

O.A. No. 58/2014 (DB)

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

**Dated : 13.11.2019**

None for the applicant. Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2 to 8.

**S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 571/2016 (DB)

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

**Dated : 13.11.2019**

None for the applicant. Shri V.A. Kulkarni, Id. P.O. for R-1 to 6. None for R-7 to 14. Await service of R-15& 16.

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

**Member (J)**

dnk.

O.A. No. 312/2017 (DB)

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

**Dated : 13.11.2019**

**C.A. 243/2017**

None for the applicant. Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2 to 4.

**S.O. four weeks.**

**Member (J)**

dnk.

O.A. No. 929/2018 (DB)

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

**Dated : 13.11.2019**

None for the applicant. Shri A.P. Potnis, 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. No. 821/2019 (DB)

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

**Dated : 13.11.2019**

The applicant in person absent. Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2.

**S.O. four weeks.**

**Member (J)**

dnk.

O.A. No. 863/2019 (DB)

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

**Dated : 13.11.2019**

Ms. A. Singh, Id. counsel for the applicant and Shri A.P. Potnis, 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. No. 551/2018 (DB)

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

**Dated : 13.11.2019**

**C.A. 427/2019 -**

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

For the reasons stated in the application, the C.A.No.427/2019 is allowed.

**O.A. 551/2018 -**

**S.O. three weeks.**

**Member (J)**

dnk.

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

**Dated : 13.11.2019**

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

2. It is contention of the applicant that while filling the application, due to oversight it is mentioned by the applicant that she was claiming benefit of her Gender. It is submitted that the applicant has scored 172 marks and the candidates who have scored less marks than the applicant are selected. It is contention of the applicant that the mistake is committed inadvertently. It is contention of the Id. CPO that it is mentioned by the applicant against Column "do you want to avail the benefit of female reservation", the answer is not applicable.

3. According to the learned CPO as the applicant herself informed that she was not intending to take benefit of the Gender and consequently the applicant is not entitled for interim relief. In view of these circumstances, subject to fate of this O.A., the respondents may proceed further with the recruitment.

4. Issue notice to R-2 to 4, returnable **after two 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.

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

**Member (J)**

dnk.

O.A. No. 889/2019 (DB)

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

**Dated : 13.11.2019**

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

2. The learned counsel for the applicant is permitted to file the Judgments delivered by the MAT and the Hon'ble High Court relating to this subject.

3. Issue notice to R-2 to 5, returnable **after two weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure)

Rules,1988, and the questions such as limitation and alternate remedy are kept open.

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

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

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

**Member (J)**

dnk.

O.A. No. 162/2019 (SB)

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

**Dated : 13.11.2019**

None for the applicant. Shri A.M. Khdatkar, Id. P.O. for R-1&2, Shri S.N. Gaikwad, Id .counsel for R-3&4 and Shri A.P. Sadavarte, Id .counsel holding for Shri A.P. Tathod, Id .counsel for R-5.

At the request of learned counsel for R-3&4, **S.O. after one week.**

**Member (J)**

dnk.

O.A. No. 126/2017 (SB)

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

**Dated : 13.11.2019**

Shri Charlewar, Id. counsel appears and submits that he will file Vakalatnama on behalf of the applicant and therefore he seeks further time.

Shri A.M. Khadatkar, Id. counsel for R-1&4 and none for R-2&3.

At the request of Shri Charlewar, Id. counsel, **S.O. 18/11/2019**.

**Member (J)**

dnk.

O.A. No. 824/2018 (SB)

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

**Dated : 13.11.2019**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1&3. Await service of R-2.

**S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 924/2018 (SB)

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

**Dated : 13.11.2019**

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id .P.O. for R-1&2. Await service of R-3.

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

**Member (J)**

dnk.

O.A. No. 928/2018 (SB)

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

**Dated : 13.11.2019**

Shri S. Pande, Id .counsel for the applicant and 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. No. 178/2019 (SB)

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

**Dated : 13.11.2019**

Heard Shri N.R. Saboo, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1&2 and Shri S.N. Gaikwad, Id. counsel for R-3. Await service of R-4.

2. The respondent nos. 1&2 have filed their reply. In para-2 it is mentioned that vide order dated 8/3/2019 the respondent no.4 was promoted and he was posted at Bhiwapur, District Nagpur. It is submitted by the respondent nos.1&2 that in O.A.204/2019 the interim order is passed on 20/3/2019 and in view of that order, the respondents are unable to change the posting of respondent no.4. In view of this contention in para-2, giving liberty to the respondent nos.1&2 to pass suitable order, the O.A. stands disposed of. No order as to costs.

**Member (J)**

dnk.

O.A. No. 180/2019 (SB)

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

**Dated : 13.11.2019**

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

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

**Heard. Admit.**

The learned P.O. waives notice for R-1 to 3.

The applicant is at liberty to file rejoinder, if any.

**S.O. two weeks.**

Interim relief to continue till then.

**Member (J)**

dnk.

O.A. No. 633/2019 (SB)

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

**Dated : 13.11.2019**

None for the applicant. Shri S.A. Deo,  
Id. CPO for the respondents.

At the request of Id. CPO, **S.O. three  
weeks** for filing reply.

**Member (J)**

dnk.

O.A. No. 638/2019 (SB)

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

**Dated : 13.11.2019**

Shri Vikas Kulsange, Id .counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

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

**Member (J)**

dnk.

O.A. No. 794/2019 (SB)

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

**Dated : 13.11.2019**

Heard Shri D.T. Shinde, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1,2&5, Shri J.B. Kasat, Id. counsel for R-3 and none for R-4.

2. Shri Kasat, Id .counsel files reply on behalf of R-3. It is taken on record. Copies are served on the other sides.

3. It is contended that the respondent no.1 had no right to appoint the applicant vide order dated 14/08/2019. In these circumstances, the respondent no.3 is directed to give details when the applicant resumed duty and for how much period he worked under the control of the respondent no.3. The learned P.O. submitted that he is informed by the respondent no.1 that within two days suitable order will be passed.

**S.O. 18/11/2019.**

Steno copy is granted..

**Member (J)**

dnk.

O.A. No. 795/2019 (SB)

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

**Dated : 13.11.2019**

Heard Shri D.T. Shinde, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1&2 Shri J.B. Kasat, Id. counsel for R-3 and none for R-4.

2. Shri Kasat, Id .counsel files reply on behalf of R-3. It is taken on record. Copies are served on the other sides.

3. It is contended that the respondent no.1 had no right to appoint the applicant vide order dated 14/08/2019. In these circumstances, the respondent no.3 is directed to give details when the applicant resumed duty and for how much period he worked under the control of the respondent no.3. The learned P.O. submitted that he is informed by the respondent no.1 that within two days suitable order will be passed.

**S.O. 18/11/2019.**

Steno copy is granted..

**Member (J)**

dnk.

O.A. No. 833/2019 (SB)

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

**Dated : 13.11.2019**

None for the applicant. Shri S.A. Deo,  
Id. CPO for R-1. Await service of R-2&3.

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 520/2019 (SB)

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

**Dated : 13.11.2019**

None for the applicant. Shri S.A. Sainis, Id. P.O. for R-1&2, Smt. J.J. Alkari, Id. counsel for R-3&4 and none for R-5.

**Heard. Admit.**

The learned P.O. waives notice for R-1&2.

**S.O. two weeks.**

**Member (J)**

dnk.



O.A. Nos. 89 & 193 of 2017 **(SB)**

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

**Dated : 13.11.2019**

Heard Ms. P.M. Mane, Id. counsel holding for Shri S.D. Chande, Id .counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

**Closed for orders.**

**Member (J)**

dnk.

O.A. No. 948/18 with C.A.312/19 **(SB)**

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

**Dated : 13.11.2019**

Heard the applicant in person and shri  
A.M. Ghogre, Id. P.O. for R-1 to 3. None for  
R-4.

At the request of the applicant in  
person, **S.O. 18/11/2019.**

**Member (J)**

dnk.

O.A. No. 83/2019 (SB)

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

**Dated : 13.11.2019**

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

2. The facts are that the departmental inquiry was initiated and the Inquiry Officer submitted the report exonerating the applicant. It is case of the respondents that the Disciplinary Authority disagreed with the view of the Inquiry Officer and therefore the Disciplinary Authority informed the applicant the reasons for the disagreement and called upon him to submit his reply. It is case of the respondents that time is required to take decision. In this situation, the respondents are directed to pass final order in this matter within two weeks and on their failure to do so, they shall release all the retiral benefits to the applicant.

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

Steno copy is granted...

**Member (J)**

dnk.

O.A. No. 226/2019 (SB)

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

**Dated : 13.11.2019**

Heard Shri W.G. Paunikar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. It is contention of the learned P.O. that after re-marriage of the applicant the salary to which the deceased was entitled till attaining his superannuation, is not paid to the applicant and there is G.R. issued by the Government in this regard. The learned P.O. is directed to file that G.R. on record.

**S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 688/2019 (SB)

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

**Dated : 13.11.2019**

Heard Shri S.N. Gaikwad, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3, Shri P.P. Deshmukh, Id .counsel for R-4 and Shri N.R. Saboo, Id. counsel for R-5.

The respondent nos. 2&3 have filed their reply and in para-6 they have placed reliance on Government Notification dated 11/05/2017. The respondent nos.2&3 are directed to produce the said Notification.

**S.O. one week.**

**Member (J)**

dnk.

O.A. No. 891/2019 (SB)

(S.D. Kalbage Vs. State of Mah. & Ors.)

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

**Dated : 13.11.2019**

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

2. The applicant is challenging the transfer order dated 08/11/2019 by which the applicant is transferred from Andhera, Tq. Deoulgaon Raja to Buldhana Collectorate. It is submitted that the transfer is mid-term transfer and no reasons are recorded and approval of the Higher Authorities of the Transferring Authority not obtained, therefore, the transfer is illegal. It is submitted that the applicant is yet not relieved. In such situation, status-quo as on today be maintained so far as transfer of the applicant is concerned.

3. Issue notice to R-2 to 5, returnable **after two weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of

date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

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

Steno copy is granted...

**Member (J)**

dnk.

