

O.A.No.233/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2023.**

Shri A.Kuril, 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
for filing reply.**

Vice Chairman

rsm.

O.A.No.555/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2023.**

Shri V.Anand, 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
for filing reply.**

Vice Chairman

rsm.

O.A.No.849/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2023.**

Shri P.S.Wathore, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the Respondents and Shri R.V.Shiralkar, ld. Counsel for the respondent no.3.

2. As per the submission of learned P.O. and learned counsel for the applicant, reply filed by respondent no.3 is sufficient to decide the matter. The O.A. is **admitted** and kept for final hearing.

3. **S.O. 04.09.2023.**

4. **Till then interim relief is to continue.**

Vice Chairman

rsm.

C.P.No.27/2023 in O.A.No.281/2019 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2023.**

Heard Shri S.V.Kulkarni, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. The learned P.O. has filed affidavit-in-reply-in-contempt along with seniority list. It is taken on record. Copy is served to the other side. As per this affidavit, the order of this Tribunal dated 01.08.2022 is complied.

3. The learned counsel for the applicant submits that order dated 01.08.2022 is not complied. This Tribunal has passed the following order on 01.08.2022.

2. The learned counsel for applicant has stated that as per letter dated 17.06.2021 issued by the Additional Director General of Police, M.S., Mumbai in which guidelines are given for deciding seniority of Constables (A- 13,P-59A).

3. The respondent no.3 is directed to decide the seniority of the applicant as per letter dated 17.06.2021 (A-13,P-59A).

4. With this direction, the O.A. is disposed of. No order as to costs.

4. Along with the affidavit-in-reply-in-contempt, respondent has filed seniority list. It appears that the seniority list is prepared on 29.09.2022 and the applicant Niranjan N. Rathod is shown at Sr.No.2 in the seniority list i.e. after passing the final order of this Tribunal. Hence, it appears that order dated 01.08.2022 is complied. If the applicant is aggrieved, he is at liberty to challenge seniority list prepared on 29.09.2023. Therefore, **C.P. stands disposed of with no order as to costs.**

Vice Chairman

rsm.

O.A.No.862/2023 (D.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2023.

Heard Shri G.K.Bhusari, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the State.

2. Issue notice to Respondents, returnable on **after four weeks.** Learned P.O. waives notice for State. Hamdast allowed.

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

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

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

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

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

Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

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

Vice Chairman

rsm.

C.P.No.38/2023 in
O.A.No.98/2020 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2023.**

Heard Shri S.K.Bhattacharya, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. As per the submission of learned counsel for the applicant, after filing this C.P. order of this Tribunal is complied by the respondents. **Hence, C.P. is disposed of.**

Vice Chairman

rsm.

C.P.No.57/2023 in O.A.No.475/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2023.**

Heard Shri M.Agrawal, holding for R.S.Sirpurkar, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. This Tribunal has passed the order directing the respondents to continue the service of the applicant by not giving the date of retirement on 31.05.2023 as per notification dated 23.02.2022. The respondents have complied the order and the applicant is continued in service.

3. The learned C.P.O. has filed communication dated 04.08.2023. It is marked Exhibit-X for the purpose of identification. It shows that the applicant is in continuous service. Therefore, there is no contempt as alleged. **Hence, C.P. is disposed of.**

Vice Chairman

rsm.

O.A.No.475/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 30/08/2023.**

Shri M.Agrawal, holding for Shri S.V.Sirpurkar, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.922/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

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

2. None were present for the applicant on 15.06.2023, 11.07.2023 and 09.08.2023. It appears that the applicant is not interested. The order dated 08.06.2023 is not complied.

3. **S.O. 11.09.2023.**

Vice Chairman

rsm.

O.A.No.84/2021 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.

C.A.No.477/2022

Heard Mrs K.N.Saboo, ld. counsel for the applicant,ShriM.I.Khan, ld. P.O. for the Respondent no.1,ShriS.Majid, ld. Counsel for the respondent no.2 and ShriR.V.Shiralkar, ld. counsel for the respondent no.3.

2. As per order dated 19.04.2023, respondent no.2 was directed to submit the service book for pay verification. The learned counsel for the respondent no.2 has filed communication dated 24.08.2023. It is marked Exhibit-X for the purposes of identification. As per this communication the respondent no.2 has submitted service book of applicant to the Pay Verification Unit/Treasury.

3. **S.O. after four weeks.**

Vice Chairman

rsm.

O.A.No.615/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriS.M.Khan, ld. counsel for the applicant
andShriH.K.Pande, ld. P.O. for the Respondents.

2. The learned P.O. has filed reply of
respondent no.2. It is taken on record. As per his
submission it is sufficient to decide the O.A.. The O.A.
is **admitted** and kept for final hearing.

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

Vice Chairman

rsm.

O.A.No.808/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

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

2. The learned P.O. seeks time to file reply of
respondents 1 to 5.

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

Vice Chairman

rsm.

O.A.No.95/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

None for the applicant.ShriH.K.Pande, ld. P.O.
for the Respondents.

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

Vice Chairman

rsm.

O.A.No.189/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

None for the applicant.ShriV.A.Kulkarni, ld.
P.O. for the Respondents.

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

Put up this matter with connected
O.A.No.268/2023, O.A.No.218/2023 and
O.A.No.267/2023.

Vice Chairman

rsm.

O.A.No.268/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

None for the applicant.ShriV.A.Kulkarni, ld.
P.O. for the Respondents.

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

Put up this matter along with connected
O.A.No.189/2023.

Vice Chairman

rsm.

O.A.No.436/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriR.R.Evnate, ld. counsel for the applicant
andShriA.M.Khadatkar, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.428/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.

ShriR.M.Fating, ld. counsel for the applicant,ShriA.M.Khadatkar, ld. P.O. for the Respondent no.1 and ShriA.Deshpande, ld. Counsel for the respondents 2 and 3.

2. The learned P.O. has filed reply of respondents 2 and 3. It is taken on record.

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

Vice Chairman

rsm.

O.A.No.451/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriG.K.Bhusari, ld. counsel for the applicant
andShriA.M.Khadatkar, ld. P.O. for the Respondents 1
& 2.None for the respondent no.3.

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

Vice Chairman

rsm.

O.A.No.512/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

Miss G.Deopujari, holding for ShriS.Y.Deopujari, ld. counsel for the applicant andShriA.M.Khadatkar, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.534/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriR.V.Shiralkar, ld. counsel for the applicant andShriS.A.Sainis, ld. P.O. for the Respondents.

2. The learned counsel for the applicant submits that respondents 2 and 3 are served.

3. The learned P.O. seeks time to file reply.

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

Vice Chairman

rsm.

O.A.No.564/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

None for the applicant.ShriA.M.Khadatkar,
ld. P.O. for the Respondents 1 to 3, 5 & 6.None for the
respondent no.4.

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

Vice Chairman

rsm.

O.A.No.593/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriG.G.Bade, ld. counsel for the applicant
andShriS.A.Sainis, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.748/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriR.S.Kalangiware, ld. counsel for the applicant andShriM.I.Khan, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.768/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.

C.A.No.400/2023 & C.A.No.399/2023

Heard Mrs.K.N.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. P.O. for the Respondents.

2. The learned counsel for the applicant submits that respondent no.4 is a necessary party. Looking to the ground C.A. is allowed. Amendment be carried out. After adding respondent no.4, issue notice to the added respondent no.4.

O.A.No.768/2023

3. Issue notice to Respondent no.4, returnable on **on 20.09.2023.** Learned C.P.O. waives notice for State. 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. 20.09.2023.**

Vice Chairman

rsm.

O.A.No.767/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

Heard Mrs.K.N.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. P.O. for the Respondents.

2. **S.O. 20.09.2023.**
3. **Interim relief to continue till next date.**

Vice Chairman

rsm.

O.A.No.796/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

C.A.No.351/2023

ShriG.G.Bade, ld. counsel for the applicant
andShriS.A.Deo, ld. C.P.O. for the Respondents.

2. The applicants are claiming common relief.
Looking to the ground C.A. is allowed and disposed
of.

3. The learned C.P.O. seeks time to file reply.

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

Vice Chairman

rsm.

O.A.No.806/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriM.K.Mishra, ld. counsel for the applicant
andShriA.M.Ghogre, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.840/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriN.S.Warulkar, ld. counsel for the applicant andShriA.M.Ghogre, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

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

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriS.Pande, ld. counsel for the applicant
andShriS.A.Sainis, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.871/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriS.Pande, ld. counsel for the applicant
andShriS.A.Sainis, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.899/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.

ShriS.P.Palshikar, ld. counsel for the applicant andShriS.A.Sainis, ld. P.O. for the Respondents.

2. As per the submission of learned counsel for the applicant, the O.A. is covered by the Judgment of Hon'ble Supreme Court in the case of Ajay Kumar ChaudharyVs. Union of India through its Secretary and another. As per his submission charge sheet is not served till today.

3. The learned P.O. is requested to get instructions as to whether charge sheet is served or not ?

4. **S.O. 08.09.2023.**

Vice Chairman

rsm.

O.A.No.900/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.

ShriS.P.Palshikar, ld. counsel for the applicant andShriS.A.Sainis, ld. P.O. for the Respondents.

2. As per the submission of learned counsel for the applicant, the O.A. is covered by the Judgment of Hon'ble Supreme Court in the case of Ajay Kumar ChaudharyVs. Union of India through its Secretary and another. As per his submission charge sheet is not served till today.

3. The learned P.O. is requested to get instructions as to whether charge sheet is served or not ?

4. **S.O. 08.09.2023.**

Vice Chairman

rsm.

O.A.No.905/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.

ShriS.P.Palshikar, ld. counsel for the applicant andShriS.A.Sainis, ld. P.O. for the Respondents.

2. As per the submission of learned counsel for the applicant, the suspension order is dated 29.01.2023 and charge sheet was served to the applicant on 12.08.2023. Therefore, this O.A. is also covered by the Judgment of Hon'ble Supreme Court in the case of Ajay Kumar ChaudharyVs. Union of India through its Secretary and another.

3. The learned P.O. is requested to get instructions.

4. **S.O. 08.09.2023.**

Vice Chairman

rsm.

O.A.No.916/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriS.Khandekar, ld. counsel for the applicant,ShriS.A.Deo, ld. C.P.O. for the Respondents 1 to 3 and ShriR.V.Shiralkar, ld. Counsel for the respondent no.4.

2. At the request of ld. C.P.O., **S.O. 20.09.2023 for filing reply.**

3. **Interim order to continue till next date.**

Put up this O.A. with connected matters.

Vice Chairman

rsm.

O.A.No.926/2023 with O.A.No.927/2023with
O.A.No.928/2023 with O.A.No.929/2023with
O.A.No.930/2023 with O.A.No.931/2023 with
O.A.No.932/2023 with O.A.No.933/2023with
O.A.No.934/2023with O.A.No.935/2023with
O.A.No.936/2023with O.A.No.937/2023with
O.A.No.938/2023with O.A.No.939/2023 with
O.A.No.959/2023 with O.A.No.960/2023 with
(S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriN.R.Saboo, ld. counsel for the applicants
andShriS.A.Deo, ld. C.P.O. for the Respondents.

2. At the request of ld. C.P.O., **S.O. 20.09.2023**
for filing reply.

3. **Interim order to continue till next date.**

Vice Chairman

rsm.

O.A.No.941/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriS.A.Marathe, ld. counsel for the applicant
andShriS.A.Deo, ld. C.P.O. for the Respondents.

2. At the request of ld. C.P.O., **S.O. 20.09.2023**
for filing reply.

3. **Interim order to continue till next date.**

Vice Chairman

rsm.

O.A.No.967/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriA.C.Dharmadhikari, ld. counsel for the applicant andShriS.A.Deo, ld. C.P.O. for the Respondents.

2. As per the submission of learned counsel for the applicant, respondents 2 and 3 are served and he will file service affidavit today itself in the office.

3. The learned C.P.O. submits that he will make statement as per order dated 23.08.2023.

4. **S.O. 05.09.2023.**

Vice Chairman

rsm.

O.A.No.958/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.

C.A.No.421/2023

Heard ShriS.V.Kulkarni, holding for ShriS.D.Chande, ld. counsel for the applicant andShriV.A.Kulkarni, ld. P.O. for the Respondents.

2. All applicants are claiming same relief. Looking to the ground C.A. is allowed and disposed of.

O.A.No.958/2023

3. Issue notice to Respondents, returnable on **on 14.09.2023.** Learned C.P.O. waives notice for State. 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. 14.09.2023.**

Vice Chairman

rsm.

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.

Heard ShriS.V.Kulkarni,holding for
ShriS.D.Chande, ld. counsel for the applicant
andShriA.M.Ghogre, ld. P.O. for the State.

2. Issue notice to Respondents, returnable on
on 14.09.2023. 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.

8. **S.O. 14.09.2023.**

Vice Chairman

rsm.

O.A.No.984/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.

Heard ShriV.B.Gawali, ld. counsel for the applicant andShriA.M.Ghogre, ld. P.O. for the State.

2. Issue notice to Respondents, returnable on **on 21.09.2023.** 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.

8. **S.O. 21.09.2023.**

Vice Chairman

rsm.

**O.A.No.877/2017 with O.A.No.880/2017 with
O.A.No.107/2018 with C.A.No.283/2022 with
O.A.No.108/2018 with O.A.No.392/2021 with
O.A.No.395/2021 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

Heard ShriA.P.Adhe, ld. counsel for the applicants andShriH.K.Pande, ld. P.O. for the Respondents.

2. The learned P.O. has filed documents to show that applicants were working on E.G.S. Those documents are marked Exhibit-X for identification.

3. **S.O. 07.09.2023.**

Vice Chairman

rsm.

O.A.No.321/2019 with
O.A.No.322/2019 with
O.A.No.323/2019 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriA.D.Girdekar, ld. counsel for the
applicant andShriA.M.Khadatkar, ld. P.O. for the
Respondents.

2. **S.O. 21.09.2023.**

Vice Chairman

rsm.

O.A.No.349/2019 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriS.P.Palshikar, ld. counsel for the applicant andShriH.K.Pande, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 08.09.2023.**

Vice Chairman

rsm.

O.A.No.242/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriG.G.Bade, ld. counsel for the applicant
andShriM.I.Khan, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.857/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

Heard ShriR.A.Haque, ld. counsel for the applicant andShriV.A.Kulkarni, ld. P.O. for the Respondents.

2. **S.O. 08.09.2023.**

3. **P.H.**

Vice Chairman

rsm.

O.A.No.747/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriN.D.Thombre, ld. counsel for the applicant andShriM.I.Khan, ld. P.O. for the Respondents 1 to 3.None for the respondents 4 and 5.

2. At the request of ld. P.O., **S.O. 07.09.2023.**

Vice Chairman

rsm.

O.A.No.883/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriS.M.Khan, ld. counsel for the applicant
andShriH.K.Pande, ld. P.O. for the Respondents.

2. At the request of ld. Counsel for the
applicant, **S.O. 15.09.2023.**

Vice Chairman

rsm.

O.A.No.1141/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriN.S.Warulkar, ld. counsel for the applicant andShriS.A.Sainis, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 06.09.2023.**

Vice Chairman

rsm.

O.A.No.108/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriA.D.Girdekar, ld. counsel for the applicant andShriS.A.Sainis, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 13.09.2023.**

Vice Chairman

rsm.

O.A.No.943/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriS.R.Charpe, Id. counsel for the applicant
andShriS.A.Sainis, Id. P.O. for the Respondents.

2. The learned counsel for the applicant seeks
time to makes some amendment in the O.A..

3. **S.O. 07.09.2023.**

Vice Chairman

rsm.

O.A.No.957/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriS.Pande, ld. counsel for the applicant,ShriH.K.Pande, ld. P.O. for the Respondents 1 & 3 and ShriM.L.Vairagade, ld. Counsel for the respondents 2 & 4.

2. **S.O. 13.09.2023.**

Vice Chairman

rsm.

O.A.No.99/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

ShriG.G.Bade, ld. counsel for the applicant
andShriH.K.Pande, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. after two weeks.**

Vice Chairman

rsm.

O.A.No.218/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

None for the applicant.ShriH.K.Pande, ld. P.O.
for the Respondents.

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

Put up this matter along with connected
O.A.No.189/2023.

Vice Chairman

rsm.

O.A.No.267/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :30/08/2023.**

None for the applicant.ShriH.K.Pande, ld. P.O.
for the Respondents.

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

Put up this matter along with connected
O.A.No.189/2023.

Vice Chairman

rsm.

O.A.No.325/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman

Dated :30/08/2023.

C.A.439/2023

Heard ShriS.I.Khan, ld. counsel for the applicants andShriS.A.Sainis, ld. P.O. for the Respondents.

2. As per the submission of learned counsel for the applicants, the applicants are to be terminated today itself as per order dated 29.08.2023.

3. The learned counsel for the applicants has pointed out decision of the Hon'ble Supreme Court in the case of **Himachal Pradesh State Electricity Board, Shimla and Others VsTirath Raj and Others.**

4. The learned counsel for the applicants has submitted that this Tribunal (M.A.T.) has Jurisdiction to entertain and decide the matter. He has pointed out Section 24 of Administrative Tribunal Act, 1985 and submitted that interim order can be passed by this Tribunal.

5. The learned P.O. has submitted that the applicantsare daily wagers, the applicants are labours asdefined under the Industrial Disputes Act, 1947 and, therefore, Jurisdiction is at Labour Court and not at this Tribunal.

6. Section 24 of the Administrative Tribunals Act, 1985 is in respect of granting interim relief. This Section is applicable when the Tribunal has Jurisdiction. In the present matter there is no dispute that applicants are/were daily wagers. They are labours as defined under the Industrial Disputes Act, 1947. As per the ***Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971***, the Labour Court has Jurisdiction to decide the matter in respect of termination/ dismissal etc.,whereas the Industrial Court has Jurisdictionin respect of item nos. 2 to 10. The applicants are labours and, therefore, they have to approach before the Labour Court and not before the Administrative Tribunal.One of the order of termination is reproduced below-

मा.उपआयुक्त

(प्रशासन),

दुग्धव्यवसायविकास,

मुंबईयांचेउपरोक्तसंदर्भियपत्रान्वयेकळविल्याप्रमाणेरोजंदारीकर्मचाऱ्यांबाबतदि.२६.०९.२०२२रोजीमा.प्र

धानसचिवयांचेकडेआढावाबैठकझाली.त्यातमा.प्रधानसचिवयांनीखालीलप्रमाणेनिर्देशदिलेलेआहे.

'सद्यस्थितीतराज्यातअनेकठिकाणीशासकीयदूधयोजना,
शासकीयदूधशितकरणकेंद्रबंदअवस्थेतअथवाविहितक्षमतेपेक्षाकमीक्षमतेनेकार्यरतआहेत.
त्यामुळेमंजूरअथवाकार्यरतपदांनापुरेसावर्कलोडनाही.
सदरबाबलक्षातघेतादूधयोजनेतरोजंदारीकामगारांचीआवशकतादिसूनयेतनाही.सबबरोजंदारीकामगारां
नाकामावरूनकमीकरण्याबाबततातडीनेकार्यवाहीकरण्याबाबतनिर्देशितकेले.आहे."
करीताखालीलप्रमाणेआदेशनिर्गमितकरण्यातयेतआहे.

आदेश -

श्री.रामूपी.वाघमारेरोजंदारकामगार, शासकीयदूधयोजना, नागपूरयांना
दि.३०/०८/२०२३पासूनकामावरूनकमीकरण्यातयेतआहे.

7. From the perusal of the impugned orders, it is clear that the applicants are/were working with the respondents as a Daily wagers. No work is available with the respondents and, therefore, their services are/were terminated. The impugned order can be challenged before the Labour Court and not before this Tribunal.

8. The above cited decision in the case of Himachal Pradesh State Electricity Board (supra) is not applicable to the case in hand because in the cited Judgment it was grievances of the respondents that they were working as Clerk, they were performing the duties of the post of Clerks in the appellant's Board, they were not being paid the salaries on a par with regular clerks. Therefore, the Hon'ble Supreme Court has held that it is the Jurisdiction of Administrative Tribunal and not the High Court. In the present matter, the applicants are labours and as defined under the Industrial Disputes Act, 1947. It is the Jurisdiction of Labour Court. Therefore, this Tribunal cannot entertain the O.A. Hence, the O.A. along with C.A. stand dismissed with no order as to costs.

Vice Chairman

rsm.

