

O.A. 159/2013 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

Shri S.P. Palshikar, learned counsel for the applicants and Shri A.M. Ghogre, learned P.O. for the respondents.

At the request of Id. counsel for the applicants, **S.O. 10/1/2022.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 700/2020 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

Heard Shri C.A. Joshi, learned counsel for the applicants and Shri A.P. Potnis, learned P.O. for the respondents.

2. The Id. P.O. seeks further time .Time is granted.

3. As submitted by the Id. counsel, the matter be listed in order matter for hearing on C.A.

**S.O. 18/1/2022.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 792/2018 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

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

At the request of Id. counsel for R-4, **S.O.**  
**two weeks** for filing second set.

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 189/2010 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

None for the applicant. Heard Shri A.M. Khadatkar, Id. P.O. for R-1,2&4. None for other respondents.

2. The Id. P.O. submits that file is not traceable and therefore he seeks further time.

3. At the request of Id. P.O., **S.O.**  
**18/01/2022.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 753/2010 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

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

**S.O. four weeks.**

**Member (J)**

**Vice-Chairman**

dnk.

(D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

**C.A. 72/2020 in O.A. 429/2017 -**

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

**S.O. Next week.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 500/2017 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

Heard Shri A.D. Girdekar, learned counsel for the applicants and Shri H.K. Pande, learned P.O. for R-1&3. Await service of R-2

At the request of Id. counsel for the applicants, **S.O. two weeks** for filing service affidavit.

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 265/2019 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

None for the applicant. Shri A.P. Potnis,  
Id. P.O. for R-1. Await service of R-2 to 5.

**S.O. four weeks** for filing service  
affidavit.

**Member (J)**

**Vice-Chairman**

dnk.



**O.A. 333/2019 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)**

**Dated : 04/01/2022.**

Heard Shri Barhate, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The Id. P.O. files reply of respondents. It is taken on record. Copy is given to the other side. The Id. P.O. submits that it is sufficient to decide the matter.

3. The matter is admitted and kept for final hearing.

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

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

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 805/2019 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)**

**Dated : 04/01/2022.**

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

2. The Id. P.O. files reply of R-2&3. It is taken on record. Copy is given to the other side. The Id. P.O. submits that it is sufficient to decide the matter.

3. The matter is admitted and kept for final hearing.

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

**S.O. 25/01/2022.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 193/2020 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

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

2. The Id. counsel for the applicant submits that in this matter he has not received instructions. He further submits that the matter can be admitted.

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

**S.O. 25/01/2022.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 165/2020 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

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

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

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 777/2020 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

Heard Shri A.C. Dharmadhikari, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. As pointed out by the Id. counsel in order dated 12/3/2021 absence period of applicant has been condoned. However his payment as mentioned in para-4 of the order is yet to be done.

3. The Id. P.O. desires two weeks time to take necessary instructions in this regard.

**S.O. two weeks.**

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 876/2020 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)**

**Dated : 04/01/2022.**

Heard Ms. A. Singh, Id. counsel holding for Shri P.D. Meghe, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. The Id. P.O. files reply of R-2 to 4. It is taken on record. Copy is given to the other side. The Id. P.O. submits that it is sufficient to decide the matter.

3. The matter is admitted and kept for final hearing.

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

5. In the meanwhile, Id. counsel is at liberty to file rejoinder, if any.

6. The interim relief granted in para-2 of the order dated 10/12/2020 to continue till next date.

**S.O. 27/1/2022.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 72/2021 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

Heard Shri G.K. Bhusari, 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. three weeks** for filing reply.

Put up along with other connected matter.

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 73/2021 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

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

2. The Id. P.O. files reply of R-1 to 3. It is taken on record.

3. The matter is admitted and kept for final hearing.

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

**S.O. three weeks.**

Put up along with other connected matter.

**Member (J)**

**Vice-Chairman**

dnk.



O.A. 1048/2021 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

Heard Shri S.P. Palshikar, learned counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

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

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 396/2018 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

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

2. As submitted by the Id. counsel, no due certificate of salary of June,2019 and C.Rs. copies of the applicant is pending with respondent no.4. (the respondent nos.5&6 have been already deleted.)

3. The respondent no.4 is directed to supply these copies to the concerned authority at the earliest.

4. The Id. P.O. submits that he has received the compliance order from the department and he will file the same within one week.

**S.O. one week.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 554/2020 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

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

2. As submitted by Id. P.O., the reply is already filed on record.

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

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

Put up along with other connected matter.

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 555/2020 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

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

2. As submitted by Id. P.O., the reply is already filed on record.

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

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

Put up along with other connected matter.

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 612/2017 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

Heard Shri P.S. Sahare, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1&2 and Shri S. Yerawar, Id. counsel for R-3.

2. The learned counsel for the applicant desires further time to file amendment application. He is directed to file the same in office. The Id. counsel submits that the matter is pending before the Hon'ble High Court.

3. Since the matter is pending before the Hon'ble High Court, the matter be kept after the decision of Hon'ble High Court.

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 449/2005 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)**

**Dated : 04/01/2022.**

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

2. As submitted by Id. P.O., the order dated 17/10/2002 (Annex-A-VI, P-25&26) and order in appeal dated 25/5/2005 (Annex-A-VII, P-27&28) were passed in 2002 and 2005 respectively. When the O.A. was filed, that time the applicant was aged about 47 years. Now the applicant had already retired. It appears that the applicant may not be interested in prosecuting the matter. However, today none appeared for the applicant.

**S.O. after two weeks for disposal (PH).**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 637/2014 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

None for the applicant. Heard Shri A.M. Ghogre, Id. P.O. for R-1 to 3. None for other respondents.

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

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 391/2015 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

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

**S.O. four weeks.**

**Member (J)**

**Vice-Chairman**

dnk.



O.A. 749/2013 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

Heard Shri S.R. Jaiswal, Id. counsel holding for Shri V.R. Thote, Id .counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. four weeks**. Time is granted as a last chance.

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 760/2015 (D.B.)

**Coram:** Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Member(J)

**Dated :** 04/01/2022.

None for the applicant. Heard Shri M.I. Khan, Id. P.O. for R-1 to 3. None for other respondents.

2. The Id. P.O. has filed letter dated 3<sup>rd</sup> September, 2021 issued by the Joint Secretary of Revenue and Forest Department (Govt. of Maharashtra). It is taken on record and marked Exh-X for identification. As per para-3 of the said letter, the grievance of the applicant has been solved.

3. Since the decision of the Government is in favour of applicant and his grievance has been solved, therefore, nothing survives in this O.A. Hence, the O.A. stands disposed off. No order as to costs.

**Member (J)**

**Vice-Chairman**

\*dnk.

**O.A.No.102/2017 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

**C.A.No.499/2017:-**

Heard Shri S.N.Gaikwad, the Id. counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents.

2. The Id. P.O. states that on next date he will positively file reply. He seeks time of three weeks, **S.O. three weeks.**

**Member (J)**

**Date:-04/01/2022.**  
aps.

O.A.No.284/2018 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

**C.A.No.51/2021:-**

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

2. **C.A.No.51/2021 for bringing L.Rs. on record is allowed and disposed of.** Necessary amendment shall be carried out within one week. Reply filed by Id. P.O. on behalf of the respondent no. 3 is taken on record.

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

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

5. **S.O. two weeks.**

**Member (J)**

**Date:-04/01/2022.**  
aps.

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

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

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

2. The Id. P.O. has filed reply on behalf of the  
respondent no. 2 is taken on record. **S.O. four  
weeks.**

**Member (J)**

**Date:-04/01/2022.**  
aps.

**O.A.No.1001/2018 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

None for the applicant. Shri V.A.Kulkarni, the  
Id. P.O. for the Respondents. Await service of R-10.

2. It is pointed out by Id. P.O. that respondent  
no. 10 is yet to be served. None for the applicant.  
Applicant to take necessary steps.

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

**Member (J)**

**Date:-04/01/2022.**  
aps.

O.A.No.322/2019 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri A.D.Girdekar, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

2. Statement made by Id. P.O. that reply of respondent no. 4 was suffice to heard the matter finally. Matter is **admitted** and it be kept for final hearing.

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

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

**Member (J)**

**Date:-04/01/2022.**  
aps.

O.A.Nos.567&568/2019 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri A.Barahate holding for Shri N.R.Saboo, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

2. The Id. P.O. states that reply of R-4 which is already filed shall suffice to decide the matter finally. Hence, matter is **admitted** and kept for final hearing.

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

4. At the request of Id. P.O., **S.O. four weeks for final hearing.**

**Member (J)**

**Date:-04/01/2022.**  
aps.



**O.A.No.751/2019 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri P.A.Jibhkate, the Id. counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents. There is a leave note of Id. counsel for R-4 & 5.

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

**Member (J)**

**Date:-04/01/2022.**  
aps.

O.A.No.1065/2019 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

None for the applicant. Shri A.P.Potnis, the Id. P.O. for the Respondent Nos. 1, 2 & 4. None for R-3.

2. Order dated 23.01.2020 shows that hamdast was allowed. Record further shows that the applicant has so far not collected hamdast.

3. Hence, **matter is dismissed in default.**

**Member (J)**

**Date:-04/01/2022.**  
aps.

**O.A.No.142/2020 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

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

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

**Date:-04/01/2022.**  
aps.

**Member (J)**

**O.A.No.234/2020 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

None for the applicant. Shri S.A.Sainis, the Id.  
P.O. for the State. Await service of R-2 & 3.

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

**Member (J)**

**Date:-04/01/2022.**  
aps.

O.A.No.252/2020 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

None for the applicant. Shri H.K.Pande, the  
Id. P.O. for the Respondents.

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

**Member (J)**

**Date:-04/01/2022.**  
aps.

O.A.Nos.325,326&327/2020 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri G.G.Bade, the Id. counsel for the applicant and Shri S.A.Sainis, 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:-04/01/2022.**  
aps.

O.A.No.142/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

None for the applicant. Shri H.K.Pande, the  
Id. P.O. for the Respondents.

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

**Member (J)**

**Date:-04/01/2022.**  
aps.

**O.A.No.522/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri J.H.Aloni, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents. None for R-2 & 3.

2. It is submitted by the Id. counsel for the applicant that order dated 08.10.2021 passed by this Tribunal has not been so far complied with. Said order was to be complied with by respondent nos. 2 & 3. Today, no-one is present for R-2 & 3. The Id. counsel for the applicant and Id. P.O. submits that the matter be heard finally. Hence, mater is **admitted** and kept for final hearing.

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

4. **S.O. 12.01.2022.**

**Member (J)**

**Date:-04/01/2022.**  
aps.



O.A.No.599/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

None for the applicant. Shri M.I.Khan, the Id.  
P.O. for the Respondents.

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

**Member (J)**

**Date:-04/01/2022.**  
aps.

O.A.No.601/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri N.R.Saboo, the Id. counsel for the applicant and 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:-04/01/2022.**  
aps.

O.A.No.757/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri A.D.Girdekar, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State. Await service of R-2 & 3.

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

**Member (J)**

**Date:-04/01/2022.**

aps.

**O.A.No.866/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Ms. A.Singh, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the Respondents.

2. Reply filed by Id. C.P.O. on behalf of respondent no. 6 is taken on record. He seeks time of three weeks to file reply on behalf of the respondent nos. 1 to 3, **S.O. three weeks.**

**Date:-04/01/2022.**  
aps.

**Member (J)**

O.A.No.950/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Ms. S.M.Tripathi, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State. Await service of R-2 to 5.

2. The Id. counsel for the applicant states that today she will file service affidavit in the office. **S.O. four weeks.**

**Member (J)**

**Date:-04/01/2022.**  
aps.

O.A.No.1062/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Ms. S.D.Kale, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of R-2 to 6.

2. The Id. counsel for the applicant requested one week time to file service affidavit, subsequently Id. P.O. seeks time to file reply, **S.O. four weeks.**

**Member (J)**

**Date:-04/01/2022.**  
aps.

**O.A.No.913/2019 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

None for the applicant. Shri V.A.Kulkarni, the Id. P.O. for the Respondents and Smt. J.J.Aikari, the Id. counsel for the R-2 to 5.

2. The Id. counsel for the respondent nos. 2 to 5 submits that necessary paper work has been made in toto. Today, no-one is present for the applicant. It would be necessary to hear the applicant, **S.O. four weeks.**

**Member (J)**

**Date:-04/01/2022.**  
aps.

**O.A.No.964/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

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

2. By order dated 21.12.2021 the applicant was directed to make statements on the point of territorial jurisdiction. Today, no-one is present for the applicant, **S.O. one week.**

**Later on:-**

Shri R.L.Kadu, the Id. counsel for the applicant present and concedes that Auragabad Bench of M.A.T. has jurisdiction to hear this matter. He seeks permission to withdraw the matter with liberty to file it before Auragabad Bench of M.A.T..  
**Hence, it is disposed of.**

**Date:-04/01/2022.**  
aps.

**Member (J)**



**O.A.No.1024/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Shri R.L.Kadu, 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:-04/01/2022.**

aps.

**O.A.No.625/2016 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri S.M.Pande, the Id. counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents.

2. The Id. P.O. states that copy of affidavit filed in the matter shall be supplied to the Id. counsel for the applicant during the course of the day. The Id. counsel for the applicant seeks time to go through the same for arguing the matter. **S.O. two weeks.**

**Member (J)**

**Date:-04/01/2022.**  
aps.

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

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Smt. Tripathi holding for Shri D.I.Charlewar, the Id. counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents.

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

**Member (J)**

**Date:-04/01/2022.**

aps.

**O.A.No.739/2018 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri P.D.Meghe, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

2. **Closed for orders.**

**Date:-04/01/2022.**  
aps.

**Member (J)**

**O.A.No.642/2019 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

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

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

**Member (J)**

**Date:-04/01/2022.**  
aps.

**O.A.No.96/2020 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

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

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

**Member (J)**

**Date:-04/01/2022.**  
aps.

**O.A.No.723/2020 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri S.N.Gaikwad, 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 seeks time till Monday to place on record the notification in support of prayer made in the application, **S.O. Monday i.e. 10.01.2022.**

**Member (J)**

**Date:-04/01/2022.**  
aps.



**O.A.No.585/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri S.K.Patil, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. The Id. P.O. seeks time of two days to take instructions and make statement in pursuant to order dated 03.12.2021 passed by this Tribunal, **S.O. 06.01.2022.**

**Member (J)**

**Date:-04/01/2022.**  
aps.

**O.A.No.902/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri S.P.Palshikar, the Id. counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the Respondent nos. 1 & 2 and Shri S.N.Gaikwad, the Id. counsel for the R-3.

2. **Closed for orders.**

**Member (J)**

**Date:-04/01/2022.**

aps.

**Rev.01/21inO.A.No.100/20inC.A.398/21 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri H.K.Pande, Id. P.O. for the applicants (Original Respondents) and Shri G.K.Bhusari, Id. counsel for the respondent (Original Applicant).

2. **C.A. No.398/2021 for amendment is allowed.** The Id. counsel for the applicant is directed to carryout the amendment within one week. He is further directed to supply the same to the other side.

3. After amendment matter be kept for final hearing, **S.O. two weeks.**

**Member (J)**

**Date:-04/01/2022.**  
aps.

**O.A.No.08/2022 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated :04/01/ 2022.**

Heard Shri N.R.Saboo, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. The applicant has impugned order of his transfer dated 03.01.2022 (A-4) from Butibori to Kanan Pimpri. In the impugned order it is mentioned that it has been passed in accordance with the 'Maharashtra Government Servant Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'. In the impugned order there is specific reference of Sub Sections 4 & 5 of the said Act. In the column of remarks it is stated that the transfer was made for Administrative reasons.

3. It is submitted on behalf of the applicant that the transfer of the applicant is malafide and it has been effected only to accommodate one Shri Vijay Deshmukh.

4. According to the applicant, in view of G.R. dated 29.07.2021 (A-3) transfer could not have been effected even for special reasons beyond the deadlines of 30.08.2021 stipulated therein.

5. On behalf of the applicant reliance is placed on "**S.B.Bhagwat Vs. State of Maharashtra and Ors. 2012 (3) Maharashtra Law Journal 197.**" In this case the Hon'ble Bombay High Court has held that merely calling a special case does not constitute sufficient reason for transfer.

6. The applicant has placed on record transfer order of one Shri Jumma Pyarewale. He has been transferred from Wadi to Butibori in place of the applicant. Transfer order of Shri Jumma Pyarewale is at A-5 and at A-6 there is transfer order of Shri Vijay Deshmukh who has been transferred from Nagpur to Wadi on the post which has fallen vacant on account of transfer of respondent no. 3.

7. In the connected application bearing O.A. No. 07/2022, Shri Vijay Deshmukh has filed caveat. According to the caveator he has already taken over charge on his new place of posting. While countering this submission the applicant contends that whatever is asserted by the caveator is contrary to Rule 31 of 'Maharashtra Civil Services (General Condition of

Services) Rules, 1981. Heading of said Rule is "Charge must be handed over at the head quarter, both relieved and relieving servant to be present".

8. It is submitted by the Id. C.P.O. that it would be necessary to ascertain from the record whether special reasons have been recorded while transferring the applicant. In reply it is submitted on behalf of the applicant that even for special reasons transfer could not have been effected beyond the time frame of 30.08.2021 which is stipulated in G.R. dated 29.07.2021.

9. There is a dispute as to whether the caveator in connected matter/ respondent no. 3 in this application has taken over charge of his new post. To thrash out this disputed question it would be necessary to call for and go through the record. For the present an order of status-quo would be just and proper. Status-quo shall be maintained till the next date. Respondent no. 1 shall produce record so that it may be ascertained whether or not Sub-Sections 4 and 5 of Section 4 of the Act have been complied with.

10. Issue notice to Respondents, returnable on four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

12. 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.

13. 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.

14. 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.

15. 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.

16. **S.O. four weeks.**

**Member (J)**

**Date:-04/01/2022.**

aps.

**O.A.No.07/2022 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**

**Dated :04/01/ 2022.**

Heard Shri S.N.Gaikwad, the Id. counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the State and Shri N.S.Warulkar, the Id. counsel for the caveator.

2. The applicant has impugned order of his transfer dated 03.01.2022 (A-2) from Wadi to Butibori. In the impugned order it is mentioned that it has been passed in accordance with the 'Maharashtra Government Servant Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'. In the impugned order there is specific reference of Sub Sections 4 & 5 of the said Act. In the column of remarks it is stated that the transfer is made on the post which has fallen vacant on account of transfer of Shri Rajendra Pandurang Chikkalkhunde (who is the applicant in connected O.A. No. 08/2022).

3. It is submitted on behalf of the applicant that the transfer of the applicant is malafide and it has been effected only to accommodate Respondent no. 4.

4. According to the applicant, in view of G.R. dated 29.07.2021 (A-4) transfer could not have been effected after the deadlines of 30.08.2021 stipulated therein was passed.

5. On behalf of the applicant reliance is placed on "**S.B.Bhagwat Vs. State of Maharashtra and Ors. 2012 (3) Maharashtra Law Journal 197.**" In this case the Hon'ble Bombay High Court has held that merely calling a special case does not constitute sufficient reason for transfer. Perusal of the impugned order shows that the applicant is transferred on the post held so far by Shri Rajendra Pandurang Chikkalkhunde

6. The Caveator/Respondent no. 4 has opposed grant of interim relief on the ground that he has already joined on the new/transferred post. This has been seriously disputed by the applicant. So far as this aspect is concerned, the applicant has relied on Rule 31 of

'Maharashtra Civil Services (General Condition of Services) Rules, 1981. Heading of said Rule is "Charge must be handed over at the head quarter, both relieved and relieving servant to be present".

7. It is contended on behalf of the applicant that in the absence of order relieving the applicant there would be no reason or ground to presume that respondent no. 4 has joined on the new post. Reliance is also placed by the applicant on Annexure-2 to point out that said order expressly refers to one Shri Bhumekar having been relieved and not the applicant.

8. It is submitted by the Id. C.P.O. that it would be necessary to ascertain from the record whether special reasons have been recorded while transferring the applicant. In reply it is submitted on behalf of the applicant that even for special reasons transfer could not have been effected beyond the time frame of 30.08.2021 which is stipulated in G.R. dated 29.07.2021.

9. There is a dispute as to whether respondent no. 4 has taken over charge of his new post. To thrash out this disputed question it would be necessary to call for and go through the record. For the present an order of status-quo would be just and proper. Status-quo shall be maintained till the next date. Respondent no. 1 shall produce record so that it may be ascertained whether or not Sub-Sections 4 and 5 of Section 4 of the Act have been complied with.

10. Issue notice to Respondents, returnable on four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

12. 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.

13. 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.

14. 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.

15. 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.

16. **S.O. four weeks.**

**Member (J)**

**Date:-04/01/2022.**

aps.