

O.A.No.346/2019 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.

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

2. The learned counsel for the applicant submits that respondents are served.

3. The learned P.O. seeks three weeks time to file reply.

4. **S.O. three weeks.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.233/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

C.A.458/2022

None for the applicant. Heard Shri A.P.Potnis, ld. P.O. for the Respondents.

2. The learned P.O. has filed reply of respondent no.1. It is taken on record. The learned P.O. seeks time to file reply of respondent no.2.

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

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.864/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Shri R.V.Shiralkar, holding for Shri P.S.Patil, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 12.12.2022 to file reply.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.918/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

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

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

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.243/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

None for the applicant. Heard Shri A.P.Potnis, ld. P.O. for the Respondents.

2. The learned P.O. has filed reply of respondents 3 and 4. It is taken on record. The matter is **admitted** and kept for final hearing.

3. Learned P.O. waives notices for respondents.

4. **In due course.**

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.244/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Shri P.V.Thakre, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents. Await service for respondents 2 to 4.

2. At the request of ld. counsel for the applicant, **S.O. two weeks to file service affidavit.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.249/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

There is leave note on 28.11.2022 of Shri S.P.Palshikar, ld. counsel for the applicant. Heard Shri A.P.Potnis, ld. P.O. for the Respondents.

2. The learned P.O. has filed reply of respondent no.3. It is taken on record.

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

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.251/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Shri P.P.Khaparde, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents. Await service to respondent no.2.

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

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.770/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Shri S.Majid, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents. Await service of respondent no.2.

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

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.240/2022 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.

C.A.No.91/2022

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

2. The learned counsel for the applicant submits that the applicants are praying for compassionate appointment. Looking to the ground. C.A. is allowed.

3. The learned P.O. seeks time to file reply.

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

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.268/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Shri K.V.Deshmukh, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 12.12.2022 to file reply.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.600/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Shri R.V.Shiralkar, holding for Shri P.S.Patil, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 12.12.2022 to file reply.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.910/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

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

2. At the request of ld. P.O., **S.O. 13.12.2022 to file reply.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.913/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Shri B.Kulkarni, Id. counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the Respondents.

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

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.st.No.565/2020 (S.B.)

Coram: Shri Justice M.G.Giratkar,Vice Chairman

Dated: 28/11/2022.

C.A.No.145/2020 & C.A.No.146/2020

Heard Miss Naziya Pathan, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. As per the submission of learned counsel for the applicant, applicants in both the O.As. are claiming appointment on compassionate ground, therefore, filing of Jt. O.A. is allowed. The learned counsel submits that as there is delay of near about 225 days. The learned counsel further submitted that applicants were not aware of legal proceedings and, therefore, they could not approach to the Tribunal within time. Hence, prayed to condone the delay.

3. Heard the learned P.O., as per his submission there is delay of 390 days. Delay is not properly explained. Hence, liable to be dismissed.

4. As per the scheme of appointment on compassionate ground. It is for the concerned department to guide the legal heirs of the deceased for getting appointment on compassionate ground. The respondent in both the matters not guided the applicants on the other hand they are claiming that there is a delay. On one hand the Hon'ble Bombay High Court, Bench at Aurangabad (Justice Ghuge) has held that it is for the department to explain and guide the legal heirs of the deceased for getting appointment on compassionate ground. The guidelines of the G.R. 2017 is very clear for the department to guide the legal heirs of the deceased for getting appointment on compassionate ground. Hence, there is no delay, as such delay is condoned, C.A. for condonation of delay is disposed of. Accordingly, C.A. for Jt. O.A. is also disposed of.

O.A.St.No.565/2020

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

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

3. 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.

4. 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.

5. 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.

6. 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

Date:-28/11/2022.

rsm.

O.A.St.No.568/2020 (S.B.)

Coram: Shri Justice M.G.Giratkar,Vice Chairman

Dated: 28/11/2022.

C.A.No.147/2020 & C.A.No.148/2020:-

Heard Miss Naziya Pathan, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. As per the submission of learned counsel for the applicant, applicants in both the O.As. are claiming appointment on compassionate ground, therefore, filing of Jt. O.A. is allowed. The learned counsel submits that as there is delay of near about 225 days. The learned counsel further submitted that applicants were not aware of legal proceedings and, therefore, they could not approach to the Tribunal within time. Hence, prayed to condone the delay.

3. Heard the learned P.O., as per his submission there is delay of 390 days. Delay is not properly explained. Hence, liable to be dismissed.

4. As per the scheme of appointment on compassionate ground. It is for the concerned department to guide the legal heirs of the deceased for getting appointment on compassionate ground. The respondent in both the matters not guided the applicants on the other hand they are claiming that there is a delay. On one hand the Hon'ble Bombay High Court, Bench at Aurangabad (Justice Ghuge) has held that it is for the department to explain and guide the legal heirs of the deceased for getting appointment on compassionate ground. The guidelines of the G.R. 2017 is very clear for the department to guide the legal heirs of the deceased for getting appointment on compassionate ground. Hence, there is no delay, as such delay is condoned, C.A. for condonation of delay is disposed of. Accordingly, C.A. for Jt. O.A. is also disposed of.

O.A.St.No.568/2020

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

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

3. 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.
4. 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.
5. 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.
6. 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

Date:-28/11/2022.
rsm.

O.A.No.1077/2021 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.

Heard Shri B.C.Chandrikapure, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents 1 & 2. None for the respondent no.3.

2. Respondent no.3 is duly served but none appeared for the respondent. Applicant nos.1 & 2 have already filed reply. The matter is **admitted** and kept for final hearing.

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

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.281/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Shri G.N.Shinde, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 06.12.2022 for final hearing.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.1158/2022 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the State.

2. Issue notice to the respondents returnable **after three 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 three weeks.

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.634/2021 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.

Heard Shri M.R.Patil, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. The learned counsel for the applicant has filed communication under R.T.I. Act. It is marked Exhibit-X for identification.

3. **S.O.06.12.2022.**

4. **P.H.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.734/2021 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.

Heard Shri M.R.Patil, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. The learned counsel for the applicant has filed communication under R.T.I. Act. It is marked Exhibit-X for identification.

3. **S.O.06.12.2022.**

4. **P.H.**

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.265/2010 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Smt.Naziya Pathan, holding for Shri R.S.Sirpurkar ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents 1 & 2. None for respondent no.3.

2. At the request of ld. counsel for the applicant, **S.O. 08.12.2022.**

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.496/2019 with
O.A.No.497/2019 with
O.A.No.498/2019 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

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

2. At the request of ld. counsel for the applicant, **S.O. 30.11.2022.**

Date:-28/11/2022.
rsm.

Vice Chairman

O.A.No.1015/2019 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

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

2. At the request of ld. counsel for the applicant, **S.O. 07.12.2022.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.67/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Nonefor the applicant. Heard Shri A.P.Potnis, ld. P.O. for the Respondents 1 to 3. Smt.Zeenat Mirza, holding for Shri M.S.Wakil, ld. counsel for the respondent no.4.

2. At the request of ld. counsel for the applicant, **S.O. 22.12.2022.**

Date:-28/11/2022.
rsm.

Vice Chairman

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

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Shri D.G.Dhoble, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents.

2. At the request of ld. counsel for the applicant, **S.O. after one week.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.280/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents 1 to 3.

2. At the request of ld. counsel for the applicant, **S.O. 15.12.2022.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.382/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

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

2. At the request of ld. counsel for the applicant, **S.O. 15.12.2022.**

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.235/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

None for the applicant. Heard Shri
A.P.Potnis, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 07.12.2022.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.467/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

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

2. The learned counsel for applicant has pointed out the judgment of Hon'ble Supreme Court in the case of **D.D.Tewari (Dead) Through Legal Represntatives Vs. Uttar Haryana Bijli Vitran Nigam Limited And Others (2014) 8 Supreme Court Cases 894** and the judgment of Hon'ble Bombay High Court in the case of **Sakharam Parashram Ghaste Vs. Muncipal Corporation of Brihanmumbai & anr. 2008 SCC Online Bom 55 : (2008) 2 Bom CR 839 : (2008) 2 AIR Bom R 661 : (2008) 2 LLJ (NOC 121) 1160 : (2008) 1 CLR 698.**

3. The learned P.O. has pointed out the communication dated 10.01.2022 by Government of Maharashtra. It is marked Exhibit-X for identification.

4. **Closed for Orders.**

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.882/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

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

2. At the request of ld. counsel for the applicant, **S.O. 19.12.2022.**

Vice Chairman

Date:-28/11/2022.

rsm.

O.A.No.491/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated :28/11/2022.**

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

2. At the request of ld. P.O., **S.O. 08.12.2022.**

Vice Chairman

Date:-28/11/2022.
rsm.

O.A.No.419/2019 (D.B.)

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

Dated : 28/11/2022.

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 08.12.2022 to file reply.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.584/2019 (D.B.)

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

Dated : 28/11/2022.

Heard Shri S.K.Bhattacharya holding for Shri S.S.Dhengale, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. At the request of ld. P.O., he will file reply during the course of the day.

3. **S.O. 07.12.2022.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.970/2019 (D.B.)

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

Dated : 28/11/2022.

C.A.No.465/2022:-

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

2. **C.A. No.465/2022 for amendment is allowed and disposed of.** The ld. counsel for the applicant is directed to carryout the amendment within one week. He is further directed to supply the same to the other side.

3. Ld. P.O. has filed reply of respondent no. 3. It is taken on record. Copy is served to the other side.

4. At the request of ld. P.O., **S.O. three weeks.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.47/2022 (D.B.)

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

Dated : 28/11/2022.

Heard Shri R.M.Fating, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 06.12.2022 to file reply.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

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

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

Dated : 28/11/2022.

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

2. At the request of Id. P.O., **S.O. two weeks to
file reply.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.665/2022 (D.B.)

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

Dated : 28/11/2022.

C.A.No.246/2022:-

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

2. **S.O. six weeks.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.800/2022 (D.B.)

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

Dated : 28/11/2022.

Heard Shri S.K.Bhattarcharya holding for
Shri V.S.Warulkar, ld. Counsel for the applicant and
Shri S.A.Sainis, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. next week to
file reply.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.946/2022 (D.B.)

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

Dated : 28/11/2022.

Heard Shri R.M.Fating holding for Shri S.P.Palshikar, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

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

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

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

5. **S.O. 15.12.2022.**

6. **I.R. to be continued.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

C.P.No.37/2022inO.A.No.126/2017 (D.B.)

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

Dated : 28/11/2022.

Heard Shri R.M.Halde, applicant in person
and Shri V.A.Kulkarni, Id. P.O. for the respondents.

2. Applicant in person requested time to file
C.A., **S.O. two weeks.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

C.A.292/22inRev.1723/22inO.A.126/17 (S.B.)

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

Dated : 28/11/2022.

Heard Shri B.N.Jaipurkar, Id. Counsel for the applicant (Original Respondent), Shri V.A.Kulkarni, Id. P.O. for the respondent and Shri R.M.Halde, applicant in person for respondent (Original Applicant).

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

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.1067/2022 (D.B.)

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

Dated : 28/11/2022.

Heard Shri I.R.Kidilay, ld. Counsel for the applicant and Shri S.A.Sainis, ld. 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:-28/11/2022.
aps.

Vice Chairman

Rev.03/22inC.P.40/19inO.A.590/17 (D.B.)

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

Dated : 28/11/2022.

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

2. Ld. P.O. is directed to supply the copy of the compliance report, **S.O. next week.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

C.P.No.80/2022inO.A.No.559/2021 (D.B.)

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

Dated : 28/11/2022.

Heard Shri Y.Humne, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State.

2. At the request of ld. P.O., **S.O. 09.12.2022.**

Member(J)

Date:-28/11/2022.

aps.

Vice Chairman

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

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

Dated : 28/11/2022.

Heard Shri D.M.Kakani, ld. Counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the respondents and Shri A.D.Girdekar, ld. Counsel for the R-3 to 10.

2. Ld. Counsel for the applicants submits that he is confining his submission only to grant of prayer clauses (i) & (iii). His submissions were heard on the previous date. Ld. Counsel for the applicant shall place on record bullet points of his submissions.

3. By order dated 23.11.2022, the respondent department was asked to clarify whether it intends to go ahead with the promotions to which a reference is made in the communication dated 14.11.2022. Today ld. P.O. has made a submission that the department intends to proceed with the promotions.

4. The matter is fixed for final hearing i.e. oral submissions of the respondents, **S.O. 29.11.2022.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.735/2016 (D.B.)

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

Dated : 28/11/2022.

Heard Shri M.R.Rajgure, Id. Counsel for the applicant, Shri S.A.Sainis, Id. P.O. for the respondents and Shri A.V.Wankhede holding for Shri V.G.Wankhede, Id. Counsel for the R-3.

2. At the request of Id. Counsel for the respondent no. 3, **S.O. 09.12.2022 for final hearing. There will be no further adjournment in this mater.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.720/2018 (D.B.)

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

Dated : 28/11/2022.

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

2. Closed for orders on the condition that ld. Counsel for the applicant will file pursis about existing vacancies of the said recruitment.

**Member(J)
Date:-28/11/2022.
aps.**

Vice Chairman

O.A.No.989/2018 (D.B.)

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

Dated : 28/11/2022.

Heard Shri N.R.Saboo, ld. Counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the respondents and Shri L.H.Kothari, ld. Counsel for the R-5.

2. **Closed for orders.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.60/2019 (D.B.)

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

Dated : 28/11/2022.

None for the applicant. Shri S.A.Sainis, ld.
P.O. for the respondents and Shri S.N.Gaikwad, ld.
Counsel for the R-4.

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

Later on:-

Shri P.A.Kadu, ld. Counsel for the applicant
present and requested fix date. **At his request,
19.12.2022.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.773/2019 (D.B.)

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

Dated : 28/11/2022.

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

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

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.140/2020 (D.B.)

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

Dated : 28/11/2022.

Heard Shri A.Y.Sharma, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 09.12.2022 for final hearing.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.319/2020 (D.B.)

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

Dated : 28/11/2022.

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

2. At the request of ld. Counsel for the applicant, **S.O. 09.12.2022.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.66/2021 (D.B.)

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

Dated : 28/11/2022.

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

2. At the request of ld. P.O., **S.O. 30.11.2022 for final hearing.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.324/2021 (D.B.)

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

Dated : 28/11/2022.

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

2. Ld. Counsel for the applicant is relying on judgment dated 30.11.2022 passed by the Principal Bench of the Tribunal in a batch of original applications in which *inter alia* effect of Covid-19 situation on giving appointments and delay caused therein is considered. Today copy of this Judgment is supplied to the ld. P.O.. Ld. P.O. submits that he will go through the Judgment of the Principal Bench and make his submission in reply on next date, **S.O. 06.12.2022.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.900/2021 (D.B.)

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

Dated : 28/11/2022.

Heard Shri S.M.Khan holding for Shri S.A.Marathe, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 07.12.2022 for final hearing.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.1001/2021withC.A.No.491/2022 (D.B.)

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

Dated : 28/11/2022.

Heard Shri M.B.Kamble holding for Shri P.M.Sinha, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents. None for the R-5.

2. Ld. P.O. is directed to supply the address of respondent no. 5 to the ld. Counsel for the applicant.

Hence, C.A.No.491/2022 for direction is allowed and disposed of.

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

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.1135/2021 (D.B.)

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

Dated : 28/11/2022.

Heard Shri Y.Y.Humne, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

2. In first order dated 27.11.2019, in para no. 2 following observation has been made:-

“The Id. C.P.O. has pointed out impugned order at P.B., Pg. No. 98 in last line para, it has been mentioned that within 60 days he can prefer appeal before Special I.G., Police. The Id. Counsel for the applicant is not aware about this criteria.”

3. Impugned order dated 03.07.2018 (Page No. 98, last para) provisions of appeal has been mentioned. Applicant has not exhausted the appeal provided on page no. 98. Id. Counsel for the applicant is directed that he should place on record the same.

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

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.263/2022 (D.B.)

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

Dated : 28/11/2022.

Heard Shri R.M.Fating, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

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

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.287/2022 with C.A.No.406/2022 (D.B.)

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

Dated : 28/11/2022.

Heard Shri N.B.Rathod, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. Ld. Counsel for the applicant has placed on record G.R. dated 08.05.2018 and consequent to that minutes of meeting dated 28.06.2019 but he admits that consequent to minutes of meeting dated 28.06.2019, no G.R. has been issued. Ld. P.O. is directed to take instructions from M.P.S.C., whether any G.R. has been issued consequent to minutes of meeting dated 28.06.2019 and whether they are considering that or not, whether any direction has been given by the Government to M.P.S.C. or not and what reply M.P.S.C. has given to letter dated 03.08.2022 filed by the ld. Counsel for the applicant which is related to Secretary M.P.S.C.?

3. S.O. 15.12.2022.

4. Matter be treated as P.H.

5. Steno copy is granted.

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

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

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

Dated : 28/11/2022.

Heard Shri A.D.Girdekar, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents. None for the R-3.

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

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

O.A.No.1160/2022 (D.B.)

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

Dated : 28/11/2022.

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

2. Issue notice to Respondents, returnable on 01.12.2022. Learned C.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. 01.12.2022.**

Member(J)
Date:-28/11/2022.
aps.

Vice Chairman

