

**O.A. No.215/2017 (S.B.)**

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

**Dated : 21/02/2023.**

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

At the request of Id. counsel for the applicant, **S.O. 28/2/2023.**

**Vice Chairman**

dnk.

**Rev.A. 24/19 in O.A. No.226/2018 (S.B.)**

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

**Dated : 21/02/2023.**

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

At the request of Id. counsel for the  
applicant, **S.O. 14/03/2023.**

**Vice Chairman**

dnk.

**O.As. 434,435 & 436 of 2022 (S.B.)**

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

**Dated : 21/02/2023.**

Shri A.B. Tikle, Id. counsel for the applicants, Shri S.A. Sainis, Id. P.O. for respondent nos.1&2 and Shri T.M. Zaheer, Id. counsel for R-3&4.

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

**Vice Chairman**

dnk.

**O.A. No.280/2018 (S.B.)**

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

**Dated : 21/02/2023.**

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

At the request of Id. P.O., **S.O. 9/3/2023.**

**Vice Chairman**

dnk.

**O.A. No.917/2022 (S.B.)**

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

**Dated : 21/02/2023.**

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

At the request of Id. P.O., **S.O. 23/3/2023.**

**Vice Chairman**

dnk.

**O.A. No.113/2019 (S.B.)**

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

**Dated : 21/02/2023.**

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

At the request of Id. counsel for the applicant, **S.O. 2/3/2023.**

**Vice Chairman**

dnk.

**O.A. No.583/2018 (S.B.)**

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

**Dated : 21/02/2023.**

**MCA No. 42/2022 in O.A. 583/2018 -**

Heard Bhavika Hindustani, Id. counsel holding for Shri H.D. Dangre, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. The prayer in the MCA is as follows –

*“It is therefore, most humbly prayed that, this Hon'ble Tribunal may kindly be pleased to extend the period to file Writ Petition before the Hon'ble High Court at least by 3 months, in the interest of justice.”*

3. The prayer in the MCA is granted. The MCA is allowed and disposed off.

**Vice Chairman**

dnk.

**Rev.A. 01/2023 in O.A. No.1159/2022 (S.B.)**

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

**Dated : 21/02/2023.**

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

**S.O. after one month.**

**Vice Chairman**

dnk.



**O.A. No.252/2020 (S.B.)**

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

**Dated : 21/02/2023.**

Shri Y.P. Mandpe, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1.

Hamdast of respondent nos.2 to 4 not collected.

The applicant is directed to collect the hamdast and file service affidavit.

**S.O. three weeks.**

**Vice Chairman**

dnk.

**O.As. 486 & 487 of 2021 (S.B.)**

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

**Dated : 21/02/2023.**

Shri S.N. Gaikwad, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for R-1.

Await service of R-2 to 6 in O.A.486/2021 and R-2 to 5 in O.A.487/2021.

The Id. counsel for applicants submits that the respondents are served and he will file service affidavit.

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

**Vice Chairman**

dnk.

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

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

**Dated : 21/02/2023.**

Heard Shri Pande, Id. counsel holding for Shri S.A. Marathe, Id. counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

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

**S.O. in due course.**

**Vice Chairman**

dnk.

**O.A. No.1141/2021 (S.B.)**

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

**Dated : 21/02/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.412/2022 (S.B.)**

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

**Dated : 21/02/2023.**

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

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

**Vice Chairman**

dnk.

**C.A. 57/2023 in O.A. No.944/2022 (S.B.)**

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

**Dated : 21/02/2023.**

Shri Bhandarkar, Id. counsel for the applicant, Shri Tathod, Id. counsel for R-4 (Caveator) and Shri Deshmukh, Id. counsel for R-4.

2. Shri Deshmukh, Id. counsel for R-4 submits that the matter is partly heard by Hon'ble Member (J) Shri M.A. Lovekar.

3. In view of above, the matter be kept before the Bench of Member (J) on 17/3/2023.

**S.O. 17/3/2023.**

**Vice Chairman**

dnk.

**O.A. No.1035/2022 (S.B.)**

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

**Dated : 21/02/2023.**

Shri Ankit Shrivastava, Id. counsel holding for Shri A.A. Mardikar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for respondent no.1. Await service of R-2 to 4.

2. Issue fresh notice to the respondent nos.2 to 4 returnable **after four weeks.** Hamdast allowed.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced

along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

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

**Vice Chairman**

dnk.



**O.A. No.1071/2022 (S.B.)**

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

**Dated : 21/02/2023.**

Shri Khaparde, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2 to 5.

The applicant to file service affidavit.

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

**Vice Chairman**

dnk.

**O.A. No.1082/2022 (S.B.)**

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

**Dated : 21/02/2023.**

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

The Id. P.O. files reply of R-2 to 4. It is taken on record and copy is given to the applicant. The Id. P.O. submits that said reply is sufficient to decide the matter.

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

**S.O. 17/3/2023.**

**Vice Chairman**

dnk.

**O.A. No.1104/2022 (S.B.)**

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

**Dated : 21/02/2023.**

Shri A.P. Sadavarte, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 and 2. None for R-3.

The Id. P.O. seeks further time to file reply. Time is granted as a last chance. It is made clear that on the next date no further time will be granted to file reply.

**S.O. 14/3/2023.**

**Vice Chairman**

dnk.

**O.A. No.1246/2022 (S.B.)**

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

**Dated : 21/02/2023.**

Shri P.S. Patil, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 14/3/2023** for filing reply.

**Vice Chairman**

dnk.

**O.A. No.03/2023 (S.B.)**

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

**Dated : 21/02/2023.**

Smt. K.N. Saboo, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2.

The Id. counsel for applicant submits that respondent no.2 is served and she will file service affidavit today itself.

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

**Vice Chairman**

dnk.

**O.A. No.50/2023 (S.B.)**

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

**Dated : 21/02/2023.**

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

The Id. counsel for applicant submits that respondents are served and he will file service affidavit.

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

**Vice Chairman**

dnk.

**O.A. No.183/2023 (S.B.)**

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

**Dated : 21/02/2023.**

**C.A. 105/2023 -**

Heard Shri R.M. Fating, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for State.

2. The Id. counsel for the applicants prayed to add State of Maharashtra through its Principal Secretary (Forests) Revenue and Forest Department, Mantralaya, Mumbai as respondent no.6 in C.A. and O.A. Permission is granted as prayed for.

3. The applicants are retired government employees. They are claiming increment which falls due on 1<sup>st</sup> July of the respective year (year of retirement).

4. Looking to the prayer, the C.A. for filing Jt. O.A. is allowed and disposed off.

**O.A. No.183/2023 -**

Heard Shri R.M. Fating, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for State.

2. Issue notice to the respondent nos.1 to 5 and newly added respondent returnable **after four weeks**. Learned P.O. waives notice for State. Hamdast allowed.

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

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

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

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

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

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

**Vice Chairman**

dnk.



**O.A. No.99/2020 (S.B.)**

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

**Dated : 21/02/2023.**

Shri N.D. Thombre, Id. counsel holding  
for Shri B. Kulkarni, Id. counsel for the applicant  
and Shri S.A. Sainis, Id. P.O. for the  
respondents.

2. The reply of R-1 to 4 is already filed on  
record. The matter is admitted and kept for final  
hearing. The Id. P.O. waives notice for  
respondents.

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

**Vice Chairman**

dnk.

**O.A. No.103/2023 (S.B.)**

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

**Dated : 21/02/2023.**

Heard Smt. S.W. Deshpande, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

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

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

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

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

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

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

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

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

**Vice Chairman**

dnk.

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

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

**Dated : 21/02/2023.**

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

The matter is part heard and it is heard by the Bench of Member (J) on 12/10/2022.

Hence, put up the matter before the Bench of Member (J) **on 16/3/2023.**

**Vice Chairman**

dnk.

**O.A. No.682/2017 (S.B.)**

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

**Dated : 21/02/2023.**

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

At the request of Id. P.O., **S.O. 17/3/2023.**

**Vice Chairman**

dnk.

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

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

**Dated : 21/02/2023.**

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

At the request of Id. counsel for the applicant, **S.O. 3/3/2023.**

**Vice Chairman**

dnk.

**O.A. No.803/2021 (S.B.)**

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

**Dated : 21/02/2023.**

Shri R.M. Fating, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. R-1 and Shri Zahir, Id. counsel holding for Shri Marathe, Id. counsel for R-2 to 4.

At the request of Id. counsel for respondent nos.2 to 4, **S.O. 13/3/2023.**

**Vice Chairman**

dnk.

**O.A. No.87/2022 (S.B.)**

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

**Dated : 21/02/2023.**

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

At the request of Id. P.O., **S.O.**  
**14/3/2023.**

**Vice Chairman**

dnk.



**O.A. No.142/2022 (S.B.)**

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

**Dated : 21/02/2023.**

Heard Shri R.M. Fating, Id. counsel for  
the applicant and Shri H.K. pande, Id. P.O. for  
the respondents.

**S.O. 13/03/2023 (PH).**

**Vice Chairman**

dnk.

**O.A. No.581/2019 (S.B.)**

**(Ganesh S. Hanumante Vs. State of Mah.& ors.)**

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

**Dated : 21/02/2023.**

**ORDER**

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

2. The learned counsel for the applicant pointed out the amended prayer Clause ix-(a) of the O.A. (Page no.26). He has pointed out the suspension order dated 24/06/2020. The learned counsel for the applicant has submitted that the respondents used to suspend and without any inquiry, they used to reinstate the applicant. Earlier suspension orders were revoked and he was taken on duty without any inquiry. Again he was suspended on 24/06/2020.

3. The learned counsel for the applicant has pointed out the Judgment of Hon'ble Supreme Court in the case of **Ajay Kumar Chaudhary Vs. Union of India through its Secretary and another**. The Apex Court in Civil Appeal No. 1912 of 2015 (arising out of SLP No.31761 of 2013) in the case of **Ajay Kumar Chaudhary Vs. Union of India through its Secretary and another** in its Judgment dated 16/02/2015 in para no. 14, it is observed as under-

*"14. We, therefore, direct that the currency of a Suspension Order should not extend beyond three months if within this period the Memorandum of Charges/Chargesheet is not served on the delinquent officer/employee; if the Memorandum of Charges/Chargesheet is served a reasoned order must be passed for the extension of the suspension. As in the case in hand, the Government is free to transfer the concerned person to any Department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The Government may also prohibit him from contacting any person, or handling records and documents till the stage of his having to prepare his defence. We think this will adequately safeguard the universally recognized principle of human dignity and the right to a speedy trial and shall also preserve the interest of the Government in the prosecution. We recognize that previous Constitution Benches have been reluctant to quash proceedings on the grounds of delay, and to set time limits to their duration. However, the imposition of a limit on the period of suspension has not been discussed in prior case law, and would not be contrary to the interests of justice. Furthermore, the direction of the*

*Central Vigilance Commission that pending a criminal investigation departmental proceedings are to be held in abeyance stands superseded in view of the stand adopted by us.”*

4. The State of Government has also issued G.R. GAD dated 09/07/2019 after the Judgment of Hon'ble Supreme Court in the case of **Ajay Kumar Chaudhary Vs. Union of India through its Secretary and another**. The relevant para nos. 1 (i, ii & iii) of the G.R. dated 09/07/2019 is reproduced as below -

(i) निलंबित शासकीय सेवकांच्या ज्या प्रकरणी ३ महिन्यांच्या कालावधीत विभागीय चौकशी सुरु करून दोषारोप पत्र बजावण्यात आले आहे, अशा प्रकरणी निलंबन केल्यापासून ३ महिन्यात निलंबनाचा आढावा घेउन निलंबन पुढे चालू ठेवावयाचे असल्यास त्याबाबतचा निर्णय सुस्पष्ट आदेशासह (कारण मिमांसेसह) नक्षम प्राधिका-याच्या स्तरावर घेण्यात यावा.

(ii) निलंबित शासकीय सेवकांच्या ज्या प्रकरणी ३ महिन्यांचा कालावधीत विभागीय चौकशी सुरु करून दोषारोप पत्र बजावण्यात आले नाही, अशा प्रकरणी मा. सर्वोच्च न्यायालयाचे आदेश पाहता, निलंबन समाप्त करण्याशिवाय अन्य पर्याय राहत नाही. त्यामुळे निलंबित शासकीय सेवकांबाबत विभागीय चौकशीची कार्यवाही सुरु करून दोषारोप पत्र बजावण्याची कार्यवाही निलंबनापासून ९० दिवसांच्या आत काटेकोरपणे केली जाईल याची दक्षता/ खबरदारी घेण्यात यावी.

(iii) फौजदारी प्रकरणात विशेषतः लाचलुचपत प्रकरणी निलंबित शासकीय सेवकांवर विभागीय चौकशी सुरु करून दोषारोप पत्र बजावणेबाबत आवश्यक तो अभिलेख लाचलुचपत प्रतिबंधक विभागाने संबंधित प्रशासकीय विभागास उपलब्ध करून देणे आवश्यक राहिल.

5. The State Government has given guidelines to the concerned Officer to complete the inquiry within a period of 90 days. If the inquiry is not completed within stipulated period of 90 days, the suspension shall be revoked.

6. It appears that the applicant is under suspension since 24/06/2020. As per the submission of learned counsel for the applicant, though the suspension order is passed on 24/6/2020, the inquiry is commence, but there is no progress in the inquiry.

7. In view of the Judgment of Hon'ble Supreme Court in the case of **Ajay Kumar Chaudhary Vs. Union of India through its Secretary and another** and Government GAD G.R. dated 09/07/2019, the suspension order dated 24/06/2020 passed by respondent no.7 is hereby revoked. The respondents are directed to reinstate the applicant.

**S.O. 13/3/2023 for hearing.**

Steno copy is granted.

**Vice Chairman**

dnk.\*\*

**O.A.No.278/2018. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

**C.A.No.273/2022 in C.P.No.23/2021**

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

2. On oral request of learned P.O.,  
**S.O.01.03.2023.**

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**

**O.A.No.2375/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

**C.A.No.442/2022 & C.A.No.443/2022**

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

2. Put up this matter before Single Bench.

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**

**C.A.No.32/2022 in O.A.No.319/2015 with  
C.A.No.323/2015. (D.B.)**

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

**Dated: 21/02/2023.**

None for the applicant. Heard Shri  
A.M.Khadatkar, ld. P.O. for the respondents 1  
& 2. None for the respondent no.3.

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

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.743/2021. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Learned P.O. submits that he has received para wise reply. He wants to time for filing reply.

3. **S.O. 08.03.2023.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

**O.A.No.161/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Learned counsel for the applicant has pointed out that so far ample opportunity has been given to the respondents to file reply.
3. Learned P.O. states that he has received para wise replies and on next date he will file reply without fail.
4. **S.O. 06.03.2023.**

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**



O.A.No.702/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

Heard Shri S.K.Bhattacharya, holding for Shri N.S.Warulkar, ld. counsel for the applicant and Shri V.A.Kulkarni, the ld. P.O. for the respondents. None for the respondent no.2.

2. On oral request of learned P.O., **S.O.**  
**02.03.2023 for filing reply.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.724/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Learned counsel for the applicant states that in identical matter respondents / State have filed a reply.

3. Learned P.O. seeks time as last chance. Learned P.O. shall ascertain whether in this matter identical reply shall suffice so that it can be filed from.

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

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.762/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

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

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.824/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Learned P.O. has filed reply of respondents 2 and 3. It is taken on record. It is stated to be sufficient. The O.A. is **admitted** and kept for final hearing.

3. Learned P.O. waive notices for the respondents.

4. **In due course.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

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

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

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

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

**O.A.No.1106/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Learned P.O. desires three weeks time to file reply. Learned P.O. submits that O.A.No.1106/2022, O.A.No.1107/2022 & O.A.No.1108/2022 all three matters are identical. These three identical matters are kept together.

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

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**

**O.A.No.1107/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Learned P.O. desires three weeks time to file reply. Learned P.O. submits that O.A.No.1106/2022, O.A.No.1107/2022 & O.A.No.1108/2022 all three matters are identical. These three identical matters are kept together.

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

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**

**O.A.No.1108/2022. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Learned P.O. desires three weeks time to file reply. Learned P.O. submits that O.A.No.1106/2022, O.A.No.1107/2022 & O.A.No.1108/2022 all three matters are identical. These three identical matters are kept together.

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

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**



O.A.No.1134/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Reply of respondent no.3 filed by learned P.O. It is taken on record. Copy is served to the other side. It is stated to be sufficient. The O.A. is **admitted** and kept for final hearing.

3. Learned P.O. waive notices for the respondents.

4. **In due course.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.1244/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

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

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

**O.A.No.54/2023. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

Heard Shri Smt.S.W.Deshpande, Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for respondent nos.1 to 4.

2. Today, Advocate Shri V.N. Khobre appears and filed Intervention application.

3. Looking to the ground in the application, intervention application is allowed and disposed off. Intervener as respondent no.5 be added in the O.A.

**S.O. 28.02.2023.**

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**

**O.A.No.63/2023. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

Heard Shri P.P.Khaparde, ld. counsel for the applicant and Shri A.M.Khadatkar, the ld. P.O. for the respondents. Await service to respondents 2 and 3.

2. On oral request of learned P.O., **S.O.**  
**two weeks.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

**O.A.No.147/2023. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. The applicant is relying on the Judgment dated 29.09.2022 delivered by the Principal Bench of this Tribunal in O.A.No.752/2022. Further reliance is placed on order dated 16.11.2022 (Annexure A-8) to contend that aforesaid Judgment of the Tribunal has been acted upon by the respondents. This submission is supported by record.

3. It is the contention of the learned Advocate of the applicant that case of the applicant is identical and therefore, in this case also identical order deserves to be passed.

4. Learned P.O. shall take instructions and make a statement whether there is any factual difference between the instant case and the case of Nitin Ramesh Garje decided by

the Principal Bench sought to be relied upon by the applicant.

5. S.O. 23.02.2023 for final disposal.

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

**O.A.No.148/2023. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. The applicant is relying on the Judgment dated 29.09.2022 delivered by the Principal Bench of this Tribunal in O.A.No.752/2022. Further reliance is placed on order dated 16.11.2022 (Annexure A-8) to contend that aforesaid Judgment of the Tribunal has been acted upon by the respondents. This submission is supported by record.

3. It is the contention of the learned Advocate of the applicant that case of the applicant is identical and therefore, in this case also identical order deserves to be passed.

4. Learned P.O. shall take instructions and make a statement whether there is any factual difference between the instant case and the case of Nitin Ramesh Garje decided by

the Principal Bench sought to be relied upon by the applicant.

5. S.O. 23.02.2023 for final disposal.

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**



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

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

Heard Shri P.A.Kadu, ld. counsel for the applicant and Shri S.A.Sainis, the ld. P.O. for the respondents 1 and 2 and Shri B.Kulkarni, ld. counsel for the respondent no.3, Shri J.S.Wankhede for Intervenor. None for the respondent no.4.

2. Learned P.O. is directed to produce consolidated marksheet of the candidates.

3. Learned counsel for the applicant has filed Judgment of Hon'ble Supreme Court and he has relied on para 9 and para a and f. It is taken on record.

4. **The matter is treated as P.H.**

5. **S.O. 14.03.2023.**

6. **Steno copy is granted.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

**O.A.No.28/2019. (D.B.)**

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

**Dated : 21/02/2023.**

**M.C.A.No.47/2022**

Heard Shri A.M.Khadatkar, the ld. P.O. for the applicants (Org. respondents) and Shri G.G.Bade, ld. counsel for the respondent (Org. applicant).

2. Learned P.O. submits that the matter is in progress to comply the order of this Tribunal dated 23.09.2022 and for that purpose the Org. respondents have submitted the service book of the Org. applicant to the A.G. office. As per the submission of learned P.O., the process will complete within one month time.

3. In view of above, the M.C.A.No.47/2022 for extension of time is allowed.

4. The Org. respondents are directed that they should depute responsible Officer to look into the matter and ensure that the process will complete within one month.

5. **S.O. after one month.**

6. **Steno copy is granted.**

**Member(J)**

**Date:-21/02/2023.**

rsm.

**Vice Chairman**

**O.A.No.538/2021 with O.A.No.1134/2021.  
(D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 21/02/2023.**

Heard Adv Mugdha Chandurkar, Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents 1 to 5. None for the respondents 6 to 15.

2. Learned P.O. has filed affidavit-in-reply of respondents 2 to 5 which is also taken on record. During the course of hearing, it is found that correct paging is not done by the learned counsel for the applicant. Office is directed to correct the paging from the concerned Advocate.

3. Matter is partly heard and matter will be heard on 27.02.2023 after proper paging by learned counsel for the applicant.

4. **S.O. 27.02.2023.**

**Member(J)  
Date:-21/02/2023.**

**Vice Chairman**

rsm.

**O.A.No.838/2021. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

Heard Smt.S.W.Deshpande, ld. counsel for the applicant and Shri H.K.Pande, the ld. P.O. for the respondents 1 to 4 & 11. None for the respondents 5 to 10.

2. Learned P.O. has filed salary bill of the applicant but it is not legible. Therefore, P.O. is directed to file legible copy and proper legible copy supply to the learned counsel for the applicant.

3. **S.O. 28.02.2023.**

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**

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

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. **Closed for Orders.**

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**

**O.A.No.278/2012. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. **S.O.03.03.2023.**

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**



O.A.No.364/2015. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Learned P.O. desires to take time for taking instructions. He is directed to take instructions about the legal position of promotion.

3. **S.O. 09.03.2023.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.810/2015. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

Heard Shri A.C.Dharmadhikari, Id.  
counsel for the applicant and Shri H.K.Pande,  
Id. P.O. for the respondents 1 to 4. None for  
the respondents 5 to 22.

2. On oral request of learned P.O., **S.O.**  
**two weeks.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

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

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. The learned counsel for the applicant submitted that the same issue is covered in the Judgment of Hon'ble High Court, Bench at Aurangabad.

3. Learned P.O. desires time to take instructions in this regard.

**S.O. 22.02.2023.**

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**

O.A.No.913/2021. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. On oral request of learned P.O.,  
**S.O.03.03.2023.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.969/2021. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

Heard Shri P.Ramteke, holding for Shri M.R.Khan, ld. counsel for the applicant and Shri A.M.Khadatkar, the ld. P.O. for the respondents.

2. On oral request of learned P.O., **S.O.**  
**two weeks.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

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

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

Heard Shri A.B.Moon, ld. counsel for the applicant and Shri A.M.Khadatkar, the ld. CP.O. for the respondents 1 to 3. None for the respondent no.4.

2. Learned P.O. submits that he will file reply on next date.

3. **S.O. first week of March.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.380/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. On oral request of learned P.O.,  
**S.O.03.03.2023.**

**Member(J)  
Date:-21/02/2023.  
rsm.**

**Vice Chairman**

O.A.No.427/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. **S.O. first week of March.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**



**O.A.No.570/2022 with C.A.No.249/2022.  
(D.B.)**

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated: 21/02/2023.**

Heard Shri D.T.Shinde, ld. counsel for the applicant, Shri V.A.Kulkarni, the ld. P.O. for the respondents 1 & 2. None for the respondent no.3.

2. Learned P.O. has filed copy of marksheet of eligible candidates who appeared in the interviews. It is marked Exhibit-X-1 for identification. It is taken on record.

3. Learned counsel for the applicant desires to file relevant copy of Judgment of Hon'ble High Court.

4. **S.O. 09.03.2023.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.883/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

Heard Shri D.M.Kakani, ld. counsel for the applicant and Shri H.K.Pande, the ld. P.O. for the respondents 1 & 2. None for the respondent no.3.

2. Learned P.O. submits that he will file reply on next date.

3. **S.O. first week of March.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.1036/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Learned P.O. submits that he will file reply on next date.
3. **S.O. first week of March.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**

O.A.No.1042/2022. (D.B.)

**Coram: Shri Shree Bhagwan,  
Vice-Chairman and  
Shri M.A.Lovekar, Member(J)  
Dated : 21/02/2023.**

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

2. Learned P.O. submits that he will file reply on next date.
3. **S.O. first week of March.**

**Member(J)**  
**Date:-21/02/2023.**  
rsm.

**Vice Chairman**