

**O.A. No.124/2017 (S.B.)**

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

**Dated : 26/07/2023.**

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

With the consent of learned counsel for both the parties, **S.O. 27/07/2023.**

**Vice Chairman**

dnk.

**R.A.06/23 in C.A.178/20 in O.A.St.800/20  
(S.B.)**

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

**Dated : 26/07/2023.**

Shri S.K. Bhattacharya, Id. Counsel holding for Shri N.S. Warulkar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

With the consent of learned counsel for both the parties, **S.O. 09/08/2023.**

**Vice Chairman**

dnk.

O.A. No.461/2023 (S.B.)

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

**Dated : 26/07/2023.**

Shri Amol Mardikar, Id. Counsel for applicant, Shri M.I. Khan, Id. P.O. for R-1 to 4, Shri A. Girdekar, Id. Counsel for R-5 and Shri Mudgale, Id. Counsel for R-6.

With the consent of learned counsel for both the parties, **S.O. 27/07/2023. The matter be kept high on board.**

**Vice Chairman**

dnk.

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

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

**Dated : 26/07/2023.**

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

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

**Vice Chairman**

dnk.

O.A. No.390/2021 (S.B.)

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

**Dated : 26/07/2023.**

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

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

**Vice Chairman**

dnk.

O.A. No.551/2021 (S.B.)

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

**Dated : 26/07/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.1064/2019 (S.B.)**

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

**Dated : 26/07/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.724/2014 (S.B.)**

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

**Dated : 26/07/2023.**

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

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

**Vice Chairman**

dnk.



**O.A. No.704/2022 (S.B.)**

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

**Dated : 26/07/2023.**

Shri A.A. Mardikar, Id. counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. P.O. and learned Counsel for applicant, **S.O. 02/08/2023.**

**Vice Chairman**

dnk.

(S.B.)

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

**Dated : 26/07/2023.**

**C.A. 373/2023 in Rev.A.05/2020 in O.A.481/18**

Shri A. Motlag, Id. Counsel holding for  
Shri A.C. Dharmadhikari, Id. Counsel for  
applicant and Shri H.K. Pande, Id. P.O. for R-1  
to 3. None for other respondents.

**S.O. Next week.**

**Vice Chairman**

dnk.

**O.A. No.128/2022 (S.B.)**

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

**Dated : 26/07/2023.**

Shri Vyas, Id. Counsel holding for Shri A.M. Tirukh, Id. Counsel for applicant, Shri V.A. Kukarni, Id. P.O. for R-1,2 & 4 and Shri M.I. Dhattrak, Id. Counsel for R-3.

**S.O. after three weeks** for filing reply of R-3.

**Vice Chairman**

dnk.

O.A. No.861/2022 (S.B.)

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

**Dated : 26/07/2023.**

None for applicant. Shri V.A. Kulkarni, Id.  
P.O. for R-1. Await service of R-2 to 4.

**S.O. after three weeks** for filing service  
affidavit.

**Vice Chairman**

dnk.

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

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

**Dated : 26/07/2023.**

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

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

**Vice Chairman**

dnk.

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

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

**Dated : 26/07/2023.**

Shri B. Kulkarni, Id. Counsel for applicant, Shri S.A. Sainis, Id. P.O. for R-1&3 and none for R-2&4.

As per submission of learned counsel for applicant the R-2 and 4 have filed reply and it is sufficient to decide the matter.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for R-1&3.

**S.O. 17/8/2023.**

**Vice Chairman**

dnk.

**O.A. No.1056/2022 (S.B.)**

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

**Dated : 26/07/2023.**

Shri V.N. Adase, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2&3.

2. The learned counsel for applicant submits that the respondents are served and he will file service affidavit before the next date.

**S.O. after one week.**

**Vice Chairman**

dnk.

**O.A. No.109/2023 (S.B.)**

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

**Dated : 26/07/2023.**

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

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

**Vice Chairman**

dnk.



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

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

**Dated : 26/07/2023.**

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

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

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

**S.O. 17/08/2023.**

**Vice Chairman**

dnk.

**O.A. No.296/2023 (S.B.)**

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

**Dated : 26/07/2023.**

Heard K.J. Topale, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

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

**S.O. 18/08/2023.**

**Vice Chairman**

dnk.

O.A. No.530/2023 (S.B.)

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

**Dated : 26/07/2023.**

None for applicant. Shri M.I. Khan, Id.  
P.O. for the respondents.

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

**Vice Chairman**

dnk.

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

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

**Dated : 26/07/2023.**

Shri A.P. Sadavarte, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 23/8/2023** for filing reply as a last chance.

**Vice Chairman**

dnk.

**O.A. No.773/2023 (S.B.)**

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

**Dated : 26/07/2023.**

Heard Shri G.G. Bade, learned counsel for applicant and Shri S.A. Deo, learned CPO for the respondents.

2. The learned CPO has filed communication dated 20/7/2023 from the Dy. Executive Engineer, Quality Control Division, Nagpur. It is taken on record and marked Exh-X for identification. As per this communication, the applicant is allowed to join duty.

3. This Tribunal while passing the order dated 17/7/2023 directed the respondent no.3 to allow the applicant to work at the transferred place. The main prayer in the O.A. is that to allow the applicant to continue his work in the establishment of respondent nos.3 and 4 in view of the transfer order dated 2/6/2023. Now the respondents have complied the order of this Tribunal and continued the applicant in the establishment of respondent nos. 3 and 4.

4. Hence, the O.A. is disposed of as it becomes infructuous in view of the communication as per Exh-X.

**Vice Chairman**

dnk.

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

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

**Dated : 26/07/2023.**

**C.A. 363/2023 -**

Heard Shri S.M. Khan, Id. Counsel for applicant, Shri S.A. Deo, Id. CPO for R-1 to 3 and Shri Saboo, Id. Counsel for R-4.

2. The learned CPO has filed communication dated 24/7/2023 issued by Joint Director of Town Planning, Amravati. As per this letter, one Shri T.A. Nand is transferred from the office of Commissioner, Amravati.

3. As per submission of learned CPO there is no post vacant in the office of Joint Director of Town Planning, Amravati. Hence, interim stay is granted to the transfer order dated 19/7/2023 in respect of applicant only is hereby vacated because there is no post vacant in the office of Joint Director of Town Planning, Amravati. The post is vacant in the office of Commissioner, Amravati. The applicant is at liberty to make representation to the Commissioner / Govt. of Maharashtra to transfer him in the office of Commissioner, Amravati.

3. In view of above, the C.A. is disposed of.

**O.A. No.818/2023-**

The respondents are directed to file reply positively on the next date.

The Id. CPO has submitted that the respondent nos. 2 and 3 are not served.

The applicant is directed to serve the respondents. As per submission of Id. Counsel for applicant, notices are issued to the respondent nos.2 and 3.

**S.O. 4/8/2023.**

Steno copy is granted.

**Vice Chairman**

dnk.

**O.A. No.742/2023 (S.B.)**

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

**Dated : 26/07/2023.**

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

2. Issue notice to the respondents returnable **after four 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.

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

**Vice Chairman**

dnk.

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

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

**Dated : 26/07/2023.**

Heard Shri N.D. Thombre, Id .counsel holding for Shri R.M. Fating, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. Issue notice to the respondents returnable **after four 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.

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

**Vice Chairman**

dnk.

**O.A. No.1062/2019 (S.B.)**

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

**Dated : 26/07/2023.**

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

At the request of Id. Counsel for applicant, **S.O. 2/8/2023.**

**Vice Chairman**

dnk.

O.A. No.31/2020 (S.B.)

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

**Dated : 26/07/2023.**

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

The learned counsel for applicant has pointed out the Judgment of this Tribunal dated 13/7/2023 in O.A. 755/2022.

**Closed for orders.**

**Vice Chairman**

dnk.

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

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

**Dated : 26/07/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.814/2023 (D.B.)**

**(G.S. Ghorpade Vs. State of Mah. & ors.)**

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

**Dated : 26/07/2023.**

Heard Shri N.S. Khandewale, Id. Counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. As per the submission of learned counsel for the applicant, the applicant is working at Government General Hospital, Chandrapur on the post of Staff Nurse (Group-D post.). He is appointed by the respondents and posted at Nandurbar. The applicant could not join the said duty because he has received appointment order on 29/04/2023. Thereafter, he made representation dated 22/05/2023. The endorsement made by respondent no.2 shows that time was granted by respondent no.2, but respondent no.4 not allowed to join the applicant at Nandurbar. The applicant was recruited on regular post by adopting regular procedure. There was no hurdle for respondent no.4 to allow the applicant to join at Nandurbar.
3. In view of above, the respondent no.4 is directed to allow the applicant to join duty at Nandurbar on the post of Nursing Tutor (Group-C post).
4. The Id. CPO is requested to get instructions about compliance of this order.
5. Issue notice to the respondents returnable **7/8/2023**. Learned C.P.O. waives notice for State. 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.

**S.O. 7/8/2023.**

**Steno copy is granted...**

**Vice Chairman**

dnk.



**O.A. No.842/2023 (D.B.)**

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

**Dated : 26/07/2023.**

**C.A. 369/2023 -**

Heard Shri S.S. Dhengale, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. Grievances of the applicants are same. They prayed common relief.
3. Looking to the ground, the C.A. for filing Jt. O.A. is allowed and disposed of.

**O.A. No.842/2023 -**

Heard Shri S.S. Dhengale, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. The learned CPO has filed communication dated 25/07/2023 issued by the Government of Maharashtra. It is taken on record and marked Exh-X for identification. As per this communication, none of the applicants have crossed the bench marks of 150 and therefore they are not eligible to be called for interview. **Hence, interim relief as prayed cannot be granted.**

3. Issue notice to the respondents returnable **after four weeks**. Learned C.P.O. waives notice for State. 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.

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

**Vice Chairman**

dnk.

O.A. No.381/2020 (S.B.)

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

**Dated : 26/07/2023.**

Heard Shri P.D. Meghe, Id. Counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

2. The learned counsel for applicant submitted that after the retirement of applicant, the respondents have sought the permission of the Government to initiate departmental inquiry. As per his submission, that departmental inquiry cannot be continued. In support of his submission pointed out the Judgment of Hon'ble Bombay High Court, Bench at Nagpur in Writ Petition No.3656/2021, decided on 12/01/2023 and submits that the departmental inquiry be quashed.

3. The learned P.O. has filed copy of order dated 05/06/2023 passed by the Government of Maharashtra. As per this order, the Chief Administrative Officer, Dy. Director of Health Services, Nagpur is appointed as a Presenting Officer and the Regional Departmental Enquiry Officer, Nagpur is appointed as Inquiry Officer. As per the cited Judgment, it appears that relying on the Judgment of ***Premnath Bali Vs. Registrar, High Court of Delhi and Ano.***

**Reported in AIR 2016 SC 101**, the departmental inquiry was quashed. There is no dispute about the legal proposition before the Judgment of Hon'ble Supreme Court in the case of the **State of M.P. & Ano. Vs. Akhilesh Jha Ano**. Now the Hon'ble Supreme Court in the case of **State of M.P. & Ano. Vs. Akhilesh Jha Ano**. has held that direction can be given to the department to complete the inquiry within stipulated period. Hence, the respondents are directed to complete the inquiry within a period of three months from the date of receipt of this order.

4. The applicant is directed to remain present before the Inquiry Officer as and when he was called and co-operate in the departmental inquiry.

**S.O. after three weeks.**

**Vice Chairman**

dnk.

**O.A. No.466/2021 (S.B.)**

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

**Dated : 26/07/2023.**

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

2. The learned P.O. raised objection that the Zilla Parishad, Chandrapur and Nagpur are necessary parties because the initial appointment order was issued by the Zilla Parishad, Chandrapur dated 18/05/1982.

3. As per the submission of learned counsel for applicant, subsequently the applicant was absorbed in regular service by the Government of Maharashtra and therefore he is employee of State of Maharashtra and therefore the Zilla Parishad, Chandrapur and Nagpur are not necessary parties. No any document is filed on record to show about the absorption of the applicant in the establishment of the State of Maharashtra. The applicant is directed to produce the relevant document on the next date.

**S.O. 10/08/2023.**

**Vice Chairman**

dnk.

**O.A. No.237/2022 (S.B.)**

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

**Dated : 26/07/2023.**

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

**S.O. 03/08/2023** along with O.A. 267/2022.

**Vice Chairman**

dnk.

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

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

**Dated : 26/07/2023.**

Heard Shri Bharat Kulkarni, Id. Counsel for applicant and Shri H.K. Pande, Id. P.O. for respondents.

2. The Id. P.O. has filed additional affidavit. It is taken on record. Copy is served to the applicant.

**Closed for orders.**

**Vice Chairman**

dnk.

**O.A. No.39/2021 (S.B.)**

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

**Dated : 26/07/2023.**

Shri G.N. Khanzode, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O.**  
**03/08/2023.**

**Vice Chairman**

dnk.



**Rev.A. 21/22 in O.A. No.930/2017 (D.B.)**

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

**Dated : 26/07/2023.**

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

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

3. The matter be kept for final hearing.

**S.O. after three weeks.**

**Vice Chairman**

dnk.

O.A. No.587/2023 (D.B.)

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

**Dated : 26/07/2023.**

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

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

**Vice Chairman**

dnk.

O.A. No.631/2023 (D.B.)

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

**Dated : 26/07/2023.**

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

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

**Vice Chairman**

dnk.

O.A. No.635/2023 (D.B.)

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

**Dated : 26/07/2023.**

A.S. Deshpande, Id. Counsel for applicants and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

**Vice Chairman**

dnk.

O.A. No.667/2023 (D.B.)

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

**Dated : 26/07/2023.**

Shri A. Motlag, Id. counsel holding for Shri A.C. Dharmadhikari, Id. Counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

**Vice Chairman**

dnk.

**O.A. No.728/2023 (D.B.)**

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

**Dated : 26/07/2023.**

Shri G.G. Bade, Id. Counsel for applicant  
and Shri V.A. Kulkarni, Id. P.O. for R-1 to 3.  
None for other respondents.

**S.O. 31/7/2023.**

**Vice Chairman**

dnk.

O.A. No.807/2023 (D.B.)

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

**Dated : 26/07/2023.**

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

At the request of Id. C.P.O., **S.O. 1/8/2023.**

**Vice Chairman**

dnk.

**O.A. No.832/2023 (S.B.)**

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

**Dated : 26/07/2023.**

Heard Shri P.S. Verma, Id. Counsel for applicant and Shri S.A. Deo, Id. CPO for State.

2. As per the submission of learned counsel for applicant, the respondents have started the recovery of pension amount which was fixed at the time of retirement. The applicant was working in the naxalite area and there he was getting promotional pay as per the G.R. dated 6/8/2002. On the basis of last pay drawn, the pension was fixed. The intention of the G.R. dated 6/8/2002 is to grant some more pay to the employees who actually work in the naxalite area. As per the G.R. dated 6/8/2002 the retired persons cannot get more pay. This Tribunal has rejected the prayer of recovery in another matters.

3. The Hon'ble Bombay High Court, Bench at Nagpur (then Justice Naik) has decided the matter holding that the employees who worked in the naxalite area, cannot claim pension on the basis of last pay drawn as per the G.R. dated 6/8/2002.

4. The issue on this point is under reference before the Larger Bench and it is pending before the D.B. of MAT, Bench at Aurangabad. **Hence, stay cannot be granted.**

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

**S.O. after three weeks.**

**Vice Chairman**

dnk.\*\*

O.A.No.962/2020 (S.B.)

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

**Dated : 26/07/2023.**

**C.A.No.219/2023**

Heard Shri P.M.Anjekar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents 1 & 2. None for the respondents 3 to 5.

2. For the reasons stated in the application, application is allowed. Necessary amendment shall be carried out within two weeks from today.

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

**Member (J).**

rsm.

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

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

**Dated : 26/07/2023.**

Heard Shri U.J.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. two weeks for filing reply as last chance.**

**Member (J).**

rsm.

O.A.No.234/2022 (S.B.)

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

**Dated : 26/07/2023.**

Heard 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. one week for filing reply.**

**Member (J).**

rsm.

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

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

**Dated : 26/07/2023.**

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

**Member (J).**

rsm.

O.A.No.657/2022 (S.B.)

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

**Dated : 26/07/2023.**

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

2. Learned counsel for the applicant states that respondent no.3 was in fact served on the earlier occasion, therefore, he was not required to be served again and within one week he will file affidavit of service so far as service on the first occasion is concerned.

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

**Member (J).**

rsm.

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

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

**Dated : 26/07/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri A.P.Potnis, 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 after two weeks.

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

**Member (J).**

rsm.

O.A.No.873/2022 (S.B.)

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

**Dated : 26/07/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri A.P.Potnis, 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 after two weeks.

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

**Member (J).**

rsm.



O.A.No.874/2022 (S.B.)

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

**Dated : 26/07/2023.**

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

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

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

**Member (J).**

rsm.

O.A.No.1204/2022 (S.B.)

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

**Dated : 26/07/2023.**

Heard Shri S.Pande, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents 1, 3 and 4. None for the respondent no.2.

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

**Member (J).**

rsm.

O.A.No.1205/2022 (S.B.)

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

**Dated : 26/07/2023.**

Heard Shri S.Pande, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents 1, 3 and 4. None for the respondent no.2.

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

**Member (J).**

rsm.

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

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

**Dated : 26/07/2023.**

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

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

**Member (J).**

rsm.

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

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

**Dated : 26/07/2023.**

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

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

**Member (J).**

rsm.

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

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

**Dated : 26/07/2023.**

Heard Shri R.M.Fating, ld. counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the respondents 1 and 2 and Shri U.A.Patil, ld. counsel for the respondent no.3.

2. Learned P.O. seeks time of three weeks to file reply of respondent no.2.

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

**Member (J).**

rsm.

O.A.No.294/2023 (S.B.)

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

**Dated : 26/07/2023.**

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

**Member (J).**

rsm.

O.A.No.356/2023 (S.B.)

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

**Dated : 26/07/2023.**

Heard Shri G.K.Bhusari, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

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

**Member (J).**

rsm.



O.A.No.568/2023 (S.B.)

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

**Dated : 26/07/2023.**

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

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

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

**Member (J).**

rsm.

O.A.No.588/2023 (S.B.)

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

**Dated : 26/07/2023.**

**C.A.No.343/2023**

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

2. Learned P.O. has placed on record communication dated 25.07.2023 (marked-X) which states that proposal of cancelling the impugned order of transfer is under consideration by respondent no.1.

3. In order dated 16.06.2023 rival submissions were set out as under-

**3. It is the submission of the applicant that he has been transferred barely three months after serving at Nandura. It is his grievance that there were no special circumstances for transferring him to Muktainagar. In the impugned order, in Column-4 it is stated that the applicant was to join at Muktainagar because the post at Muktainagar had fallen vacant. It is the contention of learned C.P.O. that the reason mentioned in Column-4 amounts to a special circumstance warranting transfer before completion of tenure.**

4. In this Civil Application the applicant prays that he be permitted to continue on the post held by him at Tahsil Office, Nandura. A statement is made that at Nandura post of Tahsildar is still vacant and charge is kept with Naib Tahsildar Shri Narkhede.

5. To support the prayer of interim relief sought in the Civil Application the applicant has relied on order dated 19.06.2023 passed by the Principal Bench in O.A.Nos.687/2023, 690/2023, 691/2023 & 688/2023. In these matters, by way of interim measure the impugned order was stayed and the applicants were permitted to join on the post held by them prior to their order of transfer.

6. As mentioned above, proposal to cancel the order impugned in the O.A. is under consideration of respondent no.1.

7. Considering all the circumstances stated above the effect and implementation of the impugned order of transfer is stayed till next date. The applicant shall join as Tahsildar, Nandura, Dist.Buldana. **With these directions C.A. is disposed of.**

7-A. **S.O. two weeks.**

8. **Steno copy is granted.**

**Member (I).**

rsm.

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

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

**Dated : 26/07/2023.**

Heard Shri V.R.Borkar, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

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

3. **Interim relief to continue till further orders.**

**Member (J).**

rsm.

O.A.No.619/2023 (S.B.)

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

**Dated : 26/07/2023.**

Heard Shri M.K.Mishra, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

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

**Member (J).**

rsm.

C.A.No.372/2023 in  
O.A.No.681/2023 (S.B.)

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

**Dated : 26/07/2023.**

**C.A.No.376/2023**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. Perused contents of application and record.
3. By the proposed amendment the applicant desires to bring on record subsequent developments. Hence, C.A. is allowed. Amendment shall be carried out on or before 28.07.2023.
4. **Interim order passed on 03.07.2023 to continue till the next date.**

**O.A.No.681/2023**

5. Issue notice to the newly added respondent, returnable **on 28.07.2023**. Learned P.O. waives notice for State. Hamdast allowed.
6. 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. 28.07.2023.**

**Member (I).**

rsm.

O.A.No.08/2023 (S.B.)

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

**Dated : 26/07/2023.**

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

2. **Closed for Orders.**

**Member (J).**

rsm.



O.A.No.11/2023 (S.B.)

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

**Dated : 26/07/2023.**

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

2. **Closed for Orders.**

**Member (J).**

rsm.

O.A.No.15/2023 (S.B.)

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

**Dated : 26/07/2023.**

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

2. **Closed for Orders.**

**Member (J).**

rsm.

Rev.A.No.12/2020 in  
O.A.No.211/2020 (S.B.)

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

**Dated : 26/07/2023.**

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

2. Learned counsel for the applicant desires to withdraw Review Application No.12/2020 unconditionally. **The Review Application is disposed of as withdrawn.**

**Member (J).**

rsm.

O.A.No.330/2019 (S.B.)

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

**Dated : 26/07/2023.**

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

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

**Member (J).**

rsm.

O.A.No.941/2019 (S.B.)

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

**Dated : 26/07/2023.**

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

2. **S.O. 27.07.2023.**

**Member (J).**

rsm.

O.A.No.641/2020 (S.B.)

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

**Dated : 26/07/2023.**

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

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

**Member (J).**

rsm.

O.A.No.659/2020 (S.B.)

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

**Dated : 26/07/2023.**

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

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

**Member (J).**

rsm.

O.A.No.796/2021 (S.B.)

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

**Dated : 26/07/2023.**

Heard Shri N.R.Saboo, 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.982/2021 (S.B.)

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

**Dated : 26/07/2023.**

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

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

**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 : 26/07/2023.**

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

2.        **S.O. 01.08.2023.**

**Member (J).**

rsm.

O.A.No.38/2022 (S.B.)

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

**Dated : 26/07/2023.**

Heard Shri G.G.Bade, holding for Shri R.A.Bagde, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Written arguments of respondents filed by learned P.O. is taken on record.

3. **S.O. 31.07.2023 for final hearing.**

**Member (J).**

rsm.

O.A.No.784/2022 (S.B.)

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

**Dated : 26/07/2023.**

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

2. **S.O. 01.08.2023.**

**Member (J).**

rsm.

O.A.No.260/2022 (S.B.)

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

**Dated : 26/07/2023.**

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

2. **S.O. 08.08.2023.**

**Member (J).**

rsm.

O.A.No.918/2022 (S.B.)

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

**Dated : 26/07/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicants and Shri A.M.Ghogre, ld. P.O. for the respondents.

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

**Member (J).**

rsm.

O.A.No.952/2022 (S.B.)

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

**Dated : 26/07/2023.**

Heard Adv.A.Singh, ld. counsel for the applicant  
and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. **S.O. 07.08.2023.**

**Member (J).**

rsm.





O.A.No.484/2023 (S.B.)

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

**Dated : 26/07/2023.**

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

2. **S.O. 31.07.2023 high on board.**

**Member (J).**

rsm.