

O.A. Nos. 507,508,509 and 510 of 2019.
(D.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)
Dated : 18th July 2019.

Heard Shri M.J. Kulkarni, the Ld. counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondents.

S.O. 24th July 2019.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. Nos. 530,531,532 and 533 of 2019.
(D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)
Dated : 18th July 2019.**

Heard Shri D.A. Wadpalliwar, the Ld. counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondent No.1. Shri A.M. Kukday, Adv. for R.2 and Shri P.S. Chavan, Adv. for R. 3 to 10.

S.O. **24th July 2019.**

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.482/2019.

(D.B.)

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

Dated : 18th July 2019.

Heard Shri R.B. Dhore, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1. Shri A.M. Kukday, Adv. for R.2. Shri N.S. Warulkar, Adv. for the Intervener.

S.O. 24th July 2019.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.630/2017.

(D.B.)

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

Dated : 18th July 2019.

C.A. 45/2019.

Heard Shri, S.G. Karmarkar, the Ld. counsel for the applicant and Shri S.A.Sainis, the learned P.O. for the respondents.

C.A. 45/2019 is allowed.

Closed for orders.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.526/2018.

(D.B.)

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

Dated : 18th July 2019.

C.A. 269/2019.

Heard Miss A. Gupta, the Ld. counsel
for the applicant and Shri the learned P.O.
for the respondent No.1. None for R.2.

S.O.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.36/2019.

(D.B.)

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

Dated : 18th July 2019.

C.A. 270/2019.

Heard Shri S.M. Bhagde, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

C.A. 270/2019 is allowed for bringing L.Rs on record.

S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.466/2019.

(D.B.)

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

Dated : 18th July 2019.

Heard Shri R.P. Malviya, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents.

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

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.361/2019.

(D.B.)

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

Dated : 18th July 2019.

C.P. 21/2019.

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

Ld. P.O. submits that the matter is in process and the department is filing an appeal before the Hon'ble High Court and for that purpose, he requires four weeks' time.

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

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.749/2013.

(D.B.)

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

Dated : 18th July 2019.

MCA 28/2019.

Heard Shri V.R. Thote, Ld. counsel
for the applicant and Shri V.A. Kulkarni, the
learned P.O. for the respondents.

MCA is allowed and disposed of.
Matter is restored to file

S.O. 6.8.2019.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. Nos. 970, 991 & 992 of 2018. (D.B.)

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

Dated : 18th July 2019.

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

Await service of notice to R. 2 to 4.

S.O. there weeks.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.326/2017.

(D.B.)

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

Dated : 18th July 2019.

C.P. 02/2019.

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

S.O. **22.7.2019** at the request of Ld. counsel for the applicant.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.395/2018.

(D.B.)

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

Dated : 18th July 2019.

C.P. 11/2019.

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

Ld. P.O. is directed to place on record the minutes of the meeting dated 26.2.2019 on the next date of hearing.

S.O. 8.8.2019

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.349/2015.

(D.B.)

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

Dated : 18th July 2019.

C.P. 29/2019.

Heard Mrs A.D. Kolhe, Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondent No.1.

2. Issue notice to remaining respondents returnable in two weeks.

3. Shri A.M. Ghogre, 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. **two weeks.**

10. Ld. counsel for the applicant submitted that there are typing errors in the C.P. and permission be granted to rectify the mistake. Applicant is permitted to correct the mistake.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.555/2019.

(D.B.)

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

Dated : 18th July 2019.

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

2. Issue notice to remaining respondents returnable in three 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. three weeks.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.556/2019.

(D.B.)

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

Dated : 18th July 2019.

Heard Shri S.N. Gaikwad, Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

2. Issue notice to remaining respondents returnable in two 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. **two weeks.**

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.557/2019.

(D.B.)

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

Dated : 18th July 2019.

Heard Shri S.N. Gaikwad, Adv. holding for Shri S.S. Bhalerao, Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

2. Issue notice to remaining respondents returnable in two 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. **two weeks.**

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No. 278/ 2012.

(D.B.)

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

Dated : 18th July 2019.

Heard Shri G.G. Bade, the Ld. counsel for the applicants and Shri H.K. Pande, the learned P.O. for the respondents.

The respondents are directed to produce on record the papers of enquiry before this Bench within three weeks from the date of this order.

S.O. three weeks.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No. 236/ 2014.

(D.B.)

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

Dated : 18th July 2019.

Heard Shri A.D. Dangore, the Ld. counsel for the applicants and Shri S.A. Sainis, the learned P.O. for the respondents.

It is submitted by the Ld. P.O. that two weeks' time is required to produce material documents.

S.O. two weeks.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No. 159/2013.

(D.B.)

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

Dated : 18th July 2019.

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

Ld. P.O. has filed documents dated 6.7.2019, it is taken on record and copy thereof is supplied to the Ld. counsel for the applicant. Ld. counsel for the applicant. desires to go through the said documents.

S.O. two weeks.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No. 706/2015.

(D.B.)

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

Dated : 18th July 2019.

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

Ld. counsel for the applicant desires further time to file documents.

S.O. **one week.**

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No. 704/2015.

(D.B.)

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

Dated : 18th July 2019.

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

At the request of Ld. counsel for the applicant, S.O. **24.7.2019.**

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No. 710/2016.

(D.B.)

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

Dated : 18th July 2019.

R.A. 19/2019.

Heard Shri N. R. Saboo, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondent Nos. 1 to 3 and 5. Shri N.S. Autkar, Adv. for R.6. None for R.4.

At the request of Ld. counsel for R.6,, S.O. **three weeks** for filing reply.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No. 960/2018.

(D.B.)

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

Dated : 18th July 2019.

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

At the request of Ld. P.O., time is given to submit Govt. Rules and Regulations in relation to awarding selection grade.

S.O. **1.8.2019.**

To be treated as part heard.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No. 142/2019.

(D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)
Dated : 18th July 2019.**

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

The Ld. counsel for the applicant is directed to produce documents to show the date of first entry of the applicant in service.

S.O. **two weeks.**

To be treated as part heard.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No. 526/2018.

(D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)
Dated : 18th July 2019.**

C.A. 269/2019.

Heard Shri B. Dafle, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents 1 & 3. Shri B.J. Lonare, Adv. for R.2.

C.A. No. 269/2019 is allowed and disposed of. O.A. be kept for final hearing.

S.O. **7.8.2019.**

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.26/2019.

(D.B.)

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

Dated : 18th July 2019.

C.A. 212/2019 in C.P. 19/2019.

Heard Shri S.P. Palshikar, Ld.
counsel for the applicant and Shri P.N.
Warjekar, the learned P.O. for the
respondents.

S.O. 25.7.2019.

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No.26/2019.

(D.B.)

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

Dated : 18th July 2019.

C.A. 176/2019.

Heard Shri S.P. Palshikar, Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

2. Shri Prashant Badgeri, Deputy Secretary, Department of Energy and Labour, Mantralaya, Mumbai is personally present before this Tribunal as per order of this Tribunal dated 10.7.2019 and explained that one bunch of documents was received to him and it is processed by him. Subsequently, other bunch of document was received from the Hon'ble Minister's office and that is why two sets of documents are in the department. He has filed reply on behalf of respondents today, the Ld. counsel for the applicant desires to go through the same and then make submission.

3. That is the reason that on some documents, there are no signatures on certain documents there are no outward and

inward numbers. Actually, some documents are draft documents.

4. Presence of Shri Prashant Badgeri, Deputy Secretary, Department of Energy and Labour, Mantralaya, Mumbai is dispensed with.

S.O. 25th July 2019

Member (J)

Vice-Chairman

Dt. 18.7.2019.

pdg.

O.A. No. 178/2018 **(SB)**

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

Dated : 18.07.2019

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

The learned P.O. files reply on behalf of R-3&4 and submits that reply of respondent nos. 1&2 is not essential. Copy of the same is taken on record.

The matter is **admitted** for final hearing.

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

S.O. in due course.

Member (J)

dnk.

O.A. No. 822/2018 **(SB)**

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

Dated : 18.07.2019

None for the applicant. Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2 to 4.

The O.A. is dismissed in default.

Member (J)

dnk.

O.A. No. 376/2019 **(SB)**

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

Dated : 18.07.2019

None for the applicant. Heard Shri A.M. Khadatkar, Id. P.O. for R-1 to 5. None for R-6.

The learned P.O. files reply on behalf of R-3 and submitted that it is sufficient for deciding this application.

The matter is **admitted** for final hearing.

The Id. P.O. waives notice for R-1 to 5.

S.O. 2/8/2019.

Member (J)

dnk.

O.A. No. 391/2019 **(SB)**

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

Dated : 18.07.2019

Heard Shri K.P. Mahalle, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

The learned P.O. submitted that four weeks time is required for taking decision on the representation.

S.O. 22/8/2019.

Member (J)

dnk.

O.A. No. 403/2019 **(SB)**

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

Dated : 18.07.2019

None for the applicant. Shri V.A. Kulkarni, Id. P.O. for R-1 to 4. None for R-5.

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

Member (J)

dnk.

O.A. No. 558/2019 **(SB)**

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

Dated : **18.07.2019**

C.A. 275/2019 -

Heard V.B. Gawali, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. stands disposed of accordingly.

O.A. 558/2019 -

Heard V.B. Gawali, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. After hearing the submissions of the learned counsel for the applicants and considering the fact that the transfer orders are issued on 1/7/2019, it would be reasonable to know whether the respondents who are transferred by the impugned transfer orders have resumed the duties, therefore, it is suitable in the interest of justice to issue notices to the respondents returnable after one week.

3. Issue notice to R-2 to 9, returnable **after one week**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. Applicants are 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. Applicants are directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand

dismissed without reference to Tribunal and papers be consigned to record.

S.O. after one week.

Steno copy is granted.

Member (J)

dnk.

O.A. No. 818/2015 **(SB)**

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

Dated : 18.07.2019

Heard Shri A. Athalye, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for R-1&2. None for R-3.

2. The matter is partly heard. The learned P.O. is directed to produce certified copy of the Judgment and decree passed in appeal by the District Court, Nagpur.

S.O. 16/8/2019 (PH).

Member (J)

dnk.

O.A. No. 783/2016 **(SB)**

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

Dated : 18.07.2019

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

2. It appears that on previous date also none appeared for the applicant and no reasons are mentioned to adjourn the matter.

3. Hence, the O.A. is dismissed in default.

Member (J)

dnk.

O.A. No. 986/2018 **(SB)**

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

Dated : 18.07.2019

Shri N.D. Thombre, 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. three weeks.**

Member (J)

dnk.

O.A. No. 37/2019 **(SB)**

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

Dated : 18.07.2019

Heard Shri N.D. Thombre, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned P.O. is directed to produce copy of the proposal which is forwarded to the Hon'ble Minister, Public Health & Family Planning to exonerate the applicant from the inquiry.

S.O. 2/8/2019 (PH).

Steno copy is granted.

Member (J)

dnk.

O.A.No.475/2019 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

C.A.No.276/2019:-

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

2. The Id. counsel for the applicant has filed C.A. for amendment application. **C.A. No. 276/2019 is allowed.** The Id. counsel for the applicant is directed to carry out the amendment within a week time.

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

Vice Chairman

Date:-18/07/2019.
aps.

O.A.No.334/2019 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

C.A.No.179/2019:-

Heard Shri A.D.Ramteke, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. The Id. counsel for the applicant has filed C.A. NO. 179/2019 for Jt. O.A., at this stage C.A. cannot be allowed as pointed out by Id. C.P.O.. Admittedly, at P.B., Pg. No. 65, applicant's name and date of joining has been given but as per the 1996 G.R., they have to complete 240 days in each year in continuous five years. Unless that fact has shown, Jt. O.A. cannot be allowed.

3. The Id. counsel for the applicant submits that he will require three weeks time to calculate and produce the same.

4. S.O. three weeks.

Vice Chairman

Date:-18/07/2019.

aps.

O.A.No.192/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

Heard Shri R.P.Thote, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. P.O. submits the reply on behalf of the respondent no. 3. It is taken on record. Copy is supplied to the other side. The Id. P.O. further submits that reply of respondent nos. 1, 2 & 4 are not necessary.

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

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

5. **S.O. four weeks.**

Vice Chairman

Date:-18/07/2019.

aps.

O.A.No.229/2019 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th 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. P.O. has filed letter no. d/iz/11/2019@iz/dz@dk&4%dl/@4517] fnukd 16-07-2019 which is issued by Additional Commissioner, Tribal Development, Nagpur, which is marked Exh. "X" for the purpose of identification. The same is taken on record. Copy is supplied to the other side.

3. As submitted by Id. counsel for the applicant, applicant has not been paid total amount due to him as suspension allowance. Respondents are directed to pay all legal dues of Suspension period of the applicant **within two weeks** from the date of this order. Respondents are also directed to decide the suspension period as early as possible.

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

Vice Chairman

Date:-18/07/2019.

aps.

O.A.No.449/2019 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

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

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

Vice Chairman

Date:-18/07/2019.
aps.

O.A.Nos.441 & 442/2017 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

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

2. At the request of Id. counsel for the applicant, **S.O. two weeks** for filing amendment application.

Vice Chairman

Date:-18/07/2019.
aps.

O.A.No.584/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

Heard Shri A.Mardikar, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. On dated 16.07.2019, the Id. counsel for the applicant is relied upon the Judgment of MAT, Nagpur in O.A. No. 90/2017 delivered on 05.05.2017 in para no. 15 it has been observed as:-

15. As already observed by the Hon'ble Apex Court after considering the scheme and provisions of the Bombay Home Act,1947, it is difficult to hold that the members of Home Guard Organization is the State Government servant and the organization is meant to be voluntary and it consisted of people from all walks of life. The voluntary nature is a basic feature of the Home Guards and there is nothing to show or even to suggest that master servant relationship between the members of the association and the Government. The services being voluntary, the applicants will not get any pay, but duty allowances as may be fixed by the State Government from time to time. Since the members of the Association have voluntarily accepted to serve, they cannot insist the Government to pay particular amount as remuneration for their work.

3. In view of the above, O.A. is not maintainable in this Tribunal. However, the Id. counsel for the applicant is at liberty to file application before proper forum.

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

Vice Chairman

Date:-18/07/2019.
aps.

O.A.No.642/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

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

2. The Id. counsel for the applicant desires more time to file Rejoinder. However, since reply is filed by the Id. P.O., the matter is **admitted** and kept for final hearing.

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

4. S.O. in due course.

5. *The Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

Vice Chairman

Date:-18/07/2019.

aps.

O.A.No.115/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

Heard Shri M.V.Mohokar, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. P.O. submits that he is not interested to file any Rejoinder on amended C.A..

3. In view of this, matter is **admitted** and kept for final hearing.

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

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

Vice Chairman

Date:-18/07/2019.

aps.

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

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

Dated : 18th July 2019.

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

2. In order sheet dated 24.04.2019 in para no. 2, it is clearly mentioned that the matter are partly heard. Already matter has been explained in the order dated 14/06/2019 and the matter was again heard on 25.06.2019 and 04.07.2019 in the other court. Today it has been listed here because of subject matter.

3. However, it will be appropriate that it should be heard in the other court only. This matter will be heard in other court on Monday at 03.00 p.m.

4. S.O. 22.07.2019 at 03.00 p.m..

Vice Chairman

Date:-18/07/2019.

aps.

O.A.No.497/2016 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

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

2. The Id. P.O. submits that connected matter i.e. O.A. Nos. 360 and 370/2015 is listed after eight weeks. So, this O.A. i.e. O.A. No. 497/2018 should also take with the above said O.As. at the same date.

Vice Chairman

Date:-18/07/2019.
aps.

O.A.No.540/2016 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

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

2. At the request of Id. P.O., **S.O.**
01.08.2019.

Vice Chairman

Date:-18/07/2019.
aps.

O.A.No.305/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

Heard Shri B.D.Pandit, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. As pointed out by Id. P.O., Collector, Nagpur is the coordinating authority for compassionate appointment. So, Collector, Nagpur should be one of the respondents and his reply will be necessary.

3. The Id. counsel for the applicant is directed to add Collector, Nagpur as a party. After listing him as a party, office should issue notice to the Collector, Nagpur. The Id. P.O. is directed to file the reply of Collector, Nagpur as earliest.

4. Issue notice to Newly added respondent i.e. Collector, Nagpur, returnable on Two Weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

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

10. **S.O. two weeks.**

Vice Chairman

Date:-18/07/2019.

aps.

O.A.No.915/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 18th July 2019.

Heard Shri Vishal Anand, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

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

Vice Chairman

Date:-18/07/2019.
aps.