

O.A. No.310/2018.

(D.B.)

**Coram:Shri Shree Bhagwan,**  
**Vice-Chairman**

**Dated : 14<sup>th</sup> June 2019.**

None for the applicant. Shri H.K. Pande, the learned P.O. for the respondent No.1.

Await service to R.2.

S.O. **three weeks.**

Vice-Chairman

Dt. 14.6.2019.

pdg.

O.A. No.556/2018.

(D.B.)

**Coram:Shri Shree Bhagwan,**  
**Vice-Chairman**  
**Dated : 14<sup>th</sup> June 2019.**

None for the applicant. Shri H.K. Pande, the learned P.O. for the respondent No.1.

Await service to R.2 and 3.

S.O. **three weeks.**

Vice-Chairman

Dt. 14.6.2019.

pdg.

O.A. No.127/2019.

(D.B.)

**Coram:Shri Shree Bhagwan,**  
**Vice-Chairman**

**Dated : 14<sup>th</sup> June 2019.**

None for the applicant. Shri H.K. Pande, the learned P.O. for the respondents.

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

Vice-Chairman

Dt. 14.6.2019.

pdg.

O.A. No.141/2019.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman**

**Dated : 14<sup>th</sup> June 2019.**

Shri S.N. Gaikwad, Adv. holding for Shri R.V. Shilalkar, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

Ld. P.O. submits that reply is ready, however, he seeks one week's time.

S.O. **one week.**

Vice-Chairman

Dt. 14.6.2019.

pdg.

O.A. No.175/2019.

(D.B.)

**Coram:Shri Shree Bhagwan,**  
**Vice-Chairman**  
**Dated : 14<sup>th</sup> June 2019.**

None for the applicant. Shri H.K. Pande, the learned P.O. for the respondents.

Ld. P.O. has filed reply on behalf of R.2, it is taken on record. He further submits that it will cover for other respondents.

**ADMIT.**

Shri H.K. Pande, the learned P.O. waives notice for all the respondents.

S.O. **four weeks** for final hearing.

Vice-Chairman

Dt. 14.6.2019.

pdg.

**O.A.Nos.422,431,432,433,434 & 473 of 2016.  
(S.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman  
Dated : 14<sup>th</sup> June 2019.**

Shri S.N. Gaikwad, the Ld. counsel for the applicants and Shri S.A. Sainis, the learned P.O. for the respondents.

The Ld. counsel for the applicants has placed on record a decision of Principal Bench of this Tribunal at Mumbai in O.A. No. 166/2016, order delivered on 15.12.2016 and he submits that this order passed by Principal Bench of this Tribunal at Mumbai covers the issue involved in this O.A. However, while perusing the record, it appears that in the order sheet dated 24.4.2019 in para No.2, it is clearly mentioned that the matters are partly heard.

In this background, it will be appropriate that this O.A. should be heard in the same Court only on the next date.

**S.O. 25<sup>th</sup> June 2019 at 3.00 p.m.**

Vice-Chairman

Dt. 14.6.2019.

pdg.



**O.A.No.722/2018 (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

Heard Shri A.A.Syed, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. As per the order dated 06.06.2019 in para no. 2 following observations have been made, which are below :-

*The Id. counsel for the applicant is directed to serve the interrogatories on the respondents in order to know, whether the closing date for submitting application for post which was earlier 17.03.2017 was extended upto 20.03.2017.*

3. However, the Id. counsel for the applicant submits that he tried to get it from respondent no. 5, but he could not get the same.

4. In view of this, the Id. P.O. is directed to get this clarification about Interrogatories from respondent no. 5 and officially place on record. The question involved is that in advertisement dated 24.02.2017 (Annexure-A-1) last date is mentioned on P.B., Pg. No. 17, it is mentioned in tabular form i.e. 17/03/2017. In applicant's application on P.B., Pg. No. 53, the date is mentioned as 19.03.2017. In reply, respondents have



submitted in para no. 4 that last date of online application was 20.03.2017.

5. However, the Id. counsel for the applicant pointed out that form filled by the applicant at P.B., Pg. No. 54 in which point nos. 4 & 5 last date of verification of certificate is mentioned as 20.03.2017.

6. Now, this clarification have to be made by respondent no. 5. Since, the Id. counsel for the applicant could not get it. In the interest of Justice, the Id. P.O. is directed to take it from respondent no. 5 and submit the same in next date of hearing.

**7. S.O. 27/06/2019.**

8. *Steno copy is granted.*

**Vice Chairman**

**Date:-14/06/2019.**

aps.

**O.A.No.199/2018 (S.B.)**

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

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

2. The issue involves is for the appointment of L.R's in case of compassionate ground. The Id. P.O. has received parawise comment. He desires one week time to file reply.

**3. S.O. 21.06.2019.**

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

**O.A.Nos.414, 415, 416/2018 (S.B.)**

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

**C.A.Nos.192, 193 & 194/2019:-**

Heard Shri S.D.Malke, the Id. counsel for the applicant, Shri P.N.Warjurkar the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. R-3.

2. The Id. Counsel for the applicant has filed C.As. for amendment. Since he received the old documents regarding the issue involved.

3. In view of this, all the C.As. are allowed. The Id. P.O. is directed to file reply on the amended part of the O.A..

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

5. *Put up this matter along with the O.A. No. 417/2018.*

**Vice Chairman**

**Date:-14/06/2019.**

aps.

O.A.No.650/2018 (S.B.)

Coram: Shri Shree Bhagwan,  
Vice Chairman

Dated: 14<sup>th</sup> June 2019.

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

2. The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side.

3. However, by record it seems that in O.A. No. 865/2017, order has been passed on 08.01.2018 and in para nos. 4 & 5, directions have been given to decide the representation filed by the applicant on 24.04.2017. Such decision shall be taken within a week from the date of this order. I fail to understand that why this order in not compliance till now.

4. The respondent nos. 2 & 3 are directed to take proper decision on the representation filed by the applicant on 24.04.2017 **within two weeks** from the date of this order and communicate the same to the Tribunal and Applicant too.

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

**Date:-14/06/2019.**  
aps.

**Vice Chairman**

O.A.No.797/2018 (S.B.)

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

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

2. The order was passed on 10.10.2018 and again order was passed on 24.10.2018 in which the Id. P.O. has submitted as follows:-

A. *The respondent no. 1 is directed to take a decision on letter by respondent no. 2 dated 03/01/2018 bearing number th, l , l @, el h@uk&ns ] uk&pl&J 'Ah i ek.Ai = @MwW ijpM@fo-'hsv@ukxij@3c 144 **within two weeks** from the date of this order and communicate to the respondent no. 2-*

B. *Provisional Pension of the applicant must be started **within two weeks** from the date of this order.*

C. *The Id. P.O. seeks time to file affidavit-in-reply. At his request, **S.O. 24/10/2018.***

*The Id. P.O. submits that two weeks time is required to comply the interim order passed by this Tribunal on 10/10/2018 and four week time is required for filing reply. Two weeks time is granted to comply the*

*interim order as a last chance and four week time is granted to file reply.*

3. However, the Id. counsel for the applicant pointed out that both the orders has not been complied till now.

4. In view of this, respondent nos. 2 and 3 should personally remain present before this Tribunal and explain that why the order has not been complied.

**5. S.O. 28/06/2019.**

*6. If the order is complied before 28/06/2019, they should file the affidavit for compliance report.*

7. *Steno copy is granted.*

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

O.A.No.297/2019 (S.B.)

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

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

2. The Id. P.O. desires one week time to file reply. **S.O. one week.**

**Vice Chairman**

**Date:-14/06/2019.**  
aps.



O.A.No.299/2019 (S.B.)

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

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

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

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

O.A.No.301/2019 (S.B.)

Coram: Shri Shree Bhagwan,  
Vice Chairman

Dated: 14<sup>th</sup> June 2019.

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the respondent no 1. Await service of respondent no. 2.

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

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

**O.A.Nos.368, 369, 370 & 371/19 (S.B.)**

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

**C.A.Nos.215, 216, 217 & 218/2019:-**

Heard Shri G.G.Bade, the Id. counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has filed C.As., by which he desires to add more respondents and also some facts. As agreed by Id. P.O., amendment part is allowed. The Id. P.O. is directed to file reply on the amended portion of the O.A.

3. Issue notice to the newly added respondents, returnable on three 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.

9. **S.O. three weeks.**

**Vice Chairman**

**Date:-14/06/2019.**

aps.

O.A.St.No.791/2019 (S.B.)

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

**C.A.No.152/2019:-**

Heard Shri A.Upasani, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State.

2. The Id. counsel for the applicant has filed C.A.No.152/2019 and desires condonation of delay of four years. The Id. P.O. seeks time to file reply on condonation of delay application.

3. At the request of Id. P.O., **S.O. three weeks** to file reply on condonation of delay application.

**Vice Chairman**

**Date:-14/06/2019.**

aps.

O.A.No.272/2019 (S.B.)

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

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

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

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

O.A.No.280/2019 (S.B.)

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

Heard Shri S.N.Gaikwad holding for Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State.

2. The Id. Counsel is advice to make Project Officer, Tribal Development Department also as respondents.

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

**Vice Chairman**

**Date:-14/06/2019.**

aps.

O.A.No.312/2019 (S.B.)

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

Heard Shri S.N.Gaikwad, the Id. counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the State.

2. The Id. P.O. seeks time to file reply. **S.O. four weeks.**

**Vice Chairman**

**Date:-14/06/2019.**  
aps.



**O.A.No.23/2019 (S.B.)**

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

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

2. As per the order dated 10.06.2019, the Id. P.O. has filed letter dated 14.06.2019, it is taken on record. Copy is served to the other side. By the said letter, it appears that applicant was suspended on 19.03.2018 and after that review committee meeting has taken place on 13.08.2018, 06.11.2018, 14.02.2019 and last meeting on 16.05.2019. The Id. P.O. has filed minutes of meeting of all the review committee meetings which are taken on record, copy of the same are given to the Id. counsel for the applicant too.

3. Respondents are directed to take next review meeting as early as possible and take proper decision in the light of various Judgments of Hon'ble Apex Court:-

(i) The Apex Court in Civil Appeal No. 1912 of 2015 (arising out of SLP No.31761 of 2013) in the case of Ajay Kumar Chaudhary Vs. Union of India through its Secretary and

another in its Judgment dated 16/02/2015 in para no. 14, it has observed that :-

*14 We, therefore, direct that the currency of a Suspension Order should not extend beyond three months if within this period the Memorandum of Charges/Chargesheet is not served on the delinquent officer/employee; if the Memorandum of Charges/Chargesheet is served a reasoned order must be passed for the extension of the suspension. As in the case in hand, the Government is free to transfer the concerned person to any Department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The Government may also prohibit him from contacting any person, or handling records and documents till the stage of his having to prepare his defence. We think this will adequately safeguard the universally recognized principle of human dignity and the right to a speedy trial and shall also preserve the interest of the Government in the prosecution. We recognize that previous Constitution Benches have been reluctant to quash proceedings on the grounds of delay, and to set time limits to their duration. However, the imposition of a limit on the period of suspension has not been discussed in prior case law, and would not be contrary to the interests of justice. Furthermore, the direction of the Central Vigilance Commission that pending a criminal investigation departmental proceedings are to be held in abeyance stands superseded in view of the stand adopted by us.*

(ii) The Hon'ble Apex Court in its Judgment in Civil Appeal No. 8427-8428 of 2018 (Arising out of S.L.P. (Civil) No. 12112-12113 of 2017) in the case of State of Tamil Nadu Vs. Pramod Kumar IPS and Anr. delivered on 21/08/2018 in its para no. 23 had observed as follows:-

*23. This Court in Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291 has frowned upon the practice of protracted suspension and held that suspension must necessarily be for a short duration. On the basis of the material on record, we are convinced that no useful purpose would be served by continuing the first Respondent under suspension any longer and that his reinstatement would not be a threat to a fair trial. We reiterate the observation of the High Court that the Appellant State has the liberty to appoint the first Respondent in a non sensitive post.*

The order of Principal Bench of this Tribunal, Mumbai delivered on 11.9.2018 in O.A. No.35/2018 should be also taken into account while taking decision in this case.

4. The matter is **admitted** and kept for final hearing.
5. The Id. P.O. waives notice for the respondents.
6. **S.O. third week of August 2019.**

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

**O.A.No.67/2019 (S.B.)**

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

Heard Shri Barun Kumar holding for Shri N.B.Rathod, the Id. counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State.

2. Issue notice to R-2 & 3, returnable on four weeks. Learned 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.**

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

O.A.No.432/2019 (S.B.)

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

Heard Shri T.U.Tathod, the Id. counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the State and Shri S.A.Sainis, the Id. P.O. for Caveator i.e. respondent no. 3.

2. Admittedly, the applicant has completed the tenure at Yavatmal and as per the O.A. para no. 6.4, applicant has given first choice i.e. Amravati with transfer order dated 31.05.2019. The applicant is at Sr. No. 01 and been transferred from Yavatmal to Amravati.

3. In view of this facts, nothing survives in the O.A. and **O.A. is dismissed at this stage only with no order as to costs.**

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

O.A.No.433/2019 (S.B.)

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

Heard Shri T.U.Tathod, the Id. counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the State and Shri S.A.Sainis, the Id. P.O. (Caveator) for respondent no. 3.

2. Admittedly, the applicant has completed the tenure at Yavatmal and he has made an application dated 07.06.2019 (Annexure-A-5) to retain him at Yavatmal only. However, he has been transferred to Washim.

3. Respondents are directed to consider the applicant's request application at P.B., Pg. No. 22, dated 07/06/2019 (Annexure-A-5).

**With this direction, the O.A. stands disposed of with no order as to costs.**

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

O.A.No.434/2019 (S.B.)

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

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

2. The Id. Counsel for the applicant relied upon the G.R. No. , I vkj0gh&2017@i z d z 415@cl k; k u 12] fnukd 09-04-2018 at para no. clause (d) (1) at P.B., Pg. No.33 and he has also relied on G.R.No. fVvkj, Q&2000@i z d z 3@ckjk] dated 06.08.2002 at P.B., Pg. No. 53 (Annexure-A-7) and relevant portion is at Para no. 5 at P.B., Pg. No.54 of the same G.R..

3. In view of these facts, respondents are directed to consider the applicant's representation and choice given before transfer and communicate the same to the applicant accordingly.

4. With this directions, **the O.A. stands disposed of with no order as to costs.** *Till the decision of the applicant's request application he should not be relieve from the present posting.*

5. **Steno copy is granted.**



**Date:-14/06/2019.**  
aps.

**Vice Chairman**

**O.A.No.292/2016 (S.B.)**

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

Heard Shri S.C.Deshmukh, the Id. counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 to 3. None for the respondent nos. 4 to 7.

2. The Id. Counsel for the applicant has preferred an appeal regarding adverse entry in the C.R. dated 01/04/2014 to 20/12/2014 (P.B., Pg. No.59 and 60) then in C.R. dated 21/12/2014 to 31/03/2015 at P.B., Pg. Nos. 63 & 64. The applicant has preferred an appeal against the C.R. which is at P.B., Pg. Nos. 65 to 71 (Annexure-A-18) before Special Inspector General of Police, Nagpur Range, Nagpur. Main charge against the applicant was that 12 cases were pending for enquiry for which applicant has explained and denied by his representation at P.B., Pg. No. 65 to 71 (Annexure-A-18).

3. The applicant was Probationary Sub Inspector during this period and was confirmed in services vide order dated 24/07/2015 at P.B., Pg. Nos. 54 & 55 (Annexure-A-14). The applicant is at Sr. No. 40, in starting of this order, it is mentioned

that everything was satisfactory. This order contradicts adverse comments in C.Rs. dated 01.04.2014 to 20.12.2014 and dated 21.12.2014 to 31.03.2015.

4. The Id. P.O. has filed the Apex Court Judgment of **Hon'ble Delhi High Court in the case of Rajendra Sareen Vs. State of Haryana and Ors., (1973) 3 SCC 417** which is not relevant to the present O.A..

3. In view of this contradictory stands taken by respondents, following orders:-

### **ORDER**

1. The applicant adverse entry in the C.R. during period from 01.04.2014 to 20.12.2014 at P.B. 59 and 60 and subsequently from 21.12.2014 to 31.03.2015 at P.B., Pg. Nos. 63 and 64 are quashed and set aside. The applicant's C.R. of this period is graded as B+ since the applicant has been confirmed in service vide order dated 24.07.2015 (Annexure-A-14).

**2. The O.A. is disposed of with no order as to costs.**

**Vice Chairman**

**Date:-14/06/2019.**

aps.

O.A.No.240/2017 (S.B.)

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

Heard Shri Barun Kumar holding for Shri N.B.Rathod, the Id. counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent nos. 3 & 4.

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

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

O.A.No.417/2018 (S.B.)

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated : 14<sup>th</sup> June 2019.**

Heard Shri S.D.Malke, the Id. counsel for the applicant, Shri P.N.Warjurkar the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. R-3.

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

3. *Put up this matter along with the O.A. Nos. 414, 415 & 416/2018.*

**Vice Chairman**

**Date:-14/06/2019.**

aps.

**O.A.No.651/2018 (S.B.)**

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

Heard Shri V.A.Kothale, the Id. counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

2. The Id. Counsel for the applicant submits that, the applicant aggrieved of order dated 29/01/2018 (Annexure-R-1) by respondent no. 3. As submitted by Id. counsel for the applicant, Court order delivered on 23.12.2013 in the court of Additional Session Judge, Pusad, Session Trial No. 77/2004 at P.B., Pg. No. 22, para no. 5, it is mentioned that applicant has been acquitted for offence punishable u/s 302, 330 r/w 109 of IPC. The applicant filed representation against the order dated 29/01/2018.

3. In view of the court's order, the Id. counsel for the applicant is directed to file the copy of the representation before this Tribunal so that further decision can be taken.

**4. S.O. 19/06/2019.**

5. *Matter is treated as P.H..*

**Date:-14/06/2019.**  
aps.

**Vice Chairman**

**O.A.No.528/2018 (S.B.)**

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

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

2. The applicant is retired as a Assistant Sub Inspector, Buckle No. 302 from Motor Transport Department, Amravati City Police. As per the records, the applicant has been given deemed date of seniority. However, applicant is claiming back wages from deemed date of seniority. Applicant's application has been considered by Inspector General, Amravati Range, Amravati and subsequently, matter is gone to the Director General of Police, by the order dated 13/01/2018, P.B., Pg. Nos. 39 to 40 (Annexure-A-8) a detailed order has been passed by Special Inspector General of Police, Establishment of Director General of Police and the same order is implemented. I do not see any reason to interfere with this order.



3. In view of this, **O.A. stands dismissed with no order as to costs.**

**Vice Chairman**

**Date:-14/06/2019.**  
aps.

**O.A.No.436/2019 (S.B.)**

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated: 14<sup>th</sup> June 2019.**

Heard Shri S.M.Bhagde, the Id. counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the State.

2. As submitted by the Id. counsel for the applicant, the applicant joined at Wadsa on 01.01.2015 it means as on today, the applicant has completed in Naxal and Tribal Area more than four years.

3. The Id. counsel for the applicant has invited my attention on G.R. No. d:Vhvkj, Q&2005@i:dz63@05@12] frukd 07-01-2006 (Annexure-A-6). In reference to this G.R., Government circular no. d:Vhvkj, Q&2000 @, e@8@i:dz3@12] dated 11/07/2000 is mentioned as reference 1 and Government G.R. No. d:Vhvkj, Q&2000@i:dz3@12] dated 06/08/2002 is mentioned as reference no. 2.

4. However, in transfer order dated 31/05/2019 (Annexure-A-1) applicant has been again transferred to the Naxal and Tribal Area at Korchi i.e. Gadchiroli District itself. Since, there is no request application on the record. The Id. counsel for the applicant seeks time to file the same on record.

5. S.O. 18.06.2019.

Date:-14/06/2019.  
aps.

**Vice Chairman**