

O.A. No.1139/2021 (S.B.)

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

Dated :04/12/2023.

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

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

Vice Chairman

dnk.

O.A. No.1176/2022 (S.B.)

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

Dated : 04/12/2023.

Shri D.S. Sawarkar, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. counsel for the applicant, **S.O. 11/12/2023.**

Vice Chairman

dnk.

(S.B.)

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

Dated : 04/12/2023.

**C.A.108/2020 in Rev.A.St.626/2020 in
O.A.552/2016**

Shri A. Motlag, Id. Counsel holding for
Shri R.V. Shiralkar, Id. counsel for applicant and
Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. counsel for the
applicant, **S.O. one week.**

Vice Chairman

dnk.

O.A. No.744/2019 (S.B.)

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

Dated : 04/12/2023.

Shri A. Motlag, Id. Counsel holding for
Shri R.V. Shiralkar, Id. counsel for applicants
and Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. counsel for the
applicants, **S.O. after two weeks** for filing
rejoinder.

Vice Chairman

dnk.

(S.B.)

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

Dated : 04/12/2023.

O.A.Nos.147,214,215,216 & 217 of 2021-

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

At the request of Id. counsel for the
applicants, **S.O. four weeks** for filing reply.

Vice Chairman

dnk.

C.A.197/2020 in O.A. 418/2020 (S.B.)

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

Dated : 04/12/2023.

Heard Shri P.K. Mishra, Id. Counsel for applicant, Shri H.K. Pande, Id. P.O. for R-1 and Shri T.M. Zaheer, Id. Counsel for R-2&3.

2. The learned counsel for applicant has pointed out the decisions of Hon'ble Supreme Court and Hon'ble High Court. He seeks time to file more decisions.

S.O. 06/12/2023 (PH).

Vice Chairman

dnk.

O.A. No.876/2023 (S.B.)

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

Dated : 04/12/2023.

Heard Shri R.D. Narkhede, Id. Counsel for applicant and Shri H.K. Pande, Id. P.O. for R-1 to 4. Await service of R-5.

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

At the request of Id. Counsel for the applicant, issue fresh notice to the respondent no.5 returnable **after four weeks**. Hamdast allowed.

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

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

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

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

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.411/2023 (D.B.)

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

Dated : 04/12/2023.

Heard Shri A.P. Sadavarte, Id. Counsel for applicants and Shri H.K. Pande, Id. P.O. for R-1 to 6. Await service of R-7.

2. At the request of Id. Counsel for the applicants, issue fresh notice to the respondent no.7 returnable **19/12/2023**. Hamdast allowed.

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

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

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

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

within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. 19/12/2023.

Vice Chairman

dnk.

O.A. No.1272/2023 (D.B.)

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

Dated : 04/12/2023.

Heard Smt. K.N. Saboo, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

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

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

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

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

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

within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.811/2021 (S.B.)

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

Dated : 04/12/2023.

Smt. K.N. Saboo, Id. Counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for respondents.

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

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

S.O. 03/01/2024.

Vice Chairman

dnk.

O.A. No.844/2021 (S.B.)

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

Dated : 04/12/2023.

Shri N.D. Thombre, Id. counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.452/2022 (S.B.)

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

Dated : 04/12/2023.

Ms. A. Uike, Id. Counsel holding for Shri N.B. Rathod, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondent no.1. Await service of R-2&3.

At the request of Id. Counsel for the applicant, **S.O. two weeks** for filing service affidavit.

Vice Chairman

dnk.

O.A. No.512/2022 (S.B.)

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

Dated : 04/12/2023.

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

2. The learned P.O. files reply of R-3. It is taken on record. The Id. P.O. submits that reply of R-3 is sufficient to decide the O.A.

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.916/2022 (S.B.)

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

Dated : 04/12/2023.

Shri B. Kulkarni, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.276/2023 (S.B.)

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

Dated : 04/12/2023.

Shri G.K. Bhusari, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

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

Vice Chairman

dnk.

(S.B.)

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

Dated : 04/12/2023.

**C.A. 442/2022 in C.A. 443/2022 in
O.A.St.2375/2022 -**

Shri A.P. Sadavarte, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.911/2023 (S.B.)

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

Dated : 04/12/2023.

Heard Shri J.S. Deshmukh, Id. Counsel for applicant, shri M.I. Khan, Id. P.O. for R-1 to 3 and none for other respondents.

2. The learned P.O. seeks time to file reply.
3. The learned counsel for the applicant submits that this matter is covered by the Judgment of this Tribunal in O.A.No.622/2022 with connected matters decided on 10/10/2023.
4. The matter is admitted and kept for final hearing. The Id. P.O. waives notice for R-1 to 3.
5. In the meantime, the Id. P.O. is at liberty to file reply.

S.O. 23/01/2024.

Vice Chairman

dnk.

O.A. No.1061/2023 (S.B.)

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

Dated : 04/12/2023.

Shri V.A. Kothale, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondent no.1. Await service of R-2&3.

S.O. 08/01/2024 for filing service affidavit.

Vice Chairman

dnk.

O.A. No.908/2022 (S.B.)

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

Dated : 04/12/2023.

None for applicant. Shri S.A. Sainis, Id.
P.O. for R-1 to 3. None for other respondents.

S.O. after three weeks.

Vice Chairman

dnk.

O.A. No.108/2023 (S.B.)

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

Dated : 04/12/2023.

Ms. R.N. Gaikwad, Id. Counsel for applicants, Shri H.K. Pande, Id. P.O. for R-1 to 4 and Smt. U.A. Patil, Id. counsel for R-5.

2. At the request of Id. Counsel for applicants, **S.O. 11/12/2023** for filing relevant citations.

The matter be treated as **P.H.**

Vice Chairman

dnk.

O.A. No.551/2023 (S.B.)

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

Dated : 04/12/2023.

Shri A.P. Sadavarte, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. P.O., **S.O.**
04/01/2024.

Vice Chairman

dnk.

O.A. No.1013/2023 (S.B.)

(Dr. Ravindra M. Chauhan Vs. State of Mah. &Ors.)

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

Dated : 04/12/2023.

Heard Dr. R.M. Chauhan, the applicant in person and Shri M.I. Khan, Id. P.O. for the respondents.

2. The case of the applicant in short is as under –

3. The applicant is working as a Medical Officer, Group-A at Rural Hospital, Chikhaldara, Dist. Amravati since 05/10/2016. The Chikhaldara is the hilly / difficult tribal area popularly known as Melghat. The applicant has served as a Medical Officer at Chikhaldara for about six years.

4. The respondents without taking into consideration the services rendered by the applicant at Chikhaldara, transferred him to P.H.C., Hatru, Tq. Chikhaldara, Dist. Amravati which is in Melghat area.

5. The applicant made representation dated 12/06/2023 (P-16) with a prayer to cancel his transfer from Chikhaldara to Hatru.

6. During the course of submission, the applicant submits that he is not relieved from Chikhaldara and wanted to serve there. In the prayer of the O.A., it is specifically prayed that the respondents be directed to decide the representation dated 12/06/2023. Hence, the following order –

ORDER

(i) The O.A. is allowed.

(ii) The respondents are directed to decide the representation of the applicant dated 12/06/2023 within a period of one month from the date of receipt of this order.

(iii) No order as to costs.

Vice Chairman

dnk.

O.A. No.127/2023 (D.B.)

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

Dated : 04/12/2023.

None for the applicant. Heard Shri H.K. Pande, Id. P.O. for respondents.

2. The learned P.O. files reply of all the respondents. It is taken on record.

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.216/2023 (D.B.)

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

Dated : 04/12/2023.

Shri A.P. Sadavarte, Id. Counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1&2. None for R-3 to 7.

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

Vice Chairman

dnk.

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

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

Dated : 04/12/2023.

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

2. The learned P.O. submits that reply of R-5 is already on record. As per his submission, it is sufficient to decide the O.A.

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

S.O. 14/12/2023.

Vice Chairman

dnk.

O.A. No.460/2023 (D.B.)

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

Dated : 04/12/2023.

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

2. The learned P.O. files reply of R-1&2. It is taken on record. The Id. P.O. submits that said reply is sufficient to decide the O.A.

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.909/2023 (D.B.)

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

Dated : 04/12/2023.

Shri J.S. Deshmukh, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

2. At the request of Id. P.O., **S.O. 23/01/2024** for filing reply.

Vice Chairman

dnk.

O.As. 925 & 1020 of 2023 (D.B.)

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

Dated : 04/12/2023.

Shri N.D. Thombre, Id. Counsel for applicants and Shri S.A. Deo, Id. C.P.O. for respondents.

2. At the request of Id. C.P.O., **S.O. 19/12/2023** for filing reply.

Vice Chairman

dnk.

O.A. No.1038/2023 (D.B.)

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

Dated : 04/12/2023.

Shri S.G. Ziinjarde, Id. Counsel for applicant and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2&3.

2. The learned counsel for the applicant submits that the respondent no.2 is served and he seeks further time to file service affidavit of R-3.

3. At the request of Id. Counsel for applicant, **S.O. after three weeks** for filing service affidavit of R-3.

Vice Chairman

dnk.

O.A. No.1166/2023 (D.B.)

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

Dated : 04/12/2023.

Shri M.R. Khan, Id. Counsel for applicant
and Shri M.I. Khan, Id. P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.1086/2023 (D.B.)

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

Dated : 04/12/2023.

Smt. K.N. Saboo, Id. Counsel for applicants and Shri M.I. Khan, Id. P.O. for respondent nos.1&2 and Shri R. Tajne, Id. Counsel for R-3 to 5.

Await service of R-2&6 to 8.

At the request of Id. Counsel for applicant, **S.O. after two weeks** for filing service affidavit.

Vice Chairman

dnk.

O.A. No.1234/2023 (D.B.)

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

Dated : 04/12/2023.

Shri P.S. Wathore, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondent no.1. Await service of R-2.

2. The learned counsel for applicant submits that the respondent no.2 is served and he has filed service affidavit in the office.

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

Vice Chairman

dnk.

C.P. 73/2023 in O.A. No.175/2023 (D.B.)

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

Dated : 04/12/2023.

Shri J.S. Deshmukh, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondent no.1. Await service of R-2 to 4.

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

S.O. 23/01/2024.

Vice Chairman

dnk.

O.A. No.126/2023 (D.B.)

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

Dated : 04/12/2023.

Shri V.A. Kothale, Id. Counsel holding for
Shri Y.P. Kaslikar, Id. Counsel for applicant and
Shri M.I. Khan, Id. P.O. for respondents.

2. At the request of Id. Counsel for
applicant, **S.O. 18/12/2023.**

Vice Chairman

dnk.

O.A. No.581/2023 (D.B.)

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

Dated : 04/12/2023.

Shri S. Taram, Id. Counsel holding for
Shri R.D. Karode, Id. Counsel for applicant and
Shri S.A. Sainis, Id. P.O. for respondents.

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.971/2022 (D.B.)

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

Dated : 04/12/2023.

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

2. The learned counsel for the applicant submitted that this O.A. is covered by the Judgments of this Tribunal and the Judgments of Hon'ble Supreme Court in the case of ***Union of India &Ors. Vs. K.V. Jankiraman&Ors.(1991) 4 SCC,109*** and in the case of ***Union of India &Ors. Vs. Anil Kumar Sarkar (2013) 4 SCC,161*** and the Judgment of the Hon'ble Bombay High Court, Bench at Aurangabad in the case of ***Ashok M. Nand Vs. State of Maharashtra &Ors.*** Copies of the same are taken on record.

3. The learned P.O. seeks further time.

S.O. 18/12/2023 (PH).

Vice Chairman

**dnk.

O.A.No.292/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

None for the applicant. Shri A.P.Potnis, Id.
P.O. for the respondents. Await service of
respondents 2 and 3.

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

Member(J)

rsm.

O.A.No.543/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. Reply of respondents 1 to 4 filed by learned P.O. is taken on record. The O.A. is admitted and kept for final hearing.

3. Learned counsel for the applicant has placed on record copy of Judgment dated 14.06.2023 passed by Principal Bench in O.A.Nos.553 & 554/2022.

4. **S.O. 23.01.2024.**

Member(J)

rsm.

O.A.No.68/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri J.S.Deshmukh, ld. Counsel for the applicant, Shri A.P.Potnis, ld. P.O. for the respondents 1 to 3 and Shri S.K.Jagirdar, ld. counsel for the respondent no.4.

2. Learned counsel for the applicant seeks time to file reply. Time is granted as last chance.

3. **S.O. 23.01.2024.**

Member(J)

rsm.

Rev.A.No.12/2022 in
O.A.No.468/2017 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri R.V.Shiralkar, Id. Counsel for the applicant, Shri A.P.Potnis, Id. P.O. for the respondents 1 & 2 and Shri N.S.Khandewale, Id. counsel for the respondent no.3.

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

Member(J)

rsm.

O.A.No.172/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

C.A.No.625/2023

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

2. C.A. is allowed. Delay is condoned for the reasons stated in the C.A..

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

Member(J)

rsm.

O.A.No.202/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri N.B.Bagrat, ld. Counsel for the applicant
and Shri A.P.Potnis, ld. P.O. for the respondents.

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

Member(J)

rsm.

O.A.No.517/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri P.P.Khaparde, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

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

Member(J)

rsm.

O.A.No.844/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri M.R.Khan, Id. Counsel for the applicant
and Shri S.A.Sainis, Id. P.O. for the respondents.

2. Reply of respondent no.3 is filed by learned
P.O. is taken on record. The O.A. is **admitted** and
kept for final hearing.

3. **S.O. after winter vacation.**

4. Applicant is at liberty to file rejoinder, if any.

Member(J)

rsm.

O.A.No.315/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. On oral request of learned P.O., **S.O.**
02.01.2024 for filing reply.

Member(J)

rsm.

O.A.No.316/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. On oral request of learned P.O., **S.O.**
02.01.2024 for filing reply.

Member(J)

rsm.

O.A.No.318/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. Reply of respondents 3 and 4 filed by learned P.O. is taken on record.

3. **S.O. 02.01.2024.**

Member(J)

rsm.

O.A.No.386/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. It is pointed out that regular provisional pension was approved by the A.G. on 01.07.2019. More than four years have elapsed since then. Grievance of the applicant is that so far nothing has been done in the matter. Respondent no.2 shall depute some responsible person to remain present before this Tribunal in person on 11.12.2023.

3. Learned P.O. shall take instructions and make a statement regarding item no.2 in chart at page 53.

4. **S.O. 11.12.2023.**

5. **Steno copy is granted.**

Member(J)

rsm.

O.A.No.564/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri B.Shende, ld. Counsel for the applicant,
Shri M.I.Khan, ld. P.O. for the respondents and
Adv.L.Y.Malewar, ld. counsel for the respondent no.4.
2. On oral request of learned P.O. and ld.
counsel for the respondent no.4, **S.O. two weeks for
filing reply.**

Member(J)

rsm.

O.A.No.574/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. Learned P.O. seeks time to file reply.
3. Learned counsel for the applicant states that he will place on record some recent Judgments.
4. **S.O. 03.1.2024.**

Member(J)

rsm.

O.A.No.729/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. On oral request of learned P.O., **S.O.**
18.12.2023 for filing reply.

Member(J)

rsm.

O.A.No.834/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. Learned P.O. states that reply is submitted to the concerned office/authority for approval.

3. **S.O. 11.12.2023.**

Member(J)

rsm.

O.A.No.836/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri R.M.Fating, ld. Counsel for the applicant
and Shri A.P.Potnis, ld. P.O. for the respondents.
None for the respondents 2 and 3.

2. On oral request of learned P.O., **S.O.**
12.12.2023 for filing reply.

Member(J)

rsm.

O.A.No.1021/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

C.A.No.620/2023

Heard Shri Y.N.Thengre, ld. Counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents 2 and 3 and Shri D.S.Sawarkar, ld. counsel for the respondent no.4.

2. Perused C.A. and record.

3. By this C.A. subsequent developments are sought to be brought on record and appropriate relief is sought to be claimed. C.A. is allowed. Amendment be carried out within two weeks from today.

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

Member(J)

rsm.

O.A.No.1065/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri G.K.Bhusari holding for Shri D.M.Kakani,
ld. Counsel for the applicant and Shri A.P.Potnis, ld.
P.O. for the respondents.

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

Member(J)

rsm.

O.A.No.1069/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. Learned P.O. has placed on record communication dated 13.10.2023 showing that the applicant is reinstated, and nothing survives in the O.A..

3. Learned counsel for the applicant to take instructions.

4. **S.O. next week.**

Member(J)

rsm.

O.A.No.1071/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri S.Malode, ld. Counsel for the applicant,
Shri A.P.Potnis, ld. P.O. for the respondents and Shri
M.S.Wakil, ld. counsel for the respondent no.6.

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

Member(J)

rsm.

O.A.No.1079/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. Learned counsel for the applicant points out that on 12.10.2023 interim order is passed staying further recovery as per order dated 31.08.2023. As per his instructions the respondents have not stayed the recovery.

3. The learned P.O. shall take instructions and make a statement as to what is the factual position. He seeks time of two weeks to file reply.

4. **S.O. 20.12.2023 for filing reply and making a statement.**

Member(J)

rsm.

O.A.No.1087/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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 learned P.O., **S.O. three weeks for filing reply.**

Member(J)

rsm.

O.A.No.1088/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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 learned P.O., **S.O. three weeks for filing reply.**

Member(J)

rsm.

O.A.No.1093/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri S.Pande, ld. Counsel for the applicant.
Shri A.M.Khadatkar, ld. P.O. for the respondents 1
and 2 and Shri M.L.Vairagade, ld. counsel for the
respondent no.3.

2. On oral request of learned P.O. and Shri
M.L.Vairagade, ld. counsel for the respondent no.3,

S.O. three weeks for filing reply.

Member(J)

rsm.

O.A.No.1098/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

None for the applicant. Shri A.M.Khadatkar,
ld. P.O. for the respondents and Shri Y.A.Kullarwar,
ld. counsel for the respondent no.3.

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

Member(J)

rsm.

O.A.No.1108/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

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

3. Interim relief is to continue till filing of reply.

Member(J)

rsm.

O.A.No.1135/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

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

Member(J)

rsm.

O.A.No.1273/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Heard Mrs.K.N.Saboo, Id. Counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the respondents.

2. Issue notice to Respondents, returnable on **after three weeks**. Learned C.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 three weeks.**

Member(J)

rsm.

O.A.No.248/2018 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri J.S.Deshmukh, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents 1 to 3 & 6. None for the respondents 4 and 5.

2. **S.O. 23.01.2023.**

Member(J)

rsm.

O.A.No.1152/2021 with
O.A.No.1153/2021 with
O.A.No.86/2022 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. The O.As. are closed for orders. It is submitted that though some points in the O.As. are common there are differences of facts.

3. Learned counsel for the applicant shall place on record a small chart stating therein factual position in each of these O.As.. It is submitted that this chart shall be placed on record tomorrow.

4. **Closed for Orders.**

Member(J)

rsm.

O.A.No.291/2020 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri P.P.Khaparde, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. **S.O. next week.**

Member(J)

rsm.

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

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

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

Member(J)

rsm.

O.A.No.742/2016 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri S.G.Ramteke, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. **S.O. 06.12.2023.**

Member(J)

rsm.

O.A.No.418/2017 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. **S.O. next week.**

Member(J)

rsm.

O.A.No.602/2017 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

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

Member(J)

rsm.

O.A.No.982/2017 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri J.S.Deshmukh, Id. Counsel for the applicant, Shri V.A.Kulkarni, Id. P.O. for the respondents 1 to 3 & 6 and Shri N.Majithiya, Id. counsel for the respondents 4 & 5.

2. **S.O. 23.01.2024.**

Member(J)

rsm.

O.A.No.575/2019 with
O.A.No.576/2019 with
O.A.No.843/2019 with
O.A.No.844/2019 with
O.A.No.542/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri J.S.Deshmukh, Id. Counsel for the applicants, Shri V.A.Kulkarni, Id. P.O. for the respondents and Adv.M.P.Munshi, Id. counsel for the respondent no.4.

2. **S.O. 23.01.2024.**

Member(J)

rsm.

O.A.No.216/2019 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri P.B.Patil, Id. Counsel for the applicant
and Shri V.A.Kulkarni, Id. P.O. for the respondents.

2. **S.O. next week.**

Member(J)

rsm.

O.A.No.1051/2019 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

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

Member(J)

rsm.

O.A.No.539/2020 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Mrs.S.Kulkarni, Id. Counsel for the applicant
and Shri V.A.Kulkarni, Id. P.O. for the respondents 1
to 3. None for the respondents 4 and 5.

2. **S.O. 12.12.2023.**

Member(J)

rsm.

O.A.No.703/2020 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri B.Dafle, ld. Counsel for the applicant and
Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. Learned counsel for the applicant seeks time
of one week.

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

Member(J)

rsm.

O.A.No.139/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri U.J.Deshpande, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the respondents.

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

Member(J)

rsm.

O.A.No.342/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri I.G.Meshram, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. **S.O. 05.12.2023.**

Member(J)

rsm.

O.A.No.718/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Heard Shri S.N.Gaikwad, ld. Counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the respondents 1 to 3 and Shri G.K.Bhusari, ld. counsel for the respondent no.5. None for the respondent no.4.

2. The applicant is transferred to Amravati and respondent no.5 is transferred to Ahmednagar. The applicant had given an option for Ahmednagar and respondent no.5 had given an option for Amravati. In this factual background it would be appropriate that the applicant and respondent no.5 get an opportunity of making a representation to accommodate them suitably as per their choice. The applicant and respondent no.5 shall make fresh representations to respondent no.1 to accommodate them suitably as per option given by them. They shall make representation within 1 week from today. Within two weeks from the receipt of representations respondent no.1 shall take a decision and communicate the same to the applicant and respondent no.5.

3. **S.O. 10.12.2023.**

4. **Steno copy is granted.**

Member(J)

rsm.

O.A.No.407/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. **S.O. next week.**

Member(J)

rsm.

O.A.No.1074/2021 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Mrs.K.N.Saboo holding for Shri N.R.Saboo, ld.
Counsel for the applicant and Shri A.M.Khadatkar, ld.
P.O. for the respondents.

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

Member(J)

rsm.

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

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri M.R.Khan, Id. Counsel for the applicant
and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. Learned counsel for the applicant seeks time
of three weeks to argue the matter finally.

3. **S.O. after winter vacation.**

Member(J)

rsm.

O.A.No.99/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. **S.O. next week.**

Member(J)

rsm.

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

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Heard Shri G.N.Khanzode, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. It is the contention of the applicant that his pension ought to have been fixed on the basis of his salary which he was drawing at the time of his superannuation as primary teacher, Record shows that according to the respondents the applicant had not furnished his B.Ed. certificate and for this reason his retiral benefits could not be released. According to the applicant, in the year 2000 itself he had informed his employer that he was not going to acquire B.Ed. qualification. He continued to work as primary teacher till his superannuation and was receiving salary of primary teacher.

3. **Closed for Orders.**

Member(J)

rsm.

O.A.No.303/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri D.S.Sawarkar, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. **S.O. 11.12.2023.**

Member(J)

rsm.

O.A.No.671/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

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

2. **Closed for Orders.**

Member(J)

rsm.

O.A.No.916/2023 with C.A.No.496/2023 (S.B.)

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

Dated : 04/12/2023.

Heard Shri S.Khandekar, Id. Counsel for the applicant, Shri S.A.Deo, Id. C.P.O. for the respondents 1 to 3 and Shri R.V.Shiralkar, Id. counsel for the respondent no.4.

2. The applicant has impugned order of his transfer dated 10.08.2023. By order dated 11.08.2023 effect and implementation of order dated 10.08.2023 was stayed. The applicant stood retired on 30.11.2023 on superannuation from Government Medical College, Nagpur. He was retained as Head of the department of Medicine at Government Medical College Nagpur by virtue of interim order passed by this Tribunal. In this factual background, so far as the applicant is concerned, nothing survives in the O.A..

3. Respondent no.4 has filed Civil Application No.496/2023 for directions. In this C.A. following direction is sought –

A. Direct the respondent no.1 to temporarily post the applicant or answering respondent no.4 at vacant post of Professor in Indira Gandhi Medical College, Nagpur till 30.11.2023 and then to implement order dated 10.08.2023 in respect of the answering respondent no.4, in the interest of justice.

4. Learned C.P.O. submits that so far as grievance of the respondent no.4 is concerned he will have to take instructions.

5. On behalf of respondent no.4 it is submitted that salary has been paid to him only for the period till September 2023 and for October and November 2023 he has not received salary. Instructions shall be taken in respect of aforesaid grievances of respondent no.4.

6. **S.O. 12.12.2023.**

Member(J)

rsm.

O.A.No.967/2023 (S.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 04/12/2023.

Shri A.C.Dharmadhikari, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

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

Member(J)

rsm.

O.A.No.1275/2023 (S.B.)

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

Dated : 04/12/2023.

Heard Shri D.M.Kakani, Id. Counsel for the applicant, Shri S.A.Deo, Id. C.P.O. for the respondents 1 and 2 and Shri V.B.Gawali, Id. counsel for the respondent no.3/Caveator.

2. In this O.A. order of transfer of respondent no.3 dated 01.12.2023 (Annexure A-1) is impugned whereunder he has been transferred from Amravati to Gondiya. This order of transfer is impugned inter alia on the grounds that the said transfer was not recommended by Civil Services Board and consent of parent department i.e. Revenue Department was not obtained.

3. Learned C.P.O. has placed on record order dated 01.12.2023 in support of his contention that pursuant to the impugned order respondent no.3 was relieved on 01.12.2023 itself (A.N.). Communication dated 04.12.2023 is also placed on record to show that respondent no.3 has joined on the transferred post today itself i.e. on 04.12.2023 (B.N.). This Joining report is addressed to respondent no.2. It is the contention of the applicant that said joining report of respondent no.3 has not been accepted by respondent no.2.

4. According to learned counsel for the applicant the fact that respondent no.2 has so far not accepted joining report of respondent no.3 can be gathered from the fact that there are no orders issued so far relieving the applicant. In reply, it is submitted by the C.P.O. that respondent no.3 might have taken the charge unilaterally.

5. Though, on behalf of the applicant order of "Status-quo" is sought, it would not be proper to pass such order today.

6. **S.O.05.12.2023.**

7. Learned C.P.O. shall take necessary instructions so that the O.A. can be heard at length tomorrow for passing necessary orders including an interim order provided case therefor is made out.

8. **Steno copy is granted.**

Member(J)

