 16/2021.

Heard Mrs. S.M. Tripathi, Adv. holding for Shri I.S. Charlewar. Ld. counsel for the applicant and Shri A.M. Khadatkar, Ld. P.O. holding for Shri V.A. Kulkarni, the learned P.O. for the respondents.

Review Application will be kept on Wednesday i.e. on 2nd March 2022 due to absence of concerned P.O.

S.O. 2nd March 2022,

Vice-Chairman

