

O.A. No. 316/2019 (D.B.)

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

**Dated :** 28/06/2022.

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

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

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice- Chairman

dnk.

O.A. No. 19/2022 (D.B.)

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

**Dated : 28/06/2022.**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1 to 4. None for Intervener.

At the request of learned counsel for the applicant, **S.O. 11/7/2022** for filing rejoinder.

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice- Chairman

dnk.

O.A. No. 412/2021 (D.B.)

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

**Dated :** 28/06/2022.

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

At the request of learned counsel for the  
applicant, **S.O. 12/7/2022.**

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice- Chairman

dnk.

O.A. No. 382/2005 (D.B.)

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

**Dated : 28/06/2022.**

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

2. The Id. P.O. files reply of R-2. It is taken on record and copy is given to the applicant.

3. The Id. P.O. submits that reply of R-2 is sufficient to decide the matter.

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

**S.O. Next week.**

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

O.A. No. 109/2018 (D.B.)

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

**Dated :** 28/06/2022.

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

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

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

(Shree Bhagwan)  
**Vice- Chairman**

dnk.

O.A. No. 524/2020 (D.B.)

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

**Dated : 28/06/2022.**

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

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

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice- Chairman

dnk.

O.A. No. 935/2020 (D.B.)

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

**Dated : 28/06/2022.**

Heard Shri S.N. Gaikwad, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 29/6/2022 (PH).**

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice- Chairman

dnk.

O.A. No. 731/2020 (D.B.)

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

**Dated :** 28/06/2022.

Mrs. M.D. Awachat, Id. counsel for the applicant, Shri S.A .Sainis, Id. P.O. for R-1 to 3. None for respondent no.4.

At the request of Id. P.O., **S.O. two weeks** for filing reply as a last chance.

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice- Chairman

dnk.



O.A. No. 824/2020 (D.B.)

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

**Dated : 28/06/2022.**

Heard Shri R.Dharmadhikari, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

The Id. counsel for the applicant submits that he has not received copy of reply. He wants to file rejoinder.

The Id. P.O. is directed to supply copy of reply to the learned counsel for the applicant.

**S.O. Next week.**

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

O.A. No. 1073/2021 (D.B.)

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

**Dated : 28/06/2022.**

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

2. The Id. P.O. files reply of R-2. It is taken on record and copy is given to the applicant.

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

4. In the meantime, the applicant is at liberty to file rejoinder, if any.

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

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

O.A. No. 203/2022 (D.B.)

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

**Dated : 28/06/2022.**

Heard Shri S.P. Palshikar, Id. counsel for the applicants 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.

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice-Chairman

dnk.

O.A. No. 335/2022 (D.B.)

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

**Dated : 28/06/2022.**

Heard Shri A.D. Girdekar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondent nos.1&2. None for R-3.

2. The Id. P.O. files reply of R-2. It is taken on record and copy is given to the applicant.

3. The Id. P.O. submits that reply of R-2 is sufficient to decide the matter.

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

**S.O. in due course**

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

O.A. No. 486/2022 (D.B.)

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

**Dated :** 28/06/2022.

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

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

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice- Chairman

dnk.

O.A. No. 490/2022 (D.B.)

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

**Dated :** 28/06/2022.

Heard Shri R.M. Fating, 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. two weeks** for filing reply.

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice-Chairman

dnk.

O.A. No. 626/2022 (D.B.)

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

**Dated : 28/06/2022.**

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

2. Issue notice to the respondents returnable **after six weeks**. Learned C.P.O. waives notice for State. Hamdast allowed.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and

acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

**S.O. after six weeks.**

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

(Shree Bhagwan)  
**Vice- Chairman**

dnk.



O.A. No. 628/2022 (D.B.)

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

**Dated : 28/06/2022.**

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

2. Issue notice to the respondents returnable **after six weeks**. Learned C.P.O. waives notice for State. Hamdast allowed.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and

acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

**S.O. after six weeks.**

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

(Shree Bhagwan)  
**Vice- Chairman**

dnk.

O.A. No. 629/2022 (D.B.)

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

**Dated : 28/06/2022.**

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

2. Issue notice to the respondents returnable **after six weeks**. Learned C.P.O. waives notice for State. Hamdast allowed.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and

acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

**S.O. after six weeks.**

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

(Shree Bhagwan)  
**Vice- Chairman**

dnk.

O.A. No. 643/2022 (D.B.)

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

**Dated : 28/06/2022.**

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

2. The CPO raised objection on the point of limitation. As per his submission, the applicant has challenged the selection process of the year 2017. The applicant has not filed any C.A. for condonation of delay.

3. The applicant is directed to satisfy this Tribunal as to how this O.A. is within limitation.

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

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

O.A. No. 578/2021 (D.B.)

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

**Dated :** **28/06/2022.**

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

**Closed for orders.**

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

(Shree Bhagwan)  
**Vice- Chairman**

dnk.

O.A. No. 38/2021 (D.B.)

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

**Dated : 28/06/2022.**

Heard Smt. R. P. Jog, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

**Closed for orders.**

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

**C.P. 33/2020 in O.A. No. 845/2018 (D.B.)**

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

**Dated : 28/06/2022.**

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

2. The learned counsel has filed Pursis dated 18/01/2022 along with the Chart of arrears of pay. The respondents were directed to clarify the time limit to pay the arrears as per the order dated 28/3/2022. The respondents have not submitted any clarification about the time limit.

3. The respondents are directed to verify the chart produced by the applicant and report to this Tribunal about time limit for payment of arrears.

**S.O. 12/7/2022.**



Steno copy is granted.

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice- Chairman

dnk.

O.A. No. 843/2015 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman and  
Hon'ble Shri Justice M.G. Giratkar,  
Vice-Chairman.

Dated : 28/06/2022.

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

**S.O. four weeks.**

(Justice M.G. Giratkar)  
Vice-Chairman

(Shree Bhagwan)  
Vice- Chairman

dnk.

**O.A. No. 32/2016 (D.B.)**

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

**Dated : 28/06/2022.**

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

**S.O. four weeks.**

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

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

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

**Dated : 28/06/2022.**

Heard Shri M.R. Rajgure, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1&2. None for R-3.

The learned counsel for the applicant is directed to file relevant Judgments to decide the matter.

**S.O. one week.**

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

O.A. No. 1011/2018 (D.B.)

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

**Dated : 28/06/2022.**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1&2 and Shri B. Kulkarni, Id. counsel for R-3&4.

At the request of Id. P.O., **S.O. two weeks** for filing relevant citations.

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

O.A. No. 67/2021 (D.B.)

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

**Dated : 28/06/2022.**

Heard Shri S.M. Khan, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

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

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

O.A. No. 704/2017 (D.B.)

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

**Dated : 28/06/2022.**

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

At the request of Id. counsel for the applicant, **S.O. 11/7/2022.**

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

**O.A. No. 915/2021 (D.B.)**

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

**Dated : 28/06/2022.**

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

The learned counsel submits that the C.A. for amendment is already filed in office. From the record it appears that the C.A. is not filed on record.

The office is directed to file C.A. on record.

**S.O. 30/6/2022.**

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

**O.A. No. 1048/2021 (D.B.)**

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

**Dated : 28/06/2022.**

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

At the request of Id. P.O., **S.O. 6/7/2022.**

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

**(Shree Bhagwan)  
Vice- Chairman**

dnk.

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**O.A. No. 620/2022 (D.B.)**

**(Wasudeorao B. Virulkar Vs. State of Maharashtra and four others)**

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

**Dated : 28/06/2022.**

**Per : Shri Justice M.G. Giratkar, Vice-Chairman.**

The matter is heard finally at the admission stage.

Heard Shri P.S. Patil, learned counsel for the applicant and Shri S.A. Deo, learned CPO for the State.

2. The applicant joined Government College of Engineering, Chandrapur as a Lecturer in Electrical Engineering in Group-A (Junior Cadre) on 17/05/2002. He was promoted as a Lecturer (Senior Grade) by respondent no.2 on 18/08/2006. The applicant was selected as Associate Professor, Electrical Engineering by the State Government vide its Resolution dated 03/08/2016. Accordingly, the applicant joined as Associate Professor, Electrical Engineering at Government College, Chandrapur on 01/09/2016. Thereafter the applicant's services were transferred to the Govt. Engineering College, Amravati. All India Council for Technical Education (AICTE) issued Regulation of 2019 and thereby made clear that the age of superannuation of Teachers shall be 65 years. The date of birth of applicant is 30/06/1961. The respondent no.5 College by treating the age of superannuation as

60 years and not 65 years, superannuated the applicant from the post of Associate Professor, Electrical Engineering. The applicant retired on 30/06/2021 as per Annexure-A-5.

3. Heard learned counsel for the applicant Shri P.S. Patil. He has submitted that after the retirement of applicant, he has gone through the Judgment of Hon'ble Madras High Court and came to know that the age of retirement is 65 years and not 60 years and therefore he approached to this Tribunal for direction to the respondents and for declaration that age of superannuation is 65 years and not 60 years.

4. The O.A. is strongly opposed by the respondents. It is submitted that other similarly situated employees were retired on superannuation at the age of 60 years. It is submitted that the Government of Maharashtra has issued Notification dated 12/7/2016. The Central Government informed to the States that as per the decision of Hon'ble Supreme Court in Civil Appeal Nos. 5527-5543 of 2013, it is for the State to decide the age of superannuation. The State of Maharashtra has decided the age of superannuation of the applicant and other similarly situated employees at the age of 60 years. At last, it is submitted that the O.A. is without any merit and liable to be dismissed.

5. Heard Shri P.S. Patil, learned counsel for the applicant. He has pointed out the Judgment of Madras High Court in Writ Petition Nos.17918 and 17929 of

2021, decided on 12/4/2022. As per this Judgment, the guidelines of AICTE are reproduced and relying on the guidelines of AICTE it is held that “ the age of superannuation as per clause 2.12 is binding on third respondent University and any other prescription of age of superannuation repugnant to the AICTE regulation is to be held void and inoperative and it cannot be enforced in law”.

6. The learned counsel for the applicant has pointed out material portion of the Judgment of Hon’ble Madras High Court. He has also pointed out the rules of AICTE / Notification of Government of Maharashtra dated 11/9/2019. The learned counsel has submitted that the State Government is bound to follow the regulation of AICTE in view of the Judgment of Hon’ble Madras High Court.

7. Heard learned CPO Shri S.A. Deo. He has pointed out the Judgment of Hon’ble Supreme Court in Civil Appeal Nos. 5527-5543 of 2013. He has submitted that the Hon’ble Supreme Court has held that “the age of superannuation is to be decided by the State Government and not by the Central Government.” On the basis of the Judgment of Hon’ble Supreme Court, the Central Government had informed to all the States to decide the age of superannuation. Accordingly, the State Government has issued Notification dated 12/7/2016. As per the Notification, the age of superannuation is 60 years.

8. The applicant is already retired. He is well aware about retirement of other similarly situated employees at the age of 60 years. The Notification of State

of Maharashtra was issued in the year 2016. The said Notification was issued on the basis of the Judgment of Hon'ble Supreme Court. The said Notification is not challenged by the applicant in this petition also.

9. The applicant is only taking the benefit of decision of Hon'ble Madras High Court which was delivered on 12/4/2022. It is pertinent to note that other similarly situated many other employees are already retired after completion of 60 years. The applicant has not challenged the Notification dated 12/7/2016. Without challenging the Notification dated 12/7/2016 the O.A. itself is not maintainable, because, the applicant already retired as per the Notification dated 12/7/2016. The applicant is only seeking declaration on the basis of the Judgment of the Hon'ble Madras High Court. The Notification which was issued on 12/7/2016 issued as per the Judgment of Hon'ble Supreme Court. In view of the Judgment of Hon'ble Supreme court in Civil Appeal Nos. 5527-5543 of 2013 and in view of the Notification of Government of Maharashtra dated 12/7/2016, the applicant is not entitled for any relief. Hence, the following order –

**ORDER**

The O.A. is dismissed. No order as to costs.

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

**(Shree Bhagwan)**  
**Vice- Chairman**

Dated – 28/06/2022.  
dnk.\*\*\*

**O.A.No.501/2017 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

Heard Shri S.R.Charpe, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. Ld. counsel for the applicant states that he has carried out the amendment. Ld. P.O. submits that in case reply is require to be amended to meet the case additionally set up by the applicant, he would take necessary step. Ld. counsel for the applicant submits that one matter is pending before Division Bench of M.A.T., Nagpur Bench in which identical issue is involved.

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

**Member (J)**

**Date:-28/06/2022.**  
aps.

**O.A.No.247/2018 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents. None for R-3.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.202/2019 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

Heard Smt. Saboo, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. Ld. P.O. has filed reply of respondent no. 4. It is taken on record. Copy is served to the other side.

3. At the request of ld. counsel for the applicant, office is directed to issue fresh notice to Respondent no. 2, returnable on four 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. four weeks.**

**Member (J)**

**Date:-28/06/2022.**  
aps.



**O.A.No.755/2019 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

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

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.943/2020 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Ms. U.B.Manohar holding for Shri S.S.Deshpande, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. At the request of ld. counsel for the applicant, **S.O. threeweeks to remove objection.**

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.360/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri S.Pande holding for Shri N.D.Thombre, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.415/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.582/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

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

2. The ld. P.O. has filed reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

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

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

5. **S.O. two weeks for final hearing.**

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

**Member (J)**

**Date:-28/06/2022.**  
aps.

**O.A.No.736/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri A.Barahate holding for Shri N.R.Saboo, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.816/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri A.Barahate holding for Shri N.R.Saboo, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents. None for R-3.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.1139/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.Await service of R-2 to 4.

2. Ld. counsel for the applicant states that respondents have been served. Ld. P.O. seeks time to file reply, **S.O. four weeks.**

**Member (J)**

**Date:-28/06/2022.**  
aps.



**O.A.No.65/2022 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

Heard Shri A.Motlog holding for Shri R.V.Shiralkar, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**  
aps.

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

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri A.Barahate holding for Shri N.R.Saboo, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.413/2022 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.302/2022 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Smt. Charlewar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.Nos.351,352,353&354/2022 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

Heard Shri A.A.Mankar, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondent no. 2. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

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

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

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

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

**Member (J)**

**Date:-28/06/2022.**  
aps.

**O.A.St.No.1342/2018 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

**C.A.No.255/2018:-**

Heard Shri A.A.Mankar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.St.Nos.641&643/2020 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

**C.A.Nos.150&151/2020:-**

Heard Shri S.P.Hedao, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. Ld. P.O. has filed reply on behalf of the respondent nos. 1, 2 & 3 for condonation of delay in O.A. St. No. 643/2020.

3. At the request of ld. P.O., **S.O. threeweeks to file reply.**

**Member (J)**

**Date:-28/06/2022.**  
aps.

**O.A.No.315/2022 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Ms.B.V.Reddy, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.



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

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

**C.A.No.245/2022:-**

Heard Shri S.Pande, ld. counsel for the applicant, Shri H.K.Pande, ld. P.O. for the Respondents and Shri S.A.Marathe, ld. Counsel for the respondent no. 3.

2. Ld. Counsel for the respondent no. 3 has filed reply. It is taken on record. Copy is served to the other side.

3. Ld. P.O. states that reply is necessary to decide the matter. Hence, ld. P.O. is directed to file reply positively on **06.07.2022.**

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.683/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

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

2. Reply of respondent no. 3 is on record. It is stated that said reply is sufficient to decide the matter finally. Hence, matter is **admitted** and kept for final hearing.

3. Ld. P.O. waives notices for the respondents.

4. **S.O. 15.07.2022.**

**Member (J)**

**Date:-28/06/2022.**  
aps.

**O.A.No.1077/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

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

2. Issue notice to Respondents, returnable on three 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. three weeks.**

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.201/2022 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

Heard Shri A.P.Gajbhiye, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. Issue notice to Respondents, returnable on three 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. three weeks.**

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.600/2022 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

Heard Smt.Patil, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. Issue notice to Respondents, returnable on three 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. three weeks.**

**Member (J)**

**Date:-28/06/2022.**

aps.



**O.A.No.751/2016 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri V.R.Borkar, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. **Closed for orders.**

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.Nos.59&60/2017 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Smt. Saboo, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents. None for the R-4 & 5.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.406/2018 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri R.M.Tiwari, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.760/2018 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri S.S.S.Rehman, applicant in person  
and Shri V.A.Kulkarni, Id. P.O. for the Respondents.

2. **S.O. 28.07.2022.**

**Date:-28/06/2022.**

aps.

**Member (J)**

**O.A.No.763/2018 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri R.A.Haque, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.484/2019 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. At the request of ld. Counsel for the applicant, **S.O.01<sup>st</sup> July, 2022.**

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.527/2019 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

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

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.713/2019 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

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

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

**Member (J)**

**Date:-28/06/2022.**

aps.



**O.A.No.1079/2019 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. **S.O. next week.**

**Member (J)**

**Date:-28/06/2022.**  
aps.

**O.A.No.381/20withC.A.223/21 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

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

2. Ld. Counsel for the applicant submits that he will amend the O.A. and brief on record subsequent development i.e. initiation of D.E. against the applicant.

3. **S.O. two weeks.**

**Member (J)**

**Date:-28/06/2022.**  
aps.

**O.A.No.04/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**  
**Dated :28/06/2022.**

Heard Shri M.R.Khan, 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. day after tomorrow i.e. **30.06.2022.**

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

**Member (J)**

**Date:-28/06/2022.**  
aps.

**O.A.No.705/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

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

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

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.865/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. **Closed for orders.**

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.984/2021 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Shri G.N.Khanzode, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. **S.O. 08.07.2022.**

**Member (J)**

**Date:-28/06/2022.**

aps.

**O.A.No.60/2022 (S.B.)**

**Coram:ShriM.A.Lovekar, Member (J)**

**Dated :28/06/2022.**

Heard Mrs.P.S.Choudhari, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:-28/06/2022.**

aps.