

O.A. No.66/2019 (S.B.)

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

Dated : 10/04/2023.

Smt. Saboo, Id. counsel for the applicant
and Shri A.M. Khadatkar, Id. P.O. for the
respondents.

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

Vice Chairman

dnk.

O.A. No.172/2019 (S.B.)

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

Dated : 10/04/2023.

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

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

Vice Chairman

dnk.

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

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

Dated : 10/04/2023.

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

2. The Id. P.O. files reply of R-1 to 4. It is taken on record and copy is given to the applicant.

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

S.O. in due course.

Vice Chairman

dnk.

O.A. No.529/2021 (S.B.)

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

Dated : 10/04/2023.

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

The applicant to remove office objections.

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

Vice Chairman

dnk.

O.A. No.531/2021 (S.B.)

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

Dated : 10/04/2023.

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

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

Vice Chairman

dnk.

O.A. No.565/2021 (S.B.)

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

Dated : 10/04/2023.

C.A. 202/2021 -

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

2. Looking to the ground, the C.A. for filing Jt. O.A. is allowed and disposed off.

O.A. No.565/2021 -

Heard Shri V.B. Bhise, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

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

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

Dated : 10/04/2023.

P.S. Kshirsagar, Id. counsel for the applicants and Shri S.A.Sainis, Id. P.O. for respondent no.1.

Await service of R-2 to 4.

The learned counsel for the applicant submits that the respondents are served and he will file service affidavit today itself.

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

Vice Chairman

dnk.

O.A. No.740/2022 (S.B.)

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

Dated : 10/04/2023.

A.A. Mankar, Id. counsel for the applicant
and Shri S.A.Sainis, Id. P.O. for respondent
no.1.

Await service of R-2 to 4.

The learned counsel for the applicant
submits that the respondents are served and he
will file service affidavit today itself.

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

Vice Chairman

dnk.

O.A. No.783/2022 (S.B.)

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

Dated : 10/04/2023.

A.R. Chavhan, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No.913/2022 (S.B.)

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

Dated : 10/04/2023.

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

2. The Id. P.O. files reply of R-1 to 3. It is taken on record and copy is given to the applicant.

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

S.O. in due course.

Vice Chairman

dnk.

O.A. No.998/2022 (S.B.)

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

Dated : 10/04/2023.

C.A. 496/2022 in O.A.998/2022 -

Shri N.S. Warulkar, 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. Next week** for filing reply.

Vice Chairman

dnk.

O.A. No.1005/2022 (S.B.)

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

Dated : 10/04/2023.

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

2. The Id. P.O. files reply of R-1 to 3. It is taken on record and copy is given to the applicant.

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

S.O. 25/04/2023.

Vice Chairman

dnk.

O.A. No.1027/2022 (S.B.)

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

Dated : 10/04/2023.

Heard Shri R.M. Fating, Id. counsel for the applicant and Shri A.M. Khadatkhar, Id. P.O. for the respondents.

2. The Id. P.O. files reply of R-3. It is taken on record and copy is given to the applicant.

3. At the request of Id. P.O., **S.O. after two weeks** for filing reply of R-2.

Vice Chairman

dnk.

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

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

Dated : 10/04/2023.

A.S. Uikey, Id. counsel for the applicants
and Shri S.A. Sainis, Id. P.O. for the
respondents.

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

Vice Chairman

dnk.

(S.B.)

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

Dated : 10/04/2023.

C.A.102/2023 in O.A.1070/2022 -

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

2. The applicant has filed present O.A. for direction to the respondents to grant increment due on 01/07/2011. The applicant came to be retired on 30/06/2011. However, there is a delay of 11 years for filing this application. This Tribunal has decided many O.As. in respect of grant of increments which fall due on 1st July of the respective year.

3. The learned counsel for the applicant has pointed out the Judgment of Hon'ble Supreme Court in the case of ***M.R. Gupta Vs. Union of India & Ors., decided on 21/08/1995.*** The Hon'ble Supreme Court has held that the claims in respect of increment are counting proper pay fixation is based on a recurring cause of action. Hence, delay can be condoned.

4. In view of the Judgment of Hon'ble Supreme Court in the case of ***M.R. Gupta Vs. Union of India & Ors., decided on 21/08/1995,***

the delay is condoned. The C.A. is allowed and disposed off.

O.A.1070/2022 -

S.O. 19/04/2023.

Vice Chairman

dnk.

(S.B.)

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

Dated : 10/04/2023.

C.A.23/2023 in O.A.St.123/2023 -

Heard Mrs. S.D. Anjankar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. The applicant is claiming pensionary benefits. As per the Judgment of Hon'ble Supreme Court in the case of ***M.R. Gupta Vs. Union of India & Ors., decided on 21/08/1995***, the pension is a continuing / recurring cause of action, hence the delay is condoned. The C.A. is allowed and disposed off.

O.A.St.123/2023 -

Heard Mrs. S.D. Anjankar, Id. counsel for the applicant and Shri S.A. Sainis, 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.19/2023 (S.B.)

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

Dated : 10/04/2023.

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for respondent no.1.

2. The Id. P.O. files reply of R-2 and 3. It is taken on record and copy is given to the applicant.

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

S.O. 20/04/2023.

Vice Chairman

dnk.

O.A. No.35/2023 (S.B.)

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

Dated : 10/04/2023.

Shri N.R. Saboo, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.49/2023 (S.B.)

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

Dated : 10/04/2023.

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

At the request of learned P.O., **S.O. 26/04/2023** for filing reply.

Vice Chairman

dnk.

O.A. No.104/2023 (S.B.)

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

Dated : 10/04/2023.

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

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

Vice Chairman

dnk.

O.A. No.112/2023 (S.B.)

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

Dated : 10/04/2023.

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

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

Vice Chairman

dnk.

O.A. No.194/2023 (S.B.)

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

Dated : 10/04/2023.

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.200/2023 (S.B.)

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

Dated : 10/04/2023.

Shri A.P. Sadavarte, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for respondent no.1. Await service of R-2 to 4.

2. The learned counsel for the applicant submits that the respondents are served and he has already filed service affidavit in the office.

3. The office is directed to verify the same and take note on record.

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

Vice Chairman

dnk.

O.A. No.206/2023 (S.B.)

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

Dated : 10/04/2023.

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

At the request of learned P.O., **S.O. 24/04/2023** for filing reply.

Vice Chairman

dnk.

O.A. No.214/2023 (S.B.)

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

Dated : 10/04/2023.

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

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

Vice Chairman

dnk.

O.A. No.261/2023 (S.B.)

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

Dated : 10/04/2023.

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

2. The learned P.O. has filed letter dated 06/04/2023 of Residence Deputy Collector, Nagpur. As per this letter, the applicant has joined at Hingna and taken the charge of Tahsildar, Hingna on 06/04/2023. The grievances of the applicant are not now satisfied. The copy of the letter dated 06/04/2023 is taken on record and marked Exh-X for identification.

3. In view of above, the O.A. is disposed off. No order as to costs.

Vice Chairman

dnk.

O.A. No.386/2022 (S.B.)

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

Dated : 10/04/2023.

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

2. The Id. P.O. files reply of R-2 to 4. It is taken on record.

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

S.O. After Vacation.

Vice Chairman

dnk.

O.A. No.829/2011 (S.B.)

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

Dated : 10/04/2023.

Shri S.U. Bhuyar, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for respondents.

2. The learned counsel for the applicant has filed pursis dated 10/04/2023 alongwith that he has filed copy of Judgment of Hon'ble Bombay High court, Bench at Nagpur in Writ Petition No.7288/2019, decided on 23/02/2021.

3. The learned P.O. seeks further time to argue the matter. At his request, **S.O. 06/06/2023.**

Vice Chairman

dnk.

O.A. No.682/2017 (S.B.)

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

Dated : 10/04/2023.

Shri Karnik, Id. counsel for the applicant
and Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. counsel for the
applicant, **S.O. 25/04/2023.**

Vice Chairman

dnk.

(S.B.)

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

Dated : 10/04/2023.

O.A.Nos.747/2018,748/2018 and

O.As.750/2018-

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

S.O. Next week.

Vice Chairman

dnk.

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

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

Dated : 10/04/2023.

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

S.O. 25/04/2023.

Vice Chairman

dnk.

O.A. No.187/2019 (S.B.)

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

Dated : 10/04/2023.

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

At the request of Id. counsel for the applicant, **S.O. 12/04/2023.**

Vice Chairman

dnk.

O.A. No.553/2019 (S.B.)

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

Dated : 10/04/2023.

Shri A.S. Shukla, Id. counsel for the applicant and Shri A.M. Ghogre , Id. P.O. for respondent nos.1 to 3 and none for other respondents.

The learned P.O. submits that he wants to file reply and for that purpose he seeks time. At his request, **S.O. 26/04/2023.**

Vice Chairman

dnk.

O.A. No.20/2020 (S.B.)

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

Dated : 10/04/2023.

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

2. As per submission of learned counsel for the applicant, the applicant has filed present O.A. for refund of recovered amount. As per direction of the respondents, the said amount was recovered, because, the pension was wrongly fixed by calculating the higher pay scale granted as per the G.R. dated 6/8/2002. This Bench has referred the issue to the Larger Bench of this Tribunal for deciding the issue as to whether the employees who were working in the naxalite area, are entitled to get pensionary benefits by calculating his pay as per the last pay granted as per the G.R. dated 6/8/2002. The G.R. dated 6/8/2002 is very clear. As per this G.R., the young employees who are below 50 years of age, are to be posted in naxalite/ tribal area and to give incentives to the young employees who worked in naxalite / tribal area. The higher pay scale was given to them and it is applicable till they actual worked in that area.

3. In one of the Judgments of Hon'ble Bombay High Court, Bench at Nagpur in Writ

Petition No.1701/2015, it is held that if such situation is continued, then the employees who are on the verge of retirement in non-tribal area, they will go to naxalite / tribal area and get more pension. It is injustice to the employees who were working on the same post in non-tribal area and who retired from that area. Whereas colleagues of those employees working on the same post, if retired in naxalite / tribal area, will get more pension. This issue is pending before the Larger bench of this tribunal. Hence, the matter be kept on the next date.

S.O. 1st week of June, 2023.

Vice Chairman

dnk.

O.A. No.51/2020 (S.B.)

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

Dated : 10/04/2023.

Shri V.G. Wankhede, Id. counsel for the applicant and Shri A.M. Khadatkar , Id. P.O. for respondents.

S.O. 25/04/2023.

Vice Chairman

dnk.

O.A. No.736/2020 (S.B.)

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

Dated : 10/04/2023.

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

At the request of Id. counsel for the
applicant, **S.O. 24/04/2023.**

Vice Chairman

dnk.

O.A. No.901/2020 (S.B.)

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

Dated : 10/04/2023.

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

S.O. 26/04/2023.

Vice Chairman

dnk.

O.A. No.803/2021 (S.B.)

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

Dated : 10/04/2023.

Shri R.M. Fating, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for respondent no.1 and Shri H.D. Marathe, learned counsel for respondent nos.2 to 4.

At the request of Id. counsel for R-2 to 4, **S.O. 24/04/2023.**

Vice Chairman

dnk.

O.A. No.491/2022 (S.B.)

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

Dated : 10/04/2023.

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

At the request of Id. counsel for the applicant, **S.O. 19/04/2023.**

Vice Chairman

dnk.

O.A. No.713/2022 (S.B.)

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

Dated : 10/04/2023.

Shri B. Kulkarni, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. After Vacation.**

Vice Chairman

dnk.

O.A. No.925/2022 (S.B.)

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

Dated : 10/04/2023.

Shri Mardikar, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. counsel for the applicant, **S.O. 18/04/2023.**

Vice Chairman

dnk.

O.A. No.933/2022 (S.B.)

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

Dated : 10/04/2023.

Shri B. Kulkarni, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. counsel for the applicant, **S.O. 24/04/2023.**

Vice Chairman

dnk.

O.A. No.943/2022 (S.B.)

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

Dated : 10/04/2023.

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

2. After the medical examination dated 14/06/2022 by the Medical Board, Yavatmal, the learned counsel for the applicant to verify as to whether the applicant is again examined by the State/ Medical Board.

S.O. 19/04/2023 (PH).

Vice Chairman

dnk.

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O.A.Nos.521,522,523&524/2014 (D.B.)

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

Dated : 10/04/2023.

Heard Shri R.S.Khobragade, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents 1 to 5. None for the R-6 & 7.

2. At the request of Id. P.O., **S.O. after summer vacation to file reply on amended portion.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

R.A.No.21/2022inO.A.No.930/2017 (D.B.)

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

Dated : 10/04/2023.

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

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.207/2018 (D.B.)

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

Dated : 10/04/2023.

C.A.Nos.109/2020&159/2023:-

Heard Shri P.P.Khaparde, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.345/2020 (D.B.)

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

Dated : 10/04/2023.

Heard Smt. Saboo, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

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

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

Dated : 10/04/2023.

C.A.No.158/2021:-

Heard Ms. Telang holding for Shri A.P.Tathod, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. two weeks to file reply on condonation of delay.**

Member(J)

Date:- 10/04/2023.

aps.

Vice Chairman

O.A.No.153/2022 (D.B.)

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

Dated : 10/04/2023.

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

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

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

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

Dated : 10/04/2023.

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

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.669/2022 (D.B.)

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

Dated : 10/04/2023.

C.A.No.147/2023:-

Heard Shri S.S.Mohod, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. C.A.No.147/2023 for early hearing is allowed.

3. At the request of ld. P.O., S.O. 21.04.2023 for hearing.

**Member(J)
Date:- 10/04/2023.
aps.**

Vice Chairman

O.A.No.731/2022 (D.B.)

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

Dated : 10/04/2023.

Heard Shri Y.N.Sambre, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. The ld. P.O. has filed reply on behalf of the respondents 1 to 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

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

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

5. **S.O. 21.04.2023.**

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.770/2022 (D.B.)

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

Dated : 10/04/2023.

C.A.No.123/2023:-

Heard Shri S.S.Patil, Id. Counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents.

2. **C.A. No.123/2023 for amendment is allowed and disposed of.** The Id. counsel for the applicant is directed to carryout the amendment within one week. He is further directed to supply the same to the other side.

3. At the request of Id. P.O., **S.O. two weeks to file reply on C.A. along with O.A..**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.1184/2022 (D.B.)

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

Dated : 10/04/2023.

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

2. At the request of Id. P.O., **S.O. three weeks to file reply. If reply is not file till next date matter will be heard on merit.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.1227/2022 (D.B.)

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

Dated : 10/04/2023.

None for the applicant. Shri V.A.Kulkarni, Id.
P.O. for the State. Await service of R-2 & 3.

2. Ld. P.O. has filed reply on behalf of the
respondent no. 3. It is taken on record. He further
submits that he will serve it to the other side.

3. **S.O. four weeks to file service affidavit of
R-2.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.St.No.257/2023 (D.B.)

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

Dated : 10/04/2023.

C.A.No.51/2023:-

Heard Smt. R.P.Jog, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. three weeks to file reply on C.A. as well as on O.A..**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

C.P.No.13/2023inO.A.No.896/2021 (D.B.)

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

Dated : 10/04/2023.

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

2. In paras 9 & 10-A of the Contempt Petition certain details have been furnished which *prima facie* support contention of the applicant that the order in question has not been obeyed so far. It is the contention of the respondents that the order in question is already complied with. Id. P.O. shall file specific reply to what is contained in the application and more particularly in paras 9 & 10-A.

3. **S.O. 24.04.2023.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.73/2023 (D.B.)

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

Dated : 10/04/2023.

Heard Shri Vinay Rathi holding for Shri P.B.Patil, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.113/2023 (D.B.)

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

Dated : 10/04/2023.

Heard Shri M.R.Kavimandan, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the respondents.

2. For hearing of this O.A. bench consisting of one of us i.e. Hon'ble Vice Chairman, Shri Shree Bhagwan and Hon'ble Vice Chairman, Shri Justice M.G.Giratkar will have to be constituted. Office is directed to do so.

3. **S.O. 24.04.2023.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.Nos.126&127/2023 (D.B.)

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

Dated : 10/04/2023.

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

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.154/2023 (D.B.)

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

Dated : 10/04/2023.

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

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.256/2023 (D.B.)

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

Dated : 10/04/2023.

Heard Smt. Saboo, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the respondents.

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.Nos.58,59,60,61,62,63,117,212,213,288

&750/2020 (D.B.)

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

Dated : 10/04/2023.

Heard Smt. P.Rane, ld. Counsel for the applicants and Shri S.A.Deo, ld. C.P.O. for the respondents.

2. The ld. C.P.O. submits that he will file reply during the course of the day.
3. At his request, matter is **admitted** and kept for final hearing.
4. Ld. C.P.O. waives notice for the respondents.
5. **S.O.25.04.2023.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.90/2020 (D.B.)

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

Dated : 10/04/2023.

Heard Shri S.N.Gaikwad, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the respondents.

2. The ld. C.P.O. submits that he will file reply during the course of the day.

3. At his request, matter is **admitted** and kept for final hearing.

4. Ld. C.P.O. waives notice for the respondents.

5. **S.O.25.04.2023.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.1232/2022 (D.B.)

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

Dated : 10/04/2023.

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the respondents.

2. Ld. Counsel for the applicant submits that during the course of the day he will file written notes of argument.

3. Ld. C.P.O. raised the preliminary objection on maintainability of O.A..

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.310/2023 (D.B.)

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

Dated : 10/04/2023.

Heard Shri R.M.Fating, Id. Counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the State.

2. Issue notice to Respondents, returnable on two weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

8. **S.O. two weeks.**

9. **Interim relief is kept open.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

C.P.No.46/2022inO.A.No.284/2010 (D.B.)

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

Dated : 10/04/2023.

Heard Shri R.D.Hajare, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Ld. Counsel for the applicant alleges contempt of order dated 31.03.2017 passed in O.A. No. 284/2010. The applicant retired on superannuation. According to the ld. P.O. order dated 31.03.2017 is challenged by the respondents herein in W.P. No. 1499/2021. It the contention of the applicant that order dated 31.03.2017 is required to be complied with since its non-compliance is causing serious prejudice to him. Ld. P.O. shall make a statement on the next date about current status of above referred Writ Petition. Ld. P.O. also desires to place on record some documents having bearing on merits of the matter. Perusal and consideration of these documents would be beyond the scope of this Contempt Petition. However, liberty is granted to the ld. P.O. to place this document on record.

3. **S.O. 20.04.2023.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.Nos.323&324/2023 (D.B.)

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

Dated : 10/04/2023.

Heard Shri J.R.Kidilay, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. Issue notice to Respondents, returnable on two weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

8. **S.O. two weeks.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.621/2017 (D.B.)

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

Dated : 10/04/2023.

Heard Shri S.M.Khan, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. Put up before Single Bench.

Member(J)

Date:- 10/04/2023.

aps.

Vice Chairman

O.A.Nos.917&918/2017 (D.B.)

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

Dated : 10/04/2023.

Heard Shri Y.P.Kaslikar, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. Ld. Counsel for the applicant submits that he will file promotional order in both the cases in office and supply the same to the ld. P.O..

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.974/2017 (D.B.)

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

Dated : 10/04/2023.

Heard Shri N.S.Warulkar, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. two weeks for reply.**

Member(J)

Date:- 10/04/2023.

aps.

Vice Chairman

O.A.No.1007/2018withC.A.No.36/2021 (D.B.)

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

Dated : 10/04/2023.

Heard Shri S.C.Deshmukh, the ld. counsel for the applicant, Shri S.A.Sainis, the ld. P.O. for respondent nos. 1 to 3, Smt. Wathore, learned counsel for respondent nos. 5, 6, 8 to 12, 14 to 17 and Shri G.K. Bhusari, the ld. counsel for the respondent nos. 19 to 21, 23, 24, 25, 28, 29, 31, 32, 35, 36, 41, 51, 52, 54, 55, 57, 58, 66 to 69, 71 to 73, 75 to 84, 86 to 88, 90, 91, 94, 96 to 100, 104, 108 to 110, 113, 115 to 118, 123, 125, 128, 129, 132, 133, 135 to 137, 139, 140, 143 to 145, 147 to 152, 154, 155. None for private respondents.

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

3. **If reply is not file till next date matter will be heard on merit, S.O. 25.04.2023.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.Nos.97&98/2019 (D.B.)

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

Dated : 10/04/2023.

Heard Shri S.P.Palshikar, ld. Counsel for the applicant in O.A. No. 97/2019, Shri G.N.Khanzode, ld. Counsel for the applicant in O.A. No. 98/2019 and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. two weeks for final hearing.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.655/2020 (D.B.)

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

Dated : 10/04/2023.

Heard Smt. Charlewar, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents 1 & 2. None for the R-3 & 4.

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.78/2021 (D.B.)

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

Dated : 10/04/2023.

Heard Shri S.R.Dambhare, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents. None for the R-6.

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

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

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

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

Dated : 10/04/2023.

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the respondents and Shri Ishant V. Tambi holding for Shri D.A.Kshirsagar, ld. Counsel for the R-3.

2. At the request of ld. P.O., **S.O. 18.04.2023** for final hearing.

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.951/2022 (D.B.)

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

Dated : 10/04/2023.

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

2. At the request of ld. P.O., **S.O. 26.04.2023** for final hearing.

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.1134/2022 (D.B.)

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

Dated : 10/04/2023.

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. **Closed for orders.**

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.248/2023 (D.B.)

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

Dated : 10/04/2023.

Heard Shri P.P.Khaparde, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 24.04.2023** for final hearing.

Member(J)
Date:- 10/04/2023.
aps.

Vice Chairman

O.A.No.330/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Vice Chairman.**

Dated : 10/04/2023.

M.C.A.No.41/2022

Heard Shri G.N.Khazode, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. The present O.A. was filed for direction to the respondents decide the applicant representation dated 17.11.2015. This Tribunal had passed order dated 06.10.2021 with direction to the respondent i.e. Principal Secretary/Additional Chief Secretary of Revenue Department to decide the representation of the applicant within two months from the date of receipt of the order. Thereafter, Contempt Petition was filed stating that the Tribunal's order was not complied. Detailed order was passed by this Tribunal on 18.08.2022. By the said order C.P. was disposed of. After the disposal of C.P. how another C.A. is maintainable is a question before this Tribunal. The applicant is directed to show the provisions as to how C.A. is maintainable.

3. **S.O. 25.04.2023.**

**Vice Chairman
(M.G.Giratkar)**
rsm.

**Vice Chairman
(Shree Bhagwan)**

O.A.No.918/2021 with
C.A.No.136/2023 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Vice Chairman.

Dated : 10/04/2023.

Heard Dr.N.G.Raut, applicant in person, Shri S.A.Deo, ld. C.P.O. for the respondents 1 to 4 and Shri R.Joshi, ld. counsel for the respondents 7 to 9. None for the respondents 5 and 6.

2. The applicant has filed amendment application on 17.03.2023. This amendment application is filed after filing written submission/ notes of arguments by the respondents 7 to 9. Therefore, the applicant in person is requested to show any provision as to how amendment application is maintainable after filing written notes of arguments by the opposite party(respondents 7 to 9).

3. **S.O. 17.04.2023.**

**Vice Chairman
(M.G.Giratkar)**
rsm.

**Vice Chairman
(Shree Bhagwan)**