

O.A. No. 171/2015. (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)  
Dated : 29<sup>th</sup> July 2019.**

**R.A. No. 04/2016.**

Heard Shri A.D. Girdekar, counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

Closed for orders.

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 1025/2018. (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)  
Dated : 29<sup>th</sup> July 2019.**

Heard Shri Islam Patil, Adv. holding for Shri N.B. Rathod, counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents 1 and 2. Shri A.S. Ghawde, Adv. for R. 3 & and Shri Rohit Vaidhya, Adv. holding for Shri A. Parchure, Adv. for R.4.

The Ld. P.O. has filed reply on behalf of R. 1 and 2, it is taken on record a copies thereof are supplied to other sides.

The Project Manager is present before this Bench and it is submitted that two weeks' time is required to file written reply of R.3 alongwith opinion given by the Expert.

S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 346/2018. (D.B.)

**Coram:** Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)

**Dated :** 29<sup>th</sup> July 2019.

**C.A. No. 208/2018, 149/2019 & 180/2019.**

Heard Shri P.S. Wathore, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

The Ld. counsel for the applicant has filed a letter dated 26.6.2019 from MPSC addressed to the CPO, MAT, Nagpur, it is marked "X" for identification.

Ld. P.O. is directed to produce all material documents on record.

**Matter is admitted for final hearing.**

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

S.O. **9.8.2019.**

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 929/2018.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

Heard Shri A.G. Ambatkar, counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

On page No.7 in ground No. IV, objection raised by the applicant is that the appointments of those candidates are done without following due procedure and rules. They were not eligible as per service rules. It seems that both these candidates are not parties to the O.A. Similarly, in the relief clause, applicant is claiming relief against those candidates, therefore, these candidates are necessary parties for proper adjudication of the matter. Hence, the applicant is directed to add those candidates as necessary parties.

S.O. **four weeks.**

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 16/2019.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

**C.A. 129/2019.**

Heard Shri A.D. Dangore, counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent No.1.

2. Issue notice on C.A. to respondents 2 and 3 returnable after **three weeks.**

3. Shri P.N. Warjekar, the learned P.O. waives notice for the respondent No.1. Hamdast granted.

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.**

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 495/2019.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

Heard Shri A.D. Girdekar, counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents.

A the request of Ld. CPO, S.O. **three weeks** for filing reply.

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

**C.A. 298/2019.**

Heard Shri V.S. Kukday, counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

C.A. No. 298/2019 is allowed and disposed of subject to payment of requisite court fee to be deposited in the office.

**O.A. No. 586/2019.**

2. Issue notice to respondent No.2 returnable after **four weeks.**

3. Shri S.A. Deo, the learned C.P.O. waives notice for the respondent No.1. Hamdast granted.

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)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 584/2007.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

Heard Shri V. G. Wankhede,  
counsel for the applicant and Shri P.N.  
Warjekar, the learned P.O. for the  
respondents.

Closed for orders.

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 893/2018.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

Heard Shri S.U. Bhuyar, counsel for the applicant and Shri A.M. Khadatkhar, the learned P.O. for the respondents 1 to 4. Shri S.U. Bhutada, Adv. for R. 5 to 8.

At the request of Ld. P.O., S.O. **one week** to file affidavit in reply and certain documents as well as the copy of the judgment of the Hon'ble High Court.

Interim relief to continue till then.

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 166/2012.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

**C.A. 100/2019.**

Heard Shri D.M. Kakani, Adv. holding for Shri G.K. Bhusari, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

Shri D.M. Kakani, Adv. states that Shri G.K. Bhusari, the Ld. counsel for the applicant is operated upon and needs rest, hence, he requests for time.

S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 10/2014.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

Heard Shri P.V. Joshi, Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **one week** for taking instructions.

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 704/2015. (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

Heard Shri S.C. Deshmukh, Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 & 2. None for R.3 to 5..

Ld. P.O. is directed to take instructions from the department whether the department is going to adopt the G.R. dated 27.6.2008 (A-17, P.68) or Post Recruitment (Ministerial) Examination (Rules), and Qualifying Examination Rules for promotion to Supervisory Posts (Non-gazetted Ministerial) (R.8, P.105) or the recruitment process adopted by the department in 2011 i.e. dated 20.10.2011 (A.6, P.132). Out of all these three processes, the department shall state that which criteria they have adopted.

**S.O. 13<sup>th</sup> August 2019.**

To be treated as part heard.

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 10/2017.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

Heard Shri R.V. Shiralkar, counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **6.8.2019.**

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.

O.A. No. 612/2017.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 29<sup>th</sup> July 2019.**

Heard Shri P.S. Sahare, counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents 1 and 2. None for R.3.

Matter is adjourned to **6.8.2019.**

To be treated as part heard.

Member (J)

Vice-Chairman

Dt. 29.7.2019.

pdg.



O.A. No. 436/2018 **(SB)**

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

**Dated : 29.07.2019**

Shri J.S. Wankhede, Id. counsel holding for Shri S.N. Gaikwad, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 8/8/2019**.

Put up along with O.A.437/2018.

**Member (J)**

dnk.

O.A. No. 437/2018 **(SB)**

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

**Dated : 29.07.2019**

Shri J.S. Wankhede, 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. 8/8/2019**.

Put up along with O.A.436/2018.

**Member (J)**

dnk.

O.A. No. 511/2019 **(SB)**

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

**Dated : 29.07.2019**

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

**Heard. Admit.**

The learned P.O. waives notice for the respondents.

**S.O. 6/8/2019.**

Interim Relief to continue till then.

**Member (J)**

dnk.

O.A. No. 93/2019 **(SB)**

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

**Dated : 29.07.2019**

None for the applicant.

Shri S.A. Sainis, Id. P.O. for the  
respondents.

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

**Member (J)**

dnk.

O.A. No. 413/2019 **(SB)**

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

**Dated : 29.07.2019**

Shri R.L. Alone, Id. counsel holding  
for Shri P.J. Mehta, Id. counsel for the  
applicant and Shri A.M. Khadatkar, Id. P.O.  
for the respondents.

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

Status-quo to continue till next date.

**Member (J)**

dnk.

O.A. No. 443/2019 **(SB)**

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

**Dated : 29.07.2019**

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

The learned P.O. has submitted the copy of the letter dated 18/7/2019. By this letter the applicant is transferred to Pune Forest Range on medical ground. In view of this order, nothing remains in the O.A. Hence, the O.A. stands disposed of. No order as to costs.

**Member (J)**

dnk.

O.A. No. 458/2019 **(SB)**

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

**Dated : 29.07.2019**

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2 to 4.

The learned counsel for the applicant submitted that service reports of the respondent nos.2 to 4 are not received. He seeks two weeks time to file the same. At his request, **S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 471/2019 **(SB)**

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

**Dated : 29.07.2019**

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

The Id. P.O. files reply on behalf of R-2&3. It is taken on record. The learned P.O. submitted that this reply is sufficient to decide the O.A.

**Heard. Admit.**

The learned P.O. waives notice for the respondents.

**S.O. 7/8/2019.**

**Member (J)**

dnk.

O.A. No. 550/2019 **(SB)**

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

**Dated : 29.07.2019**

Shri J.S. Wankhede, Id. counsel holding for Shri S.N. Gaikwad, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2&3.



It is submitted that the learned counsel for the applicant will submit service report during the course of day.

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

**Member (J)**

dnk.

O.A. No. 160/2018 **(SB)**

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

**Dated : 29.07.2019**

Shri A.Y. Kapgade, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1&2 and none for R-3.

At the request of Id. counsel for the applicant , **S.O. four weeks**.

Put up along with O.A. 161/2018.

**Member (J)**

dnk.

O.A. No. 161/2018 **(SB)**

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

**Dated : 29.07.2019**

Shri A.Y. Kapgate, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1&2, Shri S.N. Gaikwad, Id. counsel for R-4 and none for other respondents.

At the request of Id. counsel for the applicant , **S.O. four weeks**.

Put up along with O.A. 160/2018.

**Member (J)**

dnk.

O.A. No. 776/2016 **(SB)**

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

**Dated : 29.07.2019**

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

The applicant and his counsel were also absent on the previous date on 6/11/2018. Therefore, I do not see any reason to adjourn the matter. Hence, the O.A. stands dismissed in default. No order as to costs.

**Member (J)**

dnk.

O.A. No. 587/2019 **(SB)**

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

**Dated : 29.07.2019**

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

2. It is submitted on behalf of the applicant that vide order dated 11/7/2019 the applicant is abruptly transferred from Sironcha Sub Division, District Gadchiroli to State Control Room, Mumbai. It is submitted that the applicant was recently transferred to Sironcha vide order dated 13/2/2019 and he had resumed duty at Sironcha on 22/5/2019.

3. It is submitted that while exercising jurisdiction under Section 22N of the Maharashtra Police Act, particularly the proviso it was necessary for the Competent Authority to record some reasons why it was necessary to transfer the applicant. It is submitted that the jurisdiction under Section 22N (2) is not exercised. The transfer order is totally silent and no reason is mentioned why the Competent Authority was compelled to transfer the applicant just within two months.

4. The learned P.O. has submitted that he has received a letter from Shri Kiran Upasani, Legal Advisor to DGP (M.S.), Mumbai and it is informed that as the applicant did not resume duty to Sironcha immediately after his transfer and he proceeded on seek leave. Therefore, the Additional Director General of Police (Establishment) who is a Member/ Secretary of the Police Establishment Board No.1 decided to proceed with the provisions of rule 10 of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. It is submitted that this was material record for transferring the applicant before completion of normal tenure.

5. Whatever the reason is mentioned in the letter dated 27/7/2019 one thing is clear that nothing is mentioned in impugned

transfer order dated 11/7/2019 as to what was the administrative exigency for transferring the applicant. Under these circumstances, as the applicant is not yet relieved, the status-quo be maintained. The respondent no.1

to file reply. The respondent no.1 is at liberty to produce all documents and note sheets which were placed before the Competent Authority on which basis the transfer order dated 11/7/2019 was passed.

6. Issue notice to R-2, returnable **after one week**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

8. 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.

9. 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.

10. 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.

11. 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 one week.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 539/2019 **(SB)**

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

**Dated : 29.07.2019**

**C.A. 299/2019 -**

Heard Ms. D.M. Joshi, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned counsel for the applicant submitted the C.A. for permission to amend the O.A. As the amendment is of formal nature, therefore the C.A. is allowed. The necessary amendment be carried out within one week.

**O.A. 539/2019 -**

**S.O. one week.**

**Member (J)**

dnk.

O.A. No. 164/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,**



**Member (J).**

**Dated : 29.07.2019**

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

2. The learned P.O. has produced order dated 5/3/2019. It is mentioned in the order that the applicant was transferred to Bhandara and consequently he was relieved from the duty on 5/3/2019. It appears that this fact was not brought to the notice of this Bench when interim order was passed on 7/3/2019. Secondly, the learned P.O. has also placed on record the joining report dated 1/7/2019 submitted by the applicant by which the applicant joined the post at Bhandara. In view of this, there remains no substance in the application. Hence, the O.A. stands dismissed. No order as to costs.

**Member (J)**

dnk.

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O.A.No.84/2019 (S.B.)

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

**Dated: 29<sup>TH</sup> July 2019.**

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

2. The Id. P.O. filed the affidavit-in-reply  
on behalf of the respondent no. 2. It is taken  
on record. He submits that he will serve the  
copy to the other side. He further submits that  
reply of respondent no. 1 is not required.

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

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

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

**Vice Chairman**

**Date:-29/07/2019.**

aps.

**O.A.No.100/2019 (S.B.)**

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

**Dated: 29<sup>TH</sup> July 2019.**

None for the applicant. Shri H.K.Pande, the Id. P.O. for the respondent nos. 1 & 2 and Shri R.M.Vaidhya holding for Shri H.D.Marathe, the Id. counsel for the respondent nos. 3 & 4.

2. The Id. counsel for the respondent nos. 3 & 4 desires time to file reply as well as Id. P.O. desires time to file reply on behalf of the respondent nos. 1 & 2.

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

**Vice Chairman**

**Date:-29/07/2019.**

aps.

O.A.No.186/2019 (S.B.)

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

**Dated: 29<sup>TH</sup> July 2019.**

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

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

**Vice Chairman**

**Date:-29/07/2019.**  
aps.

O.A.No.494/2019 (S.B.)

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

**Dated: 29<sup>TH</sup> July 2019.**

Heard Ms. S.R.Fulzele holding for Shri S.D.Malke, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State.

2. The Id. counsel for the applicant desires two weeks time to file service affidavit. **S.O. two weeks.**

**Vice Chairman**

**Date:-29/07/2019.**  
aps.

O.A.No.473/2018 (S.B.)

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

**Dated: 29<sup>TH</sup> July 2019.**

Heard Shri S.C.Deshmukh, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. As submitted by Id. P.O., pleadings are completed and matter is **admitted** and kept for final hearing.

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

4. **S.O. 26.08.2019.**

**Vice Chairman**

**Date:-29/07/2019.**  
aps.

O.A.No.69/2019 (S.B.)

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

**Dated: 29<sup>TH</sup> July 2019.**

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

2. During last hearing on 11/07/2019,  
the Id. P.O. has filed letter by Additional Tribal  
Commissioner, Amravati that applicant has  
been already reinstated and necessary action  
has been taken by the department.

3. In view of the above, now nothing  
survives in the O.A.. Hence, **O.A. is disposed  
of with no order as to costs.**

**Vice Chairman**

**Date:-29/07/2019.**

aps.

O.A.No.814/2015 (S.B.)

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

**Dated : 29<sup>TH</sup> July 2019.**

Heard Shri A.D.Girdekar holding for Shri N.R.Saboo, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. The Id. counsel for the applicant submits that Shri Saboo is busy in Hon'ble High Court. Hence, **S.O. one week.**

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

**Vice Chairman**

**Date:-29/07/2019.**

aps.



**O.A.Nos. 815,816,817,818,819,820,821/16  
(S.B.)**

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

**Dated : 29<sup>TH</sup> July 2019.**

Heard Shri A.D.Girdekar, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The Id. P.O. has pointed out that in the year 2012 results of Ashram Schools were poor and Commissioner Tribal Development, Nashik as per circular dated 16.07.2012 (Annexure-A-1, P.B., Pg. No. 12) issued directions to take action against the concerned Teachers and Head-Masters too.

3. In view of that, Project Officer has issued order dated 04.01.2014 (Annexure-A-2, P.B., Pg. No. 14). The Respondents have filed their reply and justified the action in view of the circular issued by Commissioner Tribal Development. However, for the quality of results, teachers cannot be held responsible.

4. Hence, it is directed to modify order dated 04.01.2014 of stoppage of increment and it should be converted to temporary in nature and it should not have permanent effect on the pay and carrier of the applicant.

5. Hence, **with the above directions, O.A. is disposed of with no order as to costs.**

**Vice Chairman**

**Date:-29/07/2019.**  
aps.

**O.A.No. 822/2016 (S.B.)**

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

**Dated: 29<sup>TH</sup> July 2019.**

Heard Shri A.D.Girdekar, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The respondent no. 4 i.e. Project Officer, Tribal Development Project, Aheri vide his order dated 11/10/2012 (Annexure-A-2, P.B., Pg. No. 16) passed punishment order with this common orders on 13 Teachers. Applicants are at Sr. Nos. - 1. Shri S.S.Pawar, 2. Shri A.P.Gedam, 3. Shri D.N.Bansod, 4. Ku. P.H.Gote, 12. Shri N.A.Gundawar & 13. Shri B.P.Phad i.e. 06 candidates have filed this O.A. aggrieved with this common order.

3. Respondent no. 4 is directed to modify the impugned order to the extent that stoppage of increment would be of temporary in nature and would not have effect at permanent pay scale of the applicants and in there carrier progression.

4. Hence, **with the above directions, O.A. is disposed of with no order as to costs.**

**Vice Chairman**

**Date:-29/07/2019.**

aps.

O.A.No.832/2016 (S.B.)

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

**Dated: 29<sup>TH</sup> July 2019.**

Heard Ms. Pande, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The Id. P.O. submits that positive action has been taken against the applicant. However, the Id. counsel for the applicant submits that she wants to take instructions from the applicant regarding the same.

**3. S.O. one week.**

**Vice Chairman**

**Date:-29/07/2019.**  
aps.

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

**Dated: 29<sup>TH</sup> July 2019.**

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

2. The Id. counsel for the applicant relied upon the Judgment of this Tribunal in O.A. No. 828/2012 delivered on 11/07/2017 and in O.A. No. 166/2016 delivered on 15.12.2016 of Principle Bench. It is taken on record. Copies are supplied to the other side.

3. The only point remains to be examined is that, if applicant has passed examination in 2001, proceeding to 2001, five years A.C.Rs. are examined or not.

4. The Id. counsel for the applicant has placed on record Annexure-RA-1, which is part of service book. The Id. P.O. is directed to take instructions from the Department:-

a. when they were passed the examination as per the entry of the service book?

b. why applicant was not considered in 2001 for giving promotion at that time?

5. S.O. 06.08.2019.

6. Matter is treated as P.H..

**Vice Chairman**

**Date:-29/07/2019.**

aps.

O.A.No.986/2017 (S.B.)

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

**Dated: 29<sup>TH</sup> July 2019.**

Heard Shri A.D.Dangore, the Id.  
Counsel for the applicant and Shri  
V.A.Kulkarni, the Id. P.O. for the respondents.

**2. Closed for orders.**

**Vice Chairman**

**Date:-29/07/2019.**  
aps.



O.A.No.582/2019 (S.B.)

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

**Dated: 29<sup>TH</sup> July 2019.**

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

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

**Vice Chairman**

**Date:-29/07/2019.**  
aps.