

O.A.No.935/2022 (S.B.)

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

**Dated : 23/02/2023.**

**C.A.No.488/2022 in Rev.St.No.2614/2022 in  
O.A. 935/2022**

Heard Shri V.A.Kulkarni, learned P.O. for the applicants (Original Respondents) and Shri S.P.Palshikar, learned counsel for the respondent (Original Applicant).

2. Issue notice to the respondent (Original Applicant) on C.A. and Review (St.) application returnable on **20/03/2023**. Learned counsel for the respondent (Original Applicant) waives notice for respondent (Original Applicant). 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. Applicants are authorized and directed to serve on Respondent 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. Applicants are 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. Civil and Review (St.) Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

**S.O. 20.03.2023.**

**Member (I).**

rsm.

O.A.No.936/2022 (S.B.)

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

**Dated : 23/02/2023.**

**C.A.No.489/2022 in Rev.St.No.2616/2022 in**  
**O.A. 936/2022**

Heard Shri V.A.Kulkarni, learned P.O. for the applicants (Original Respondents) and Shri S.P.Palshikar, learned counsel for the respondent (Original Applicant).

2. Issue notice to the respondent (Original Applicant) on C.A. and Review (St.) application returnable on **20/03/2023**. Learned counsel for the respondent (Original Applicant) waives notice for respondent (Original Applicant). 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. Applicants are authorized and directed to serve on Respondent 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. Applicants are 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. Civil and Review (St.) Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

**S.O. 20.03.2023.**

**Member (I).**

rsm.

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

**Coram:** Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
**Dated :** 23/02/2023.

**M.C.A.No.41/2022 in C.P.No.04/2022**

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

2. **S.O. four weeks.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

C.P.No.03/2023 in O.A.No.416/2022.

(D.B.)

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

**Dated : 23/02/2023.**

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

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

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.121/2016. (D.B.)

**Coram:** Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
**Dated :** 23/02/2023.

**C.A.No.191/2020 in Rev.st.No.871/2020**

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

2. On oral request of learned counsel for the applicant, **S.O. two weeks.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

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

**Coram:** Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
**Dated :** 23/02/2023.

**C.A.No.158/2021**

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

2. On oral request of learned P.O., **S.O.**  
**two weeks for filing reply on C.A.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**



O.A.No.878/2022. (D.B.)

**Coram:** Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
**Dated :** 23/02/2023.

**C.A.No.135/2022**

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

2. On oral request of learned P.O., **S.O. two weeks for filing reply on condonation of delay.**

Member(J)  
Date:-23/02/2023.  
rsm.

Vice Chairman

O.A.No.197/2017. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 23/02/2023.**

**C.A.No.506/2022 in Rev.St.No.2720/2022**

Heard Shri M.I.Khan ld. P.O. for the applicants(Original Respondents) and Shri D.M.Ingle, ld. counsel for the respondents(Original Applicant).

2. Learned counsel for the original applicant submits that he requires two weeks time to file reply.

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

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.195/2017. (D.B.)

**Coram:** Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
**Dated:** 23/02/2023.

**C.A.No.104/2017**

Heard Shri S.N.Gaikwad holding for  
Adv.K.K.Pathak, 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.**  
**three weeks for filing reply.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.228/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 23/02/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents 1 and 2. None for the respondent no.3.

2. Learned P.O. has filed reply of respondent no.1. It is taken on record. It is stated to be sufficient. Copy is served to the learned counsel for the applicant. The O.A. is **admitted** and kept for final hearing.

3. **S.O. second week of March.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.599/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 23/02/2023.**

Heard Shri A.Motlog, ld. counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the respondent no.1 and Shri H.D.Marathe, ld. Counsel for the respondents 2 and 3.

2. On oral request of learned counsel for the respondents 2 and 3 and learned P.O. **S.O.**  
**15.03.2023 for filing reply.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.965/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 23/02/2023.**

**C.A.NO.481/2022**

Heard Shri S.A.Marathe, ld. counsel for the applicant, Shri V.A.Kulkarni, the ld. P.O. for the respondents and Shri S.Khandekar, ld. Counsel for the Intervener. None for the respondents 3 to 5.

2. On oral request of learned P.O.,  
**S.O.09.03.2023 for filing reply.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.1201/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 23/02/2023.**

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

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

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.23/2023. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)**  
**Dated: 23/02/2023.**

**C.A.No.95/2023**

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

2. Reply of respondent no.3 filed by learned P.O. It is taken on record. It is stated to be sufficient. Copy is served to the other side. The O.A. is **admitted** and kept for final hearing.

3. **S.O. 02.03.2023.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**



**O.A.No.24/2023. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 23/02/2023.**

**C.A.No.94/2023**

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

2. Reply of respondent no.3 filed by learned P.O. It is taken on record. It is stated to be sufficient. Copy is served to the other side. The O.A. is **admitted** and kept for final hearing.

3. **S.O. 02.03.2023.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

**Coram: Shri Shree Bhagwan,**  
**Vice-Chairman and**  
**Shri M.A.Lovekar, Member(J)**  
**Dated : 23/02/2023.**

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

2. Learned C.P.O. submits that his reply is ready and it will be placed on record during the course of the day.

3. **S.O. 27.02.2023 high on board.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.1150/2022 with  
O.A.No.1151/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)**  
**Dated : 23/02/2023.**

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

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

**Member(J)** **Vice Chairman**  
**Date:-23/02/2023.**  
rsm.

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

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 23/02/2023.**

Heard Shri K.Y.Mandpe, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State. Await service to respondents 2 and 3.

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

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.908/2019. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 23/02/2023.**

Heard Mrs.K.N.Saboo, ld. counsel for the applicant, Shri V.A.Kulkarni, the ld. P.O. for the respondents 1 and 2 and Shri N.C.Majethiya, ld. counsel for the respondent no.3.

2. On oral request of learned counsel, **S.O.**  
**after one week.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

**C.P.No.79/2022 in O.A.No.640/2020.**

**(D.B.)**

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

**Dated: 23/02/2023.**

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

2. On oral request of learned P.O., seeks one week time to file reply.

3. Learned P.O. is directed to take instructions about why respondent no.1 has not filed reply ?

4. **S.O. one week.**

5. **Steno copy is granted.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

**C.P.No.88/2022 in O.A.No.798/2022.**

**(D.B.)**

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

**Dated: 23/02/2023.**

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

2. Learned P.O. submits that he will file reply on record during the course of the day.

3. **S.O. 01.03.2023.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.147/2023 with O.A.No.148/2023.  
(D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)**  
**Dated : 23/02/2023.**

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

2. Learned P.O. desires to place certain documents on record during the course of the day.

3. **S.O. 27.02.2023.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**



O.A.No.256/2018. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 23/02/2023.**

Heard Adv.A.Telange, holding for Shri S.R.Deshpande, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents 1 to 4. None for the respondent no.5.

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

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

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

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 23/02/2023.**

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

2. **S.O. 01.03.2023.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.950/2020. (D.B.)

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

**Dated : 23/02/2023.**

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

2. On 20.02.2023 statement of learned P.O. was recorded that appeal preferred by the applicant was to come up for hearing before the Hon'ble Minister on 21.02.2023.

3. Today, on behalf of the applicant an affidavit is filed. In para 4 of the affidavit the applicant has asserted-

*4. I further say and submit that after the matter was called out on 20/20/2023 at around 12 pm, the Applicant received a phone call at around 4.30 pm on 20/20/2023 from the office of NA No.3 informing about hearing before the Hon'ble Minister fixed on 21/02/2023 at 3.30 pm and further asked for address of the Applicant for sending the notice of the same. That thereafter the Applicant received a phone call at around 6.00 pm from Mantralaya, Mumbai once again informing about hearing before the Hon'ble Minister and further confirmed with the Applicant about reaching for the hearing. That the Applicant immediately informed the concerned person that not only did the Applicant never receive any notice about the hearing but reaching Mumbai within a period of 12 hours is impossible.*

4. Learned P.O. has placed on record communication dated 22.02.2023 (marked Exhibit-X for identification). In para 2 of this communication it is stated –

आपलेकडील संदर्भीय क्रमांक ३ अन्वये मुळ अर्ज क्रमांक ९५०/२०२० मध्ये दिनांक २०.०२.२०२३ रोजी सुनावणी तारीख ठेवण्यात आली त्यामध्ये यासंदर्भात दिनांक २३.०२.२०२३ रोजी पुनःश्च सुनावणी ठेवण्यात आली असल्याचे सादरकर्ता अधिकारी यांनी दिनांक २०.०२.२०२३ रोजी दुरध्वनीद्वारे कळविले. तथापि संदर्भ क्रमांक ४ अन्वये श्री.मदनलाल दशरथ जैस्वाल यांचे अपीलावर अपिलीय प्राधिकारी तथा मा.मन्त्री (वने) यांनी दिनांक २१.०२.२०२३ रोजी दुपारी ३.३० वाजता मंत्रालय परिषद सभागृह ७ वा मजला हॉल क्र.५ येथील बैठक कक्षात सुनावणी झालेली आहे. सदर प्रकरणात झालेल्या सुनावणीचा अहवाल शासनाकडून या कार्यालयास प्रतिकेत आहे. तरी दिनांक २३.०२.२०२३ रोजी होणा-या सुनावणीत सदर बाब मा.महाराष्ट्र प्रशासकीय न्यायाधिकरण, नागपूर यांचे निदर्शनास आणून देण्यात यावी हि विनंती.

5. Today, on behalf of the respondent department Administrative Officer Shri D.B.Marbate is present.

6. Para 4 of the affidavit of the applicant prima facie shows that sufficient intimation was not given to him so as to enable him, to attend the appeal proceeding. It is the contention of the respondent department that the appeal was heard. The applicant has categorically stated that he did not attend the appeal proceeding because it was practically impossible for him to do so.

7. For the reasons stated above we have come to the conclusion that the respondent department should file a detailed affidavit regarding hearing of the appeal by the Hon'ble Minister on 21.02.2023.

8. **S.O. 01.03.2023.**

9. **Steno copy is granted.**

**Member(J)**  
**Date:-23/02/2023.**

**Vice Chairman**

rsm.

O.A.No.1059/2021                      with  
O.A.No.1060/2021.                      (D.B.)

**Coram:** Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
**Dated:** 23/02/2023.

Heard Shri V.B.Gawali, ld. counsel for  
the applicant and Shri V.A.Kulkarni, the ld.  
P.O. for the respondents 1 and 2 and Shri  
G.G.Bade, ld. counsel for the respondent no.3.

2.     **S.O. 02.03.2023.**

**Member(J)**                                      **Vice Chairman**  
**Date:-23/02/2023.**  
rsm.

O.A.No.43/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)**  
**Dated: 23/02/2023.**

Heard Shri A.P.Khadatkar, ld. counsel  
for the applicant and Shri H.K.Pande, the ld.  
P.O. for the respondents 1 and 2. None for the  
respondents 3 to 6.

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

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.335/2022. (D.B.)

**Coram:** Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
**Dated :** 23/02/2023.

Heard Adv.A.Telange, holding for Shri  
A.D.Girdekar, ld. counsel for the applicant and  
Shri H.K.Pande, the ld. P.O. for the  
respondents.

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

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**



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

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 23/02/2023.**

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

2. **S.O. 10.03.2023.**

**Member(J)  
Date:-23/02/2023.  
rsm.**

**Vice Chairman**

**O.A.No.906/2020 with O.A.No.20/2021  
with O.A.No.185/2021. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)**  
**Dated : 23/02/2023.**

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

2. Learned P.O. has placed on record the  
Judgment of Principal Bench of this Tribunal  
in O.A.No.401/2021 delivered on 12.08.2022.  
This is taken on record.

3. Learned P.O. is directed to file reply on  
this Judgment.

4. **S.O. 28.02.2023.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.300/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 23/02/2023.**

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

2. Learned counsel for the applicant has placed on record judgment of Principal Bench in O.A.Nos.814, 280 & 281 of 2022 delivered on 02.02.2023. Learned counsel for the applicant submits that this judgment covers the issue involved in this O.A.

3. Learned C.P.O. has liberty to file reply on this judgment and oral request of learned C.P.O., **S.O.02.03.2023.**

**Member(J)**  
**Date:-23/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.121/2023 (D.B.)

**Coram** : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)  
**Dated** : 23/02/2023.

Heard Shri S.P.Palshikar, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the Respondents.

2. After hearing rival submissions of both the counsels it was recorded on 10.02.2023 that departmental enquiry was fixed on 27.02.2023, for that issue the matter was kept today. Today, ld. P.O. is not filed reply.

3. Respondents are directed not to proceed with the enquiry till filing of the reply.

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

5. **Steno copy is granted.**

**Member(J)**  
**Date:- 23/02/2023.**  
aps.

**Vice Chairman**

O.A.No.1143/2022 (D.B.)

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

**Dated :** 23/02/2023.

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

2. **S.O. 17.03.2023.**

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

**Vice Chairman  
(Shree Bhagwan)**