

**O.A. No.215/2017 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri G.K Bhusari, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 21/03/2023.**

**Vice Chairman**

dnk.

**O.A. No.1017/2018 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri G.K Bhusari, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for respondent nos.1&2 and Shri K.S. Malokar, Id. counsel for R-3&4. None for R-4.

At the request of Id. counsel for the applicant, **S.O. 21/03/2023.**

**Vice Chairman**

dnk.

**O.A. No.255/2023 (S.B.)**

**(Vilas R. Babrekar Vs. State of Mah. & Ors. )**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Heard Shri P.S. Patil, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the State.

2. The applicant is transferred as per the order dated 08/03/2023 to adjust the respondent no.4, Shri Sanjay Krushnarao Mundane. It appears that the respondent no.4 was transferred after complying the provisions of the Section 4 (4) & 4(5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "Transfers Act,2005"). But the said order was modified and he is posted in place of the applicant and the applicant is transferred to Water Resources Department. It appears that the transfer of the applicant is not as per the provisions of the Section 4 (4) & 4(5) of the Transfers Act,2005. It is a mid-term transfer. **Hence, the impugned order dated 08/03/2023 is stayed till filing of reply.**

3. Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. 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.

**S.O. after four weeks.**

**Vice Chairman**

dnk.

**O.A. No.569/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri G.G. Bade, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 23/03/2023.**

**Vice Chairman**

dnk.

**O.A. No.230/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri R.L. Alone, Id. counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 23/03/2023.**

**Vice Chairman**

dnk.

**O.A. No.627/2017 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

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

At the request of Id. counsel for the applicant, **S.O. 24/03/2023.**

**Vice Chairman**

dnk.

**O.A. No.623/2017 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

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

At the request of Id. counsel for the applicant, **S.O. 24/03/2023.**

**Vice Chairman**

dnk.



**O.A. No.878/2020 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri G.G. Bade, 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.

**Vice Chairman**

dnk.

**O.A. No.936/2020 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri P.V. Thakre, Id. counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the respondents.

The Id. counsel for the applicant submits that the respondents are served.

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

**Vice Chairman**

dnk.

**O.A. No.204/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri S.N. Gaikwad, Id. counsel holding  
for Shri R.M. Fating, Id. counsel for the  
applicants and Shri M.I. Khan, Id. P.O. for the  
respondents.

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

**Vice Chairman**

dnk.

**O.A. No.712/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri P.V. Thakre, Id. counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the respondents.

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

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

**Vice Chairman**

dnk.

**O.A. No.1113/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

None for applicant. Shri A.M .Khadatkar,  
Id. P.O. for R-1 to 3 and Shri K.S. Malokar, Id.  
counsel for R-4.

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

**Vice Chairman**

dnk.

**O.A. No.1156/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri M.L. Vairagade, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

2. At the request of learned counsel for the applicant, issue fresh notice to the respondent nos.2 and 3 returnable **after four weeks.** 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 four weeks.**

**Vice Chairman**

dnk.

**O.A. No.230/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Smt. K.N. Saboo, Id. counsel holding for Shri N.R. Saboo, 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-4. It is taken on record.
3. At the request of Id. P.O., **S.O. after three weeks** for filing reply of other respondents.

**Vice Chairman**

dnk.



**O.A. No.419/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

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

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

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

**S.O. after three weeks.**

**Vice Chairman**

dnk.

**O.A. No.645/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

None for the applicants. Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2 to 4.

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

**Vice Chairman**

dnk.

**O.A. No.899/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

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

2. The Id. P.O. already filed reply of R- 3. It is taken on record. The Id. P.O. submits that respondent nos.1 and 2 are adopting reply filed by R-3.

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

**S.O. three weeks.**

**Vice Chairman**

dnk.

**O.A. No.1063/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.1179/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Heard Ms. N.S. Pathan, 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. The Id. P.O. submits that reply of R-2 is sufficient to decide the matter.

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

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

**Vice Chairman**

dnk.

**O.A. No.1240/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.109/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Smt. K.N. Saboo, Id. counsel holding for  
Shri N.R. Saboo, Id. counsel for the applicant  
and Shri M.I. Khan, Id. P.O. for the respondents.

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

**Vice Chairman**

dnk.

**O.A. No.119/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

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

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

**Vice Chairman**

dnk.



**O.A. No.143/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.822/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Heard Shri I.S. Charlewar, learned counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1&2 and N.M. Kolhe, Id. counsel for respondent nos.3 and 4.

Affidavits-in-reply are already filed and pleadings are completed.

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

**S.O. 24/03/2023.**

**Vice Chairman**

dnk.

**O.A. No.95/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

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

2. Issue notice to the respondents returnable **after four weeks**. Learned 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 four weeks.**

**Vice Chairman**

dnk.

**O.A. No.753/2010 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri I.S. Charlewar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. The learned P.O. is directed to get instructions as per the order of this Tribunal dated 22/2/2023 and submit before the next date.

**S.O. 24/03/2023.**

**Vice Chairman**

dnk.

**O.A. No.221/2017 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri P.V. Thakre, 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. 21/03/2023.**

**Vice Chairman**

dnk.

**O.A. No.848/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri S.A. Marathe, 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. 17/03/2023.**

**Vice Chairman**

dnk.

**O.A. No.635/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri V.R. Deshpande, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

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

**Vice Chairman**

dnk.



**O.A. No.744/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Shri S.C. Deshmukh, 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. 20/03/2023.**

Interim relief to continue till then.

**Vice Chairman**

dnk.

**O.A. Nos.863 & 864 of 2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 10/03/2023.**

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents (in O.A.863/2021).

Heard Shri N.D. Thombre, Id. counsel for applicant, Shri A.M. Ghogre, Id. P.O. for respondent nos.1 to 3 and Shri S.N. Gaikwad, Id. counsel for respondent nos.4 and 5 (in O.A.864/2021).

**Closed for orders.**

**Vice Chairman**

dnk.  
ok

**R.A.07/2023 in O.A.No.597/2021  
(S.B.)**

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

**Dated : 10/03/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. **Closed for Orders.**

**Member (J).**

rsm.

O.A.No.941/2019 (S.B.)

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

**Dated : 10/03/2023.**

Heard Shri M.R.Kavimandan, ld. counsel  
for the applicant and Shri M.I.Khan, ld. P.O. for the  
respondents.

2. **S.O.21.03.2023.**

**Member (J).**

rsm.

**O.A.No.665/2020. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

**M.C.A.No.06/2023**

Heard Shri N.D.Thombre, ld. counsel  
for the applicant and Shri M.I.Khan, ld. P.O. for  
the respondents.

2. On oral request of learned P.O.,  
**S.O.17.03.2023.**

3. P.H.

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

O.A.No.1007/2018. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

**C.A.No.36/2021**

Heard Shri S.C.Deshmukh, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the respondents 1 to 3 and none for the respondents 5, 6, 8 to 12, 14 to 17 and Shri G.K.Bhusari, ld. Counsel for the respondents 19 to other respondents.

2. On oral request of learned P.O., **S.O.two weeks for filing reply as last chance.**

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

O.A.No.903/2020. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

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

2. Learned P.O. has filed reply of respondent no.2. It is taken on record. It is stated to be sufficient. The O.A. is **admitted** and kept for final hearing.

3. Learned P.O. waive notices for the respondents.

4. **In due course.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

O.A.No.419/2021. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri R.V.Shiralkar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. On oral request of learned P.O., **S.O. three weeks for filing reply.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**



O.A.No.538/2021. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

None for the applicant. Heard Shri  
A.M.Khadatkar, ld. P.O. for the respondents 1  
to 5.None for the respondents 6 to 15.

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

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

O.A.No.877/2021

with

O.A.No.879/2021.(D.B.)

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

**Dated: 10/03/2023.**

Heard Shri S.P.Palshikar, ld. counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the respondents 1 & 2 and none for the respondent no.3.

2. On oral request of learned P.O., **S.O. three weeks for filing reply.**

**Member(J)**

**Vice Chairman**

**Date:-10/03/2023.**

rsm.

O.A.No.1002/2021. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

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

2. Learned counsel for the applicant submits that he desires one week time for carryout amendment.

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

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

O.A.No.161/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

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

2. As pointed out by learned counsel for the applicant in order dated 21.02.2023, learned P.O. has submitted that he will file reply on next date. Today again learned P.O. seeks time of one week.

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

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

O.A.No.318/2022. (D.B.)

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

**Dated : 10/03/2023.**

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

2. Learned P.O. has filed reply of respondents 2 and 3. It is taken on record. Copy is supplied to the learned counsel for the applicant.

3. Learned counsel for the applicant submits that he will go through the reply of respondents 2 and 3. As submitted by learned counsel for the applicant in order dated 22.03.2022 para 6 is reproduced below-

**6. In view of this to avoid any injustice against the applicant. Respondents are directed not to proceed with the enquiry for which chargesheet was issued by order dated 08.03.2022 (30-A) till filing of the reply. However, ld. P.O. opposed this interim relief given to the applicant. In view of justice, it is necessary that applicant should not be harassed.**

4. Reply has been filed but respondents are directed not to proceed with the enquiry for which the charge sheet was issued by order dated 08.03.2022 is continued until further order.

4. **S.O. two weeks.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

**O.A.No.392/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Adv.S.Kulkarni, holding for Shri S.S.Ghate, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. On oral request of learned P.O.,  
**S.O.23.03.2023 for filing reply.**

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

O.A.No.649/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri N.J.Patil, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. On oral request of learned P.O.,  
**S.O.four weeks for filing reply.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

**O.A.No.924/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

**C.A.No.103/2023**

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

2. **S.O. three weeks.**

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**



**O.A.No.931/2022 with O.A.No.958/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member (J)  
Dated : 10/03/2023.**

Heard Shri S.I.Ghate, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. Documents are placed by learned counsel for the applicant. It is marked Exhibit-X for identification.

3. In order dated 18.10.2022 para 2 (i) is reproduced below-

**“(i) The respondents may continue the recruitment process to the extent of deciding the objections to the answer key. The respondents, however, shall not declare the result of the said examination till the next date i.e. 7/11/2022.”**

4. By this order the respondents were directed not to declare the result of the said examination till the next date i.e. 07.11.2022. The learned counsel for the applicant submits that in spite of this order by this Tribunal, respondents have published this result on 23.02.2023. Learned counsel for the applicant has filed correspondence letter dated 08.03.2023 of Physical Education and training director and in para 2 it appears that on 23.02.2023 respondents have declared the result in spite of the Tribunal's order.

5. Learned P.O. is directed to take instructions as to why he has declared the result when they were asked not to declare the result till next date.

6. **S.O.15.03.2023.**

7. **Steno copy is granted.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

O.A.No.1137/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri R.M.Fating, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. On oral request of learned P.O., **S.O. three weeks for filing reply.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

**O.A.No.1202/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri V.K.Paliwal, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. In this matter, on the last date P.O. Shri M.I.Khan appeared. Today Shri S.A.Sainis appeared and submits that P.O. Shri V.A.Kulkarni is not feeling well. Hence, the matter be kept on 17.03.2023.

3. **S.O. 17.03.2023.**

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

**O.A.No.203/2023. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri S.A.Marathe, ld. counsel for the applicants and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Learned P.O. submits that on the last day when matter was heard on 09.03.2023 question was whether advertisement has been issued for the post on which the applicants are working or not?

3. Learned P.O. submitted that till now no advertisement has been published so there is no question of whether the applicants post has been filled or not? Since no advertisement has been issued so far there is no cause of action arises. Learned counsel for the applicants cannot claim that applicants' posts have been advertised. If applicants' posts are advertised, he made prayer to that effect.

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

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

**O.A.No.236/2023. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

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

2. Learned counsel for the applicant submits that he wants to place certain Judgments on record.

3. **S.O. 13.03.2023.**

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

**C.P.No.13/2023 in O.A.No.896/2021.(D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri D.P.Dapurkar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. Learned counsel for the applicant submits that respondents are served the notice.

3. Learned P.O. is directed to take instructions and submits that the respondents are required how much time to comply this order.

4. **S.O. 17.03.2023.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

**O.A.No.247/2023. (D.B.)**

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

**Dated: 10/03/2023.**

**C.A.No.120/2023**

Heard Shri S.A.Marathe, Id. counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State.

2. C.A. for Jt. O.A. is allowed and disposed of.

**O.A.No.247/2023**

Heard Shri S.A.Marathe, Id. counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State.

2. Applicants are apprehending termination or reversion of their services from Associate Professor. Respondents are directed to maintain status-quo till returnable date.

3. Issue notice to Respondents, returnable **after three weeks**. Learned P.O. waives notice for State. 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. after three weeks.**

10. **Steno copy is granted.**

**Member(J)**

**Date:-10/03/2023.**

rsm.

**Vice Chairman**

O.A.No.245/2021

with

C.A.No.239/2022.(D.B.)

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

**Dated: 10/03/2023.**

Heard Shri R.V.Shiralkar, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the respondents and Shri R.R.Shetty, ld. counsel for the respondents 1 & 2. None for the respondent no.3.

2. As submitted by learned counsel for the applicant, matter is decided by the Hon'ble Supreme Court and the order was passed by the Hon'ble High Court is maintained. Learned counsel for the applicant also supplied the copy of order which is taken on record and further requests that both the matters O.A.No. 245/2021 and 345/2022 be adjourned.

3. **S.O. 31.03.2023.**

**Member(J)**

**Date:-10/03/2023.**

rsm.

**Vice Chairman**

**O.A.No.345/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri R.V.Shiralkar, ld. counsel for the applicant and Shri S.A.Sainis, the ld. P.O. for the respondents.

2. As submitted by learned counsel for the applicant, matter is decided by the Hon'ble Supreme Court and the order was passed by the Hon'ble High Court is maintained. Learned counsel for the applicant also supplied the copy of order which is taken on record and further requests that both the matters O.A.No. 245/2021 and 345/2022 be adjourned.

3. **S.O. 31.03.2023.**

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

O.A.No.979/2020. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Since applicant and concerned Advocate both are expired. In view of this situation O.A. is disposed of.

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

**O.A.No.192/2023. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri C.B.Dharmadhikari, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the State.

2. As submitted by learned counsel for the applicant, charge sheet was served on 26.06.2012 and the applicant was retired on 30.09.2012. Till now departmental inquiry is not finalised. Respondents submits that the applicant had filed O.A.No.547/2014 (Annexure A-3, page 56) which was decided on 15.07.2015 and respondents were directed to complete the enquiry within one year i.e. upto 15.07.2016 but even after gap of the more than 7 years the enquiry has not been completed.

3. Issue notice to Respondents, returnable **after four weeks**. Learned P.O. waives notice for State. 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. after four weeks.**

10. Meanwhile, respondents are at liberty to finalise the departmental inquiry and file reply.

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

**C.P.No.18/2023 inO.A.No.676/2019.(D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard ShriB.Kulkarni, ld. counsel for the applicant and ShriS.A.Sainis, ld. P.O. for the State.

2. Issue Notice to the respondents returnable in **three weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. The learned P.O. waives notice for the respondents. Hamdast granted.

4. **S.O.three weeks.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

**C.P.No.33/2022 inO.A.No.89/2017.(D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri N.T.Jichkar, ld. counsel for the applicant and Shri S.A.Sainis, the ld. P.O. for the respondents.

2. Office is directed to issue fresh notice as per correction made by the learned counsel for the applicant.

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

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**



O.A.No.221/2023. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 10/03/2023.**

Heard Shri Y.Y.Humne, ld. counsel for the applicant and Shri A.M.Ghogre, the ld. P.O. for the State.

2. Learned counsel for the applicant submits that he has not received show cause notice and charge sheet. He appeared on 28.02.2023 and he has acknowledgment of that also. He asked further documents he has not supplied in the hearing. Learned counsel for the applicant is directed to file all these necessary documents on record.

3. Issue notice to Respondents, returnable **after two weeks**. Learned P.O. waives notice for State. 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. after two weeks.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

**O.A.No.13/2023. (D.B.)**

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

**Dated : 10/03/2023.**

Heard Shri B.Kulkarni, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Learned P.O. submits that the Interim Order passed by this Tribunal is required to be modified so that the process of promotion to the post of Jail Superintendent can be completed. This submission of the P.O. is supported by Shri A.P.Sadavarte, learned Advocate for the respondents 3, 4 and 5. It is the submission of Shri B.Kulkarni, learned Advocate for the applicant that instead of considering the question of modification of Interim Order the O.A. be heard finally on Monday i.e. 13.03.2023. The O.A. be kept on 13.03.2023 for final hearing.

3. In case respondents 3 to 5 desire to file their pleading on record, they shall file it on 13.03.2023. Advocate Shri B.Kulkarni shall supply copy of rejoinder to the respondents.

4. Interim Order to continue till 13.03.2023.

5. **S.O. 13.03.2023 high on board.**

6. **Steno copy is granted.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

O.A.No.755/2015. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

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

2. **Closed for Orders.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

O.A.No.579/2017. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri S.P.Palshikar, ld. counsel for  
the applicant and Shri S.A.Sainis, ld. P.O. for  
the respondents.

2. **Closed for Orders.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

O.A.No.97/2019

with

O.A.No.98/2019.(D.B.)

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

**Dated: 10/03/2023.**

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

2. **S.O.20.03.2023.**

**Member(J)**

**Vice Chairman**

**Date:-10/03/2023.**

rsm.

**O.A.No.01/2020. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents 1 to 3. None for the respondent no.4.

2. On oral request of learned P.O.,  
**S.O.17.03.2023.**

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

O.A.No.211/2021. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri D.I.Shukla, applicant in person and Shri H.K.Pande, ld. P.O. for the respondents.

2. Applicant has filed written notes of arguments along with three documents. Copy is supplied to the learned P.O.

3. **S.O. 31.03.2023.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**



**O.A.No.523/2021 with C.A.No.293/2021 &  
C.A.No.294/2021.(D.B.)**

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

**Dated: 10/03/2023.**

Heard Shri R.V.Shiralkar, ld. counsel for the applicant, Shri H.K.Pande, ld. P.O. for the respondents and Shri S.P.Palshikar, ld. Counsel for the respondents 15 to 20 (Intervenor).

2. On oral request of learned P.O.,  
**S.O.15.03.2023.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

**O.A.No.524/2021 (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

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

2. On oral request of learned P.O., **S.O.**  
**15.03.2023.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

O.A.No.525/2021. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member (J)  
Dated : 10/03/2023.**

Heard Shri R.V.Shiralkar, ld. counsel for the applicant, Shri H.K.Pande, ld. P.O. for the respondents and Shri R.M.Fating, ld. Counsel for the respondents 6 to 8 and 12 & 13 and Shri S.P.Palshikar, Intervenor for the respondents 15 to 20 .

2. Learned counsel for the respondents 6 to 8 and 12 and 13 has filed pursis. It is taken on record.

3. On oral request of learned P.O., **S.O.**  
**15.03.2023.**

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

O.A.No.995/2021. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

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

2. On oral request of learned counsel for the applicant, **S.O.next week**.

**Member(J)**  
**Date:-10/03/2023.**  
rsm.

**Vice Chairman**

**O.A.No.1134/2021. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

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

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

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

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

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri S.P.Palshikar, ld. counsel for  
the applicant and Shri S.A.Sainis, ld. P.O. for  
the respondents.

2. **S.O. 20.03.2023.**

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

**O.A.No.506/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri S.P.Palshikar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondent no.1. None for the respondent no.2.

2. As per the submission of learned counsel for the applicant, the respondent no.2 i.e. Z.P. Akola did not appear on 22.08.2022, 15.09.2022, 20.01.2023, 23.02.2023 also. In view of this situation one week time is granted for respondent no.2. If nobody is present from respondent no.2 on next date, matter will be heard finally.

3. **S.O. 20.03.2023.**

**Member(J)  
Date:-10/03/2023.  
rsm.**

**Vice Chairman**

**O.A.No.864/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 10/03/2023.**

Heard Shri R.V.Shiralkar, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents and Shri I.Tamb, holding for Shri D.A.Khirsagar, Id. Counsel for the respondent no.3.

2. Learned counsel for the applicant submits that respondent no.2 i.e. M.P.S.C. has filed reply on 18.12.2023. In para 16 on page 58 it is submitted as follows-

**16. The documents submitted by the candidates about their eligibility and experiences were checked by the scrutiny committee appointed by the Respondent No.1, the Commission has very limited role in it. According to report submitted by scrutiny committee the respondent no.3 was eligible for the post in issue, therefore he was allowed to appear for the interview. It is also submitted that, the Commission in its recommendation dated 18<sup>th</sup> August, 2022, informed the Respondent No.1 to verify authenticity of all the certificates of the recommended candidates, before taking decision regarding their appointment to the post.**

3. Learned counsel for the applicant has objected that this submission of M.P.S.C. is not correct. In view of this respondent no.2 is asked not to appoint respondent no.3 till filing of reply. As pointed out by the learned counsel for the respondent no.2 is adopting the reply by respondent no.1.



4. After consulting the applicant learned counsel for the applicant submits that respondent no.3 has been given appointment subject to the outcome of the O.A.

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

6. **Steno copy is granted.**

**Member(J)**

**Date:-10/03/2023.**

rsm.

**Vice Chairman**