

O.A.No.217/2017 (D.B.)

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

**Dated : 17/04/2023.**

**C.A.No.168/2023:-**

Heard Shri S.R.Charpe, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. **C.A. No. 168/2023 for amendment is allowed and disposed of.** The Id. 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. At the request of Id. P.O., **S.O. after summer vacation to file reply.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.109/2018 (D.B.)

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

**Dated : 17/04/2023.**

Heard Ms. A.Datrak holding for Shri M.I.Dhatrak, 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. after summer vacation to file reply.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.118/2020 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri D.R.Rupnarayan, 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. after summer vacation to file reply.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.201/2021 (D.B.)

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

**Dated : 17/04/2023.**

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

2. At the request of ld. P.O., **S.O. after summer  
vacation.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

**C.A.273/22inC.P.23/21inO.A.No.278/2018(D.B.)**

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

**Dated : 17/04/2023.**

Heard Shri R.V.Shiralkar, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

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

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

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

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

**Dated : 17/04/2023.**

**C.A.No.115/2023:-**

Heard Shri R.D.Manwar, applicant in person  
and Shri A.M.Ghogre, ld. P.O. for the respondents.  
None for the R-5 to 10.

2. At the request of ld. P.O., **S.O. 24.04.2023 to  
file reply.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

**Rev.Appl.13/22inO.A.Nos.160&932/21 (D.B.)**

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

**Dated : 17/04/2023.**

Heard Shri B.Kulkarni, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. after summer vacation to file reply.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

**R.A.No.05/23inO.A.No.197/2018 (D.B.)**

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

**Dated : 17/04/2023.**

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

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

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**



**C.P.No.82/22inO.A.No.683/2022 (D.B.)**

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

**Dated : 17/04/2023.**

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

2. At the request of Id. P.O., **S.O. after summer  
vacation to file reply.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.371/2022 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri R.M.Meshram holding for Shri P.D.Meghe, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. The ld. P.O. has filed reply on behalf of the respondents 2 to 4. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

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

4. The ld. P.O. waives notice for the respondents.

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

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

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

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

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

**Dated : 17/04/2023.**

Heard Shri P.J.Mehta, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

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

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.766/2022 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri B.Kulkarni, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents. None for the R-4 & 5.

2. At the request of Id. P.O., **S.O. two weeks to file reply as a last chance. If reply is not file till next date, matter will be heard on merits.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.117/2023 (D.B.)

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

**Dated : 17/04/2023.**

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

2. At the request of ld. P.O., **S.O. after summer  
vacation to file reply.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.175/2023 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**  
**Dated : 17/04/2023.**

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

2. At the request of Id. P.O., **S.O. after summer  
vacation to file reply.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.192/2023 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri C.B.Dharmadhikari, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. As submitted by Id. Counsel for the applicant, applicant retired on 30.09.2012 and chargesheet was served on 25.06.2012 (A-1, P. 31). Even after more than 10 years enquiry has not been completed. **Interim relief as per para 10 (i) is granted till filing of the reply. Respondents are directed not to take any action before filing of the reply.**

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

4. **Steno copy is granted.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.222/2023 (D.B.)

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

**Dated : 17/04/2023.**

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

2. Ld. Counsel for the applicant has placed on record O.A. No. 644/2022 order dated 29.11.2022. In view of reliance placed on that order, **Respondent no. 1 is directed to decide the appeal A-3, P. 16 to 23 dated 29.12.2020 within two months from today.**

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

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**



O.A.No.233/2023 (D.B.)

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

**Dated : 17/04/2023.**

Heard Smt. K.Satpute, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the State. Await service of R-2 & 3.

2. At the request of ld. Counsel for the applicant, **S.O. after summer vacation to file service affidavit.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.259/2023 (D.B.)

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

**Dated : 17/04/2023.**

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

2. At the request of Id. P.O., **S.O. after summer vacation to file reply.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.260/2023 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri B.Kulkarni, 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. after summer vacation to file reply.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.277/2023 (D.B.)

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

**Dated : 17/04/2023.**

**C.A.No.134/2023:-**

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

**2. C.A.No.134/2023 for Jt. O.A. is allowed and disposed of.**

3. Aurangabad Bench of this Tribunal has, after considering Recruitment Rules of 2022, in O.A. No. 360/2023 passed an interim order on 1603.2023. **It is proper to grant identical interim relief of restraining the respondents from implementing the recruitment rules, 2022 for granting permanent promotion to the post of Deputy Education Officer till filing of reply by the respondents.**

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

10. **S.O. four weeks.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**



O.A.No.343/2023 (D.B.)

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

**Dated : 17/04/2023.**

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

2. Ld. Counsel for the applicant submits that applicant was recruited in 2009 and he has placed reliance on order dated 16.09.2022 in O.A. No. 807/2022.

3. Hence, Id. Counsel for the applicant is seeking interim relief that clause no. 2 of G.R. dated 18.08.2010 shall not be operative against him. It is pointed out that identical interim relief is granted by the Hon'ble High Court in W.P. No. 11884/2021 by order dated 26.10.2021. Till returnable date the G.R. dated 18.08.2010 shall not be operative against the applicant. However, the applicant cannot do private practise during the working hours.

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

10. **S.O. four weeks.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**



O.A.No.282/2023 (D.B.)

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

**Dated : 17/04/2023.**

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

2. Ld. Counsel for the applicant has pointed out order by Charity Commissioner, Mumbai, Maharashtra State dated 14.11.2022 (A-4). Ld. P.O. pointed out that applicant has preferred appeal before Government dated 26.12.2022 (A-1, P. 12 to 44).

3. **Respondent no. 1 is directed to decide the appeal within three months from the date of this order.**

4. **With the above direction, O.A. is disposed of with no order as to costs.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.113/2015 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri P.S.Sahare, Id. Counsel for the applicant, Shri H.K.Pande, Id. P.O. for the respondents and Shri S.N.Gaikwad, Id. Counsel for the R-5 to 7. None for the R-4.

2. **Closed for orders.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.755/2015 (D.B.)

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

**Dated : 17/04/2023.**

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

2. Ld. Counsel for the applicant has filed written notes of arguments. It is taken on record.

3. **Closed for orders.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.585/2000 (D.B.)

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

**Dated : 17/04/2023.**

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

2. Ld. Counsel for the applicant submits that due to certain developments, he desires to amend the application. He further submits that matter will be kept after summer vacation, in the meantime he will do the necessary amendments.

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

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.669/2016 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri B.M.Kharkate, 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. 02<sup>nd</sup> week of June, 2023 for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.579/2017 (D.B.)

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

**Dated : 17/04/2023.**

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

2. At the request of ld. P.O., **S.O. after summer  
vacation for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.526/2018 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri B.Dafle, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents. None for the R-2.

2. At the request of Id. P.O., **S.O. 28.04.2023** for final hearing.

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

**O.A.555/18withC.As.245&305/19&392/21D.B.**

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

**Dated : 17/04/2023.**

Heard Shri A.Z.Jibhkate, ld. Counsel for the applicant, Shri H.K.Pande, ld. P.O. for the respondents and Shri A.Y.Kapgate, ld. Counsel for the R-4 & 5.

2. As suggested by ld. Counsel for the applicant, applicant and Zilla Parishad will meet on 20.04.2023 and short out the grievance. It is further directed to the applicant to co-operate with the Zilla Parishad and concerned officer.

3. At the request of ld. P.O., **S.O. after summer vacation for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**



O.A.No.160/2019 (D.B.)

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

**Dated : 17/04/2023.**

None for the applicant. Shri H.K.Pande, ld.  
P.O. for the respondents. None for the R-2 to 6.

2. At the request of ld. P.O., **S.O. after summer  
vacation for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.448/2019 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri G.G.Bade, 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. 24.04.2023 for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.766/2019 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri J.S.Wankhede, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. 24.04.2023 for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

**O.A.No.851/19withO.A.Nos.296&298/21(D.B.)**

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

**Dated : 17/04/2023.**

Heard Shri G.G.Bade, 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. 24.04.2023 for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

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

**Dated : 17/04/2023.**

Heard Shri N.B.Rathod, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents. None for the R-2.

2. Ld. P.O. has suggested that matter will be pleaded by his colleague P.O., Shri M.I.Khan. Ld. Counsel for the applicant submits that even in that case matter can be heard.

3. The main issue is of question no. 1 on P. 47 Reference I.D. No. 15680. According to the Id. Counsel for the applicant as per his answer key by respondent it was "उभयलिंग" and applicant has given answer "उभयलिंग". Respondent again changed the answer key and in the changed key they had mentioned this answer as "स्त्रीलिंग", P. 61 question no. 2. As per first answer key of the respondent, respondent and applicant are on the same line but when answer key was revised then answer was changed and applicant's answer became wrong. This short point is involved in this original application.

4. In several cases Hon'ble High Court as well as Hon'ble Apex Court laid down that in academic issues the matter should be decided by the experts. In various matters, Tribunal has forwarded such issues to the expert of the concerned language, Mumbai University to decide upon the correct answer. Hence, **Registry is directed to refer this**

question along with answer to Head of Department of (Marathi), Mumbai University to submit the correct answer sheet and assist the Tribunal within two months.

5. S.O. after two months.

Member(J)  
Date:- 17/04/2023.  
aps.

Vice Chairman

O.A.No.809/2021 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri B.Kulkarni, 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. 09.06.2023 for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.111/2022 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri T.J.Patil, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. **Put up before Single Bench.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**



O.A.No.228/2022 (D.B.)

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

**Dated : 17/04/2023.**

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

2. **Closed for orders.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.370/2022 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri D.A.Mohgaonkar, 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. one week for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

**O.A.No.665/2022withC.A.No.246/2022 (D.B.)**

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

**Dated : 17/04/2023.**

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

2. **Closed for orders.**

**Member(J)**

**Date:- 17/04/2023.**

aps.

**Vice Chairman**

O.A.No.78/2021 (D.B.)

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

**Dated : 17/04/2023.**

Heard Shri S.R.Dambhare, 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. after summer vacation for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

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

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

**Dated : 17/04/2023.**

Heard Shri Y.P.Kaslikar holding for Smt. S.W.Deshpande, Id. Counsel for the applicant, Shri A.M.Khadatkar, Id. P.O. for the respondents and Shri R.Waghmare, Id. Counsel for the R-5.

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

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

O.A.No.386/2021 (D.B.)

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

**Dated : 17/04/2023.**

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

2. At the request of ld. P.O., **S.O. after summer  
vacation for final hearing.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**

**O.A.No.357/2023 (D.B.)**

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

**Dated : 17/04/2023.**

**Saurabh P. Dhandge Vs. State of Mah. & 2 Ors.**

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

2. As pointed out by ld. Counsel for the applicant advertisement is at A-1, P. 14 for the post of Police Constable (Driver) in 2021 in Commissionerate of Nagpur Police. In this advertisement in horizontal reservation there is a category of Police Child and as per vacancy shown in advertisement there is only one post in O.B.C. category and two posts in Open. As pointed out by ld. Counsel for the applicant, applicant scored in physical test which is at P. 17, Sr. No. 625 is 39 marks and then subsequently in written test at P. 22, Sr. No. 382 he has scored 83 marks. So total he has scored 122 marks.

3. Now as submitted by ld. Counsel for the applicant documents at P. 23 (A-6), P. 24 & P. 25 are final select list. However, respondents have mentioned it as provisional waiting list. As submitted by ld. Counsel for the applicant candidates at Sr. Nos. 135, 136 & 137 all three are from Police Child Category. Out of that Sr. No. 135 is taken against vacancy of O.B.C.. Now dispute arises regarding Sr. Nos. 136 & 137 which are taken against Open Category with marks as 120.

4. Ld. Counsel for the applicant's submission is that as he scored 122 marks i.e. higher than Sr. No. 136 & 137, ideally applicant should have been taken against Police Child for second vacancy with the score of 122 marks.

5. In this situation, it is necessary to grant interim relief. Hence, **Respondents are directed not to fill second post of Police Child Category (Open) as per their advertisement till filing of the reply.**

6. Ld. Counsel for the applicant is directed to file judgment of **Hon'ble Apex Court in Saurav Yadav Vs. State of Uttar Pradesh in Miscellaneous Application No. 2641 of 2019 in Special Leave Petition (Civil) no. 23223 of 2018 decided on 18.12.2020.**

7. Issue notice to Respondents, returnable on one week. Learned P.O. waives notice for R-1. Hamdast allowed.
8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
9. 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.
10. 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.
11. 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.
12. 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.
13. **S.O. one week.**
14. **Steno copy is granted.**

**Member(J)**  
**Date:- 17/04/2023.**  
aps.

**Vice Chairman**



**O.A.No.918/2021withC.A.No.136/2023 (D.B.)**  
**Coram :Shri Shree Bhagwan, Vice Chairman&**  
**Shri Justice M.G.Giratkar,Vice Chairman**  
**Dated : 17/04/2023.**

Heard Dr.N.G.Raut, applicant in person, Shri S.A.Sainis, ld. P.O. for the respondents and Shri M.Deo, ld. Counsel for the R-7 to 9. None for the R-5 & 6.

2. Applicant in person has pointed out Judgement of **Hon'ble Apex Court in the case of Sajjan Kumar Vs. Ram Kishan (2005) 13 SCC 89 : 2005 SCC Online SC 1203 and Usha Devi Vs. Rijwan Ahamd and Ors. (2008) 3 SCC 717 : (2008) 1 SCC (Civ) 922 : 2008 SCC Online SC 128.**

3. Hon'ble Apex Court has held that amendment can be made to avoid further complication. Hence, to avoid further complication amendment needs to be allowed.

4. Ld. P.O. has pointed out judgment in W.P. No. 8612/2015. Now the issue before this Tribunal is that amendment is to be allowed or not?

5. In view of the Judgment of Hon'ble Supreme Court, **C.A. No. 136/2023 for amendment is allowed.** Amendment be carried out within one week. After amendment by the applicant, respondents are at liberty to make consequential amendment.

6. **S.O. 24.04.2023.**

**(Justice M.G.Giratkar)**  
**Vice Chairman**  
**Date:- 17/04/2023.**  
aps.

**(Shree Bhagwan)**  
**Vice Chairman**

**O.A.178/2020 (S.B.)**

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

**Dated : 17/04/2023.**

**M.C.A.02/2023 & 03/2023**

Heard Shri A.M.Tirukh, holding for Ms.N.N.Singhavi, 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. after vacation for filing reply on delay application.**

**Vice Chairman**

rsm.

**O.A.St.2375/2022 (S.B.)**

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

**Dated : 17/04/2023.**

**C.A.442/2022 in C.A.443/2022**

Heard Shri A.P.Sadavarte, 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. after vacation for filing reply.**

**Vice Chairman**

rsm.

**O.A.412/2022 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri N.D.Thombre, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

2. Reply is not filed on last date specific order was passed. The O.A. is **admitted** and kept for final hearing.

3. Learned P.O. has filed letter issued by Joint Director Health Services to Principal Secretary. It is marked Exhibit-X for identification.

4. **S.O.14.06.2023.** In the meantime respondents may file reply.

**Vice Chairman**

rsm.

**O.A.527/2022 (S.B.)**

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

**Dated : 17/04/2023.**

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

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

**Vice Chairman**

rsm.

**O.A.528/2022 (S.B.)**

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

**Dated : 17/04/2023.**

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

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

**Vice Chairman**

rsm.

**O.A.698/2022 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri P.P.Khaparde, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents 1 & 2 & 5. None for the respondents 3 & 4.

2. Learned P.O. seeks time to file reply of respondents 1 and 2.

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

**Vice Chairman**

rsm.

**O.A.818/2022 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri P.D.Meghe, 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. after vacation for filing reply.**

**Vice Chairman**

rsm.



**O.A.908/2022 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri Y.P.Kaslikar, ld. counsel for the applicant, Shri H.K.Pande, ld. P.O. for the respondents 1 to 3 and M.Shaikh, ld. counsel for the respondent no.4. None for the respondent no.5.

2. At the request of ld. P.O., **S.O. 05.06.2023**  
**for filing reply as last chance.**

**Vice Chairman**

rsm.

**O.A.957/2022 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri S.Pande, Id. counsel for the applicant, Shri H.K.Pande, Id. P.O. for the respondents 1 & 3 and Shri M.L.Vairagade, Id. counsel for the respondents 2 & 4.

2. Learned P.O. seeks time to file reply of respondents 1 & 3.

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

**Vice Chairman**

rsm.

**O.A.998/2022 (S.B.)**

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

**Dated : 17/04/2023.**

**C.A.No.496/2022**

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

2. Learned counsel for the applicant has pointed out that interim relief was granted on 17.10.2022, it was continued till next date as per order dated 10.11.2022 but there is no order of continuation of the interim relief.

3. Learned counsel for the applicant has submitted that interim relief was granted after hearing.

4. Learned P.O. seeks time to file reply.

5. Interim relief is continued till filing of reply.

6. **S.O. 06.06.2023.**

**Vice Chairman**

rsm.

**O.A.1065/2022 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. Learned counsel for the applicant has pointed out that order dated 23.01.2023 is not complied.

3. Learned P.O. is requested to get instructions about the compliance of the order dated 23.01.2023.

4. **S.O. 03.05.2023.**

**Vice Chairman**

rsm.

**O.A.1141/2022 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri G.Gadge, 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. 02.05.2023**  
**for filing reply as last chance.**

**Vice Chairman**

rsm.

**O.A.1225/2022 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. As per the submission of learned counsel for the applicant, the applicant is under suspension from 08.12.2022.
3. Learned P.O. seeks time to file reply.
4. **S.O. 25.04.2023.** On that day matter will be heard finally.

**Vice Chairman**

rsm.

**O.A.07/2023 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. Learned P.O. has filed communication dated 13.04.2023. It is marked Exhibit-X for identification.

3. On last date the specific order was passed directing the P.O. to file reply positive. As per the direction of Hon'ble High Court in Writ Petition No.826/2023 matter is to be decided within eight weeks from the next date of proceeding. The O.A. is **admitted** and kept for final hearing.

4. **S.O. 26.04.2023.**

**Vice Chairman**

rsm.

**O.A.84/2023 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. Respondents are served.
3. Learned P.O. submits that he has received parawise reply and seeks time to file reply.
4. **S.O. 04.05.2023.**

**Vice Chairman**

rsm.



**O.A.90/2023 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri P.S.Tiwari, 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. 04.05.2023**  
**for filing reply.**

**Vice Chairman**

rsm.

**O.A.106/2023 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri V.Dongre, 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. after vacation for filing reply.**

**Vice Chairman**

rsm.

**O.A.153/2023 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri G.K.Bhusari, holding for Shri R.V.Shiralkar, 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. after vacation for filing reply.**

**Vice Chairman**

rsm.

**O.A.184/2023 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. At the request of Id. P.O., **S.O. after vacation for filing reply.**

**Vice Chairman**

rsm.

**O.A.224/2023 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri G.K.Bhusari, holding for Shri R.V.Shiralkar, 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. 03.05.2023**  
**for filing reply.**

**Vice Chairman**

rsm.

**O.A.226/2023 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri A.P.Sadavarte, 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. after vacation for filing reply.**

**Vice Chairman**

rsm.

**O.A.313/2023 (S.B.)**

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

**Dated : 17/04/2023.**

**C.A.No.151/2023**

Heard Shri J.S.Wankhede, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the State.

2. All applicants are retired. They are claiming proper fixation of pay by counting last ground pay.

3. Looking to ground C.A.151/2023 is allowed.

**O.A.313/2023**

2. Issue notice to the respondents, returnable **after vacation**. 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 vacation.**

**Vice Chairman**

rsm.



**O.A.320/2023 (S.B.)**

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

**Dated : 17/04/2023.**

**C.A.No.154/2023**

Heard Shri J.S.Wankhede, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the State.

2. All applicants are retired. They are claiming proper fixation of pay by counting last ground pay.
3. Looking to ground C.A.154/2023 is allowed.

**O.A.320/2023**

2. Issue notice to the respondents, returnable **after vacation**. 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 vacation.**

**Vice Chairman**

rsm.

**O.A.325/2023 (S.B.)**

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

**Dated : 17/04/2023.**

**C.A.No.156/2023**

Heard Shri N.D.Thombre, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the State.

2. As per the submission of learned counsel for the applicant, all applicants are regularly working but they are not regularised. They are prayed for regularisation of services.

3. Looking to ground C.A.156/2023 is allowed.

**O.A.325/2023**

2. Issue notice to the respondents, returnable **after vacation**. 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 vacation.**

**Vice Chairman**

rsm.

**O.A.180/2023 (S.B.)**

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

**Dated : 17/04/2023.**

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

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

**Vice Chairman**

rsm.

**O.A.293/2023 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri R.D.Dandwate, holding for Shri M.P.Khajanchi, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the State.

2. Issue notice to the respondents, returnable **after vacation**. 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 vacation.**

**Vice Chairman**

rsm.

**O.A.329/2023 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. Issue notice to the respondents, returnable **after vacation**. 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 vacation.**

**Vice Chairman**

rsm.

**O.A.735/2016 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri S.N.Gaikwad, holding for Shri M.R.Rajgure, ld. counsel for the applicant, Shri H.K.Pande, ld. P.O. for the respondents 1 & 2 and Shri V.G.Wankhede, ld. counsel for the respondent no.3.

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

**Vice Chairman**

rsm.

**O.A.718/2018 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. Learned counsel for the applicant submits that applicant is not getting pension.
3. Learned P.O. seeks time to argue the matter.
4. **S.O. after vacation.**

**Vice Chairman**

rsm.

**O.A.280/2018 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri S.N.Gaikwad, 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. 13.06.2023.**

**Vice Chairman**

rsm.

**O.A.41/2020 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri A.S.Deshpande, holding for Shri A.P.Chaware, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

**Vice Chairman**

rsm.

**O.A.234/2020 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. At the request of ld. counsel for the applicant, **S.O. 07.06.2023.**

**Vice Chairman**

rsm.

**O.A.254/2020 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. At the request of ld. counsel for the respondent no.3, **S.O. 05.06.2023.**

**Vice Chairman**

rsm.

**O.A.435/2020 (S.B.)**

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

**Dated : 17/04/2023.**

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

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

**Vice Chairman**

rsm.



**O.A.718/2020 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. Learned counsel for the applicant submits that applicant is not getting pension.
3. Learned P.O. seeks time to argue the matter.
4. **S.O. after vacation.**

**Vice Chairman**

rsm.

**O.A.39/2021 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri P.T.Joshi, 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. after vacation.**

**Vice Chairman**

rsm.

**O.A.390/2021 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. Learned counsel for the applicant has filed written notes of arguments.
3. Learned P.O. seeks time to file written notes.
4. **S.O. after vacation.**

**Vice Chairman**

rsm.

**O.A.505/2021 (S.B.)**

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

**Dated : 17/04/2023.**

Heard Shri K.J.Khanorkar, 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. after vacation.**

**Vice Chairman**

rsm.

**O.A.1161/2021 (S.B.)**

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

**Dated : 17/04/2023.**

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

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

**Vice Chairman**

rsm.

**O.A.556/2022 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. As per the proposal made on 10.11.2021 by Deputy Commissioner. As per submission of learned Advocate it not decided by Collector, Gondiya.

3. Learned P.O. is requested to get instructions as to whether the proposal dated 21.11.2021 is decided or not ?

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

**Vice Chairman**

rsm.

**O.A.707/2022 (S.B.)**

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

**Dated : 17/04/2023.**

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

2. **S.O. 12.06.2023.**

**Vice Chairman**

rsm.

**O.A.1059/2022 (S.B.)**

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

**Dated : 17/04/2023.**

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. counsel for the applicant, **S.O. after vacation.**

**Vice Chairman**

rsm.



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

**(Akshay A. Poyam Vs. State of Maharashtra & Ors. )**

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

**Dated : 17/04/2023.**

**ORDER**

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

2. The learned counsel for the applicant has pointed out the transfer order dated 06.08.2021. By this order, the applicant was transferred to Kamptee, District Nagpur on the post of Tahsildar. The applicant has not completed the normal tenure at the said place as per the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "Transfers Act,2005").
3. The learned counsel for the applicant has pointed out the order dated 12.04.2023 (A-2) and submits that Mr. Rajesh Sarvade (R/4) is posted and transferred to Kamptee, Dist. Nagpur from Deoli, Dist. Wardha in place of the applicant. The applicant is not relieved from Kamptee, Dist. Nagpur. The respondent no. 4 also not interested to get charge at Kamptee.
4. The learned counsel for the applicant has pointed out the order dated 12.04.2023 (A-1) by which the applicant is transferred from Kamptee, Dist. Nagpur to Nandurbar on the post of Tahsildar.
5. The learned Advocate has submitted that while issuing the transfer order dated 12/04/2023, the respondent authority has not followed the provisions as per Section 4(5) of Transfers Act,2005. As per the submission of learned Advocate for applicant, there is no complaint against the applicant. As per his submission the Civil Services Board has not recommended the transfer of the applicant. It appears that the procedure given in Section 4(5) of the Transfers Act,2005 is not followed. Hence, **the impugned transfer orders dated 12.04.2023 in respect of the applicant only is stayed till filing of reply.**
6. Issue notice to the respondents, returnable **on 02.05.2023**. Learned P.O. waives notice for State. Hamdast allowed.

7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
8. 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.
9. 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.
10. 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.
11. 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. 02.05.2023.**

**Vice Chairman**

rsm.