

O.A.No.631/2020 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri A.V.Muley, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents. C.F. applicant has not filed C.A. for amendment.

2. Matter is **admitted** and kept for final hearing.
3. Ld. P.O. waives notice for the respondents.
4. **S.O. in due course.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.959/2020 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

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

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.778/2021 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Smt. K.P.Wathore, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.1157/2021 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

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

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.1159/2021 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

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

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.73/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Ms. Telange, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

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

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri D.T.Shinde, ld. Counsel for the applicants and Shri H.K.Pande, ld. P.O. for the respondents. None for the R-3 to 8.

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.237/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri R.Fating, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.Nos.326,327,328,329&330/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri G.K.Bhusari, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Ld. P.O. has filed reply on behalf of the respondent nos. 1 & 2. It is taken on record. Copy is served to the other side.

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

4. Ld. P.O. waives notice for the respondents.

5. **S.O. in due course.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.427/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri G.K.Bhusari, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.488/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

None for the applicant. Shri H.K.Pande, ld.
P.O. for the State. Await service of R-2 to 4.

2. **S.O. four weeks to file service affidavit.**

**(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.**

**(Shree Bhagwan)
Vice Chairman**

O.A.Nos.462&463/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

None for the applicant. Shri H.K.Pande, Id.
P.O. for the respondents. Amendment not carried out
as per Tribunal's order.

**2. S.O. four weeks to carry out the
amendment.**

**(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.**

**(Shree Bhagwan)
Vice Chairman**

O.A.No.642/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri R.M.Fating holding for Shri J.R.Kidilay, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.724/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

C.A.No.271/2022:-

Heard Shri Rishi holding for Shri J.S.Wankhede, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the respondents. Await service of R-2 to 6 in C.A. & O.A..

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

**(Justice M.G.Giratkar)
Vice Chairman**

Date:-30/08/2022.

aps.

**(Shree Bhagwan)
Vice Chairman**

O.A.No.655/2020 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Smt. Charlewar, ld. Counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the respondents and Shri M.A.Sable, ld. counsel for the respondent nos. 3 & 4. None for the R-5, 8 to 13.

2. Ld. counsel for the applicant is directed to supply the copy of amendment to the other side.
3. Hence, matter is **admitted** and kept for final hearing.
4. Ld. P.O. waives notice for the respondents.
5. **S.O. two weeks.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.855/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Shri P.P.Khaparde, ld. counsel for the applicant and Shri S.A.Deo, ld. 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.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

C.P.No.61/2022 in O.A.No.545/2020 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri A.P.Sadavarte, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. 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 A.M.Ghogre, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.448/2018 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri R.D.Hajare, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents. None for the R-6 & 7.

2. At the request of Id. counsel for the applicant, **S.O. 08.09.2022 to file short affidavit.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.647/2016 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri M.B.Agasti holding for Shri M.R.Pillai, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

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

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri M.R.Rajgure, ld. Counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the respondents and Shri V.G.Wankhede, ld. Counsel for the R-3.

2. Ld. counsel for the respondent no. 3 i.e. Zilla Parishad is directed to take instructions regarding D.P.C. meeting dated 02.02.2015 that why applicant's name is not appeared in the D.P.C. meeting. He should take instructions before next date of hearing and place on record.

3. **Matter be treated as P.H..**

4. **S.O. three weeks.**

**(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.**

**(Shree Bhagwan)
Vice Chairman**

O.A.No.855/2019 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Shri A.P.Sadavarte, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. Applicant was served chargesheet dated 06.09.2017 (A-13, Pg. No. 71). Ld. P.O. submits that enquiry is going on and next date is fix on 28.09.2022. Ld. counsel for the applicant desires to take instructions from the applicant regarding relief clause, **S.O. two weeks.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.292/2020withC.A.No.183/2020 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

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

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

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.686/2020 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

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

2. Ld. P.O. has filed reply on behalf of the respondent no. 1 today only. It is taken on record. Copy is served to the other side.

3. Ld. counsel for the applicant submits that he requires two weeks time to go through the reply, **S.O. two weeks.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.546/2021 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

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

2. At the request of ld. counsel for the applicant, **S.O. 06.09.2022.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.632/2021withC.A.No.353/2021 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

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

2. At the request of ld. counsel for the applicant, **S.O. one week.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.635/2021 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

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

2. At the request of Id. counsel for the applicant, **S.O. 16.09.2022.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.918/2021 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Heard Dr. N.G.Raut, the applicant in person.
Shri S.A.Deo, ld. C.P.O. for the respondents.

2. The ld. C.P.O. submits that result has been declared. Hence, ld. C.P.O. is further directed to place the same on record at next hearing, **S.O. 12.09.2022.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.No.458/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

C.A.No.354/2022:-

Heard Shri R.Joshi, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. The name of the applicant Dr. Nipul Shrikrushna Khanande recorded at Sr. No. 10 in the list of candidates at A-2 in O.A. No. 458/2022 was wrongly recorded, therefore, prayed to delete the name of Dr. Nipul Khanande at Sr. No. 10 at A-2 in O.A. No. 458/2022.

3. Hence, the **C.A. No. 354/2022 is allowed and disposed of.** The name of the applicant Dr. Nipul Khanande is hereby deleted as prayed.

4. **S.O. 28.09.2022 along with other connected O.As.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

O.A.Nos.875&876/2022 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman&
Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2022.**

Dr.S.L.Parve & Another Vs. State of Mah.&2Ors.

Heard Shri R.Joshi, ld. counsel for the applicants and Shri S.A.Deo, ld. C.P.O. for the State.

2. The similarly situated candidates in O.A. Nos. 711/2022 with other connected matters were granted interim relief directing the respondents to allow the applicants to appear in the Interview, subject to outcome of the O.A. In the present O.A., applicants were informed that they have not completed 01 year as a Senior Resident Service in the Medical College/ Hospital and, therefore, they are not eligible for the post of Assistant Professor. Ld. Counsel for the applicant submits that both the applicants have applied for the post of 'Preventive and Social Medicine'. As per the criteria and the guidelines of the 'Medical Council of India' there is no post available of 'Senior Resident' for the said category. Therefore, they are wrongly not found eligible for the Interview.

3. In view of the order passed by this Tribunal in similar matters, following order is passed:-

"1. Interim relief is granted to the applicants in O.A. Nos. 875 & 876/2022 with direction to M.P.S.C. to allow the applicants for the Interview subject to outcome of the present Original Applications.

2. This order is applicable only to the extent of applicants.

3. The respondents are at liberty to keep their result pending subject to outcome of the present O.As."

4. Issue notice to Respondents, returnable on four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
9. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
10. **S.O. 28.09.2022.**
11. On next hearing all the O.As. will be decided finally and no further adjournment will be granted.
12. **Steno copy is granted to both the sides.**

(Justice M.G.Giratkar)
Vice Chairman
Date:-30/08/2022.
aps.

(Shree Bhagwan)
Vice Chairman

M.C.A.No.13/2022 in O.A.No.175/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :30/08/2022.

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

2. The ld. counsel for the applicant has filed M.C.A. No. 13/2022 with following prayer:-

"1. Allow the present application;

2. Recall the order dated 22.09.2021 and restore the original application to its original file.

3. Allow the applicant to make necessary amendment in the cause title of the original application by carrying out the proposed amendment by adding the respondent no. 3 in the cause title.

4. Grant any other relief as this Tribunal deems just in the facts and circumstances of the case."

3. Ld. counsel for the applicant has approached to the Hon'ble High Court in W.P. NO. 875/2022. Hon'ble High Court has passed the order on 01.04.2022. I have perused the order passed by the Hon'ble High Court and in para no. 4 following observation has been made:-

“4. Since the original application is not dismissed on merits, it is open to the petitioner to apply to the Tribunal after tendering an apology to recall the order with an amendment application to join the concerned officer as party respondent.”

4. Subject to compliance of para no. 4 and as directions given by Hon’ble High Court order dated 01.04.2022, **M.C.A. No. 13/2022 is allowed and disposed of** and order dated 22.09.2021 is recalled.

5. Ld. counsel for the applicant has further pointed out that in M.C.A. No. 13/2022 in para no. 3 he has submitted written apology. Hence, para no. 3 of the M.C.A. is reproduced below:-

“That, therefore, the applicant therefore apologies and its making the present application for recall of order with prayer for amendment of the original application to add the Chimur Office as party respondent no. 3 in the original application by making the following amendment to the cause title.”

6. Hence, **M.C.A. No. 13/2022 is allowed and disposed of subject to para no. 4 of the Hon’ble High Court order, O.A. is restored to its original file.**

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

Vice Chairman

Date:-30/08/2022.
aps.

O.A.No.839/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. It is pointed out that representations dated 10.08.2022 and 17.08.2022 made by the applicant (Annexures A-1 & A-2) are yet to be decided by respondents 2 and 4 respectively.

3. Case is made out to grant the interim relief for a period of one week from today so that during the period of this one week aforesaid representations can be decided by respondents 2 and 4. Hence, the order.

ORDER

The respondent department shall not fill the post at Kodambi Round, Wadgaon Range which is going to fall vacant on 31.08.2022, till 7.09.2022.

S.O.07.09.2022.

Steno copy is granted.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.581/2019 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.
C.A.No.150/2019

Heard Shri N.W.Almelkar, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.233/2020 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri B.J.Lonare, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

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

Date:-30/08/2022

Member(J)

rsm.

O.A.No.791/2020 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.80/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri S.K.Verma, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.184/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.278/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. On oral request of learned P.O., **S.O.**
13.09.2022.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.279/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri V.G.Wankhede, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.758/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.1040/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. Reply of respondents 2 and 4 filed by learned P.O. It is taken on record. It is stated to be sufficient. Hence, the O.A. is **admitted** and kept for final hearing.

S.O. after four weeks.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.140/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri N.D.Thombre, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

2. On oral request of learned P.O., **S.O.**
13.09.2022.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.147/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri S.U.Ghude, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondent no.1. Shri T.M.Zaheer, ld. counsel for the respondent no.2.

2. Reply of respondent no.2 filed by Advocate Shri Zaheer. It is taken on record. It is submitted that this reply is sufficient to decide the matter finally. Hence, the O.A. is **admitted** and kept for final hearing.

S.O. after four weeks.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.227/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.299/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri N.R.Saboo, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. The learned P.O. has placed on record a communication dated 30.08.2022. He states that grievance of the applicant is redressed.

3. The learned counsel seeks time to take instruction from the applicant.

S.O. after two weeks.

Member(J)

Date:-30/08/2022

rsm.

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

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.584/2022 (S.B.)

(Sanjay T. Shelke versus State of Maharashtra and Others.)

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

Dated : 30/08/2022.

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

2. In this O.A. order dated 17.02.2022 (Annexure A-3) is impugned.

3. The applicant was served with a copy of charge sheet dated 11.04.2022 (Annexure A-4) issued by respondent no.2 to which he filed reply (Annexure A-5).

4. Because no review was taken in respect of continuance or otherwise of the impugned suspension order on expiry of period of 90 days, the applicant made a representation dated 27.05.2022 (Annexure A-6) to respondent no.2. However, nothing has been done so far. Hence, the application.

5. The applicant has relied on the G.R. dated 09.07.2019 (Annexure A-7) issued by G.A.D., Government of Maharashtra. It refers to the judgment of the Hon'ble Supreme Court dated 16.02.2015 in Civil Appeal No.1912/2015 in the case of **Ajay Kumar Choudhari Vs. Union of India.** This G.R. *inter alia* states as under-

i) निलंबित शासकीय सेवकांच्या ज्या प्रकरणी ३ महिन्यांच्या कालावधीत विभागीय चौकशी सुरु करून दोषारोप पत्र बजावण्यात आले आहे, अशा प्रकरणी निलंबन केल्यापासून ३ महिन्यात निलंबनाचा आढावा घेऊन निलंबन पुढे चालू ठेवावयाचे असल्यास त्याबाबतचा निर्णय सुस्पष्ट आदेशासह (कारण मिमांसेसह) सक्षम प्राधिका-याच्या स्तरावर घेण्यात यावा.

6. In the instant case matter of suspension of the applicant has not been reviewed even after expiry of three months. Hence, further continuance of the order of suspension will not be permissible. Hence, the order.

ORDER

The O.A. is allowed in the following terms-

- 1) The impugned order dated 17.02.2022 (Annexure A-3) is quashed and set aside.

2) Respondent no.2 shall pass consequently order within two weeks from today. No order as to costs.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.591/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.
C.A.No.245/2022

Heard Shri Bharat Kulkarni, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondent no.1 & 2. Shri S.A.Marathe, ld. counsel for the respondent no.3.

2. The learned P.O. seeks time till 13.09.2022 to file reply of respondents 1 and 2. He states that on that day he will positively file reply.

S.O.13.09.2022.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.687/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.692/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.712/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. Advocate Shri T.M.Zaheer, ld. counsel for the respondent no.2 and 3 seeks time to file reply.

S.O. after four weeks.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.721/2022 with
O.A.No.722/2022 with
O.A.No.736/2022 with
O.A.No.752/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. The learned P.O. seeks two weeks time to file reply.

S.O. after two weeks as a last chance.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.725/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.753/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri S.C.Mishra, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. Reply of respondents 2 to 4 filed by learned P.O. It is taken on record. It is stated to be sufficient. Hence, the O.A. is **admitted**.

S.O.07.09.2022.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.229/2016 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.
C.A.No.350/2022

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

2. On oral request of learned counsel **S.O. after three weeks.**

Member(J)

Date:-30/08/2022

rsm.

O.A.No.862/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. Issue notice to Respondents, returnable **after two 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 two weeks.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.963/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. The learned C.P.O. states that instructions regarding compliance of order dated 01.07.2022 are awaited.

S.O. 14.09.2022.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.860/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. Issue notice to 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)

Date:-30/08/2022

rsm.

O.A.No.21/2016 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. On oral request of learned counsel, **S.O.**
14.09.2022.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.122/2017 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri D.I.Charlewar, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondent no.1 to 3. Shri Jayant Mokadam, ld. counsel for the respondent no.4.

2. **S.O. 07.09.2022.**

Member(J)

Date:-30/08/2022

rsm.

O.A.No.812/2018 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.566/2019 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri A.P.Sadavarte, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondent no.1 to 3 & 6. None for respondents 4 & 5.

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.82/2020 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri S.P.Palshikar, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondent no. 1 & 3. Shri T.M.Zaheer, ld. counsel for the respondent no.2.

2. Along with communication dated 17.08.2022 learned P.O. has placed on record copies of correspondence.

3. The learned counsel for the applicant states that he will go through the same and the matter be kept for final hearing after two weeks.

S.O. after two weeks.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.137/2020 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

Closed for Orders.

Member(J)

Date:-30/08/2022

rsm.

O.A.No.156/2020 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri Shri K.N.Dadhe, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondent no.1 to 3. None for the respondents 4 & 5.

2. **S.O. after three weeks.**

Member(J)

Date:-30/08/2022

rsm.

O.A.No.580/2020 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. **S.O. after 20.09.2022.**

Member(J)

Date:-30/08/2022
rsm.

O.A.No.43/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. **S.O. 22.09.2022..**

Member(J)

Date:-30/08/2022

rsm.

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

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri N.L.Jaiswal, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents. Shri G.N.Khazode, Id. counsel for the respondent no.3.

2. **S.O. after one week.**

Member(J)

Date:-30/08/2022

rsm.

O.A.No.90/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. **S.O. 23.06.2022.**

Member(J)

Date:-30/08/2022

rsm.

O.A.No.250/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. **S.O. 08.09.2022.**

Member(J)

Date:-30/08/2022

rsm.

O.A.No.472/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri K.Deogade, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondent no.1 to 3. None for the respondent no.4.

2. **S.O. 15.09.2022.**

Member(J)

Date:-30/08/2022

rsm.

O.A.No.966/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri G.G.Bade, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

Member(J)

Date:-30/08/2022

rsm.

O.A.No.410/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. **S.O. 07.09.2022.**

Member(J)

Date:-30/08/2022

rsm.

O.A.No.582/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

Heard Shri N.R.Saboo, Id. Counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondent no.1 & 2. None for the respondent no.3.

2. **S.O. 20.09.2022.**

Member(J)

Date:-30/08/2022

rsm.

O.A.No.916/2019 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/08/2022.

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

2. The learned counsel for the applicant submits that he will place on record some other orders in support of his claim. During the course of the day.

Closed for Orders.

Member(J)

Date:-30/08/2022

rsm.