

**O.A.No.925/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**  
**Dated : 29/11/2022.**

None for the applicant. Shri V.A.Kulkarni, Id.  
P.O. for the State. Await service of R-2 to 6.

2. Ld. P.O. has filed reply on behalf of the R-6. It  
is taken on record. He submits that he will serve it to  
the other side.

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

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.114/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**  
**Dated : 29/11/2022.**

Heard Shri P.A.Kadu, ld. Counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the Respondents and Shri S.M.Pande, ld. Counsel for the R-3. None for the intervenor and respondent no. 4.

2. Ld. P.O. shall take instructions on 19.12.2022. **S.O. 19.12.2022.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.258/2020 (D.B.)**

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

**Dated : 29/11/2022.**

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

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

**Member(J)**

**Date:-29/11/2022.**

aps.

**Vice Chairman**

**O.A.No.843/2021 (D.B.)**

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

**Dated : 29/11/2022.**

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

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

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

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

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**  
**Dated : 29/11/2022.**

Heard Smt. Charlewar, ld. Counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the Respondents, Shri G.G.Bade, ld. Counsel for the Intervenor. None for the R-5.

2. Ld. Counsel for the applicant submits that during the course of the day she will carry out the necessary amendment, **S.O. 05.12.2022 for final hearing.**

3. **No further adjournment will be granted in this matter.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.72/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**  
**Dated : 29/11/2022.**

Heard Shri N.R.Saboo, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. Ld. P.O. has filed reply on behalf of the respondent nos. 1 to 3. It is taken on record. Copy is served to the other side.

3. Ld. Counsel for the applicant has filed appointment letter of the applicant dated 18.09.2002 (A-2, Pg. No. 19) and condition is on page no. 16, Clause 'G' is reproduced below:-

“जी. त्यांना खाजगी व्यवसाय करण्यास प्रतिबंध राहिल.  
त्याऐवजी नियमाप्रमाणे व्यवसाय रोधभत्ता अनुज्ञेय राहिल.”

4. However, G.R. in question dated 07.08.2012 is stayed by Hon'ble High Court. However, respondents are directed not to insist condition no. 'जी' since the said G.R. has been already stayed by Hon'ble High Court. Accordingly, **respondent should also decide the applicant's representation dated 16.12.2021 (A-6, Pg. No. 26).**

5. Matter is **admitted** and kept for final hearing.

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

7. **S.O. three weeks.**

**8. Put up this matter along with O.A. Nos. 1093, 1094, 1096, 1097, 1098 & 1102/2021.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.417/2022 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Shri P.K.Mishra, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the Respondents.

2. At the request of Id. P.O., **S.O. three weeks to file Reply.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**



**O.A.No.644/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)  
Dated : 29/11/2022.**

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

2. Respondent no. 1 is directed to decide the appeal of applicant dated 13.10.2021 (A-2, Pg. Nos. 18 & 19) within three weeks.

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

4. This O.A. is disposed of by granting an opportunity of hearing to the applicant.

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.669/2022 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Ku.J.S.Mohod, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the Respondents.

2. At the request of Id. P.O., **S.O. three weeks to file Reply.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.853/2022 (D.B.)**

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

**Dated : 29/11/2022.**

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

2. At the request of ld. P.O., **S.O. four weeks to  
file Reply.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.988/2022 (D.B.)**

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

**Dated : 29/11/2022.**

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

2. Ld. P.O. will take instructions regarding seniority list how respondents are processing promotion, **S.O. 08.12.2022.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.1094/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)  
Dated : 29/11/2022.**

Heard Shri D.M.Kakani, ld. Counsel for the applicants and Shri A.M.Ghogre, ld. P.O. for the State. Await service of R-2.

2. Ld. Counsel for the applicant submits that he has already filed service affidavit.

3. Ld. P.O. has taken instructions and makes a statement that no promotion order will be issued on the post of technical officer within returnable date.

4. **S.O. 14.12.2022.**

5. **Steno copy is granted.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**C.P.No.48/2022inO.A.No.925/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)  
Dated : 29/11/2022.**

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

2. Ld. P.O. submits that recommendations submitted by department of Medical Education and Research has been considered and rejected and in support of this submission he will file an affidavit within one week.

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

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**C.A.Nos.379&380/22inO.A.St.No.2140/21D.B.**

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

**Dated : 29/11/2022.**

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

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

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.118/2022 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Shri Motlog holding for Shri R.V.Shiralkar, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the Respondents.

2. The Id. 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 Id. P.O. waives notice for the respondents.

5. **S.O. two weeks for final hearing.**

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

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**



**O.A.No.1103/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**  
**Dated : 29/11/2022.**

Heard Shri D.M.Kakani, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the State.

2. Issue notice to Respondents, returnable on two 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. two weeks.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.1162/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**  
**Dated : 29/11/2022.**

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

2. Issue notice to Respondents, returnable on 05.12.2022. 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. 05.12.2022.**

9. **Put up this matter along with other similar matters.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.1163/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**  
**Dated : 29/11/2022.**

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

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

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

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

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

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

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

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

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.444/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**  
**Dated : 29/11/2022.**

Heard Shri S.N.Gaikwad, Id. Counsel for the applicant no. 1. None for the applicant nos. 2 to 24. Shri A.M.Ghogre, Id. P.O. for the Respondents.

2. At the request of Id. Counsel for the applicant, **S.O. 05.12.2022 high on board.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.191&192/2020 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Shri R.Kadu, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the Respondents.

2. At the request of Id. Counsel for the applicant, **S.O. 07.12.2022 for placing documents on record.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**



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

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

**Dated : 29/11/2022.**

Heard Shri D.M.Kakani, Id. Counsel for the applicant, Shri A.M.Ghogre, Id. P.O. for the Respondents and Shri A.D.Girdekar, Id. Counsel for the respondent nos. 3 to 10.

**2. Closed for orders.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

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

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

**Dated : 29/11/2022.**

None for the applicant nos. 1 & 2. Shri S.A.Marathe, ld. Counsel for the applicant nos. 3 & 4, Shri H.K.Pande, ld. P.O. for the Respondents and Shri G.G.Bade, ld. Counsel for the respondent nos. 4, 5, 9 & 10. None for R-6 to 8.

2. At the request of ld. P.O., **S.O. 19.12.2022** for filing reply as a last chance.

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.831/2018 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Shri M.R.Khan, 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. 08.12.2022 as a last chance.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.855/2019 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Shri A.P.Sadavarte, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. Ld. Counsel for the applicant has filed pursis. It is taken on record. Copy is served to the other side.

3. At the request of ld. P.O., **S.O. 12.12.2022.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.40/2020 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Shri P.J.Mehta, Id. Counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the Respondents. None for private respondents.

2. At the request of Id. P.O., **S.O. next week for final hearing.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.641/2020 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Shri R.M.Fating, 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. 08.12.2022.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.700/2020withC.A.No.373/2021 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Shri C.A.Joshi, 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. two weeks for final hearing.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.No.1028/2021 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Shri M.Thakkar, 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. two weeks for final hearing.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**



**O.A.No.310/2022 (D.B.)**

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

**Dated : 29/11/2022.**

Heard Shri P.J.Mehta, Id. Counsel for the applicant, Shri M.I.Khan, Id. P.O. for the Respondents and Shri Saket Makkad holding for Shri S.M.Bhangde, Id. Counsel for the R-4.

2. At the request of Id. Counsel for the applicant, **S.O. next week for final hearing.**

**Member(J)**  
**Date:-29/11/2022.**  
aps.

**Vice Chairman**

**O.A.848/21( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

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

Reply is not filed.

List for final hearing on  
**19/12/2022**

In the meantime respondents may  
file reply.

**Vice-Chairman**

Skt.

**O.A.516/21( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri N.R. Saboo, ld. counsel for the applicant and Shri M.I. Khan, ld. P.O. for the Respondents.

At the request of ld. P.O. two weeks time granted as a last chance to file reply.

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

**Vice-Chairman**

Skt.

**O.A.938/21( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

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

Ld. P.O. filed reply of R/2 to 4.

**Admit.**

**List for final hearing after three  
weeks.**

**Vice-Chairman**

Skt.

**O.A.1106/21( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

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

Ld. P.O. submits that reply is  
already filed.

**Admit.**

**List for final hearing in due  
course.**

**Vice-Chairman**

Skt.

**O.A.338/22(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Heard Shri Thakre, ld. counsel for the applicant. Shri M.I. Khan, ld. P.O. for the Respondents.

Ld. P.O. has filed reply of R/1 to 3.

**Admit.**

**List for final hearing in due course.**

**Vice-Chairman**

Skt.

**O.A.437/22(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Heard Shri Saboo, ld. counsel for the applicant & Shri A.M.Ghogare, ld. P.O. for the Respondents.

Ld. P.O. filed reply of R/1 to 3.

**Admit.**

**List for final hearing after 4 weeks.**

**Vice-Chairman**

Skt.

**C.A.435/22 in O.A.722/22  
& C.A.434/22 in O.A.752/22(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Heard D.M. Hange, ld. counsel for the applicant & Shri A.M. Ghogare, ld. P.O. for the Respondents.

Ld. counsel for the applicant has filed copy of order dt. 23.11.2022 passed by Chair person, M.A.T., Mumbai, which is marked Exh. 'X' for identification. Both the O.As. with C.As. are transferred to M.A.T. Aurangabad Bench. Hence, both C.As. & O.As. be transferred to M.A.T., Bench at Aurangabad.

**Vice-Chairman**

Skt.



**O.A.725/22(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri Bharat Kulkarni, ld. counsel  
for the applicant. Shri A.P.Potnis, ld. P.O.  
for the Respondents.

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

**Vice-Chairman**

Skt.

**O.A.809 & 810/22( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri N.R. Saboo, ld. counsel for the applicant. Shri A.P.Potnis, ld. P.O. for the Respondents.

At the request of ld. P.O.

**S.O. 14/12/2022 to file reply as a last chance.**

**Vice-Chairman**

Skt.

**O.A.809 & 810/22(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri N.R. Saboo, ld. counsel for the applicant. Shri A.P.Potnis, ld. P.O. for the Respondents.

At the request of ld. P.O.,

**S.O. 2 weeks to file reply as a last chance.**

**Vice-Chairman**

Skt.

**O.A.918/22( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri G.K. Bhusari,holding for Shri  
Gaikwad, ld. counsel for the applicants.  
Shri A.P.Potnis, ld. P.O. for the  
Respondents.

At the request of ld. P.O.,

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

**Vice-Chairman**

Skt.

**O.A.1055/22( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

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

Ld. counsel for the applicant has pointed out the order dt.19/10/2022.

Ld. P.O. requested to get instructions about the order dt.19/10/2022.

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

**Vice-Chairman**

Skt.

**O.A.422 & 423/19(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Heard Shri B. Kulkarni, holding for Shri J.S. Deshmukh, ld. counsel for the applicants & Shri A.P.Potnis, ld. P.O. for the Respondents 1 to 3 & 6. None for R/4 & 5 in O.A.422/19. Shri V.M. Bute, ld. counsel for R/5. None for R/4 in O.A.423/19.

Ld. P.O. submits that reply is already filed.

**Admit.**

**List for final hearing in due course.**

These matters are in respect of time bound promotion, which is in the jurisdiction of D.B.

Both the matters be placed before D.B.

**Vice-Chairman**

Skt.

**O.A.543/21(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri B.Kulkarni, ld. counsel for the applicants. Shri A.P.Potnis, ld. P.O. for the Respondents.

At the request of ld. counsel for the applicant, **S.O. 09/01/2023.**

**Vice-Chairman**

Skt.

**O.A.68/22(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri B.Kulkarni, holding for Shri J.S.  
Deshmukh, ld. counsel for the applicant.  
Shri A.P.Potnis, ld. P.O. for the  
Respondents 1 to 3. None for R/4.

At the request of ld. counsel for the  
applicant, **S.O. 09/01/2023.**

**Vice-Chairman**

Skt.



**O.A.69,1021,1022/22(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri B.Kulkarni, holding for shri J.S. Deshmukh, ld. counsel for the applicants. Shri A.P.Potnis, ld. P.O. for the Respondents Nos.1 to 3 & 6. None for R/4 & 5.

At the request of ld. counsel for the applicant, **S.O. 09/01/2023.**

**Vice-Chairman**

Skt.

**O.A.814/20(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri R.V.Shiralkar, ld. counsel for the applicant & Shri A.P.Potnis, ld. P.O. for the Respondents No.1 to 3. None for R/4.

As per the submission of the ld. counsel for the applicant, the applicant is continued at Ghatanji and now there is no grievance. He has filed Pursis to withdraw the O.A.

In view of the Pursis, the O.A. is disposed of as withdrawn.

**Vice-Chairman**

Skt.

**O.A.744/16(S.B)**

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

**Dated : 29/11/2022.**

Mrs. Charlewar, holding for Shri D.I. Charlewar, ld. counsel for the applicant. Adv. P. Ganar, holding for Shri Meghe, ld. counsel for R/5. None for R/2 to 4. Shri S.A. Sainis, ld. P.O. for the Respondent No.1.

**S.O.6/12/2022**

**Vice-Chairman**

Skt.

**O.A.433 & 434/20(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri S.N.Gaikwad, ld. counsel for  
the applicant & Shri A.P.Potnis, ld. P.O.  
for the Respondents.

**S.O.9/01/2023**

**Vice-Chairman**

Skt.

**O.A.734 & 735/20(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri S.M.Khan, ld. counsel for the  
applicant & Shri A.P.Potnis, ld. P.O. for  
the Respondents.

**S.O.7/12/2022**

**Vice-Chairman**

Skt.

**O.A.505/21(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri K.J. Khanorkar, ld. counsel for  
the applicant & Shri S.A. Sainis, ld. P.O.  
for the Respondents.

**S.O.15/12/2022**

**Vice-Chairman**

Skt.

**O.A.405/21(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Heard Dr. A.Y. Humne, applicant in person & Shri S. Deo, ld. C.P.O. for the Respondents.

**Closed for order.**

**Vice-Chairman**

Skt.

**O.A.580/21( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri S.N. Gaikwad, ld. counsel for  
the applicant & Shri H.K. Pande, ld. P.O.  
for the Respondents.

At the request of ld. P.O.  
**S.O.13/12/2022**

**Vice-Chairman**

Skt.



**O.A.710/21(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri S. N. Gaikwad, ld. counsel for  
the applicant & Shri A.P.Potnis, ld. P.O.  
for the Respondents.

**S.O.13/12/2022**

**Vice-Chairman**

Skt.

**O.A.1003/21( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Shri D.M. Burde, ld. counsel for the  
applicant & Shri S.A. Sainis, ld. P.O. for  
the Respondents.

**S.O.16/12/2022**

**Vice-Chairman**

Skt.

**O.A.534/22( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

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

**S.O.22/12/2022**

**Vice-Chairman**

Skt.

**O.A.635/22(S. B)**

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

**Dated : 29/11/2022.**

Shri V.R. Deshpande, ld. counsel for  
the applicant & Shri S.A.Sainis, ld. P.O. for  
the Respondents.

**S.O.06/12/2022**

**Vice-Chairman**

Skt.

**O.A.383/20**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Head Shri N.R. Saboo, Id. Counsel for the applicant. Shri S.A. Sainis, Id. P.O. for the Respondents.

The case of the applicant in short is as follows :-

The applicant was working as a Mustering Assistant w.e.f. 01/07/1992. His service was discontinued. Therefore, he approached to the Labour Court. As per the order of Labour Court dt.29/03/1994, the applicant was continued in service. As per the G.R. of 1995, the applicant was absorbed in the regular service on the post of Tahsil Office,

Lakhandur in Class-IV post. The service of the applicant from the initial date of appointment from 1992 is not taken into consideration. Therefore, the applicant will not get pensionary benefits. Therefore, the applicant prayed for to count his service from the date of his initial engagement as Mustering Assistant w.e.f.01/07/1992.

The O.A. is strongly opposed by the respondents. Ld. P.O. has submitted that as per the G.R. of 1995, Mustering Assistants were absorbed in the regular service. The G.R. itself is very clear that their previous service shall not be count for any other benefits. Therefore, the applicant is not entitled for the relief as prayed.

Heard Shri Saboo, ld. counsel for the applicant. He has pointed out the judgment in W.P. No. 8468/2015 decided on 16/12/2015. Ld. P.O. has also pointed out other judgments and the reasons in the order dt.7/9/2022

are mentioned by the Supreme Court in the case of Shaikh Miya s/o Shaikh Chand -Vs- State of Maharashtra.

The ld. counsel for the applicant has submitted that in view of the judgment of Hon'ble Bombay High Court and Hon'ble Supreme Court, directions were given to the respondents to count the service for the purpose of pensionary benefits.

Heard Shri Sainis, ld. P.O. for the respondents. He has strongly objected the O.A. As per his submission, G.R. of 1995 is very clear. As per the condition in the G.R., the service of the Mustering Assistant from their initial appointment cannot be considered for the purpose of pensionary benefits and they are regularised in the service and during the service they are -----

Now, the issue of Mustering Assistant is settled by the Judgment of Bombay High Court, Bench at Aurangabad in W.P.No. 8468/2015 ( State of Maharashtra and 7 others - vs. U.N. Vendait )-----, the Hon'ble Aurangabad Bench has held that services of Muster Assistant shall be counted from their initial date of engagement as a Muster Assistant for the purpose of pensionary

benefits. Now, the Hon'ble Supreme Court in the case of Shaikh Miya s/o Shaikh Chand -Vs- State of Maharashtra has held that in case of Muster Assistants, the notional date shall be 31/03/1997 for the purpose of pensionary benefits. The Hon'ble Supreme Court has given directions that the Muster Assistants who are absorbed in the regular service, they shall be entitled to get pensionary benefits counting their date of appointment from 31.03.1997. In view of the judgment of the supreme Court following order is passed :-

The O.A. is allowed. The impugned order dt.31/01/2020 issued by the Collector, Bhandara & the order dtd.06/07/2020 issued by the Thasildar, Latur are hereby quashed and set aside.

The Respondents are directed to count the service of the applicant from 31/03/1997 for the purpose of pensionary benefits only.

O.A. is disposed of.







**O.A.21/16 with C.A. 413/22(S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Head Shri G.G. Bade, for the  
applicant. Shri S.A. Sainis, ld. P.O. for the  
Respondent No.1.

**Vice-Chairman**

Skt.

**O.A.1101/22 (S.B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Heard Shri I.N. Choudhari, Id. counsel for the applicant & Shri S. A. Sainis, Id. P.O. for the Respondent- State.

2. Issue notice to the Respondents, returnable after three 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 three weeks.**

**Vice-Chairman** Skt.

**O.A.1102/22 ( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Heard Shri I.N. Choudhari, Id. counsel for the applicant & Shri S. A. Sainis, Id. P.O. for the Respondent- State.

2. Issue notice to the Respondents, returnable after three 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 three weeks.**

**Vice-Chairman**

Skt.

**O.A.1127/22 (S.B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant & Shri S. A. Sainis, Id. P.O. for the Respondent- State.

2. Issue notice to the Respondents, returnable after three 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 three weeks.**

**Vice-Chairman**

Skt.

**O.A.1132/22 ( S. B)**

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

**Dated : 29/11/2022.**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant & Shri S. A. Sainis, Id. P.O. for the Respondent- State.

2. Issue notice to the Respondents, returnable after three 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 three weeks.**

**Vice-Chairman**

Skt.

**O.A.1161/22 ( S. B)**

**Coram: Hon'ble Shri Justice M.G.  
Giratkar, Vice Chairman.  
Dated : 29/11/2022.**

Heard Shri N.R. Saboo, Id. counsel for the applicant & Shri S. Deo, Id. C.P.O. for the Respondent- State.

2. Issue notice to the Respondents, 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**

Skt.

