

**O.A. No.713/2019 (S.B.)**

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

**Dated : 18/07/2023.**

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

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

**Vice Chairman**

dnk.

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

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

**Dated : 18/07/2023.**

None for applicant. Shri A.M. Khadatkar,  
Id. P.O. for R-1, Shri H.D. Marathe, Id. Counsel  
for R-2 and none for other respondents.

At the request of learned counsel for R-2,  
**S.O. two weeks.**

**Vice Chairman**

dnk.

**O.As. 1043 & 1044 of 2019 (S.B.)**

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

**Dated : 18/07/2023.**

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

2. As per the submission of learned counsel for applicants and learned P.O., in both the O.As., the suspension of applicants is revoked therefore the O.As. become infructuous.

3. In view of above, the O.As. are disposed of as infructuous. No order as to costs.

**Vice Chairman**

dnk.

O.A. No.97/2022 (S.B.)

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

**Dated : 18/07/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.933/2022 (S.B.)**

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

**Dated : 18/07/2023.**

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of learned counsel for the applicant, **S.O. 26/07/2023.**

**Vice Chairman**

dnk.

O.A. No.244/2020 (S.B.)

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

**Dated : 18/07/2023.**

Shri S.R. Dambhare, Id. Counsel for applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 3 & 5 and none for R-4.

2. The learned counsel for applicant submits that he will carry out the amendment as per order dated 17/3/2023 within two weeks.

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

**Vice Chairman**

dnk.

O.A. No.96/2021 (S.B.)

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

**Dated : 18/07/2023.**

Shri A.R. Kalele, Id. Counsel holding for  
Shri R.P. Masurkar, Id. counsel for the applicant  
and Shri S.A. Sainis, Id. P.O. for the  
respondents.

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

**Vice Chairman**

dnk.

O.A. No.06/2022 (S.B.)

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

**Dated : 18/07/2023.**

None for applicant. Shri A.M. Khadatkar,  
Id. P.O. for R-1 to 4 and Shri S.A. Sahu, Id.  
Counsel for R-5. None for other respondent.

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

**Vice Chairman**

dnk.



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

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

**Dated : 18/07/2023.**

Shri Sachin Khandekar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned P.O. submitted that he has received parawise reply and he will file reply on the next date.
3. At the request of Id .P.O., **S.O. after two weeks** for filing reply.

**Vice Chairman**

dnk.

O.A. No.133/2023 (S.B.)

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

**Dated : 18/07/2023.**

Shri P.S. Kshirsagar, learned counsel for applicant and Shri S.A. Sainis, learned P.O. for R-1. Await service of R-2 to 4.

The learned counsel for applicant submitted that the respondents are served.

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

**Vice Chairman**

dnk.

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

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

**Dated : 18/07/2023.**

Shri A. Kuril, Id. Counsel for applicant,  
Shri S.A. Sainis, Id. P.O. for R-1 and N.M.  
Kolhe, Id. Counsel for R-2&3.

At the request of Id. P.O. and learned  
counsel for R-2&3, **S.O. three weeks** for filing  
reply.

**Vice Chairman**

dnk.

O.A. No.302/2023 (S.B.)

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

**Dated : 18/07/2023.**

Shri Barhate, Id. Counsel holding for Shri N.R. Saboo, learned counsel for applicant and Shri S.A. Sainis, learned P.O. for R-1. None for R-3. Await service of R-2.

The learned counsel for applicant submitted that the respondent no.2 is served.

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

**Vice Chairman**

dnk.

**O.A. No.320/2023 (S.B.)**

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

**Dated : 18/07/2023.**

Shri J.S. Wankhede, learned counsel for applicants and Shri S.A. Sainis, learned P.O. for respondents.

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

**Vice Chairman**

dnk.

**O.A. No.346/2023 (S.B.)**

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

**Dated : 18/07/2023.**

Heard Shri N.N. Thembre, learned counsel for applicants and Shri A.M. Khadatkar, learned P.O. for respondents.

2. The learned P.O. files reply of R-2 to 5. It is taken on record.

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

**S.O. 3/8/2023.**

**Vice Chairman**

dnk.

**O.A. No.452/2023 (S.B.)**

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

**Dated : 18/07/2023.**

Heard Shri S.S. Dhengale, learned counsel for applicants and Shri H.K. Pande, learned P.O. for R-1 to 3. None for R-4.

2. The learned P.O. files reply of R-1 and 2. It is taken on record.

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

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

**Vice Chairman**

dnk.

O.A. No.467/2023 (S.B.)

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

**Dated : 18/07/2023.**

Shri A.S. Dhore, learned counsel for applicants and Shri H.K. Pande, learned P.O. for R-1. Await service of R-2 and 3.

The learned counsel for applicant submitted that the respondents are served.

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

**Vice Chairman**

dnk.



O.A. No.488/2023 (S.B.)

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

**Dated : 18/07/2023.**

Shri Barhate, Id. Counsel for applicant and Shri H.K. Pande, Id .P.O. for R-1. Await service of R-2 to 4.

At the request of Id. Counsel for applicant, **S.O. three weeks** for filing service affidavit.

Put up along with other connected matters.

**Vice Chairman**

dnk.

**O.As. 489,490 and 496 of 2023 (S.B.)**

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

**Dated : 18/07/2023.**

Shri A.P. Barahate, Id. Counsel for applicants and Shri H.K. Pande, Id. P.O. for R-1 to 3 (in O.A.489 of 2023) and for R-1 to 4 (in O.As. 490 & 496 of 2023). None for other respondents.

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

Put up along with similar matter.

**Vice Chairman**

dnk.

**O.A. No.760/2023 (S.B.)**

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

**Dated : 18/07/2023.**

**C.A. 327/2023 -**

Heard Shri V.R. Borkar, learned counsel for applicants and Shri S.A. Deo, Id. CPO for State.

2. All applicants are seeking benefit of G.R. dated 6/8/2002. Hence, C.A.No.327/2023 is allowed and disposed of.

**O.A. No.760/2023 -**

Heard Shri V.R. Borkar, learned counsel for applicants and Shri S.A. Deo, Id. CPO for State.

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

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

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

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

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

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

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

**Vice Chairman**

dnk.

O.A. No.524/2023 (S.B.)

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

**Dated : 18/07/2023.**

Smt. Saboo, learned counsel for applicants and Shri S.A. Deo, learned C.P.O. for respondents.

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

**Vice Chairman**

dnk.

O.A. No.168/2023 (S.B.)

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

**Dated : 18/07/2023.**

Shri S.G. Karmarkar, learned counsel for applicant and Shri S.A. Deo, Id. CPO for respondents. Await service of R-4.

2. As per the submission of learned counsel for applicant, the respondent no.4 is served.
3. At the request of Id. CPO, **S.O. three weeks** for filing reply.

**Vice Chairman**

dnk.

**O.A. No.743/2023 (S.B.)**

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

**Dated : 18/07/2023.**

Heard Shri D.M. Mudgale, Id. Counsel for applicant and Shri S.A. Deo, Id. CPO for State.

2. As per submission of learned CPO, husband of applicant was removed from service in the year 1987. His appeal was dismissed by the Collector in the year 1989. The applicant's husband died in the year 2014. Therefore, present O.A. is barred by limitation.

3. The applicant is directed to satisfy this Tribunal as to how this O.A. is within limitation.

4. At the request of learned counsel for applicant, **S.O. after two weeks.**

**Vice Chairman**

dnk.

**O.A. No.757/2023 (S.B.)**

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

**Dated : 18/07/2023.**

Heard Shri A. Motlag, learned counsel for applicants and Shri S.A. Deo, Id. CPO for State.

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

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

**Vice Chairman**

dnk.

**O.A. No.450/2014 (S.B.)**

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

**Dated : 18/07/2023.**

Heard Shri A.Z. Jibhkate, Id. Counsel for applicant, Shri A.M. Ghogre, Id. P.O. for R-1 to 3 and Shri Makkad, Id. Counsel holding for Shri Bhangade, Id. Counsel for R-4.

2. Specific order was passed on 1/4/2022. Again on 21/4/2023 directing the respondents to comply the order dated 1/4/2022, but till date nothing is on record to show the compliance.

3. The learned P.O. and learned counsel for R-4 submit that they will file affidavit in this regard.

**S.O. 2/8/2023.**

Steno copy is granted...

**Vice Chairman**

dnk.

**O.A. Nos.637 and 638 of 2016 (S.B.)**

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

**Dated : 18/07/2023.**

Shri G.N. Khanzode, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

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

**Vice Chairman**

dnk.

**O.As. 321,322 & 323 of 2019 (S.B.)**

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

**Dated : 18/07/2023.**

Shri A.D. Girdekar, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of learned counsel for the applicants, **S.O. next week (PH).**

**Vice Chairman**

dnk.

O.A. No.791/2020 (S.B.)

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

**Dated : 18/07/2023.**

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

At the request of learned P.O., **S.O. next week.**

**Vice Chairman**

dnk.

**O.A. No.778/2023 (D.B.)**

**(S.L. Bhosale Vs. State of Mah. & Ors. )**

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

**Dated : 18/07/2023.**

**ORDER**

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

2. The applicant came to be retired on 31/10/2022. On 13/06/2023 one charge sheet was issued against the applicant alleging the misconduct during the year 2014 to 2016.

3. The learned counsel for applicant has submitted that those incidents are not within four years prior to the date of retirement of the applicant. No any permission was obtained from the Government to issue the charge sheet. Hence, as per the Rule 27 of the Maharashtra Civil Services (Pension) Rules,1982 the inquiry initiated by the respondents is liable to be stayed. In support of his submission pointed out the decision of the Hon'ble Bombay High Court, Bench at Nagpur in Writ Petition No.1362/2023. He has pointed out the Judgment of Hon'ble Supreme Court in the case of ***Suchismita Misra Vs. High Court of Orissa & Ors.***, in W.P. (Civil) No.1042/2021, decided on 17/05/2023.

4. The learned counsel for applicant has pointed out the decision of M.A.T., Bench at Aurangabad Bench in O.A. No. 338/2021. He has also pointed out the decision of this Tribunal in O.A.No.638/2017 and the recent Judgment in O.A.No.318/2022.

5. In all above cited decisions, it is held that the inquiry if started after the retirement in respect of the incident four years prior to the date of retirement, then necessary permission should have been obtained from the Government. Secondly, such inquiry is not legal and proper, because, it is in respect of incident which took place four years prior to the retirement of the applicant. The Hon'ble Bombay High Court, Bench at Nagpur has granted stay in the similar circumstances. The Hon'ble Supreme Court has also held that initiating of the departmental inquiry after the retirement in respect of incident prior to four years of the retirement is not legal and proper. Same view is taken by the M.A.T., Bench at Auragabad and this Tribunal also.

6. From the perusal of the charge sheet issued against the applicant, it appears that the incidents are in respect of from the year 2014 to 2016. The applicant is retired on 31/10/2022.

Therefore, it is clear that those incidents are more than four years prior to the retirement of the applicant.

7. In view of the cited decisions, such inquiry cannot be initiated. **Hence, stay is granted to the departmental inquiry as per the order dated 13/06/2023.**

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

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

10. 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.

11. 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.

12. 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.

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

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

Steno copy is granted...

Put up along with O.A. 779/2023.

**Vice Chairman**

dnk.

**O.A. No.779/2019 (D.B.)**

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

**Dated : 18/07/2023.**

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

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

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

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

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

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



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

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

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

Put up along with O.A.778/2023.

**Vice Chairman**

dnk.

(D.B.)

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

**Dated : 18/07/2023.**

**C.A. 514/2022 and C.A. 409/2022 in O.A.  
880/2022-**

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of learned P.O., **S.O. after two weeks** for filing reply on C.A.514/2022.

**Vice Chairman**

dnk.

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

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

**Dated : 18/07/2023.**

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

**Vice Chairman**

dnk.

**O.A. No.365/2023 (D.B.)**

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

**Dated : 18/07/2023.**

Shri N.R. Saboo, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2 to 5.

At the request of learned counsel for applicant, **S.O. one week** for filing service affidavit.

**Vice Chairman**

dnk.

**O.A. No.402/2023 (D.B.)**

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

**Dated : 18/07/2023.**

**C.A. 308/2023 -**

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

2. As per the submission of learned counsel for applicant service record of applicant is necessary to decide the O.A.

3. The learned P.O. submits that he will file the necessary documents along with reply.

4. The C.A. is disposed of with direction to the respondents to file reply positively on the next date along with copies of service record of the applicants as prayed in this C.A.

**O.A. No.402/2023 –**

**S.O. three weeks for filing reply.**

**Vice Chairman**

dnk.

**O.A. No.478/2023 (D.B.)**

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

**Dated : 18/07/2023.**

Shri G.G. Bade, Id. Counsel for applicant  
and Shri A.M. Ghogre, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

**O.A. No.450/2023 (D.B.)**

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

**Dated : 18/07/2023.**

Shri D.M. Kakani, Id. Counsel for applicant and Shri A.M. Ghogre, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

**C.A. 113/23 in O.A. No.507/22 (D.B.)**

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

**Dated : 18/07/2023.**

Shri D.M. Surjuse, Id. Counsel holding  
for Shri S.U. Nemade, Id. Counsel for applicant  
and Shri S.A. Sainis, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.



**C.P. 45/23 in O.A. No.221/19 (D.B.)**

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

**Dated : 18/07/2023.**

Shri Bharat Kulkarni, Id. Counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

(D.B.)

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

**Dated : 18/07/2023.**

**C.A. 346/2023 in C.P. 19/23 in O.A.457/17**

**C.A. 347/2023 in C.P. 20/23 in O.A.273/17**

**C.A.345/23 in C.P. 21/23 in O.A.458/17**

Heard V.R. Borkar, learned counsel for the applicants and Shri V.A. Kulkarni, learned P.O. for the State.

2. Looking to the grounds, the C.As. for addition of parties are allowed and disposed of. The names of proposed respondents be added as prayed in the C.As. Necessary amendment be carried out within three weeks.

**C.P. 19/23 in O.A.457/17**

**C.P. 20/23 in O.A.273/17**

**C.P. 21/23 in O.A.458/17**

Heard V.R. Borkar, learned counsel for the applicants and Shri V.A. Kulkarni, learned P.O. for the State.

2. After necessary amendment, issue Notice to the newly added respondents returnable **after three weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as

to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. The learned P.O. waives notice for State. Hamdast granted.

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

**Vice Chairman**

dnk.

**O.A. No.535/2023 (D.B.)**

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

**Dated : 18/07/2023.**

Heard R. Nitnaware, Id. Counsel for applicant and Shri S.A. Deo, Id. CPO for State.

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

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

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

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

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

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

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

**Vice Chairman**

dnk.

**C.P. 18/23 in O.A. No.676/19 (D.B.)**

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

**Dated : 18/07/2023.**

Shri Bharat Kulkarni, Id. Counsel for applicant and Shri A.P. Potnis, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

**C.P. 58/23 in O.A. No.496/19 (D.B.)**

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

**Dated : 18/07/2023.**

Heard Smt. K.N. Saboo, Id. Counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for State.

2. Issue Notice to the respondents returnable **after four weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. The learned P.O. waives notice for State. Hamdast granted.

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

**Vice Chairman**

dnk.

**C.P. 59/23 in O.A. No.497/19 (D.B.)**

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

**Dated : 18/07/2023.**

Heard Smt. K.N. Saboo, Id. Counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for State.

2. Issue Notice to the respondents returnable **after four weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. The learned P.O. waives notice for State. Hamdast granted.

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

**Vice Chairman**

dnk.



**O.A. No.1121/2021 (D.B.)**

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

**Dated : 18/07/2023.**

Heard Shri S.M. Khan, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for R-1 to 4. None for other respondents.

2. The learned counsel for applicant has pointed out the order dated 31/1/2023. As per this order, this O.A. was finally heard and matter was closed for order, but the Judgment was not delivered by then Division Bench.

3. The learned counsel for applicant submits that he is ready to argue the matter again.

4. As per the Circular issued by the Hon'ble Chairperson, M.A.T., Principal Bench, Mumbai in absence of regular Division Bench, final hearing matter cannot be disposed of unless both the parties consented for argument.

5. The Id. P.O. is requested to get instructions (for consent) to argue this matter finally.

**S.O. 2/8/2023.**

**Vice Chairman**

dnk.

(D.B.)

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

**Dated : 18/07/2023.**

**O.A. 545/22 with C.A. 216/22, O.A.554/22 with  
C.A.215/22, O.A.568/22 & 670/22**

Shri A.B. Moon, Id. Counsel for applicants and Shri A.M. Ghogre, Id. P.O. for R-1 to 3 and Shri Makkad, Id. Counsel holding for Shri Bhangde, Id. Counsel for R-4 (in O.As.545/22,554/22 & 568/22).

Shri A.B. Moon, Id. Counsel for applicant and Shri A.M. Ghogre, Id. P.O. for respondents (in O.A.670/22).

**S.O. 3/8/2023.**

**Vice Chairman**

dnk.

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

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

**Dated : 18/07/2023.**

Shri A.B. Moon, Id. Counsel for applicant  
and Shri A.M. Ghogre, Id. P.O. for respondents.

**03/08/2023.**

**Vice Chairman**

dnk.

**O.A. No.1087/2022 (D.B.)**

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

**Dated : 18/07/2023.**

Shri K.N. Saboo, Id. Counsel holding for  
Shri N.R. Saboo, Id. Counsel for applicant and  
Shri A.M.Khadatkar, Id. P.O. for R-1&2. None for  
R-3.

At the request of Id. Counsel for  
applicant, **S.O. 31/7/2023.**

**Vice Chairman**

dnk.

O.A. No.1120/2022 (D.B.)

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

**Dated : 18/07/2023.**

Shri Vishal Anand, Id. Counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

**O.A. No.1202/2022 (D.B.)**

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

**Dated : 18/07/2023.**

Ms. Yoshita Paliwal, Id. Counsel holding  
for Shri V.K. Paliwal, Id. Counsel for applicant  
and Shri A.M. Khadatkar, Id. P.O. for  
respondents.

Regular Division Bench is not available.

**S.O. 17/08/2023.**

**Vice Chairman**

dnk.

**O.A. No.242/2021 (D.B.)**

**(U. B. Patharkar Vs. State of Mah. & Ors. )**

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

**Dated : 18/07/2023.**

Heard Shri P.D. Meghe, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

2. The applicant has filed pursis dated 17/07/2023. As per this pursis, inquiry against the applicant is now complete. In the present O.A., the charge sheet was challenged and therefore the applicant wants to withdraw the present O.A.

3. In view of above, the O.A. is disposed of as withdrawn. No order as to costs.

**Vice Chairman**

dnk.  
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O.A.No.139/2021 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri U.J.Deshpande, 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. one week for filing reply.**

**Member (J).**

rsm.

O.A.No.69/2022 (S.B.)

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

**Dated : 18/07/2023.**

There is leave note of ld. counsel for the applicant. Shri H.K.Pande, ld. P.O. for the respondents 1 to 3 & 6. None for the respondents 4 and 5.

2. On oral request of ld. P.O., **S.O. 10.08.2023 for filing reply.**

**Member (J).**

rsm.

O.A.No.266/2022 (S.B.)

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

**Dated : 18/07/2023.**

There is leave note of ld. counsel for the applicant. Shri H.K.Pande, ld. P.O. for the respondents 1 to 3 & 6. None for the respondents 4 and 5.

2. On oral request of ld. P.O., **S.O. 10.08.2023 for filing reply.**

**Member (J).**

rsm.

O.A.No.1109/2021 (S.B.)

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

**Dated : 18/07/2023.**

There is leave note of ld. counsel for the applicant. Shri H.K.Pande, ld. P.O. for the respondents 1 to 3 & 6. None for the respondents 4 and 5.

2. On oral request of ld. P.O., **S.O. 10.08.2023 for filing reply.**

**Member (J).**

rsm.

O.A.No.1021/2022 (S.B.)

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

**Dated : 18/07/2023.**

There is leave note of ld. counsel for the applicant. Shri H.K.Pande, ld. P.O. for the respondents 1, 3 & 6. None for the respondent no.2.

2. On oral request of ld. P.O., **S.O. 10.08.2023 for filing reply.**

**Member (J).**

rsm.

O.A.No.1022/2022 (S.B.)

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

**Dated : 18/07/2023.**

There is leave note of ld. counsel for the applicant. Shri H.K.Pande, ld. P.O. for the respondents 1 to 3 & 6. None for the respondents 4 and 5.

2. On oral request of ld. P.O., **S.O. 10.08.2023 for filing reply.**

**Member (J).**

rsm.

O.A.No.470/2022 (S.B.)

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

**Dated : 18/07/2023.**

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

2. Learned counsel for the applicant seeks time of one week to carry out amendment.

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

**Member (J).**

rsm.

O.A.No.952/2022 (S.B.)

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

**Dated : 18/07/2023.**

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

2. Reply of respondents 1 to 4 filed by learned P.O. is taken on record. The O.A. is **admitted** and kept for final hearing.

3. **S.O. 26.07.2023.**

**Member (J).**

rsm.



O.A.No.38/2023 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri R.M.Fating, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents 1 & 2 and Shri U.A.Patil, ld. counsel for the respondent no.3.

2. Learned P.O. has invited attention to pursis filed by respondent no.3 in which it is stated that proposal is submitted on 28.06.2023 for grant of second time bound promotion benefit to the applicant. In view of these developments some more time should be given for consideration of proposal.

3. **S.O. 10.08.2023.**

4. **Steno copy is granted.**

**Member (J).**

rsm.

O.A.No.364/2023 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri A.P.Sadavarte, ld. counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the respondent no.1 and Shri H.D.Marathe, ld. counsel for the respondents 2 and 3.

2. Learned counsel for respondents 2 and 3 seeks time of three weeks.

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

**Member (J).**

rsm.

O.A.No.386/2023 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri S.P.Palshikar, 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. three weeks for filing reply.**

**Member (J).**

rsm.

O.A.No.430/2023 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri S.G.Jagatap, ld. counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the respondents 1 to 5 and Shri U.A.Patil, ld. counsel for the respondent no.6.

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

**Member (J).**

rsm.

O.A.No.498/2023 (S.B.)

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

**Dated : 18/07/2023.**

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

2. Learned counsel for the applicant states that connected matter is kept on 24.07.2023.

3. **S.O. 24.07.2023.**

**Member (J).**

rsm.

O.A.No.546/2023 (S.B.)

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

**Dated : 18/07/2023.**

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

2. Learned counsel seeks time of two weeks for compliance.

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

**Member (J).**

rsm.

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

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

**Dated : 18/07/2023.**

Heard Shri D.T.Shinde, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

2. Learned P.O. seeks time of three weeks.

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

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

**Member (J).**

rsm.

O.A.No.563/2023 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri S.Pande, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

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

**Member (J).**

rsm.



O.A.No.571/2023 (S.B.)

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

**Dated : 18/07/2023.**

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

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

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

**Member (J).**

rsm.

O.A.No.572/2023 (S.B.)

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

**Dated : 18/07/2023.**

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

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

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

**Member (J).**

rsm.

O.A.No.588/2023 (S.B.)

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

**Dated : 18/07/2023.**

**C.A.No.343/2023**

Heard Shri S.N.Gaikwad, holding for Shri P.S.Kshirsagar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. On oral request of ld. counsel for the applicant,

**S.O. 21.07.2023.**

**Member (J).**

rsm.

O.A.No.617/2023 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri R.M.Wasnik, 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. four weeks for filing reply.**

**Member (J).**

rsm.

O.A.No.657/2023 (S.B.)

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

**Dated : 18/07/2023.**

**C.A.No.304/2023**

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

2. Learned counsel for the applicant states that he has instructions to withdraw the O.A.. **The O.A. is disposed of as withdrawn along with C.A..**

**Member (J).**

rsm.

O.A.No.678/2023 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents. Await service of respondents 2 and 3.

2. On oral request of ld. P.O., **S.O. one week for filing reply.**

3. **Interim relief to continue till next date.**

**Member (J).**

rsm.

**O.A.No.679/2023 (S.B.)**

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

**Dated : 18/07/2023.**

**C.A.No.348/2023**

Heard Shri P.N.Warjekar, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. In this C.A. following prayer is made-

**i) direct the respondents to consider the representation of applicants dated 03.04.2021, 01.06.2021 (collectively Annexure A-5) dated 24.07.2021 (Annexure A-7) and dated 07.09.2021 (Annexure A-8) and decide the same within stipulated time.**

To this C.A. orders dated 03.09.2021 and 08.12.2021 are attached to contend that the employees who are similarly placed had made representations and by allowing these representations their request has been considered.

3. By this C.A. only directions are sought to respondents 2 and 3 to decide the representations made by the applicant. The prayer deserves to be allowed. Respondents 2 and 3 shall consider and decide representations Annexures A-5, A-7 and A-8 made by the applicant on its own merits within three weeks from the date of receipt of this order. **With these directions C.A. is disposed of.**

**O.A.No.679/2023**

4. **S.O. two weeks for reply.**

5. **Steno copy is granted.**

**Member (J).**

rsm.

O.A.No.693/2023 (S.B.)

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

**Dated : 18/07/2023.**

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

2. Learned counsel for the applicant states that the respondents are served and today he will file service affidavit.

3. On oral request of P.O., **S.O. one weeks for reply.**

**Member (J).**

rsm.



O.A.No.715/2023 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri S.S.Dhengale, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

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

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

**Member (J).**

rsm.

O.A.No.1169/2022 (S.B.)

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

**Dated : 18/07/2023.**

**C.A.No.321/2023 & C.A.No.235/2023**

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

2. **S.O. 26.07.2023.**

**Member (J).**

rsm.

O.A.No.248/2018 (S.B.)

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

**Dated : 18/07/2023.**

There is leave note of ld. counsel for the applicant. Shri H.K.Pande, ld. P.O. for the respondents 1 to 3 & 6. None for the respondents 4 and 5.

2. **S.O. 10.08.2023.**

**Member (J).**

rsm.

O.A.No.1108/2021 (S.B.)

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

**Dated : 18/07/2023.**

There is leave note of ld. counsel for the applicant. Shri H.K.Pande, ld. P.O. for the respondents 1 to 3 & 6. None for the respondents 4 and 5.

2. **S.O. 10.08.2023.**

**Member (J).**

rsm.

O.A.No.116/2023 (S.B.)

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

**Dated : 18/07/2023.**

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

2. Reply of respondent no.4 filed by learned P.O. is taken on record. The O.A. is **admitted** and kept for final hearing.

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

**Member (J).**

rsm.

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

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

**Dated : 18/07/2023.**

Heard Mrs.K.N.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. one week.**

**Member (J).**

rsm.

O.A.No.621/2017 (S.B.)

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

**Dated : 18/07/2023.**

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

2. Learned P.O. seeks time of two weeks.
3. **S.O. 01.08.2023.**
4. **P.H.**

**Member (J).**

rsm.

O.A.No.982/2017 (S.B.)

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

**Dated : 18/07/2023.**

There is leave note of ld. counsel for the applicant. Shri H.K.Pande, ld. P.O. for the respondents 1 to 3 & 6 and Shri N.Majithia, ld. counsel for the respondents 4 and 5.

2. **S.O. 10.08.2023.**

**Member (J).**

rsm.



O.A.No.1017/2018 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri G.K.Bhusari, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents 1 & 2. None for the respondents 3 and 4.

2. **S.O. next week.**

**Member (J).**

rsm.

O.A.No.349/2019 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri S.P.Palshikar, 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. 25.07.2023.**

**Member (J).**

rsm.

O.A.No.875/2019 (S.B.)

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

**Dated : 18/07/2023.**

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

2. Learned P.O. has placed on record communication dated 19.01.2022 (marked-X).

3. Learned counsel for the applicant seeks time till day after tomorrow to take instructions and make a statement.

4. **S.O. 20.07.2023.**

**Member (J).**

rsm.

O.A.No.1038/2019 (S.B.)

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

**Dated : 18/07/2023.**

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

2. On 23.06.2023 learned counsel for the applicant had made a statement that he will take instructions whether instant O.A. survives. Today no one is present for the applicant. The O.A. is dismissed for want of prosecution.

**Member (J).**

rsm.

O.A.No.210/2020 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri R.V.Shiralkar, ld. counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the respondents 1 & 2 and Shri N.S.Khandewale, ld. counsel for the respondent no.3. None for the respondent no.4.

2. Learned P.O. seeks time of three weeks to place on record some documents, if required and information regarding status of departmental inquiry which is stated to have been initiated.

3. **S.O.09.08.2023.**

4. **P.H.**

5. **Steno copy is granted.**

**Member (J).**

rsm.

**O.A.No.440/2020 with O.A.No.441/2020  
with O.A.No.442/2020 with  
O.A.No.443/2020 (S.B.)**

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

**Dated : 18/07/2023.**

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

2. **S.O. next week.**

**Member (J).**

rsm.

O.A.No.786/2020 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri R.N.Gaikwad, ld. counsel for the applicants, Shri A.M.Khadatkar, ld. P.O. for the respondents 1,2 & 4 and Shri H.D.Marathe, ld. counsel for the respondents 3 & 5.

2. Learned counsel for the respondents 3 and 5 states that grievances of the applicants have been redressed and communication in that behalf will be placed on record by him on next date. Learned counsel for the applicants shall also take instructions and make a statement on next date.

3. **S.O. 02.08.2023.**

**Member (J).**

rsm.

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

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

**Dated : 18/07/2023.**

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

2. **S.O. next week.**

**Member (J).**

rsm.



O.A.No.631/2021 (S.B.)

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

**Dated : 18/07/2023.**

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

2. Learned P.O. seeks time to submit his reply.
3. **S.O. 01.08.2023.**
4. **P.H.**

**Member (J).**

rsm.

O.A.No.716/2021 (S.B.)

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

**Dated : 18/07/2023.**

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

2. The O.A. is dismissed for want of prosecution.

**Member (J).**

rsm.

O.A.No.1129/2022 (S.B.)

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

**Dated : 18/07/2023.**

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

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

**Member (J).**

rsm.

O.A.No.134/2023 (S.B.)

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

**Dated : 18/07/2023.**

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

2. **S.O. next week.**

**Member (J).**

rsm.

O.A.No.484/2023 (S.B.)

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

**Dated : 18/07/2023.**

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

2. **S.O. 24.07.2023.**

**Member (J).**

rsm.

O.A.No.449/2023 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents 1 to 3. None for the respondents 4 and 5.

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

**Member (J).**

rsm.

**O.A.No.800/2023 (S.B.)**

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

**Dated : 18/07/2023.**

Heard Shri S.A.Marathe, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the respondents.

2. Grievances of the applicant are as follows.

(i) List of employees due for transfer was not prepared as provided in Section 4(2) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "Transfers Act, 2005").

(ii) To the knowledge of the applicant Civil Services Board was not constituted.

(iii) The transfer could have been effected only till 30-06-2023. The impugned order of transfer is passed after this deadline i.e. on 13.07.2023.

3. It is submitted by the C.P.O. that the applicant has been relieved to take charge of her new post.

4. Contention of the applicant is that she had worked till evening of 17.07.2023 on the post presently held by her.

5. It is submitted on behalf of the applicant that interim order like the one passed by this Bench on 14.07.2023 and Aurangabad Bench on 06.07.2023 deserves to be passed in the facts and circumstances of the case. There is merit in this submission.

6. Issue notice to the respondents returnable on 08.08.2023. Till the returnable date the respondents shall permit the applicant to discharge her duties on her existing post.

7. It is clarified that if appointment or transfer has been made in place of the applicant and said person has been relieved from his earlier post prior to passing of this order, the applicant would be liable to be relieved from her existing post.

8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
9. The applicants are 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. Respondents are 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 consigned to record.
13. **S.O. 08.08.2023.**
14. **Steno copy is granted.**

**Member (I).**

rsm.



**O.A.No.801/2023 (S.B.)**

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

**Dated : 18/07/2023.**

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

2. Grievances of the applicant are as follows.

(i) List of employees due for transfer was not prepared as provided in Section 4(2) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "Transfers Act, 2005").

(ii) To the knowledge of the applicant Civil Services Board was not constituted.

(iii) The transfer could have been effected only till 30-06-2023. The impugned order of transfer is passed after this deadline i.e. on 13.07.2023.

3. It is submitted by the C.P.O. that the applicant has been relieved to take charge of his new post.

4. Contention of the applicant is that he had worked till evening of 17.07.2023 on the post presently held by him.

5. Further submission of the applicant is that he has not completed his normal tenure and he is not due for transfer.

6. It is submitted on behalf of the applicant that interim order like the one passed by this Bench on 14.07.2023 deserves to be passed in the facts and circumstances of the case. There is merit in this submission.

7. Issue notice to the respondents returnable on 08.08.2023. Till the returnable date the respondents shall permit the applicant to discharge his duties on his existing post.

8. It is clarified that if appointment or transfer has been made in place of the applicant and said person has been relieved from his earlier post prior to passing of this order, the applicant would be liable to be relieved from his existing post.
9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
10. The applicants are 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. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
11. 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.
12. 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.
13. 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 consigned to record.
14. **S.O. 08.08.2023.**
15. **Steno copy is granted.**

**Member (I).**

rsm.

**O.A.No.802/2023 (S.B.)**

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

**Dated : 18/07/2023.**

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

2. Grievances of the applicant are as follows.

(i) List of employees due for transfer was not prepared as provided in Section 4(2) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "Transfers Act, 2005").

(ii) To the knowledge of the applicant Civil Services Board was not constituted.

(iii) The transfer could have been effected only till 30-06-2023. The impugned order of transfer is passed after this deadline i.e. on 13.07.2023.

3. It is submitted by the C.P.O. that the applicant has been relieved to take charge of his new post.

4. Contention of the applicant is that he had worked till evening of 17.07.2023 on the post presently held by him.

5. Further submission of the applicant is that he has crossed the age of 50 years and hence, as per G.R. dated 06.08.2002 he ought not to have been posted in Naxal area or Tribal area.

6. It is submitted on behalf of the applicant that interim order like the one passed by this Bench on 14.07.2023 deserves to be passed in the facts and circumstances of the case. There is merit in this submission.

7. Issue notice to the respondents returnable on 08.08.2023. Till the returnable date the respondents shall permit the applicant to discharge his duties on his existing post.

8. It is clarified that if appointment or transfer has been made in place of the applicant and said person has been relieved from his earlier post prior to passing of this order, the applicant would be liable to be relieved from his existing post.
9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
10. The applicants are 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. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
11. 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.
12. 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.
13. 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 consigned to record.
14. **S.O. 08.08.2023.**
15. **Steno copy is granted.**

**Member (I).**

rsm.

O.A.No.799/2023 (S.B.)

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

**Dated : 18/07/2023.**

Heard Shri N.R.Saboo, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the respondents.

2. Learned Advocate for the applicant seeks permission to implead Dr.Charuhas Akre as party respondents. Permission as sought is granted.

3. Learned C.P.O. has placed on record communications dated 13.07.2023, 15.07.2023 as well as 17.07.2023 (marked X-1, X-2 & X-3). In view of these communications issue notice to the respondents returnable on 08.08.2023.

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

5. The applicants are 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. Respondents are 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 consigned to record.

9. **S.O. 08.08.2023.**

10. **Steno copy is granted.**

**Member (J).**

rsm.