

O.A.No.616/2019 (S.B.)

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

Dated : 12/10/2022.

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

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

Date :- 12/10/2022

rsm.

Member (J).

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

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O. after vacation.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.181/2021 (S.B.)

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

Dated : 12/10/2022.

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

2. Reply of respondents 4 and 5 filed by the learned P.O. It is taken on record. It is stated to be sufficient. The O.A. is admitted.

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

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.673/2021 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
after vacation.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.726/2021 (S.B.)

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

Dated : 12/10/2022.

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

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

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.1113/2021 (S.B.)

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

Dated : 12/10/2022.

Heard Shri R.S.Suryawanshi, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents 1 to 3. None for the respondent no.4.

2. On oral request of the learned P.O. **S.O.**
one week.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.173/2022 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
after vacation for filing reply.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.174/2022 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O. after vacation for filing reply.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.176/2022 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O. after vacation for filing reply.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.177/2022 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O. after vacation for filing reply.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.576/2022 (S.B.)

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

Dated : 12/10/2022.

C.A.No.291/2022

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

2. Perused application, reply of the applicant and record. It is submitted on behalf of the proposed Intervenor that it was the Intervenor who had pointed out to the concerned authorities that the applicant could not be posted at the place where he was placed under suspension and thereafter the order came to be passed which is impugned in this O.A.

3. The application is opposed primarily on the ground that the proposed Intervenor has no locus standi. It is submitted that in case the O.A. is dismissed the applicant will have to handover the charge not to the proposed Intervenor but to one P.A.Guddhe. It is further submitted that whether or not the order impugned in the O.A. can be sustained will have to be determined on its own merits with which the proposed Intervenor has absolutely no concern.

4. It is submitted on behalf of the proposed Intervenor that he does not intend to file any reply in this case as party respondent and he would only make submissions which may not be put fourth by the respondent department. Considering rival submissions I have come to the conclusion that the intervention application deserves to be allowed so as to decide the matter fully and finally.

5. C.A.No.291/2022 is allowed.

6. Two weeks time is granted to add the Intervenor as party respondent.

7. **S.O. two weeks.**

Date :- 12/10/2022

rsm.

Member (I).

O.A.No.603/2022 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
after vacation.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.635/2022 (S.B.)

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

Dated : 12/10/2022.

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

2. The learned counsel for the applicant points out that after filing of this O.A. certain developments have taken place and in view of these developments the order of suspension is required to be revoked.

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

4. **S.O. 16.11.2022.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.685/2022 (S.B.)

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

Dated : 12/10/2022.

Heard Shri P.H.Khobragade, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. On oral request of the learned P.O. **S.O. four weeks for filing reply as a last chance.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.689/2022 (S.B.)

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

Dated : 12/10/2022.

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents 1 & 2. Shri T.M.Zaheer, ld. counsel for the respondent no.3.

2. On oral request of the learned P.O. **S.O.**
after vacation for filing reply.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.692/2022 (S.B.)

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

Dated : 12/10/2022.

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. It is submitted by the learned counsel that reply of respondent no.2 would be necessary.
3. The learned P.O. seeks time to file reply.
4. **S.O.14.11.2022.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.747/2022 (S.B.)

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

Dated : 12/10/2022.

Heard Shri R.K.Borkar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.811/2022 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O. after vacation for filing reply.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.905/2022 (S.B.)

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

Dated : 12/10/2022.

Heard Shri A.P.Barahate, holding for Shri J.B.Kasat, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. The learned P.O. has sought to time file reply. Hence, interim order to continue till next date.

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

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.1011/2022 (S.B.)

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

Dated : 12/10/2022.

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

2. The learned counsel for the applicant submits that the respondents have been served and today he will file service affidavit.

3. The learned P.O. seeks time of three weeks to file reply. Time is granted. Hence, interim order to continue till next date.

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

Date :- 12/10/2022

rsm.

Member (J).

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

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

Dated : 12/10/2022.

C.A.No.137/2020

Heard Shri S.D.Shukla, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. Affidavit filed by the applicant in support of his prayer for condonation of delay is taken on record. Copy served to the respondents.

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

Date :- 12/10/2022

rsm.

Member (J).

O.A.st.No.1712/2022 (S.B.)

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

Dated : 12/10/2022.

C.A.No.304/2022

Heard Shri D.B.Walthare, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Perused the application. The application is opposed by the respondents. However, sufficient grounds have been made out to condone the delay. C.A. is allowed. Delay is condoned.

O.A.st.No.1712/2022

3. Issue notice to the respondents returnable **after four weeks**. Learned 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.

Date :- 12/10/2022

rsm.

Member (I).

O.A.No.409/2022 (S.B.)

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

Dated : 12/10/2022.

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

2. Reply of respondent no.4 filed by the learned P.O. It is taken on record. It is stated to be sufficient. The O.A. is admitted.

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

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.1003/2021 (S.B.)

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

Dated : 12/10/2022.

C.A.No.415/2022

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

2. It is submitted by the learned counsel for the applicant that the matter be fixed early for final hearing and fix date be given. By consent O.A. is kept for final hearing on 09.11.2022.

3. **S.O. 09.11.2022.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.1016/2021 (S.B.)

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

Dated : 12/10/2022.

C.A.No.359/2022

Heard Shri Smt.S.W.Deshpande, ld. counsel for the applicant and Shri , ld. P.O. for the respondents. None for the respondent no.4.

2. Reply of respondents 2 and 3 filed by the learned P.O. It is taken on record. The learned counsel and the learned P.O. have made their submissions on C.A.No.359/2022.

3. **S.O. 13.10.2022.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.970/2022 (S.B.)

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

Dated : 12/10/2022.

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

2. The learned counsel for the applicant has relied on the judgment dated 25.08.2022 (Annexure A-15) passed by this Tribunal at Principal Seat in O.A.No.956/2021 to contend that his case is squarely covered by the same.

3. The learned P.O. shall, while preparing the reply consider the judgment dated 25.08.2022.

4. Issue notice to the respondents returnable **on 15.11.2022.** Learned P.O. waives notice for State. Hamdast allowed.

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

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

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

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

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

S.O. 15.11.2022.

Date :- 12/10/2022

rsm.

Member (I).

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

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

Dated : 12/10/2022.

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

3. Issue notice to the respondents returnable **after four weeks**. Learned 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.

Date :- 12/10/2022

rsm.

Member (I).

(S.B.)

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

Dated : 12/10/2022.

**O.A.No.907/2017 with O.A.No.908/2017 with
O.A.No.914/2017**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. On oral request of the learned P.O. **S.O.**
19.10.2022.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.414/2015 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O. next week.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.676/2017 (S.B.)

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

Dated : 12/10/2022.

Heard Shri N.L.Jaiswal, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondent no.1. Shri H.D.Marathe, ld. counsel for the respondent no.2. None for the respondents 2 to 5.

2. On oral request of the learned counsel for the respondent no.2, **S.O. after vacation.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.719/2017 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned counsel **S.O.**
after vacation.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.874/2017 (S.B.)

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

Dated : 12/10/2022.

Heard Shri T.U.Tathod, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. **Closed for Orders.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.256/2018 (S.B.)

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

Dated : 12/10/2022.

Heard Shri S.R.Deshpande, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents 1 to 4. None for the respondent no.5.

2. On oral request of the learned P.O. **S.O.**
after vacation.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.294/2018 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O. after vacation.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.189/2019 (S.B.)

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

Dated : 12/10/2022.

Heard Shri S.Jagtap, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents 1 & 2. Shri H.D.Marathe, ld. counsel for the respondents 3 to 7.

2. On oral request of the learned P.O. **S.O.**
after vacation.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.642/2019 (S.B.)

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

Dated : 12/10/2022.

Heard Shri V.Anand, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. Additional reply of respondents 1 to 4 filed by the learned P.O. It is taken on record.
3. On oral request of the learned counsel **S.O.**
after vacation.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.896/2019 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned P.O. **S.O.**
16.11.2022.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.912/2019 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned counsel **S.O.**
after vacation.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.214/2020 (S.B.)

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

Dated : 12/10/2022.

Heard Shri I.G.Meshram, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. It is pointed out by the learned P.O. that the applicant has moved an application for transfer of this matter to the Principal Bench. The applicant makes a statement that he has been informed by the Principal Bench that he has to file proper Civil Miscellaneous Application for the purpose. The applicant states that he would prefer that the matter is heard by this Bench because making an application as required under the Rules may be time consuming.

3. The learned P.O. submits that this matter is heard at length by the other Bench presided over by my learned brother Justice Shri M.G.Giratkar.

4. **S.O. after vacation.**

Date :- 12/10/2022

rsm.

Member (J).

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

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

Dated : 12/10/2022.

Heard Shri V.B.Gawali, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. On oral request of the learned P.O. **S.O. after vacation.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.43/2021 (S.B.)

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

Dated : 12/10/2022.

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

2. On oral request of the learned counsel **S.O.**
15.11.2022.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.207/2021 (S.B.)

(Shri. Anil Bansilal Chavhan Vs. State of Maharashtra & Another)

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

Dated : 12/10/2022.

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

2. It is submitted by the learned counsel for the applicant that by the impugned communication his name was deleted from the waiting list on the ground that he has completed 45 years which is the upper age limit prescribed by G.R. dated 6.12.2010 for giving an appointment on compassionate ground. The applicant has relied on "**Smt. Sushma Gosain and Others Vs. Union of India and Others AIR 1989 Supreme Court 1976**". Para 9 of this judgment reads as under-

9. We consider that it must be stated unequivocally that in all claims for appointment on compassionate grounds, there should not be any delay in appointment. The purpose of providing appointment on compassionate ground is to mitigate the hardship due to death of the bread earner in the family. Such appointment should, therefore, be provided immediately to redeem the family in distress. It is improper to keep such case pending for years. If there is no suitable post for appointment supernumerary post should be created to accommodate the applicant.

3. The applicant has placed on record at Annexure A-5 communication received from the respondent department regarding vacant post. According to the applicant he can be suitably accommodated on any of these vacant post. The learned P.O. to take instruction and make a statement.

4. **P.H.**

5. **S.O. after vacation.**

6. **Steno copy is granted.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.209/2021 (S.B.)

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

Dated : 12/10/2022.

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 the learned P.O. **S.O.**
after vacation.

Date :- 12/10/2022

rsm.

Member (J).

**O.A.No.863/2021 with O.A.No.864/2021
(S.B.)**

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

Dated : 12/10/2022.

Heard Shri N.D.Thombre, Id. counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the respondents 1 to 3. Shri S.N.Gaikwad, Id. counsel for the respondents 4 & 5.

2. On oral request of the learned counsel **S.O.**
16.11.2022.

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.966/2021 (S.B.)

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

Dated : 12/10/2022.

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

2. **S.O.17.11.2022.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.1110/2021 (S.B.)

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

Dated: 12/10/2022.

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

2. **S.O. after vacation.**

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.1126/2021 (S.B.)

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

Dated : 12/10/2022.

Heard Shri Bharat Kulkarni, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. The learned counsel for the applicant submits that leave of the applicant. It is taken on record. It is further marked-X for identification. Copy served to the respondents.

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

Date :- 12/10/2022

rsm.

Member (J).

O.A.No.582/2022 (S.B.)

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

Dated : 12/10/2022.

Heard Shri N.R.Saboo, 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. **S.O. 13.10.2022.**

Date :- 12/10/2022

rsm.

Member (J).

(S.B.)

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

Dated : 12/10/2022.

**O.A.No.909/2017 with O.A.No.910/2017 with
O.A.No.912/2017 with O.A.No.913/2017**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. These matters are already disposed of by order dated 15.03.2022. These matters were wrongly listed on 30.09.2022 and 12.10.2022.

Date :- 12/10/2022

rsm.

Member (J).

O.A. No. 833/2018 (D.B.)

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

Dated : 12/10/2022.

C.A. 260/2021 -

Heard A. Kulkarni, Id. counsel holding for Shri S.S. Ghate, Id. counsel for applicant, Shri A.P. Potnis, Id. P.O. for R-1 to 3 and none for R-4. Await service of R-5.

Looking to the ground, C.A. for amendment is allowed. Necessary amendment be carried out within two weeks.

O.A. No. 833/2018 –

S.O. after two weeks.

Vice- Chairman

dnk.

O.A. No. 872/2019 (D.B.)

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

Dated : 12/10/2022.

Heard Shri V.D. Raut, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for respondents.

The Id. P.O. submits that he has received parawise reply and same will be filed within two weeks.

S.O. After Vacation.

Vice- Chairman

dnk.

O.A. No. 1077/2019 (D.B.)

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

Dated : 12/10/2022.

Heard Shri N. Majithia, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for R-1.

Hamdast not collected for R-2&3.

The learned counsel for applicant submits that he will take instructions from his client to take necessary steps.

At the request of Id. counsel for applicant, **S.O. After Vacation.**

Vice- Chairman

dnk.

O.A. No. 328/2020 (D.B.)

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

Dated : 12/10/2022.

Heard Ashwini S. Uikey, Id. counsel holding for Shri N.B. Rathod, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

2. The Id. counsel for applicant submits that the applicant is already appointed on the post of Auditor and Accountant with respondent no.2, therefore, the O.A. becomes infructuous.

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

4. In view of submission, the appointment is given to the applicant on the post of Auditor and Accountant as prayed in the O.A., therefore, the O.A. becomes infructuous.

5. Hence, the O.A. is disposed off. No order as to costs.

Vice- Chairman

dnk.

O.A. Nos. 20/2021, 185/2021 & 906/2020 (D.B.)

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

Dated : 12/10/2022.

Heard Shri R.M. Fating, Id. counsel holding for Shri V.B. Gawali, Id. counsel for applicants (in O.A.20/2021 & 185/2021), none for applicant in O.A. 906/2020. Shri M.I. Khan, Id. P.O. for respondents in all O.As.

The Id. P.O. waives notice for R-6 in O.A. 185/2021.

The Id. P.O. submits that reply is already filed on record in the O.As. and O.As. may be admitted.

In view of submission, the O.As. are admitted and kept for final hearing.

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

S.O. in due course.

Vice- Chairman

dnk.

O.A. No. 124/2021 (D.B.)

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

Dated : 12/10/2022.

Heard Shri R.M. Meshram, Id. counsel holding for Shri P.D. Meghe, Id. counsel and Shri M.I. Khan, Id. P.O. for respondents.

The Id. P.O. submits that reply of R-3 is already filed on record.

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

S.O. in due course.

Put up matter along with O.A.242/2021.

Vice- Chairman

dnk.

O.A. No. 997/2021 (D.B.)

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

Dated : 12/10/2022.

None for applicant. Heard Shri A.P. Potnis, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. After Vacation** for filing reply.

Vice- Chairman

dnk.

(D.B.)

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

Dated : 12/10/2022.

**O.A. Nos. 1090/2021,1092/2021,1099/2021 and
C.A. 414/2021 in O.A. 1100/2021 –**

Heard Shri G.G. Bade, Id. counsel for applicants and all O.As.,

Heard Shri A.P. Potnis, Id. P.O. for R-1 to 3 and Shri T.M. Zaheer, Id. counsel for respondent no.3 (in O.A.1090/2021).

Heard Shri A.P. Potnis, Id. P.O. for respondents and none for Caveator (in O.As.1092,1099 & 1100 of 2021).

Shri T.M. Zaheer, Id. counsel for respondent no.3 (in O.A.1090/2021) submits that he is adopting reply filed in O.A.1090/2021.

The matters are admitted and kept for final hearing.

S.O. 15/11/2022.

Till then interim relief to continue, if any.

Vice- Chairman

dnk.

O.A. No. 203/2022 (D.B.)

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

Dated : 12/10/2022.

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

The Id. P.O. submits that he has received parawise comment and he will file reply within two weeks.

S.O. after two weeks.

Vice- Chairman

dnk.

O.A. Nos. 369 & 394 of 2022 (D.B.)

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

Dated : 12/10/2022.

Heard Shri Bhavika R. Hindustani, Id. counsel for applicant holding for Shri H.D. Dangre, Id. counsel for applicants and Shri S.A. Sainis, Id. P.O. for respondents.

2. The Id. P.O. files separate reply of R-1&2 and respondent no.3. Same are taken on record.

3. The matters are admitted and kept for final hearing. The Id. P.O. waives notice for respondents.

S.O. 16/11/2022.

Vice- Chairman

dnk.

O.A. No. 693/2022 (D.B.)

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

Dated : 12/10/2022.

Heard Shri P.D. Mehta, Id. counsel for applicant and Shri S.A. Deo, Id. CPO for R-1.

Hamdast not collected for R-2 to 4.

The Id. counsel for applicant submits that he has filed service affidavit of R-2 to 4.

The office is directed to verify the same.

S.O. After Vacation.

Vice- Chairman

dnk.

O.A. No. 696/2022 (D.B.)

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

Dated : 12/10/2022.

Heard Shri P.D. Mehta, Id. counsel for applicant and Shri S.A. Deo, Id. CPO for R-1.

Hamdast not collected for R-2 to 4.

The Id. counsel for applicant submits that he has filed service affidavit of R-2 to 4.

The office is directed to verify the same.

S.O. After Vacation.

Vice- Chairman

dnk.

O.A. No. 1014/2022 (D.B.)

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

Dated : 12/10/2022.

C.A. 414/2022 -

Heard Shri B. Kulkarni, Id. P.O. for applicants and Shri S.A. Deo, Id. CPO for State.

2. As per submission of Id. counsel for applicants, the applicant nos.1 and 2 are working as Instructor with respondent no.3 and relief sought by both the applicants are identical.

3. In view of submission, the C.A. for Jt. O.A. is allowed and disposed off.

O.A. No. 1014/2022-

Heard Shri B. Kulkarni, Id. P.O. for applicants and Shri S.A. Deo, Id. CPO for 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.

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

Vice- Chairman

dnk.

C.A. 317/2021 in O.A. St. No. 1938/2022 (D.B.)

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

Dated : 12/10/2022.

None for applicant. Heard Shri A.M. Khadatkar, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. After Vacation** for filing reply.

Vice- Chairman

dnk.

Rev.A.03/22 in C.P. 40/19 in O.A.590/2017 (D.B.)

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

Dated : 12/10/2022.

None for applicant. Heard Shri A.M.
Khadatkar, Id. P.O. for R-1. None for R-2.

S.O. After Vacation.

Vice- Chairman

dnk.

O.A. No. 985/2022 (D.B.)

(Sachin B. Patil Vs. State of Mah. & Ors.)

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

Dated : 12/10/2022.

Heard Shri S.P. Palshikar, Id. counsel for applicant and Shri S.A. Deo, Id. CPO for respondents.

2. The Id. counsel for applicant pointed out the prayer and submitted that direction be given to respondent no.2, i.e. the Director General of Police, State of Maharashtra, Mumbai to decide the appeal preferred by applicant within a period of 30 days.

3. The O.A. is opposed by the Id. CPO Shri S.A. Deo.

4. The applicant has prayed as under –

“(i) To issue necessary direction to respondent no.2, Director General of Police, State of Maharashtra to decide the appeal preferred by applicant dated 24/01/2022 expeditiously in any case within 30 days from the date of passing order ;

(ii) Grant any other relief which deemed fit including that of the costs in the facts and circumstances of the present case.”

5. In view of the prayer, no prejudice will be caused to the respondents if the respondent

no.2 is directed to decide the applicant's appeal within a stipulated period. Hence, the following order –

ORDER

(i) The O.A. is disposed of with direction to respondent no.2, i.e., the Director General of Police, State of Maharashtra, Mumbai to decide the appeal preferred by applicant dated 24/01/2022 expeditiously, in any case, within a period of two months from the date of receipt of this order.

(ii) No order as to costs.

Steno copy is granted..

Vice- Chairman

dnk.
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