

O.A.435/2020 (S.B.)

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

Dated : 18/11/2022.

Heard Shri R.Joshi, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. The learned P.O. has filed reply of respondents 1 to 4. It is sufficient for other respondents. The matter is **admitted** and kept for final hearing.

3. **S.O.08.12.2022.**

Vice Chairman

rsm.

O.A.175/2021 (S.B.)

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

Dated : 18/11/2022.

Heard Shri V.Dahat, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents. Await service for respondent no.3.

2. At the request of learned counsel for the applicant, **S.O. 09.12.2022.**

Vice Chairman

rsm.

O.A.184/2021 (S.B.)

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

Dated : 18/11/2022.

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

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

Vice Chairman

rsm.

O.A.462/2021 (S.B.)

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

Dated : 18/11/2022.

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

2. The learned P.O. submits that he has received para wise reply. He further submits that he will file the same on the record at the time of next hearing.

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

Vice Chairman

rsm.

O.A.516/2021 (S.B.)

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

Dated : 18/11/2022.

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

2. The learned P.O. submits that he has received para wise reply. He further submits that he will file the same on the record at the time of next hearing.

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

Vice Chairman

rsm.

O.A.281/2022 (S.B.)

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

Dated : 18/11/2022.

Heard Shri G.N.Shinde, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. As per the submission of learned P.O., the suspension is already revoked.

3. **S.O.28.11.2022.**

Vice Chairman

rsm.

O.A.412/2022 (S.B.)

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

Dated : 18/11/2022.

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

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

Vice Chairman

rsm.

O.A.527/2022 (S.B.)

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

Dated : 18/11/2022.

None for the applicant. Heard Shri H.K.Pande, ld. P.O. for the respondent no.1. Shri T.M.Zaheer, ld. counsel for the respondents 2 to 4.

2. The learned P.O. submits that reply of respondent nos.2 to 4 is necessary.

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

Vice Chairman

rsm.

O.A.528/2022 (S.B.)

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

Dated : 18/11/2022.

None for the applicant. Heard Shri A.M.Khadatkar, ld. P.O. for the respondent no.1. Shri T.M.Zaheer, ld. counsel for the respondents 2 to 4.

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

Vice Chairman

rsm.

O.A.556/2022 (S.B.)

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

Dated : 18/11/2022.

Heard Shri P.P.Khaparde, holding for Shri G.G.Bade, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents. Await service for respondents 2 and 3

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

Vice Chairman

rsm.

O.A.794/2022 (S.B.)

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

Dated : 18/11/2022.

None for the applicant. Heard Shri A.M.Khadatkar, ld. P.O. for the respondents 1 & 3. Shri G.G.Bade, for respondent no.2.

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

Vice Chairman

rsm.

O.A.814/2022 (S.B.)

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

Dated : 18/11/2022.

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

2. The learned P.O. has filed reply of respondent no.2. It is taken on record. It is sufficient for the other respondents. The matter is **admitted** and kept for final hearing.

3. **S.O.09.12.2022.**

Vice Chairman

rsm.

O.A.827/2022 (S.B.)

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

Dated : 18/11/2022.

None for the applicant. Heard Shri A.M.Khadatkar, ld. P.O. for the respondents 1 & 2. None for the respondent no.3.

2. The learned P.O. has filed reply of respondent nos.1 and 2. It is taken on record. It is sufficient for other respondents. The matter is **admitted** and kept for final hearing.

3. **S.O.12.12.2022.**

Vice Chairman

rsm.

O.A.852/2022 (S.B.)

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

Dated : 18/11/2022.

Heard Shri S.Pande, 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 for filing reply.**

Vice Chairman

rsm.

O.A.854/2022 (S.B.)

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

Dated : 18/11/2022.

Heard Shri A.P.Sadavarte, 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 filing reply.**

Vice Chairman

rsm.

O.A.859/2022 (S.B.)

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

Dated : 18/11/2022.

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri V.A.Kulkanri, ld. P.O. for the respondents.

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

Vice Chairman

rsm.

O.A.894/2022 (S.B.)

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

Dated : 18/11/2022.

Heard Shri A.P.Barahate, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. As per the submission of learned counsel for the applicant, the respondents are served.

3. The learned P.O. seeks four weeks time to file reply.

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

Vice Chairman

rsm.

O.A.897/2022 (S.B.)

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

Dated : 18/11/2022.

Heard Shri M.R.Khan, holding for Shri G.R.Sadar, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents 1 to 4. None for the respondent no.5.

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

Vice Chairman

rsm.

O.A.980/2022 (S.B.)

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

Dated : 18/11/2022.

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

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

Vice Chairman

rsm.

O.A.1007/2022 (S.B.)

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

Dated : 18/11/2022.

Heard Shri N.D.Thombre, 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 for filing reply.**

Vice Chairman

rsm.

O.A.st.1781/2022 (S.B.)

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

Dated : 18/11/2022.

C.A.No.312/2022

Heard Shri R.D.Wankhede, holding for Shri J.S.Wankhede ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. The learned counsel for the applicant submits that he will collect the Hamdast today itself.

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

Vice Chairman

rsm.

**O.A.555/2021 with O.A.634/2021 with
O.A.734/2021 (S.B.)**

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

Dated : 18/11/2022.

Heard Shri M.R.Patil, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents 1 & 4. Shri T.M.Zaheer, ld. counsel for the respondent nos.2 & 3.

2. **S.O. 28.11.2022.**

Vice Chairman

rsm.

O.A.682/2017 (S.B.)

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

Dated : 18/11/2022.

Heard Shri Pratik Sharma, holding for Shri P.C.Marpakwar, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. At the request of ld. counsel for the applicant, **S.O. 13.12.2022.**

Vice Chairman

rsm.

O.A.726/2017 (S.B.)

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

Dated : 18/11/2022.

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents 1 to 3. Shri A.S.Deshpande, ld. counsel for the respondent no.4.

2. At the request of ld. P.O., **S.O. 30.11.2022.**

Vice Chairman

rsm.

O.A.784/2020 (S.B.)

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

Dated : 18/11/2022.

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

2. At the request of ld. P.O., **S.O. 25.11.2022.**

Vice Chairman

rsm.

O.A.882/2021 (S.B.)

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

Dated : 18/11/2022.

Heard Shri D.B.Wankar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. The ld. P.O., seeks time to file some judgments of High Court.

3. **S.O. 28.11.2022.**

3. **P.H.**

Vice Chairman

rsm.

O.A.1006/2021 (S.B.)

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

Dated : 18/11/2022.

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

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

Vice Chairman

rsm.

O.A.133/2022 (S.B.)

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

Dated : 18/11/2022.

Heard Shri A.N.Rangari, 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.**

Vice Chairman

rsm.

O.A.390/2022 (S.B.)

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

Dated : 18/11/2022.

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

2. At the request of ld. P.O., **S.O. 30.11.2022.**

Vice Chairman

rsm.

Rev.A.24/2019 in O.A.226/2018 (S.B.)

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

Dated : 18/11/2022.

Heard Shri P.P.Khaparde, holding for Shri G.G.Bade, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. **S.O. 14.12.2022.**

Vice Chairman

rsm.

M.C.A.No.34/2022inO.A.No.416/2022 (D.B.)

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

Dated : 18/11/2022.

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

2. In para no. 2, Caste of applicant no. 4 is stated to be O.B.C.. Likewise, in operative part of the order also Caste of applicant no. 4 is stated to be O.B.C.. Our attention is invited to page no. 31 of the record in which Caste of applicant no. 4 is stated to be Scheduled Caste. For making such correction this application is filed. In para no. 2 as well as operative part of the order Caste of the applicant no. 4 shall be stated to be Scheduled Caste and not O.B.C. as was originally done.

3. Office is directed to carry out the correction.
Hence, **M.C.A. stands disposed of.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

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

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

Dated : 18/11/2022.

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

2. Ld. P.O. states that reply of respondent no. 4
– M.P.S.C. is on record. Hence, matter is **admitted**
and kept for final hearing.

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

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

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.317/2021 (D.B.)

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

Dated : 18/11/2022.

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

2. The ld. P.O. has filed reply on behalf of the respondent nos. 2 & 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. four weeks for final hearing.**

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

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

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

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

Dated : 18/11/2022.

C.A.No.428/2022:-

Heard Smt. Charlewar, ld. Counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the respondents, Ms. P.A.Deshpande, ld. counsel for the R-5 and Shri G.G.Bade, ld. Counsel for the Intervenor.

2. It is the contention of the interveners that because of interim order passed by this Tribunal the Department is not permitting them to join. It is further submitted on behalf of the interveners that if this matter is kept for final hearing since pleadings of the respondents are already on record, the interveners shall adopt stand of the respondents.

3. **C.A.No.428/2022 for intervention is allowed and disposed of.**

4. In view of this statement, the O.A. be kept for final hearing, **S.O. 29.11.2022 for final hearing.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1059/2021 (D.B.)

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

Dated : 18/11/2022.

Heard Shri V.B.Gawali, Id. Counsel for the applicant, Shri A.M.Khadatkar, Id. P.O. for the respondents and Shri G.G.Bade, Id. Counsel for the Intervenor.

2. The Id. counsel for the applicant states that he will add the intervenor as respondent no. 3 and also supply the copy of the O.A. to the other side. The Id. counsel for the intervenor states that on receipt of copy of original application he be permitted to file reply. Prayer is granted.

3. **S.O. 01st Week of December, 2022.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1111/2021 (D.B.)

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

Dated : 18/11/2022.

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

2. The ld. P.O. has filed reply on behalf of the respondent nos. 3 & 4. 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. four weeks for final hearing.**

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

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.115/2022 (D.B.)

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

Dated : 18/11/2022.

Heard Shri M.R.Khan, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State. Await service of R-2 & 3.

2. Ld. counsel for the applicant states that respondents are served. He will ascertain that whether notices are served. **S.O. three weeks to file reply.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.275/2022 (D.B.)

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

Dated : 18/11/2022.

C.A.No.260/2022:-

Heard Shri B.Kulkarni, 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. 25.11.2022 to file reply on C.A..**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.311/2022 (D.B.)

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

Dated : 18/11/2022.

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

2. Ld. P.O. makes statement that on returnable date he will positively file reply.

3. In case on returnable date reply is not filed the concerned respondents shall be called upon to remain present, **S.O. 05.12.2022.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.349/2022 (D.B.)

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

Dated : 18/11/2022.

Heard Shri G.G.Bade, Id. Counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents. None for the R-4.

2. At the request of Id. P.O., **S.O. three weeks to take instructions regarding compliance of order dated 07.09.2017 passed by this Tribunal in O.A. No. 189/2017.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.487/2022 (D.B.)

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

Dated : 18/11/2022.

Heard Smt. A.A.Moon, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents. None for the R-4.

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

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.532/2022 (D.B.)

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

Dated : 18/11/2022.

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

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

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.946/2022 (D.B.)

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

Dated : 18/11/2022.

Heard Shri S.P.Palshikar, 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. one week to file reply.**

3. **Interim relief is to be continued till filing of the reply.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.976/2022 (D.B.)

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

Dated : 18/11/2022.

None for the applicant. Shri S.A.Sainis, Id.
P.O. for the State. Await service of R-2 to 4.

2. S.O. four weeks to file service affidavit.

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1009/2022 (D.B.)

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

Dated : 18/11/2022.

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

2. In view of G.R. dated 21.12.2019, first order was given to the applicant on 16.12.2020 (A-4, Pg. No. 27) and second order was given on 23.12.2021 (A-5, Pg. No. 29). It is also pointed out that applicant's appointment letter on page no. 17, A-1. Applicant was appointed on compassionate ground.

3. In view of this situation, **the order dated 23.12.2021 (A-5, Pg. No. 29) is stayed till filing of the reply.**

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

5. **Steno copy is granted.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.Nos.1012&1013/2022 (D.B.)

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

Dated : 18/11/2022.

Heard Shri S.P.Palshikar, 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. three weeks to file reply.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

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

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

Dated : 18/11/2022.

Heard Shri R.M.Fating, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the State. Await service of R-2 & 3.

2. Ld. counsel for the applicant states that notices are served and service affidavit is already filed. On oral request of ld. P.O., **S.O. three weeks to file reply.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1048/2022 (D.B.)

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

Dated : 18/11/2022.

None for the applicant. Shri S.A.Sainis, Id.
P.O. for the State. Await service of R-2 to 5.

2. **S.O. four weeks to file service affidavit.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1064/2022 (D.B.)

Mrs.K.S.Kukreja Vs. State of 2 Ors.

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

Dated : 18/11/2022.

Heard Shri N.D.Thombre, Id. Counsel for the applicant and Shri, Id. P.O. for the State. Await service of R-2 & 3.

2. The Id. counsel for the applicant states that he has served the notices.

3. The applicant has relied on clause 5 (iv) of the advertisement which reads as under:-

“महिलांसाठी आरक्षित पदांकरिता दावा करणा-या उमेदवारांनी महिला आरक्षणाचा लाभ घ्यावयाचा असल्यास त्यांनी अर्जामध्ये न चुकता महाराष्ट्राचे अधिवासी (Domicile) असल्याबाबत तसेच नॉन क्रीमीलेअर मध्ये मोडत असल्याबाबत (अनुसूचित जाती व अनुसूचित जमाती वगळून) स्पष्टपणे दावा करणे आवश्यक आहे.”

4. On the other hand Id. C.P.O. has relied on Clauses 5.13, 11.1.3 and 11.4 of the advertisement which read as under:-

“५.१३ कोणत्याही प्रकारच्या आरक्षणाचा (सामाजिक अथवा समांतर) अथवा सोयी सवलतीचा दावा करणा-या उमेदवाराकडे संबंधित कायदा/नियम/आदेशानुसार विहित नमुन्यातील प्रस्तुत जाहिरातीस अनुसरून अर्ज स्वीकारण्यासाठी विहित केलेल्या दिनांकापूर्वीचे वैध प्रमाणपत्र उपलब्ध असणे अनिवार्य आहे.

११.१.३ विहित कालावधीत तसेच विहित पध्दतीने आवश्यक कागदपत्रे अपलोड करून अर्ज सादर करणे.

११.४ अर्ज सादर करण्याचा कालावधी-

दिनांक १४ डिसेंबर, २०२१ रोजी १४.०० वाजल्यापासून दिनांक ३ जानेवारी, २०२२ रोजी २३.५९ वाजेपर्यंत.”

5. It is the contention of the applicant that she had applied for non creamy layer certificate on 01.01.2022 but she could not get it before the last date of submission of the application online which was 03.01.2022 and,

therefore, in the online application, instead of mentioning number of certificate she had simply mentioned number of receipt of her application.

6. According to the ld. C.P.O. such conduct would show that the applicant was negligent. It is further submitted that the applicant was aware that she had to submit non creamy layer certificate with online application and instead she simply mentioned receipt number of her application.

7. On behalf of the applicant attention is invited to communication dated 11.10.2022 (A-11). In this communication it is mentioned that because of some technical glitch non creamy layer certificate could not be supplied to the applicant in time.

8. It is submitted by ld. C.P.O. that the applicant had ample time to obtain the certificate, she waited till 01.01.2022 to apply for the certificate and had she applied well in time for issue of said certificate, the contingency which she was then required to face would not have arisen.

9. The record shows that the applicant received the non creamy layer certificate on 29.09.2022. It is submitted that on the same day interviews were held and at the time of Interview the applicant had furnished said certificate.

10. So far as grant of interim relief is concerned, it is submitted by the ld. C.P.O. that grant of such relief may cause prejudice to some other candidates who too had not received any of the requisite certificates within time.

11. Considering rival submissions we find that the matter can be finally disposed of earlier. Ld. C.P.O. submits that he will file reply within two weeks.

12. **S.O. 05.12.2022 for filing reply.**

13. **Steno copy is granted.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.Nos.1078,1079&1085/2022 (D.B.)

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

Dated : 18/11/2022.

Heard Shri R.S.Khobragade, Id. Counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the State. Await service of R-2 to 4.

2. At the request of Id. Counsel for the applicant, **S.O. 05.12.2022 to file service affidavit.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1087/2022 (D.B.)

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

Dated : 18/11/2022.

Heard Smt. Saboo, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State. Await service of R-2 & 3.

2. Ld. counsel for the applicant states that she has served the notices. **S.O. three weeks to file reply.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1112/2022 (D.B.)

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

Dated : 18/11/2022.

C.A.No.469/2022:-

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

2. C.A.No.469/2022 for Jt. O.A. is allowed and disposed of.

3. In this O.A. the applicants have made limited prayer that respondent no. 2 be directed to decide their appeal within the time to be stipulated by this Tribunal.

4. Though, in the prayer clause the applicants have stated that their appeal be directed to be decided within thirty days from the date of passing of the order, it is submitted by the ld. C.P.O. that this time would be too short to decide the appeal. We have come to the conclusion that stipulating time of 90 days for deciding the appeal shall meet ends of justice. **Respondent no. 2 is directed to decide the appeal of the applicants within 90 days from the date of this order.**

5. With this direction, O.A. is disposed of with no order as to costs.

6. Steno copy is granted.

Member(J)

Vice Chairman

Date:-18/11/2022.
aps.

Rev.13/2022inO.A.Nos.160&932/2021 (D.B.)

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

Dated : 18/11/2022.

Heard Shri B.Kulkarni, 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. 30.11.2022 to file reply.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

C.A.249/19inRev.1348/19inO.A.58/15with

**C.A.250/19inRev.1352/19inO.A.38/15with
C.A.251/19inRev.1350/19inO.A.34/15with
C.A.252/19inRev.1354/19inO.A.36/15with
C.A.253/19inRev.1362/19inO.A.641/16(D.B.)
Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)
Dated : 18/11/2022.**

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

2. Notice on C.A. to Respondents be issued returnable in **four weeks**.
3. Shri A.M.Ghogre, the learned P.O. waives notice for 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 the O.A.
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 an affidavit of compliance in the Registry as far as possible once

week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.

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

9. **S.O. four weeks.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

C.A.254/19inRev.1356/19inO.A.33/15(D.B.)

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

Dated : 18/11/2022.

Heard Shri G.G.Bade, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State.

2. Ld. counsel for the applicant seeks permission for unconditional withdrawal to this review application. Hence, **Review Application is disposed of as withdrawn.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.724/2022 (D.B.)

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

Dated : 18/11/2022.

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

2. The applicants are seeking interim relief as follows:-

“A. Stay the effect and operation of the impugned Government Resolution dated 07.08.2012 at Annexure-A-7 as per the interim relief granted to the same G.R. dated 07.08.2012 by Hon’ble High Court and by this Hon’ble Tribunal at Annexure-A-8 and A-9.

B. By appropriate orders be pleased to direct the respondents to continue to provide/ extend the facility of private practice while being in the Govt. service by affecting necessary modification in the impugned Govt. Resolution dated 07.08.2012 at Annexure-A-7 as per the interim relief granted to the same G.R. dated 07.08.2012 by Hon’ble High Court and by this Hon’ble Tribunal at Annexure-A-8 and A-9.”

3. At A-8 there are copies of orders passed by the Hon’ble Bombay High Court in various proceedings. The order at page no. 96 shows that at

interim stay to clause 4.1, 4.3, 4.4, 4.5 & 4.7 of the impugned G.R. is granted. Case is made out to pass identical interim order. Clauses 4.1, 4.3, 4.4, 4.5 & 4.7 of the impugned G.R. dated 07.08.2012 shall stand stayed till the returnable date to the extent of these applicants.

4. **S.O. three weeks to file reply.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.923/2022 (D.B.)

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

Dated : 18/11/2022.

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

2. By order dated 20.09.2022 respondent no. 3 was directed to submit the details of the applicant as specified in communication dated 23.08.2022 (A-2) to respondent no. 1 within 10 days so that respondent nos. 1 & 2 could consider case of the applicant for promotion to the post of Deputy Collector – on its own merits. Today, it is submitted that in compliance of order dated 20.09.2022 necessary details have been supplied by respondent no. 3 to respondent no. 1.

3. In view of this development, respondent nos. 1 & 2 shall consider case of the applicant for promotion to the post of Deputy Collector – on its own merits in the fourth coming D.P.C..

4. With this direction, **O.A. is disposed of with no order as to costs.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1122/2022 (D.B.)

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

Dated : 18/11/2022.

Heard Shri N.R.Saboo, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State.

2. Issue notice to Respondents, returnable on four weeks. Learned 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. four weeks.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1123/2022 (D.B.)

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

Dated : 18/11/2022.

Heard Ms. A.D.Warjekar, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State.

2. Meanwhile respondents are directed not to take any coercive action against the applicant.

3. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

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

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

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week.

Applicant is directed to file Affidavit of compliance and notice.

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

9. **S.O. four weeks.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

C.P.No.75/2022inO.A.No.620/2020 (D.B.)

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

Dated : 18/11/2022.

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

2. Issue Notice to the respondents returnable in **four 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. Shri A.M.Ghogre, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

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

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.885/2020 (D.B.)

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

Dated : 18/11/2022.

Heard Shri D.M.Kakani, ld. Counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the respondents and Shri A.P.Tathod, ld. counsel for the R-3 to 10.

2. Ld. P.O. has placed Judgment of Principal Bench in O.A. No. 220/2020 delivered on 01.03.2022. It is marked Exh. 'X' for the purposes of identification. It is taken on record. Copy is served to the other side.

3. **S.O. Monday i.e. 21.11.2022 for final hearing.**

4. **Registry is directed to keep this matter high on board.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

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

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

Dated : 18/11/2022.

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

2. The dispute relates to fixation of pay and fixation of pay relates to Pay Verification Unit. The case belongs to Wardha. Id. counsel for the applicant is directed to make Pay Verification Unit, Wardha as a party forthwith. Office is directed to issue notice to the amended party.

3. **S.O. 06.12.2022.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.879/2020 (D.B.)

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

Dated : 18/11/2022.

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

2. Closed for orders.

**Member(J)
Date:-18/11/2022.
aps.**

Vice Chairman

O.A.No.239/2021 (D.B.)

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

Dated : 18/11/2022.

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

2. The ld. counsel for the applicant pointed out initial order dated 19.03.2021 in which direction was given according to that direction applicant's representation was put up before D.P.C. on 29.09.2021. Today, ld. P.O. has placed on record minutes of meeting of the same D.P.C.. In para no. 3, it is mentioned in Sr. No. 27 which is mentioned below:-

“श्री पी बी आकोटकर, प्रयोगशाला सहायक यांना खुल्या प्रवर्गाकरीता निदेशक तांत्रिक प्रयोगशाला सहायक या पदाकरीता पदोन्नतीसाठी पात्र ठरवून निवड करण्यात आली.”

3. As submitted by ld. counsel for the applicant, applicant has not given promotional order till today. Ld. P.O. is directed to take instructions from the department that when applicant was considered for promotion, why promotional order is not been given till today and submit it on next date.

4. **S.O. 25.11.2022.**

5. **Steno copy is granted.**

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

**Member(J)
Date:-18/11/2022.**

Vice Chairman

aps.

O.A.No.324/2021 (D.B.)

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

Dated : 18/11/2022.

Heard Smt. Saboo, 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. 28.11.2022 for final hearing.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.929/2021 (D.B.)

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

Dated : 18/11/2022.

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

2. At the request of ld. P.O., **S.O. 05.12.2022 to file reply on amended part.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1060/2021 (D.B.)

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

Dated : 18/11/2022.

Heard Shri V.B.Gawali, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. S.O. 01st Week of December, 2022.

Member(J)

Date:-18/11/2022.

aps.

Vice Chairman

O.A.Nos.951,952,953/2021 (D.B.)

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

Dated : 18/11/2022.

Heard Shri P.N.Shende, Id. Counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents. None for the R-5.

2. The Id. counsel for the applicant has filed Judgment of Principal Bench and further submits that these three O.As. are covered by this Judgment.

3. Id. P.O. has filed reply on behalf of the respondent no. 4.

4. **Closed for orders.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1121/2021 (D.B.)

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

Dated : 18/11/2022.

Heard Shri S.M.Khan, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents. None for the R-5 to 25.

2. Ld. counsel for the applicant has pointed out that representation of applicant dated 11.12.2021 is not on record. He submits that he will file on record, **S.O. two weeks. Matter be treated as P.H.**

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman

O.A.No.1135/2021 (D.B.)

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

Dated : 18/11/2022.

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

2. S.O. 28.11.2022.

3. Matter be treated as P.H.

Member(J)
Date:-18/11/2022.
aps.

Vice Chairman