

**O.A.No.527/2021 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri B.B.Pantawane, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. At the request of ld. P.O., three weeks time is granted as last chance with specific direction. On that day, if the reply is not filed, the O.A. will be admitted for final hearing.

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

**Vice Chairman**

rsm.

**O.A.st.No.2375/2022 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

**C.A.No.442/2022 & C.A.No.443/2022**

Shri A.P.Sadavarte, ld. counsel for the applicants and Shri M.I.Khan, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. one week for filing reply.**

**Vice Chairman**

rsm.

**O.A.No.1008/2022 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri M.A.Vishnu, holding for Shri S.Khandekar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. The learned P.O. has filed reply of respondents 2 to 4. It is taken on record. The O.A. is **admitted** and kept for final hearing.

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

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

**Vice Chairman**

rsm.

Rev.A.No.02/2023                      in  
O.A.No.527/2019                      (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated : 17/08/2023.**

Shri S.M.Khan, ld. counsel for the applicant  
and Shri M.I.Khan, ld. P.O. for the Respondents.

2.        As per the submission of learned counsel for  
the applicant, all the respondents are served and he  
will file service affidavit today itself.

3.        **S.O. three weeks.**

**Vice Chairman**

rsm.

**O.A.No.140/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri G.Gadge, holding for Shri P.S.Kshirsagar,  
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. three weeks  
for filing reply.**

**Vice Chairman**

rsm.

**O.A.No.163/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Miss G.S.Jain, holding for Adv.N.S.Pathan, 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. three weeks for filing reply.**

**Vice Chairman**

rsm.

**O.A.No.230/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

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. three weeks for filing reply.**

**Vice Chairman**

rsm.

**O.A.No.319/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri A.Motlog, ld. counsel for the applicant  
and Shri M.I.Khan, ld. P.O. for the Respondent no.1.  
None for the respondents 2 & 3.

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

**Vice Chairman**

rsm.



**O.A.No.326/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri S.Pande, 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. three weeks  
for filing reply.**

**Vice Chairman**

rsm.

**O.A.No.352/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Mrs.S.D.Anjankar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. At the request of ld. P.O., two weeks time is granted for filing reply as last chance, if the reply is not filed on that day, the O.A. will be admitted for final hearing.

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

**Vice Chairman**

rsm.

**O.A.No.434/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri A.S.Chakotkar, 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. three weeks for filing reply.**

**Vice Chairman**

rsm.

**O.A.No.474/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri R.Bhoyar, holding for Shri K.Mahalle, Id.  
counsel for the applicant, Shri M.I.Khan, Id. P.O. for  
the Respondent no.1 and Shri G.K.Bhusari, Id.  
Counsel for the respondent no.2.

2. As per the submission of learned P.O.,  
transfer order is modified and he will file  
communication on next date.

3. **S.O. next week.**

**Vice Chairman**

rsm.

**O.A.No.504/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri T.U.Tathod, Id. counsel for the applicant  
and Shri M.I.Khan, Id. P.O. for the Respondents.

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

**Vice Chairman**

rsm.

**O.A.No.541/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri B.Vyas, holding for Shri A.M.Tirukh, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the Respondents 1 to 4 and Shri G.Gadge, ld. Counsel for the respondent no.5. None for the respondents 6 and 7.

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

3. **Interim relief to continue till next date.**

**Vice Chairman**

rsm.

**O.A.No.646/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri D.S.Sawarkar, 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. three weeks for filing reply.**

**Vice Chairman**

rsm.

**O.A.No.709/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri D.S.Sawarkar, 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. two weeks for filing reply.**

**Vice Chairman**

rsm.



**O.A.No.766/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Miss S.P.Agrawal, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the Respondents 1 & 2 and Shri C.A.Babrekar, ld. Counsel for the respondent no.3.

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

**Vice Chairman**

rsm.

**O.A.No.818/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri S.M.Khan, ld. counsel for the applicant,  
Shri M.I.Khan, ld. P.O. for the Respondents 1 to 3 and  
Mrs.K.N.Saboo, ld. Counsel for the respondent no.4.

2. At the request of ld. P.O., **S.O. 31.08.2023**  
**for filing reply.**

**Vice Chairman**

rsm.

**C.A.No.170/2022 in**

**O.A.st.No.1085/2022 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

**C.A.No.146/2023**

Shri P.M.Tembhurnikar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. The applicant seeks permission to file documents dated 09.01.2023. Looking to the submission, C.A.No.146/2023 is allowed and disposed of. Documents are taken on record.

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

**Vice Chairman**

rsm.



Rev.A.No.06/2021                      in  
O.A.No.837/2018                      (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Miss G.S.Jain,(Original Applicant) ld. counsel  
for the respondent and Shri M.I.Khan,(Original  
Respondents) ld. P.O. for the applicant.

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

**Vice Chairman**

rsm.

**O.A.No.799/2015 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri S.U.Nemade, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents 1 & 2. None for the respondent no.3.

2. At the request of ld. Counsel for the applicant, **S.O. three weeks.**

**Vice Chairman**

rsm.

**O.A.No.792/2016 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

None present for the applicant. Shri  
M.I.Khan, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 31.08.2023.**

**Vice Chairman**

rsm.

**O.A.No.303/2018 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

None present for the applicant. Shri M.I.Khan, ld. P.O. for the Respondent no.1 and Shri M.A.Vishnu, appearing for Shri A.M.Kukday, ld. Counsel for the respondents 2 and 3.

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

**Vice Chairman**

rsm.



**O.A.No.100/2019 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri K.J.Khanorkar, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the Respondents 1, 2 & 5 and Shri M.A.Vishnu, appearing for Shri H.D.Marathe, ld. Counsel for the respondents 3 and 4.

2. **S.O. 25.08.2023.**

**Vice Chairman**

rsm.

**O.A.No.142/2020 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri D.G.Dhoble, Id. counsel for the applicant  
and Shri M.I.Khan, Id. P.O. for the Respondents.

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

**Vice Chairman**

rsm.

**O.A.No.435/2020 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri N.Chandak, Id. counsel for the applicant  
and Shri M.I.Khan, Id. P.O. for the Respondents.

2. At the request of Id. Counsel for the  
applicant, **S.O. three weeks.**

**Vice Chairman**

rsm.

**O.A.No.683/2020 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

None present for the applicant. Shri  
M.I.Khan, ld. P.O. for the Respondents.

2. **S.O. 25.08.2023.**

**Vice Chairman**

rsm.

O.A.No.132/2021                      **With**  
O.A.No.133/2021                      **With**  
O.A.No.134/2021                      **With**  
O.A.No.135/2021                      **With**  
O.A.No.136/2021                      **(S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

None present for the applicant. Shri  
M.I.Khan, ld. P.O. for the Respondents.

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

**Vice Chairman**

rsm.

**O.A.No.493/2021 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri A.Motlog, holding for Shri R.V.Shiralkar,  
ld. counsel for the applicant and Shri M.I.Khan, ld.  
P.O. for the Respondents.

2. At the request of ld. Counsel for the  
applicant, **S.O. 07.09.2023.**

**Vice Chairman**

rsm.

**O.A.No.954/2021 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri S.V.Kulkarni, holding for Shri S.D.Chande, 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. 29.08.2023 for final hearing.**

**Vice Chairman**

rsm.

**O.A.No.957/2022 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri S.Pande, ld. counsel for the applicant,  
Shri V.A.Kulkarni, ld. P.O. for the Respondents 1 & 3  
and Shri M.L.Vairagade, ld. Counsel for the  
respondents 2 & 4.

2. At the request of ld. P.O., **S.O. 30.08.2023.**

**Vice Chairman**

rsm.



**O.A.No.53/2023 (S.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri K.J.Rawandhe, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

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

**Vice Chairman**

rsm.

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

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri S.P.Palshikar, 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. 18.08.2023.**

**Vice Chairman**

rsm.

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

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

None present for the applicant. Shri  
M.I.Khan, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 04.09.2023**  
**for filing reply.**

**Vice Chairman**

rsm.

**O.A.No.638/2023 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

None present for the applicant. Shri M.I.Khan, Id. P.O. for the Respondents. Await service of respondents 2 and 3.

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

**Vice Chairman**

rsm.

**C.P.No.22/2023** in  
**O.A.No.94/2020 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated : 17/08/2023.**

Shri R.G.Waghmare, holding for Shri  
N.B.Rathod, 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. three weeks**  
**for filing reply.**

**Vice Chairman**

rsm.

C.P.No.61/2023 in  
O.A.No.191/2019 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri S.P.Palshikar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. The learned P.O. seeks time to get instructions, **S.O. three weeks.**

**Vice Chairman**

rsm.

**O.A.No.884/2023 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

**C.A.No.386/2023**

Heard Ad.A.Pardhi, holding for Shri P.V.Thakre, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the State.

2. Both the applicants are seeking common benefits. Looking to the ground, C.A.No.386/2023 is allowed and disposed of.

**O.A.No.884/2023**

Heard Ad.A.Pardhi, holding for Shri P.V.Thakre, ld. counsel for the applicant and Shri M.I.Khan, ld. 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.

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

**Vice Chairman**

rsm.



**O.A.No.915/2023 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

**C.A.No.407/2023**

Shri R.G.Waghmare, 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. 21.08.2023.**

**Vice Chairman**

rsm.

**O.A.No.502/2021 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023**

**M.C.A.No.24/2023**

None present for the applicant. Shri  
M.I.Khan, ld. P.O. for the Respondents.

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

**Vice Chairman**

rsm.

**O.A.No.874/2023 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri P.S.Verma, ld. counsel for the applicant  
and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. At the request of ld. C.P.O., **S.O. 18.08.2023.**

**Vice Chairman**

rsm.

**O.A.No.1010/2022 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri G.K.Bhusari, holding for Shri V.L.Kolhe  
ld. counsel for the applicant, Shri M.I.Khan, ld. P.O.  
for the Respondents 1 & 3 and Shri M.A.Vishnu,  
appearing for Shri H.D.Marathe, ld. Counsel for the  
respondent no.2.

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

**Vice Chairman**

rsm.

C.P.No.82/2022 in  
O.A.No.683/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated : 17/08/2023.**

Shri S.P.Palshikar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. The learned P.O. seeks time to get instructions on last date, already P.O. make statement that process of granting revenue division on promotion is going on but till date no any communication is received by the learned P.O.. He seeks time to get instructions.

3. **S.O. 23.08.2023.**

**Vice Chairman**

rsm.





**O.A.No.663/2017 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri S.A.Marathe, ld. counsel for the applicants, Shri V.A.Kulkarni, ld. P.O. for the Respondents 1 to 3 and Shri P.P.Khaparde, ld. Counsel for the respondents 4, 5, 9 & 10. None for the respondents 6, 7 & 8.

2. The learned P.O. seeks time to file reply.
3. **S.O. two weeks for filing reply.**

**Vice Chairman**

rsm.



O.A.No.524/2019 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri A.W.Paunikar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents 1 to 3. None for the respondents 4, 5 & 6.

2. **S.O. for final hearing as and when regular D.B. is available.**

**Vice Chairman**

rsm.

O.A.No.316/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

None present for the applicant. Shri  
M.I.Khan, ld. P.O. for the Respondents.

2. **S.O. for final hearing as and when  
regular D.B. is available.**

**Vice Chairman**

rsm.

**O.A.No.622/2022 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated : 17/08/2023.**

Shri A.C.Dharmadhikari, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the Respondents.

2. On last date heard learned counsel for the applicant. As per his submission, the applicant is in service he is illegally terminated for not passing the departmental examination. The same issue is decided by the Principal Bench, M.A.T., Mumbai in O.A.No.114/2022 delivered on 06.02.2023.

3. The learned P.O. seeks time to go through the Judgment of the Principal Bench. At the request of learned P.O. **S.O. 06.09.2023.**

**Vice Chairman**

rsm.

**O.A.No.1131/2022 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri S.K.Bhattacharya, holding for Shri N.S.Warulkar ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

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

**Vice Chairman**

rsm.

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

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Adv. Y.Paliwal, holding for Shri V.K.Paliwal,  
ld. counsel for the applicant and Shri M.I.Khan, ld.  
P.O. for the Respondents.

2. Reply is not filed by the P.O. and regular D.B.  
is not available.

3. **S.O. 07.09.2023.**

**Vice Chairman**

rsm.

**O.A.No.427/2023 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

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. 06.09.2023.**

**Vice Chairman**

rsm.

O.A.No./20 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

Shri , ld. counsel for the applicant and Shri ,  
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.No.925/2023 (D.B.)**

**Coram:Shri Justice M.G.Giratkar,Vice Chairman  
Dated : 17/08/2023.**

**C.A.No.413/2023**

Heard Shri N.D.Thombre, ld. counsel for the applicants and Shri S.A.Deo, ld. C.P.O. for the State.

2. All the applicants are claiming common relief. Therefore, C.A.No.413/2023 is allowed and disposed of.

**O.A.No.925/2023**

Heard Shri N.D.Thombre, ld. counsel for the applicants and Shri S.A.Deo, ld. C.P.O. for the State

2. All three applicants appeared in the written examination. They have obtained cut-off marks and therefore, they were declared successful for oral interview. Later on the respondents have issued the list of non eligible candidates. The applicants are shown as not eligible because they are not working on Class-I post.

3. The learned C.P.O. has pointed out the advertisement and submitted that there is a condition in the advertisement itself. Now, the question arises as to why the respondents allowed the applicants to appear in the written examination. The respondents were at liberty to reject their forms because they were not eligible as per the contention of the respondents. The interview is scheduled today and tomorrow. The applicants have already passed the written examination. **Hence, the respondents are directed to allow the applicants to appear in the interview to be held on 17.08.2023 and 18.08.2023. The respondents are directed to keep their result of interview in a sealed envelope. The result of the applicants shall be outcome of this O.A..**

4. Issue notice to the respondents returnable **after three weeks**. Learned C.P.O. waives notice for State. Hamdast allowed.

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



6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
10. **S.O. after three weeks.**
11. **Steno copy is granted.**

**Vice Chairman**

rsm.

**O.A.No.418/2020 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)  
Dated : 17/08/2023.**

Heard Shri P.K.Mishra, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents. None for the R-2 & 3.

2. **S.O. 22.08.2023.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.No.338/2022 (S.B.)**

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

**Dated : 17/08/2023.**

**C.A.No.403/2023:-**

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

2. On oral request of ld. P.O., **S.O. two weeks to  
file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.388/2022 (S.B.)**

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

**Dated : 17/08/2023.**

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

2. On oral request of Id. P.O., **S.O. three weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.470/2022 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri P.M.Tembhurnikar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.502/2022 (S.B.)**

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

**Dated : 17/08/2023.**

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

2. On oral request of Id. P.O., **S.O. four weeks  
to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.624/2022 (S.B.)**

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

**Dated : 17/08/2023.**

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

2. On oral request of Id. P.O., **S.O. three weeks  
to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

O.A.No.1241/2022 (S.B.)

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

**Dated : 17/08/2023.**

None for the applicant. Shri S.A.Sainis, ld. P.O. for the Respondents and Shri A.W.Paunikar, ld. counsel for the R-2 & 3.

2. Ld. counsel for the respondent nos. 2 & 3 has filed reply. It is taken on record.

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

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

5. **S.O. 03<sup>rd</sup> week of September, 2023.**

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

**Member (J)**

**Date:- 17/08/2023.**

aps.



**O.A.No.14/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri P.P.Khaparde, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.31/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri P.M.Tembhurnikar holdig for Shri M.R.Khan, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.87/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri P.P.Khaparde, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the Respondents.

2. On oral request of Id. P.O., **S.O. four weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.281/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri P.S.Khirsagar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents. Await service of R-2 & 3.

2. Ld. counsel for the applicant states that the respondents are served and tomorrow he will file service affidavit.

3. On oral request of ld. P.O., **S.O. three weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.288/2023 (S.B.)**

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

**Dated : 17/08/2023.**

None for the applicant. Shri A.M.Khadatkar, Id. P.O. for the Respondents and Shri A.S.Deshpande holding for Smt. U.A.Patil, Id. Counsel for the R-3.

2. On oral request of Id. P.O., **S.O. three weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

O.A.No.341/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

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

2. The ld. P.O. has filed reply on behalf of the respondents 2 & 3. It is taken on record. He submits that he will submit it 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. last week of September, 2023.**

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

**Member (J)**

**Date:- 17/08/2023.**  
aps.

**O.A.No.416/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)  
Dated : 17/08/2023.**

Heard Shri P.P.Khparde, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the Respondents.

2. The Id. P.O. has filed reply on behalf of the respondents 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 Id. P.O. waives notice for the respondents.

5. **S.O. last week of September, 2023.**

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

**Member (J)**

**Date:- 17/08/2023.**  
aps.

**O.A.No.423/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. two weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.



**O.A.No.429/2023 (S.B.)**

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

**Dated : 17/08/2023.**

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

2. On oral request of ld. P.O., **S.O. four weeks  
to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

O.A.No.462/2023 (S.B.)

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

**Dated : 17/08/2023.**

**C.A.No.305/2023:-**

Heard Shri S.Kulkarni, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondent no. 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. 24.08.2023 for final hearing.**

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

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.607/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri S.Kulkarni holding for Shri S.D.Chande, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents. C.F. applicant has not filed service affidavit.

2. The ld. P.O. has filed reply on behalf of the respondent no. 2. 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. The ld. P.O. submits that the O.A. is not maintainable. By keeping the point of jurisdiction open.

6. **S.O. four weeks for final hearing.**

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

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.612/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri A.S.Deshpande holding for Shri V.R.Borkar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. four weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.617/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri A.S.Deshpande holding for Shri R.M.Wasnik, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. Ld. Counsel for the applicant seeks time to furnish complete address of applicant no. 13. Necessary amendment shall be carried out.

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

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.621/2023 (S.B.)**

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

**Dated : 17/08/2023.**

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

2. On oral request of ld. P.O., **S.O. four weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.625/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri G.G.Bade, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the Respondents.

2. On oral request of Id. P.O., **S.O. four weeks to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.644/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri G.K.Bhusari, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents. Await service of R-2 & 3.

2. Ld. Counsel for the applicant submits that respondents 1 & 2 are served and respondent no. 3 is yet to be served.

3. **S.O. one week for compliance.**

**Member (J)**

**Date:- 17/08/2023.**

aps.



**O.A.No.675/2023 (S.B.)**

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

**Dated : 17/08/2023.**

None for the applicant. Shri A.M.Khadatkar,  
ld. P.O. for the Respondents. Await service of R-2 & 3.

2. On oral request of ld. P.O., **S.O. four weeks  
to file reply.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.680/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri G.K.Bhusari holding for Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents. Await service of R-2 & 3.

2. On oral request of ld. P.O., **S.O. four weeks.**
3. **Interim relief to continue till next date.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.878/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri N.D.Thombre, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents. Await service of R-2 to 4.

2. On oral request of ld. P.O., **S.O. two weeks to file reply.**

3. **Interim order to continue till next date.**

4. **Steno copy is granted.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.D.Thombre holding for Shri B.Kulkarni, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

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:- 17/08/2023.**  
aps.

**O.A.No.633/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the Respondents & Shri R.V.Shiralkar, ld. Counsel for the R-4. None for the R-5.

2. Ld. P.O. is relying on Section 4 (5) of The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 to support the impugned order. This provision reads as under:-

*"4 (5) Notwithstanding anything contained in section 3 of this section, the competent authority may, in special cases, after recording reasons in writing and with the prior [approval of the immediately superior]. Transferring Authority mentioned in the table of section 6, transfer a Government servant before completion of his tenure of post."*

3. It states that if transfer is to be effected as a special case reasons are required to be recorded and prior approval of the immediate superior transferring authority is to be obtained. Ld. P.O. submits that he will place on record documents available with the department to demonstrate that there is due compliance of Section 4 (5) of the Transfer Act.

**4. S.O. 22.08.2023.**

**5. Interim relief to continue.**

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

**Member (J)**

**Date:- 17/08/2023.**

aps.

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

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

**Dated : 17/08/2023.**

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

2. On oral request of ld. P.O., **S.O. two weeks  
for final hearing.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.Nos.498,499,500,502,511,513&523/23S.B.**

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

**Dated : 17/08/2023.**

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

2. The matters are heard at length. Both the sides shall file their written submissions. In the meantime, if the applicants desire they may make individual representation to respondent no. 2 to accommodate them on places of their choices which are still stated to be vacant. Respondent no. 2 shall decide the same within one week from the receipt of the said representation.

3. **S.O. 24.08.2023.**

**Date:- 17/08/2023.**

aps.

**Member (J)**



**O.A.No.925/2018 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Smt. M.M.Ghatode, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents and Shri Makkad holding for Shri S.M.Bhangde, ld. Counsel for the R-3.

2. On oral request of ld. Counsel for the applicant, **S.O. one week to conduct the matter.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.Nos.809/19&1196/2022 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri B.Kulkarni, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. four weeks for final hearing.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.66/2020 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri G.K.Bhusari, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. two weeks for final hearing.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.789/2020 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri D.R.Rupnarayan, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 22.08.2023 for final hearing.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.379/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)  
Dated : 17/08/2023.**

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

2. None for the applicant since long. **O.A. is  
dismissed for want of prosecution.**

**Member (J)**

**Date:- 17/08/2023.**  
aps.

**O.A.No.758/2021 (S.B.)**

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

**Dated : 17/08/2023.**

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

2. On oral request of ld. P.O., **S.O. six weeks for final hearing.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

O.A.Nos.697&774/2022 (S.B.)

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

**Dated : 17/08/2023.**

Heard Shri P.S.Kadam, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. next week for final hearing.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.856/2022 (S.B.)**

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

**Dated : 17/08/2023.**

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

2. In the instant O.A. the impugned communication is dated 20.07.2019. Instant O.A. is filed on 23.08.2022. Thus, *prima facie* the O.A. is barred by limitation. On 13.10.2020 and on 20.05.2022 applicant no. 1 had made applications that her son, applicant no. 2 be considered for appointment on compassionate ground. According to the applicants these applications made subsequent to the impugned communication shall save limitation. It is submitted that on this point submission will be made on next date.

3. **S.O. 04.09.2023.**

**Member (J)**

**Date:- 17/08/2023.**

aps.



**O.A.No.870/2022 (S.B.)**

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

**Dated : 17/08/2023.**

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

2. On oral request of ld. P.O., **S.O. one week for final hearing.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.1129/2022 (S.B.)**

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

**Dated : 17/08/2023.**

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

2. On oral request of Id. P.O., **S.O. two weeks  
for final hearing.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.102/2023 (S.B.)**

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

**Dated : 17/08/2023.**

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

2. On oral request of ld. P.O., **S.O. six weeks for  
final hearing.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.116/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri H.S.Hurduke holding for Shri P.S.Wathore, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.610/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri S.P.Deshpande, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. next week for final hearing.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.670/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri Deshpande holding for Smt. Sirpurkar, ld. counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the Respondents and Shri G.K.Bhusari, ld. Counsel for the R-4.

2. On oral request of ld. P.O., **S.O. 22.08.2023 for final hearing.**

3. **Interim relief to continue.**

4. **Office is directed to keep the matter high on board.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**O.A.No.477/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**  
**C.A.Nos.414&415/2023:-**

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

2. **C.A. No.414/2023 for amendment is allowed.** The ld. counsel for the applicant is directed to carryout the amendment forthwith. He is further directed to supply the amended copy to the other side. **C.A.No.415/2023:-**

2. Reply of respondents 2 to 4 filed by ld. P.O. is taken on record. Copy is supplied to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, matter is **admitted**.

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

5. The ld. Counsel for the applicant has filed C.A. No. 415/2023. In this C.A. following prayer is made:-

*"It is therefore most humbly prayed that, Hon'ble Tribunal may kindly be pleased to, stay the effect and implementation of order dated 24.04.2023 (A-1) and letter dated 02.08.2023 (A-C), during the pendency of the present original application, in the interest of justice."*

6. At A-11 there is a communication dated 09.08.2023. By this communication request of the applicant to reconsider the impugned order of transfer has been rejected. Copy of order dated 02.08.2023 is at A-C.

7. It is submitted on behalf of the applicant that though order dated 02.08.2023 states that the concerned employee shall be relieved by 11.08.2023, the applicant is not yet relieved. In para no. 9 of this C.A. applicant has contended as follows:-

*"That during the pendency of the present original application the respondent no. 2 issued letter dated 02.08.2023 directing all concerned office to relieve the applicant w.e.f. 11.08.2023, however applicant has not yet been relieved till today, the copy of the letter dated 02.08.2023 is annexed as Annexure-C for kind perusal of this Hon'ble Tribunal."*

8. Notice on C.A. No. 415/2023 to Respondents be issued returnable in **22.08.2023**.

9. Till the returnable date status-quo as on today shall be maintained.
10. Shri A.M.Khadatkar, the learned P.O. waives notice for respondent no.1. Hamdast granted.
11. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
12. 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.
13. 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.
14. 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.
15. 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.
16. **S.O. 22.08.2023.**
17. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**



**O.A.No.941/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri S.A.Marathe, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. By the impugned order dated 10.08.2023 (A-1) the applicant is transferred from Shri Vasant Rao Naik, G.M.C., Yavatmal to G.M.C., Akola. It is the submission of the applicant that in her place no one has been transferred. The order is impugned on the ground that it is passed in the month of August without complying with Sub Section 4/Sub Section 5 of Section 4 of The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. Case is made out to pass interim order till the returnable date. The effect and implementation of the impugned order shall stand stayed till the returnable date to the extent of the applicant.

3. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. 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. 30.08.2023.**

**Member (J)**

**Date:- 17/08/2023.**  
aps.

**CAVEAT NO. 43/2023INO.A.NO.939/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents 1 to 3 and Shri N.D.Thombre, ld. Counsel for the respondent no. 4/Caveator.

2. By the impugned order dated 10.08.2023 (A-1) the applicant is transferred from I.G.M.C., Nagpur to G.M.C. Dharshiv. It is the contention of the applicant that only to accommodate respondent no. 4 she has been transferred. Malafides are alleged by relying on orders dated 01.02.2023 (A-2), 13.07.2023 (A-3) and the eventual transfer order dated 10.08.2023 (A-4).

3. Ld. Counsel for the respondent no. 4 has placed on record joining report of respondent no. 4 dated 12.08.2023. Considering this aspect of the matter notice will have to be issued.

4. It is submitted on behalf of the applicant that the transfer file be called. This submission will be considered on the returnable date.

5. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

7. 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.

8. 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.

9. 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.

10. 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.

11. **S.O. 30.08.2023.**

12. **Steno copy is granted.**

**Member (J)**

**Date:- 17/08/2023.**

aps.

**CAVEAT NO. 44/2023INO.A.NO.940/2023 (S.B.)**

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

**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the Respondents 1 to 3 and Shri N.D.Thombre, Id. Counsel for the respondent no. 4/Caveator.

2. The impugned order of transfer of the applicant from G.M.C., Nagpur to G.M.C., Gondia is at A-2. Communications dated 11.08.2023 are placed on record by which the applicant as well as respondent no. 4 have been relieved from their previous posts and respondent no. 4 has also joined on his transferred post on 11.08.2023. Respondent no. 4 is transferred on request. Malafides are alleged by contending that only to accommodate respondent no. 4 order of transfer of the applicant is issued. Since respondent no. 4 has already joined on the post previously held by the applicant, question of passing interim order could not arise.

3. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. 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. 30.08.2023.**

**Member (J)**

**Date:- 17/08/2023.**

aps.



**O.A.No.926/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. By order dated 20.10.2022 (A-1) the applicant was appointed as Professor and posted at G.M.C., Nagpur.

3. The impugned order of transfer of the applicant dated 10.08.2023 is at A-2. By this order the applicant is transferred from G.M.C., Nagpur to G.M.C., Chatrapati Sambhaji Nagar.

4. The impugned order further shows that one Dr. Mirza Beg is transferred from G.M.C., Chatrapati Sambhaji Nagar to G.M.C., Nagpur in place of the applicant.

5. A-3 is order dated 11.08.2023 passed by Principal Bench of this Tribunal. By this order effect and implementation of the order transferring Dr. Mirza Beg from G.M.C., Chatrapati Sambhaji Nagar to G.M.C., Nagpur in place of the applicant has been stayed.

6. In the aforesaid background the applicant prays that the impugned order to his extent be stayed. Having regard to the above referred circumstances effect and implementation of the impugned order dated 10.08.2023 (A-2) is stayed to the extent of the applicant who is mentioned at Sr. No. 4 therein.

7. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

9. 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.

10. 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.

11. 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.

12. 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.

13. **S.O. 30.08.2023.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.No.927/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. The impugned order dated 10.08.2022 is at A-2. By this order the applicant is transferred from G.M.C., Akola to G.M.C., Chatrapati Sambhaji Nagar. This order further refers to transfer of one Dr. Rajashree Virshid from G.M.C., Chatrapati Sambhaji Nagar to G.M.C., Ambajogai.

3. The applicant has placed on record copy of order dated 11.08.2023 passed by Principal Bench of this Tribunal (A-4). By this order transfer order of Dr. Rajashree Virshid in place of the applicant is stayed.

4. In this factual background the applicant prays for granting stay to his order of transfer. Case is made out to pass order of stay. Effect and implementation of the impugned order dated 10.08.2023 shall stand stayed to the extent of the applicant till the returnable date.

5. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

7. 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.

8. 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.

9. 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.

10. 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.

11. **S.O. 30.08.2023.**



12. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.No.928/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. By order dated 10.08.2023 (A-2) the applicant is transferred from I.G.M.C., Nagpur to G.M.C., Pune and Dr. Rajashree Katke is transferred from G.M.C., Mumbai to I.G.M.C., Nagpur in place of the applicant.

3. The applicant has placed on record copy of order dated 11.08.2023 passed by the Principal Bench in O.A. No. 1017/2023 staying effect and implementation of transfer order of Dr. Rajashree Katke. In this factual background the applicant prays for grant of stay to her order of transfer. Case is made out to pass such interim order till the returnable date. Effect and implementation of the impugned order dated 10.08.2023 (A-2) shall stand stayed till the returnable date to the extent of the applicant.

4. Ld. C.P.O. submits that Dr. Rajashree Katke shall be a necessary party to this O.A. because if the applicant succeeds in this O.A., Dr. Rajashree Katke would be affected. In reply it is submitted by ld. Counsel for the applicant that the applicant is not made a party to O.A. No. 1017/2023 filed by Dr. Rajashree Khatke and in any case since Dr. Rajashree Katke appears to have been aggrieved by her order of transfer she need not be impleaded in this O.A. as party respondent. It is further submitted that there are other grounds to support contention of the applicant that Dr. Rajashree Khatke is not a necessary party to this O.A.. This aspect can be considered on the next date.

5. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

7. 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.

8. 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.

9. 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.

10. 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.

11. **S.O. 30.08.2023.**

12. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.No.929/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. By impugned order dated 10.08.2023 (A-2) the applicant is transferred from I.G.M.C., Nagpur to B.J.G.M.C., Pune. It is the grievance of the applicant that order of his transfer is contrary to Section 5(1)(a) of The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. It is submitted that the applicant would retire on superannuation on 31.07.2024.

3. In the impugned order there is reference to transfer of Dr. Murlidhar Tambey from B.J.G.M.C., Pune to I.G.M.C., Nagpur. It is submitted by ld. C.P.O. that Dr. Murlidhar Tambey appears to have been posted on the post which is to fall vacant on transfer of the applicant.

4. It is submission of the applicant that Dr. Murlidhar Tambey has not yet joined on the post presently held by the applicant. It is pointed out that the impugned order also states that the persons named therein were to be relieved on the same date i.e. 10.08.2023.

5. The applicant prays that since order of his transfer is passed in contravention of Section 5(1)(a) of The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 stay deserves to be granted. A statement is made that Dr. Tambey, though he appears to have been relieved on 10.08.2023 itself, has not joined as yet at I.G.M.C., Nagpur.

6. In these facts effect and implementation of the impugned order of transfer to the extent of the applicant is stayed. In case Dr. Tambey comes to join at the post presently held by the applicant, the respondents shall at liberty to apply for vacation of this interim order.

7. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

9. 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.

10. 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.

11. 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.

12. 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.

13. **S.O. 30.08.2023.**

14. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.Nos.930&931/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicants and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. The applicant in O.A. No. 930/23 is Dr. Abhishek Somani. He is transferred from I.G.M.C., Nagpur to G.M.C., Akola. In O.A. No. 931/2023 the applicant is Dr. Shilpa Telgote who is transferred from G.M.C., Akola to I.G.M.C., Nagpur. Both of them are aggrieved by their respective transfer orders. Representation made by the applicant in O.A. No. 930/2023 is at P. 17 (A-3). Representation made by the applicant in O.A. No. 931/2023 is at P. 20 (A-3). Primary grievance of both the applicants is that the impugned order is passed in the month of August i.e. 10.08.2023.

3. Case is made out to pass interim order till the returnable date. Effect and implementation of the impugned order relating to transfer of both the applicants is stayed till the returnable date.

4. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

10. **S.O. 30.08.2023.**

11. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.No.932/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. By the impugned order dated 10.08.2023 (A-2) the applicant is transferred from G.M.C., Nagpur to G.M.C., Jalgaon. It is submitted that there is no order transferring anyone on the post which is to fall vacant on transfer of the applicant. The order is challenged on the ground that it is passed in the month of August without indicating compliance of Sub Section 4/Sub Section 5 of Section 4 of The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. Copy of representation made by the applicant to respondent no. 1 is at A-3 (at P. 19). Case is made out to stay the effect and implementation of the impugned order till the returnable date. The effect and implementation of the impugned order shall stand stayed till the returnable date.

3. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. 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. 30.08.2023.**



10. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.No.933/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. By the impugned order dated 10.08.2023 (A-2) the applicant is transferred from I.G.M.C., Nagpur to B.J.G.M.C., Pune. Representation made by the applicant to respondent no. 1 to cancel the impugned order is at A-3 (at P. 18).

3. Grievance of the applicant is that the impugned order is passed in the month of August. It is submitted that in place of the applicant no one is transferred. It is further submitted that the impugned order does not indicate that while passing the same there was compliance of Sub Section 4/Sub Section 5 of Section 4 of The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. On these grounds it is prayed that effect and implementation of the impugned order to the extent of applicant be stayed till the returnable date. Case is made out to pass such interim order. Effect and implementation of the impugned order shall stand stayed till the returnable date to the extent of the applicant.

4. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

10. **S.O. 30.08.2023.**

11. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.No.934/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. By the impugned order dated 10.08.2023 (A-2) the applicant is transferred from G.M.C., Nagpur to Vilas Rao Deshmukh, G.M.C., Latur. By the same order one Dr. Ajay Ohval is transferred from Vilas Rao Deshmukh, G.M.C., Latur to G.M.C., Nagpur in place of the applicant. The applicant has placed on record at A-3 copy of representation dated 11.08.2023 made by Dr. Ajay Ohval to respondent no. 1 for cancellation of his transfer. Representation of the applicant dated 11.08.2023 (A-4) made to respondent no. 1 is at P. 18. By this representation the applicant has also prayed for cancellation of order of his transfer. The order of transfer is impugned on the ground that it is made in the month of August without complying with Sub Section 4/Sub Section 5 of Section 4 of The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. Case is made out to pass interim order. Effect and implementation of the impugned order to the extent of the applicant shall stand stayed till the returnable date.

3. It is submitted by the ld. C.P.O. that in the facts and circumstances of the case Dr. Ajay Ohval will be a necessary party because if the applicant succeeds in the O.A., Dr. Ajay Ohval would be affected. In reply it is submitted on behalf of the applicant that Dr. Ohval has made a representation to cancel his order of transfer and he has so far not joined on the transferred post.

4. The impugned order states that the persons mentioned therein were to be relieved on the same day i.e. 10.08.2023. In case Dr. Ajay Ohval comes to joins on the post at G.M.C., Nagpur it would be open to the respondents to apply for vacation of this interim order of stay.

5. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

7. 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.

8. 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.

9. 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.

10. 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.

11. **S.O. 30.08.2023.**

12. **Steno copy is granted.**

**Member (J)**

**Date:- 17/08/2023.**  
aps.

**O.A.No.935/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the Respondents.

2. The impugned order of transfer of the applicant dated 10.08.2023 is at A-2. By this order she has been transferred from G.M.C. and Super Speciality, Hospital Nagpur to G.M.C., Gondia. It is submitted that in the place of the applicant no one is transferred. Copy of representation made by the applicant to respondent no. 1 on 11.08.2023 is at A-5. By this representation the applicant has requested for cancellation of order of her transfer. The transfer order is impugned on the ground that it is made in the month of August without complying with Sub Section 4/ Sub Section 5 of Section 4 of The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. Case is made out to stay the impugned order to the extent of the applicant. The impugned order shall stand stayed to the extent of the applicant till the returnable date.

3. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. 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. 30.08.2023.**

10. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.No.936/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. The impugned order of transfer of the applicant from G.M.C., Nagpur to G.M.C., Akola dated 10.08.2023 is at A-1. It is submitted that in place of the applicant no one is transferred. Representation made by the applicant to respondent no. 1 for cancellation of his transfer is at A-2. It is dated 10.08.2023. Grievance of the applicant is that the impugned order is passed without complying with Sub Section 4/ Sub Section 5 of Section 4 The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. Case is made out to stay the effect and implementation of the impugned order to the extent of the applicant. Effect and implementation of the impugned order shall stand stayed to the extent of the applicant till the returnable date.

3. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. 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. 30.08.2023.**



10. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.No.937/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the Respondents.

2. The impugned order of transfer of the applicant from G.M.C., Akola to Trauma Care Centre, Nagpur dated 10.08.2023 is at A-1. The order is impugned on the ground that it is passed in the month of August without complying with Sub Section 4/ Sub Section 5 of Section 4 The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. Copy of representation made by the applicant on 11.08.2023 to respondent no. 1 to cancel his transfer order is at A-3. Case is made out to stay the effect and implementation of the impugned order to the extent of the applicant. Effect and implementation of the impugned order shall stand stayed to the extent of the applicant till the returnable date.

3. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. 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. 30.08.2023.**

10. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**

**O.A.No.938/2023 (S.B.)**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 17/08/2023.**

Heard Shri N.R.Saboo, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the Respondents.

2. The impugned order of transfer of the applicant from Trauma Care Centre, Nagpur to G.M.C., Chandrapur dated 10.08.2023 is at A-2. The order is impugned on the ground that it is passed in the month of August without complying with Sub Section 4/ Sub Section 5 of Section 4 The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. Copy of representation made by the applicant to respondent no. 1 is at A-3. It is dated 11.08.2023. By this representation the applicant has prayed for cancellation of his transfer. Case is made out to pass interim order till the returnable date. Effect and implementation of the impugned order shall stand stayed to the extent of the applicant till the returnable date.

3. Issue notice to Respondents, returnable on 30.08.2023. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. 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. 30.08.2023.**

10. **Steno copy is granted.**

**Date:- 17/08/2023.**  
aps.

**Member (J)**