

O.A.No.418/2020 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

C.A.No.461/2023

Heard Shri P.K.Mishra, ld. counsel for the applicant, Shri H.K.Pande, ld. P.O. for the Respondents 1 & 4 and Shri T.M.Zaheer, ld. Counsel for the respondents 2 and 3.

2. This Tribunal has condoned the delay as per order dated 14.06.2022. The said order was challenged before the Hon'ble High Court in Writ Petition No.4580/2022. The Hon'ble High Court recorded it's finding that delay is wrongly condoned by this Tribunal. After the decision of the Hon'ble High Court the applicant has filed C.A. and wants to amend the condonation of delay application. On the ground that the representations were made in the year 2009 and those were not considered. The O.A. was filed in the year 2020. It is not a further developments after filing the O.A.. Therefore, amendment cannot be allowed. The applicant could have pleaded the said facts in the O.A. itself. Hence, C.A. is rejected. The parties are directed to argue on the point of limitation as per the direction of the Hon'ble High Court.

3. **S.O. 19.10.2023.**

Vice Chairman

rsm.

O.A.No.654/2020 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriN.D.Thombre, ld. counsel for the applicant and ShriA.M.Khadatkar, ld. P.O. for the Respondents.

2. The learned P.O. has filed reply of respondent no.3. It is taken on record. As per the submission of learned P.O., it is sufficient to decide the O.A.. The O.A. is **admitted** and kept for final hearing.

3. The learned P.O. waives noticesfor the respondents.

4. **26.10.2023.**

5. **Interim stay granted by this Tribunal as per order dated 20.10.2020 is continued till the next date.**

Vice Chairman

rsm.

O.A.No.186/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriS.B.Tiwari, ld. counsel for the applicant
and ShriA.M.Ghogre, ld. P.O. for the Respondents 1 to
3. None for the respondent no.4.

2. The learned P.O. seeks time to file reply.
Time is granted as last chance.

3. **S.O.18.10.2023.**

Vice Chairman

rsm.

O.A.No.382/2022 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

Heard ShriS.V.Kulkarni holding for ShriS.D.Chande, ld. counsel for the applicant and ShriA.M.Ghogle, ld. P.O. for the Respondents.

2. The learned P.O. has filed reply of respondent no.3. It is taken on record. As per his submission, it is sufficient to decide the O.A.. The O.A. is **admitted** and kept for final hearing.

3. **S.O. 20.10.2023.**

Vice Chairman

rsm.

O.A.No.529/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriA.R.Kalele holding for
ShriP.C.Marpakwar, ld. counsel for the applicant and
ShriV.A.Kulkarni, ld. P.O. for the Respondents.

2. As per the submission of learned P.O., he has
prepared reply and it will be filed on next date.

3. **S.O. 12.10.2023.**

Vice Chairman

rsm.

O.A.No.1217/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriS.K.Patil, ld. counsel for the applicant
and ShriV.A.Kulkarni, ld. P.O. for the Respondents.

2. The learned P.O. has submitted that reply is
ready but some documents are not received to file
along with reply.

3. **S.O. 11.10.2023.**

Vice Chairman

rsm.

O.A.No.1127/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

C.A.No.97/2023

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

2. The learned P.O. has filed reply of respondent no.4. It is taken on record. As per his submission, it is sufficient to decide the O.A.. The O.A. is **admitted** and kept for final hearing.

3. The learned P.O. waives notices for the respondents.

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

Vice Chairman

rsm.

O.A.No.120/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

ShriB.M.Lonare, ld. counsel for the applicant and ShriA.P.Potnis, ld. P.O. for the Respondents.

2. The learned P.O. has filed reply of respondents 1 and 2. It is taken on record. As per his submission, it is sufficient to decide the O.A.. The O.A. is **admitted** and kept for final hearing.

3. The learned P.O. waives notices for the respondents.

4. **S.O. 30.10.2023.**

Vice Chairman

rsm.

O.A.No.152/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriS.M.Khan, ld. counsel for the applicant
and ShriA.P.Potnis, ld. P.O. for the Respondents 1 and
2.None for the respondent no.3.

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

3. **S.O. 12.10.2023 for reply of respondent
no.3.**

Vice Chairman

rsm.

O.A.No.184/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

C.A.No.499/2023

ShriN.D.Thombre, ld. counsel for the applicant and ShriA.P.Potnis, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.186/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriA.Kuril, ld. counsel for the applicant,ShriA.P.Potnis, ld. P.O. for the Respondent no.1 and ShriN.M.Kolhe, ld. Counsel for the respondents 2 and 3.

2. As per the submission of learned P.O., reply of respondent no.1 is not necessary. Respondents 2 and 3 have already filed reply. The O.A. is **admitted** and kept for final hearing.

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

Vice Chairman

rsm.

O.A.No.451/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriD.M.Kakani, ld. counsel for the applicant
and ShriA.M.Ghogre, ld. P.O. for the Respondents 1
and 2.None for the respondent no.3.

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

Vice Chairman

rsm.

O.A.No.622/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriS.B.Tiwari, ld. counsel for the applicant
and ShriV.A.Kulkarni, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.818/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriS.M.Khan, ld. counsel for the applicant,ShriM.I.Khan, ld. P.O. for the Respondents 1 to 3 and Mrs.K.N.Saboo, appearing for ShriN.R.Saboo, ld. Counsel for the respondent no.4.

2. The learned counsel for the respondent no.4 has filed reply. It is taken on record. Copy is served to the other side. The O.A. is **admitted** and kept for final hearing.

3. **S.O. 12.10.2023.**

Vice Chairman

rsm.

O.A.No.892/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriS.M.Khan, ld. counsel for the applicant
and ShriM.I.Khan, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.966/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriA.Thool, ld. counsel for the applicant and
ShriM.I.Khan, ld. P.O. for the Respondents.

2. The applicant has not collected Hamdast to
serve the respondents. The applicant is directed to
serve the respondents positively.

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

Vice Chairman

rsm.

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

Heard Adv.S.Saware, ld. counsel for the applicant and ShriM.I.Khan, ld. P.O. for the State.

2. The learned counsel for the applicant submits that respondents 4 and 5 are served and she will file service affidavit in the office. Respondent no.6 is not served.

3. Issue fresh notice to Respondent no.6, returnable **after three weeks**. Learned P.O. waives notice for respondent no.6. Hamdast allowed.

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

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

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

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

Applicant is directed to file Affidavit of compliance and notice.

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

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

Vice Chairman

rsm.

O.A.No.990/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriG.H.Barange, ld. counsel for the applicant
and ShriM.I.Khan, ld. P.O. for the Respondents.

2. The applicant has not collected the Hamdast
to serve the respondents 2 to 6. The applicant is
directed to serve the respondents.

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

Vice Chairman

rsm.

O.A.No.993/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriF.R.Kashif, ld. counsel for the applicant
and ShriM.I.Khan, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. 17.10.2023**
for filing reply.

Vice Chairman

rsm.

O.A.No.1000/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Mrs. K.N.Saboo, holding for ShriN.R.Saboo, ld. counsel for the applicant and ShriM.I.Khan, ld. P.O. for the Respondents.Await service of respondents 2 and 3.

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

Vice Chairman

rsm.

O.A.No.1014/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

Heard Shri T.M.Zaheer, holding for
Shri A.S.Dhore, ld. counsel for the applicant and
Shri M.I.Khan, ld. P.O. for respondent no.1.

2. Hamdast for R-2 to 5 not collected. The
learned counsel for the applicant submits that he
will collect the Hamdast.

3. On next date if the applicant has not served
the respondent nos.2 to 5, then Interim relief
granted by this Tribunal will be vacated.

S.O. after three weeks.

Vice Chairman

rsm.

O.A.No.1035/2023 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

ShriN.B.Bargat, ld. counsel for the applicant and ShriM.I.Khan, ld. P.O. for the Respondents 2 to 4 and Adv.S.P.Agrawal, ld. Counsel for the respondent no.1.

2. The learned P.O. has filed reply of respondents 3 and 4. It is taken on record. As per the submission of learned P.O., it is sufficient to decide the O.A.. The O.A. is **admitted** and kept for final hearing.

3. The learned P.O. waives notices for the respondents.

4. **S.O. 13.10.2023.**

Vice Chairman

rsm.

R.A.No.19/2023 in O.A.No.92/2022 (S.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

Heard Shri P. Raulkar, ld. counsel for the applicant (Original respondent no.4), Shri M.I. Khan, ld. P.O. for respondent nos.2 and 3 (Org. respondent nos.1&2) and none for respondent no.1 (Original applicant).

2. Issue notice to respondent no.1 (Original applicant), 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

rsm.

O.A.No.729/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Shri S.P.Palshikar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. The learned P.O. seeks time to comply the direction given by this Tribunal on 28.07.2023. Such type of request was made on last three dates. On the next date the O.A. will be admitted, if the reply is not filed.

3. **S.O. 19.10.2023.**

Vice Chairman

rsm.

O.A.No.938/2021 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Mrs.K.N.Saboo, holding for ShriN.R.Saboo, ld.
counsel for the applicant and ShriA.P.Potnis, ld. P.O.
for the Respondents.

2. At the request of ld. P.O., **S.O. 19.10.2023.**

Vice Chairman

rsm.

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

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriR.S.Suryavanshi, ld. counsel for the applicant and ShriA.P.Potnis, ld. P.O. for the Respondents 1 to 3.None for the respondent no.4.

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

Vice Chairman

rsm.

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

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriN.S.Warulkar, ld. counsel for the applicant and ShriA.P.Potnis, ld. P.O. for the Respondents.

2. **S.O. 13.10.2023.**

Vice Chairman

rsm.

O.A.No.334/2022 with
C.A.No.352/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriS.S.Nemade, ld. counsel for the applicant
and ShriA.P.Potnis, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.619/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriS.M.Khan, ld. counsel for the applicant
and ShriA.P.Potnis, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

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

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

None for the applicant.ShriA.P.Potnis, ld. P.O.
for the Respondents.

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

Vice Chairman

rsm.

O.A.No.904/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriS.Karmarkar, ld. counsel for the applicant and ShriA.M.Khadatkar, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.998/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

HeardShriN.S.Warulkar, ld. counsel for the
applicant and ShriA.M.Ghogre, ld. P.O. for the
Respondents.

2. **S.O. 05.10.2023.**

Vice Chairman

rsm.

O.A.No.67/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriB.Kulkarni, ld. counsel for the applicant
and ShriA.M.Ghogre, ld. P.O. for the Respondents.

2. **S.O. 19.10.2023.**

Vice Chairman

rsm.

O.A.No.219/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriA.Motlog, ld. counsel for the applicant
and ShriA.P.Potnis, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.355/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriD.R.Rupnarayan, ld. counsel for the applicant and ShriA.M.Ghogre, ld. P.O. for the Respondents.

2. **S.O. 19.10.2023.**

Vice Chairman

rsm.

O.A.No.656/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Adv.H.Kaur holding for Adv.M.Chandurakar,
ld. counsel for the applicant and ShriA.P.Potnis, ld.
P.O. for the Respondents.

2. At the request of ld. counsel for the
applicant, **S.O. 18.10.2023.**

Vice Chairman

rsm.

O.A.No.737/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriD.M.Kakani, ld. counsel for the applicant and ShriA.M.Ghogre, ld. P.O. for the Respondents.

2. **S.O. 05.10.2023 (High on board).**

3. **P.H.**

Vice Chairman

rsm.

O.A.No.738/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriH.S.Chitaley, ld. counsel for the applicant and ShriA.M.Ghogre, ld. P.O. for the Respondents.

2. **S.O. 05.10.2023 (High on board).**

3. **P.H.**

Vice Chairman

rsm.

O.A.No.661/2022 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriD.H.Sharma, ld. counsel for the applicant and ShriA.M.Ghogre, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.766/2023 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Miss S.P.Agrawal, ld. counsel for the applicant, ShriA.M.Khadatkar, ld. P.O. for the Respondents 1 and 2 and ShriC.A.Babrekar, ld. counsel for the respondent no.3.

2. **S.O. 13.10.2023.**

Vice Chairman

rsm.

Rev.A.No.03/2023 in O.A.No.184/2019 (S.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard Shri N.S.Warulkar, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the Respondents 1, 2 & 4 and Shri M.Shaikh, ld. counsel for the respondent no.3.

2. As per the submission of learned counsel for the applicant, order passed by this Tribunal dated 13.03.2020 is wrong because the respondents were not directed to pay the interest from the date of 15.03.2016. Therefore, the present review application is filed with a following relief.

1. To allow the present application and direct the respondents to pay interest on each and every payment which has been received by applicant after the cut off date that is 15/3/2016 from due date i.e. date of retirement to till its actual realization.

2. Grant any other Rule which this Hon'ble Tribunal deem to fit in the fact and circumstances of the present application.

3. The Maharashtra Civil Services (Pension) Rules, 1982, Rule 129-(B) is very clear. Rule 129-(B) is reproduced below.

129(B). Interest on delayed payment of Pension:- If the payment of pension has been authorised after six months from the date when its payment became due and it is clearly established that the delay in payment was attributable to administrative lapse, interest at the rate of 10 percent per annum in respect of the period beyond six months shall be paid on the amount of pension:

4. This Tribunal has passed the order in O.A.No.184/2019. Operative part of the order is as under-

A. The O.A. is partly allowed.

B. Respondents are directed to pay interest @ 10 % on Pay & allowances, Leave Encashment and commutation amount paid to the applicant after following existing rules and regulations within six months from the date of this order.

C. With these directions, O.A. is disposed of with no order as to costs.

5. From the perusal of the order and as per the Maharashtra Civil Services (Pension) Rules, 1982, Rule 129-(B), there is no mistake or prima facie is wrong by passing the order. This Tribunal has specifically directed the respondents to pay interest at the rate of 10% as per Rule. The respondents are required to pay the interest as per Rule. Hence, prima facie order passed by this Tribunal is perfectly correct. There is no illegality in the order. Hence, Review Application is dismissed with no order as to costs.

Vice Chairman

rsm.

O.A.No.179/2018 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

C.A.No.419/2023

Heard Shri V.G.Wankhede, 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. three weeks for filing reply.**

Vice Chairman

rsm.

O.A.No.564/2018 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriV.G.Wankhede, ld. Counsel for the applicant and ShriA.M.Khadatkar, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.813/2018 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriV.G.Wankhede, ld. Counsel for the applicant and ShriA.M.Khadatkar, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.245/2021 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

C.A.No.239/2022

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. and Shri R.M.Sharma, ld. Counsel for the respondent no.3. None for the Respondents 1 and 2.

2. The applicant has filed pursis on 26.09.2023. To withdraw this O.A. with liberty to file the fresh representation before the respondent authority and the respondent authority may be directed to decide the fresh application on its own merits. The direction cannot be given by this Tribunal. Hence, the O.A. is disposed of as withdrawn. The applicant is at liberty to take necessary steps as per law available to him. The O.A. and C.A. are disposed of.

Vice Chairman

rsm.

O.A.No.345/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

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

2. Show cause notice of the departmental enquiry was challenged in this O.A.. The applicant does not want to proceed this O.A. but, he wants to file representation against the show cause notice. Hence, the O.A. is disposed of with liberty to the applicant to file representation before the appropriate authority as per law / rules. The O.A. is disposed of.

Vice Chairman

rsm.

O.A.No.771/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriM.R.Khan, ld. Counsel for the applicant and ShriV.A.Kulkarni, ld. P.O. for the Respondents.

2. At the request of ld. P.O., **S.O. one week for filing reply.**

Vice Chairman

rsm.

O.A.No.1100/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriG.G.Bade, ld. Counsel for the applicant and ShriA.M.Khadatkar, ld. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.190/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriA.P.Tathod, ld. Counsel for the applicant and ShriA.M.Ghogre, ld. P.O. for the Respondents.

2. As per the submission of learned counsel for the applicant, some respondents are served and some are not served.

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

Vice Chairman

rsm.

O.A.No.266/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriY.Bhangale, Id. Counsel for the applicant and ShriA.P.Potnis, Id. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.650/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriA.Sambre, Id. Counsel for the applicant and ShriA.M.Ghogre, Id. P.O. for the Respondents.

2. The learned P.O. has filed reply of respondents 1 to 5. It is taken on record. The O.A. is **admitted** and kept for final hearing.

3. The learned P.O. waives notices for the respondents.

4. **S.O. 20.10.2023.**

Vice Chairman

rsm.

O.A.No.915/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriN.B.Rathod, Id. Counsel for the applicant
and ShriM.I.Khan, Id. P.O. for the Respondents.

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

Vice Chairman

rsm.

O.A.No.971/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

ShriS.V.Kulkarni, ld. Counsel for the applicant and ShriM.I.Khan, ld. P.O. for the Respondents.

2. As per the submission of learned counsel for the applicant, respondents are served and service affidavit is filed in the office.

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

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

Vice Chairman

rsm.

O.A.No.1001/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriR.S.Wasekar, ld. Counsel for the applicant and ShriM.I.Khan, ld. P.O. for the Respondents. Await service of respondent no.4.

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

Vice Chairman

rsm.

O.A.No.1004/2023 (D.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

Heard Shri R.M.Fating, Id. Counsel for the applicant, Shri S.A.Deo, Id. C.P.O. for the Respondents 1 to 3 and Shri A.Joshi, appearing for Shri S.N.Gaikwad, Id. Counsel for the respondent no.4.

2. The learned counsel for the applicant has submitted that as per order of this Tribunal dated 05.09.2023, respondents have not decided the representation of the applicant, but the respondents have promoted juniors of the applicant as per order dated 27.09.2023. He has filed copy of order. It is marked Exhibit- X for the purpose of identification.

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

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

Vice Chairman

rsm.

O.A.No.1051/2023 (D.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

C.A.No.484/2023

Heard ShriR.V.Shiralkar, ld. Counsel for the applicant and ShriS.A.Deo, ld. C.P.O. for the State.

2. All applicants are claiming common relief. Hence, C.A. for Jt. O.A. is allowed and disposed of.

O.A.No.1051/2023

2. Issue notice to Respondents, returnable **after two weeks**. Learned C.P.O. waives notice for State. Hamdast allowed.

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

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

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

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

Applicant is directed to file Affidavit of compliance and notice.

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

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

Vice Chairman

rsm.

O.A.No.221/2023 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard ShriY.Y.Humne, ld. Counsel for the applicant and ShriA.M.Ghogre, ld. P.O. for the Respondents.

2. The learned P.O. has filed reply of respondent no.3. It is taken on record. As per his submission, it is sufficient to decide the O.A.. The O.A. is **admitted** and kept for final hearing.

3. The learned P.O. waives notices for the respondents.

4. **S.O.26.10.2023.**

Vice Chairman

rsm.

C.P.No.81/2023 in
O.A.No.631/2019 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Heard Shri R.M.Fating, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the State.

2. **S.O. after four weeks for filing reply.**

Vice Chairman

rsm.

C.P.No.74/2023 in
O.A.No.687/2017 (D.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

Heard Shri D.M.Surjuse, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the Respondents.

2. The learned P.O. has filed communication dated 03.10.2023. As per this communication, the respondents wanted to challenge the order before the High Court. It appears that respondents are avoiding to comply the order in view of letter dated 28.08.2023 issued to learned counsel for the applicant by Deputy Executive Engineer.

3. The learned P.O. is directed to get instructions.

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

Vice Chairman

rsm.

C.P.No.31/2023

in

O.A.No.134/2018

(D.B.)

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

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

2. As per the submission of learned P.O., the proposal for revised pension of the applicant is forwarded.

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

Vice Chairman

rsm.

Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.

Heard ShriN.J.Gaikwad, Id. Counsel for the applicant and ShriS.A.Deo, Id. C.P.O. for the State.

2. Issue notice to Respondent no.1, returnable **after three weeks**. Learned C.P.O. waives notice for respondent no.1. Hamdast allowed.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original

Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

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

Vice Chairman

rsm.

O.A.No.655/2020 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Shri D.J.Charlewar, Id. Counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the Respondents 1 and 2. None for the respondents 3 & 4 and respondents 8 to 15.

2. **S.O. 26.10.2023.**

Vice Chairman

rsm.

O.A.No.242/2022 (D.B.)

**Coram:Shri Justice M.G.Giratkar,Vice Chairman
Dated : 04/10/2023.**

Shri P.K.Raulkar, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. **S.O. 19.10.2023.**

Vice Chairman

rsm.

O.A.No.66/2019 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.**

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

2. Copy of communication dated 15.09.2023 is placed on record by ld. P.O.. Ample time was given to file reply. However, reply is not filed. The matter arises out of departmental enquiry against the applicant. It is the statement of ld. P.O. that considering nature of the grievance of the applicant it would be necessary to file reply of the respondents.

3. Respondent no. 1 shall depute responsible officer and said officer shall remain present and explain why so far reply is not filed though sufficient chances to do so have been given.

4. S.O. 17.10.2023.

5. Steno copy is granted.

Date:- 04/10/2023.
aps.

Member (J)

O.A.No.248/2020 (S.B.)

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

Dated : 04/10/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the State. Await service of R-2 to 4.

2. Ld. counsel for the applicant states that respondents are served and he seeks time of one week to file service affidavit.

3. **S.O. one week.**

Date:- 04/10/2023.

aps.

Member (J)

O.A.No.1211/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

Heard Shri R.M.Fating, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondent no. 1 and Shri H.D.Marathe, ld. counsel for the Respondents 2 & 3.

2. It is submitted by ld. counsel for the respondents 2 & 3 that reply of these respondents is already filed.

3. Ld. P.O. states that reply of respondent no. 1 is not necessary.

4. Thus, pleadings are complete.

5. Matter is **admitted**.

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

7. **S.O. 01st week of November, 2023.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.87/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.**

Heard Shri P.P.Khaparde, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the Respondents.

2. On oral request of Id. P.O., **S.O. four weeks to file reply.**

Date:- 04/10/2023.
aps.

Member (J)

O.A.Nos.286,287&288/2023 (S.B.)

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

Dated : 04/10/2023.

Heard Shri R.M.Fating, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents 1 & 2. None for the R-3.

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

Date:- 04/10/2023.
aps.

Member (J)

O.A.No.395/2023 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

3. **Interim relief to continue till filing of reply.**

Member (J)

Date:- 04/10/2023.

aps.

O.A.No.401/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

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

2. The ld. P.O. has filed reply on behalf of the respondents 1 & 2. 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. 01st November, 2023.**

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

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.429/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

Heard Shri D.A.Mohgaonkar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply as a last chance.**

Date:- 04/10/2023.
aps.

Member (J)

O.A.No.561/2023 (S.B.)

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

Dated : 04/10/2023.

Heard Shri D.T.Shinde, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the Respondents.

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

Date:- 04/10/2023.
aps.

Member (J)

O.A.No.579/2023 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of Id. P.O., **S.O. two weeks to file reply.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.640/2023 (S.B.)

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

Dated : 04/10/2023.

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

2. Ld. P.O. shall make a statement as to whether representation made by the applicant is decided.

3. On oral request of ld. P.O., **S.O. one week.**

4. **Steno copy is granted.**

Member (J)

Date:- 04/10/2023.

aps.

O.A.No.750/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

None for the applicant. Shri S.A.Deo, ld. C.P.O.
for the State. Await service of R-2 to 4.

2. **S.O. four weeks for steps.**

Date:- 04/10/2023.
aps.

Member (J)

O.A.No.856/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

None for the applicant. Shri S.A.Deo, ld. C.P.O.
for the State. Await service of R-2 to 4.

2. **S.O. four weeks for steps.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.872/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

Heard Shri A.Motlag, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the Respondents.

2. On oral request of Id. P.O., **S.O. 13.10.2023 to file reply.**

Date:- 04/10/2023.
aps.

Member (J)

O.A.No.877/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

None for the applicant. Shri S.A.Deo, ld. C.P.O.
for the State. Await service of R-2 to 6.

2. **S.O. four weeks for steps.**

Date:- 04/10/2023.
aps.

Member (J)

O.A.No.886/2023 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.Nos.950,951,952&953/2023 (S.B.)

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

Dated : 04/10/2023.

Heard Shri N.Y.Thengre, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents 1 to 3 and Shri D.M.Kakani, ld. counsel for the R-4. None for the other respondents. Await service of R-8 in O.A. No. 951/2023.

2. The ld. P.O. has filed reply on behalf of the respondents 2 & 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

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

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

5. Ld. counsel for the applicant states that he intends to file application for amendment.

6. Ld. counsel for the respondent no. 4 submits that after consideration of application for amendment by the Tribunal he will file reply.

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

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

Member (J)

Date:- 04/10/2023.

aps.

O.A.No.978/2023 (S.B.)

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

Dated : 04/10/2023.

Heard Shri S.S.Sohoni, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. four weeks to file reply.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.1021/2023 (S.B.)

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

Dated : 04/10/2023.

Heard Shri Y.N.Thengre, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

Member (J)

Date:- 04/10/2023.
aps.

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

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

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

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

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

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

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original

Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

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

Date:- 04/10/2023.
aps.

Member (J)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

Heard Shri N.Lade, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the State.

2. Issue notice to Respondents, returnable on four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original

Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

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

9. **Point of limitation is kept open.**

Date:- 04/10/2023.
aps.

Member (J)

O.A.Nos.1152&1153/2021&86/2022 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of ld. P.O., **S.O. 16.10.2023 for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

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

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

Dated : 04/10/2023.

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

2. On oral request of ld. counsel for the applicant, **S.O. two weeks for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.25/2017 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of Id. P.O., **S.O. four weeks
for final hearing.**

Member (J)

Date:- 04/10/2023.

aps.

O.A.No.26/2017 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of Id. P.O., **S.O. four weeks
for final hearing.**

Member (J)

Date:- 04/10/2023.

aps.

O.A.No.80/2017 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of ld. P.O., **S.O. two weeks
for final hearing.**

Member (J)

Date:- 04/10/2023.

aps.

O.A.No.94/2017 (S.B.)

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

Dated : 04/10/2023.

Heard Shri S.C.Deshmukh, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents 1 & 2. None for the R-3.

2. On oral request of ld. counsel for the applicant, **S.O. four weeks for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.96/2017 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

Heard Shri N.R.Saboo, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents 1 & 2 and Shri H.D.Marathe holding for Shri A.M.Kukday, ld. counsel for the R-3 & 4.

2. Ld. counsel for the applicant submits that he will supply copy of judgment of the Principal Bench which covers the issue involved in the matter. Ld. counsel for the respondents 3 & 4 seeks time of two weeks to go through the judgment and make submissions.

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

Date:- 04/10/2023.
aps.

Member (J)

O.A.No.206/2018 (S.B.)

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

Dated : 04/10/2023.

Heard Shri S.N.Gaikwad holding for Shri J.S.Wankhede, ld. counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the Respondents 1 & 3 and Shri H.D.Marathe, ld. counsel for the R-2.

2. It is submitted that the issue raised in this O.A. is pending before D.B. of this Tribunal at Aurangabad Bench, **S.O. three weeks.**

Member (J)

Date:- 04/10/2023.

aps.

O.A.No.226/2019withC.A.No.543/2022 (S.B.)

Smt.S.V.Naitam Vs. State of Mah. & 4 Ors.

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

Dated : 04/10/2023.

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

2. Communication dated 16.05.2019 (A-R) *inter alia* states:-

3. शासन अधिसूचना, वित्त विभाग, दि. ११ जून २०१५ नुसार उपरोक्त नियमात सुधारणा करून पुर्नविवाह केलेल्या विधवांना कुटूंब निवृत्तीवेतनाचा लाभ अनुज्ञेय असून, शासन निर्णय वित्त विभाग, क्र. सेनिवे-२०१४/प्र.क्र. १०६ / सेवा-४, दि. ०७/०२/२०१८ अन्वये नियमांची अंमलबजावणी बाबतची कार्यपध्दती विहित केली आहे. ज्या कुटूंब निवृत्तीवेतन धारक विधवांनी अधिसूचनेच्या दिनांकापूर्वी पुर्नविवाह केल्यामुळे त्यांचे कुटूंबनिवृत्तीवेतन बंद करण्यात आले आहे, अशा विधवांना सदर अधिसूचनेच्या दिनांकापासून पुनः कुटूंबनिवृत्तीवेतन अनुज्ञेय राहिल, अशी शासन निर्णयामध्ये तरतूद आहे. परंतु, विशेष कुटूंब निवृत्तीवेतन देण्यात यावे किंवा पूर्ण वेतन देण्यात यावे याबाबत नमूद केलेले नाही.

4. तरी शासनास विनंती करण्यात येते की श्रीमती नैताम यांना कुटूंबनिवृत्तीवेतना ऐवजी पुर्ण वेतनाचा लाभ द्यावे, याबाबत शासनाचे आदेश सत्वर निर्गमित करावेत.

3. Order dated 29.03.2023 states:-

2. By order dated 27.01.2023 following directions were issued-

3. Perusal of said communication dated 16.05.2019 shows that its copy was forwarded to respondent no.3. Respondent no. 3 shall obtain a copy of communication dated 16.05.2019 and forward it to respondent no. 1 immediately. Respondent no. 1 shall take a decision on the communication dated 16.05.2019 within one month from the date of receipt thereof.

3. It is submitted by the P.O. that as per order dated 27.01.2023 respondent no. 3 has forwarded the proposal to respondent no. 1 on 02.02.2023.

4. On behalf of the applicant it is submitted that the applicant has also forwarded copy of the proposal independently to respondent no. 1 on 28.01.2023.

5. It is submitted that in spite of aforesaid steps taken by the applicant as well as respondent no. 3 no decision has been taken as yet on communication dated 16.05.2019. Respondent no. 1 is directed to take a decision on the communication dated 16.05.2019 before 24.04.2023.

4. Thereafter, in order dated 26.04.2023 it was stated that opinion of Finance Department was sought. By order dated 30.06.2023, ld. P.O. was directed to take instructions and make a statement about further progress.

5. Thereafter, on 06.07.2023 following order was passed:-

4. The O.A. be kept on 10/8/2023. On that date, responsible Officer from the establishment of respondent no.1 shall remain present in person to show the reasons for delay. If before the returnable date orders are passed on the proposal, ld. P.O. shall intimate this Tribunal.

6. In spite of order dated 06.07.2023 no-one from the establishment of respondent no. 1 remained present.

7. Thereafter, on five dates the matter was adjourned.

8. More than four years have passed since guidance was sought from respondent no. 1 by communication dated 16.05.2019. Matter be kept on 16.10.2023. On this date respondent no. 1 shall depute any responsible officer to remain present in person and make a statement about present status of the matter.

9. **S.O. 16.10.2023.**

10. **Steno copy is granted.**

Date:- 04/10/2023.
aps.

Member (J)

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

Coram:Shri M.A.Lovekar, Member (J)
Dated : 04/10/2023.

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

2. **Closed for orders.**

Date:- 04/10/2023.
aps.

Member (J)

O.A.Nos.440,441,442&443/2020 (S.B.)

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

Dated : 04/10/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents 1 to 4 and Shri G.G.Bade, ld. counsel for the R-5.

2. On oral request of ld. counsel for the applicant, **S.O. two weeks for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

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

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

Dated : 04/10/2023.

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

2. On oral request of ld. counsel for the applicant, **S.O. two weeks for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.569/2021 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of ld. counsel for the applicant, **S.O. one week for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.558/2022 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of ld. counsel for the applicant, **S.O. one week for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.615/2022 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of Id. P.O., **S.O. four weeks
for final hearing.**

Member (J)

Date:- 04/10/2023.

aps.

O.A.No.870/2022 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of ld. P.O., **S.O. three weeks for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.1170/2022 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of ld. P.O., **S.O. one week for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.129/2023 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of Id. P.O., **S.O. four weeks
for final hearing.**

Member (J)

Date:- 04/10/2023.

aps.

O.A.No.234/2023 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of ld. P.O., **S.O. 16.10.2023 for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.240/2023 (S.B.)

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

Dated : 04/10/2023.

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

2. On oral request of ld. P.O., **S.O. three weeks for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.

O.A.No.503/2023 (S.B.)

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

Dated : 04/10/2023.

Heard Shri N.R.Saboo, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents 1 & 2 and Ms.Dhatrak, ld. counsel for the R-3.

2. On oral request of ld. counsel for the applicant, **S.O. two weeks for final hearing.**

Member (J)

Date:- 04/10/2023.
aps.