

(S.B.)

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

Dated : 02/03/2023.

O.A.Nos. 747,748,749,750,752 & 755 of 2018-

Mrs. K.N. Saboo, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 14/03/2023.**

Vice Chairman

dnk.

O.A. No. 189/2023 (S.B.)

(Moreshwar J. Borkar Vs. State of Mah. & Ors.)

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

Dated : 02/03/2023.

ORDER

Heard Shri P.S. Verma, learned counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the State.

2. The applicant is retired from the post of Assistant Police Inspector. The respondent no.5 issued order of recovery from DCRG as per order dated 27/01/2023.
3. The learned counsel for the applicant has pointed out the decision in the similar matters.
4. In view of the submission and Judgment of this Tribunal in O.A. No.419/2020 with connected matters, more particularly, Circulars/ letters issued by the Director General of Police, Maharashtra State, dated 05/09/2018 and 09/12/2019, the recovery cannot be made after the retirement.
5. In view of the Judgment of Hon'ble Supreme Court in the case of **State Of Punjab & Ors vs. Rafiq Masih (White Washer) decided on 18 December, 2014** in Civil Appeal No. 11527 OF 2014 (Arising out of SLP(C) No. 11684 of 2012), recovery cannot be made. **Hence, the impugned order dated 27/01/2023 is hereby stayed till filing of reply.**
6. Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. Hamdast allowed.
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

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

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

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

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

S.O. after four weeks.

Steno copy is granted.

Vice Chairman

dnk.

C.A. 386/2020 in O.A.St.1942/2020 (S.B.)

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

Dated : 02/03/2023.

None for the applicants. Shri H.K. Pande,
Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No.553/2019 (S.B.)

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

Dated : 02/03/2023.

Shri A.S. Shukla, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 to 3. None for other respondents.

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

Vice Chairman

dnk.

O.A. No. 957/2020 (S.B.)

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

Dated : 02/03/2023.

Heard Shri V.B. Wagh, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

On the earlier date specific order was passed, but today also Id. P.O. seeks time to file reply.

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

In the meantime, the respondents may file reply.

S.O. 24/3/2023.

Vice Chairman

dnk.

O.A. No. 958/2020 (S.B.)

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

Dated : 02/03/2023.

Heard Shri V.B. Wagh, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

On the earlier date specific order was passed, but today also Id. P.O. seeks time to file reply.

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

In the meantime, the respondents may file reply.

S.O. 24/3/2023.

Vice Chairman

dnk.

O.A. No. 1075/2019 (S.B.)

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

Dated : 02/03/2023.

Shri V.B. Wagh, Id. counsel holding for
Shri B.J. Lonare, 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. 24/3/2023** along with similar
matters.

Vice Chairman

dnk.

***O.A. No. 280/2021 (S.B.)**

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

Dated : 02/03/2023.

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

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

Vice Chairman

dnk.

O.A. No. 99/2022 (S.B.)

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

Dated : 02/03/2023.

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

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

Vice Chairman

dnk.

O.A. No. 128/2022 (S.B.)

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

Dated : 02/03/2023.

Heard Shri A.M. Tirukh, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 and Shri Sahu, Id. counsel for R-3.

2. Await service of R-2 and 4.

3. At the request of learned counsel for the applicant, issue fresh notice to the respondent nos.2 and 4 returnable **after four weeks.** Hamdast allowed.

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

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

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

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

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

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

Vice Chairman

dnk.

O.A. No.386/2022 (S.B.)

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

Dated : 02/03/2023.

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

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

Vice Chairman

dnk.

O.A. No. 604/2022 (S.B.)

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

Dated : 02/03/2023.

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

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

Vice Chairman

dnk.

O.A. No. 732/2022 (S.B.)

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

Dated : 02/03/2023.

Shri A. Motlog, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No. 815/2022 (S.B.)

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

Dated : 02/03/2023.

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

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

Vice Chairman

dnk.

O.A. No. 852/2022 (S.B.)

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

Dated : 02/03/2023.

Shri S. Pande, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No. 1059/2022 (S.B.)

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

Dated : 02/03/2023.

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

2. The Id. P.O. files reply of R-1 to 3. It is taken on record and copy is given to the applicant.

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

S.O four weeks.

Interim relief to continue till next date.

Vice Chairman

dnk.

O.A. Nos. 863 & 864 of 2021 (S.B.)

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

Dated : 02/03/2023.

Heard Shri N.D. Thombre, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

(ii) Shri S.N. Gaikwad, Id. counsel for R-4 and 5 in O.A. 864/2021.

(iii) At the request of Id. P.O., **S.O. 10/03/2023.**

Vice Chairman

dnk.

O.A. No. 930/2018 (S.B.)

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

Dated : 02/03/2023.

Shri P.P. Khaparde, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&2. None for other respondents.

At the request of Id. Counsel for the applicant, **S.O. 13/3/2023.**

Vice Chairman

dnk.

O.A. No. 922/2017 (S.B.)

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

Dated : 02/03/2023.

Shri S.P. Palshikar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 13/03/2023.**

Vice Chairman

dnk.

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

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

Dated : 02/03/2023.

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

At the request of Id. P.O., **S.O.
20/03/2023.**

Vice Chairman

dnk.

O.A. Nos. 144 & 145 of 2020 (S.B.)

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

Dated : 02/03/2023.

Shri S.M. Khan, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

S.O. 13/03/2023.

Vice Chairman

dnk.

O.A. No. 535/2020 (S.B.)

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

Dated : 02/03/2023.

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 21/03/2023.**

Vice Chairman

dnk.

O.A. No. 536/2020 (S.B.)

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

Dated : 02/03/2023.

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 21/03/2023.**

Vice Chairman

dnk.

O.A. No. 91/2021 (S.B.)

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

Dated : 02/03/2023.

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

At the request of Id. P.O., **S.O. 20/03/2023.**

Vice Chairman

dnk.

O.A. No. 413/2022 (S.B.)

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

Dated : 02/03/2023.

Shri A.P. Sadavate, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

By consent of Id. counsel for both the parties, **S.O. 15/03/2023.**

Vice Chairman

dnk.

O.A. No. 472/2021 (S.B.)

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

Dated : 02/03/2023.

Shri Deogade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4.

S.O. four weeks.

Vice Chairman

dnk.

O.A. No. 516/2021 (S.B.)

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

Dated : 02/03/2023.

Smt. K.N. Saboo, Id .counsel holding for Shri N.R. Saboo, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned counsel for the applicant has filed rejoinder. It is taken on record. Copy is given to the other side.

S.O. 21/3/2023.

Vice Chairman

dnk.

O.A. No.351/2022 (S.B.)

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

Dated : 02/03/2023.

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

By consent of both the learned counsel for parties, **S.O. 24/3/2023.**

Vice Chairman

dnk.

O.A. No.352/2022 (S.B.)

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

Dated : 02/03/2023.

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

By consent of both the learned counsel for parties, **S.O. 24/3/2023.**

Vice Chairman

dnk.

O.A. No.353/2022 (S.B.)

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

Dated : 02/03/2023.

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

By consent of both the learned counsel for parties, **S.O. 24/3/2023.**

Vice Chairman

dnk.

O.A. No.354/2022 (S.B.)

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

Dated : 02/03/2023.

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

By consent of both the learned counsel for parties, **S.O. 24/3/2023.**

Vice Chairman

dnk.

O.A. No. 943/2022 (S.B.)

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

Dated : 02/03/2023.

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

At the request of Id. P.O., **S.O. 15/03/2023.**

Vice Chairman

dnk.

**

O.A.No.521/2014 with O.A.No.522/2014
with O.A.No.523/2014 with
O.A.No.524/2014. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)**
Dated : 02/03/2023.

Heard Shri R.S.Khobragade, ld. counsel
for the applicant and Shri A.M.Khadatkar, ld.
P.O. for the respondents 1 to 5. None for the
respondents 6 and 7.

2. Learned P.O. desires to file reply on
amended portion. He requires three weeks
time as last chance.

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

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.61/2022. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

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

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

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

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

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

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.699/2022. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

2. Learned P.O. submits that he will receive parawise reply. Reply will be filed positively and copy supply to the learned counsel for the applicant.

3. **S.O. 14.03.2023.**

**Member(J)
Date:-02/03/2023.
rsm.**

Vice Chairman

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

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

Heard Shri S.K.Bhattacharya, holding for Shri N.S.Warulkar, ld. counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the respondents and Adv.M.P.Munshi, ld. Counsel for the respondent no.2.

2. On oral request of learned counsel for the respondent no.2 and learned P.O., **S.O.three weeks for filing reply.**

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.987/2022 (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

2. Learned P.O. submits that he will file reply during the course of the day.
3. **S.O. two weeks.**

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.995/2022. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

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

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.52/2023. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

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

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.80/2023. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

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

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.1011/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

C.P.No.02/2023

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

2. Learned P.O. has submitted documents received from the respondents dated 27.01.2023 in which it is mentioned that the Department has sent letter to the Law and Judiciary Department for guidance regarding challenging the M.A.T. order before the High Court. Copy is taken on record and marked Exh.X for identification. The ld. P.O. submitted that in this regard process is going on and therefore he seeks further time. Matter be listed **after four weeks.**

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

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.884/2022. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

C.A.No.84/2023

Heard Dr.A.H.Jamal, ld. counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the respondents 1 & 2 and Shri S.A.Deo, ld. Counsel for the respondent no.3.

2. C.A.No.84/2023 for amendment is allowed.
3. Office is directed to issue notice to the newly added party.
4. Issue notice to the respondents, returnable **on 21.03.2023.** Learned P.O. waives notice for State. Hamdast allowed.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

10. **S.O. 21.03.2023.**

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

**C.P.No.36/2022 in Rev.18/2021
inO.A.No.94/2021.(D.B.)**

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

Heard Shri S.V.Deshmukh, ld. counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the respondents 1, 7 & 12 and Shri T.M.Zaheer, ld. Counsel for the respondents 3, 4, 5, 8, 9 & 10.

2. Learned counsel submits that the appointing authority of the applicant be called upon to file an affidavit specifying therein that appointment given to the applicant is regular. The appointing authority shall file affidavit accordingly on the next date.

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

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

C.P.69/2022 in O.A.No.570/2021.(D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

2. Learned counsel for the applicant submits that the order has already complied and he desires to withdraw the Contempt Petition. **Hence, C.P.No.69/2022 is disposed of as withdrawn.**

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

C.P.No.82/2022 in O.A.No.683/2022.(D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

2. Learned P.O. has filed reply on behalf of the respondents. It is taken on record.

3. Learned P.O. submits that within a period of four weeks from today order passed by this Tribunal shall be fully complied. A statement is made on the basis of instructions received from the department. In view of this statement matter will be kept on 30.03.2023.

4. **S.O. 30.03.2023.**

5. **Steno copy is granted.**

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

C.P.No.86/2022 inO.A.No.828/20.(D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

2. Learned counsel for the applicant has filed pursis. It is marked Exhibit-X for identification. He has attached chart at page no.43 regarding re-calculation of pension and retiral benefits. Learned P.O. is directed to take instructions as to whether this has been paid or not ?

3. In the light of Chart as mentioned above, learned P.O. is directed to take instructions.

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

C.P.No.88/2022 inO.A.No.798/2022.(D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

2. Learned P.O. submits that department is challenged the order in the High Court and that they have got the proposal from the Joint Secretary of Law and Judiciary.

3. In view of this situation learned P.O. is directed that on the next date he should produce the opinion given by the Joint Secretary of Law and Judiciary. Whether the department desires to file the Writ Petition before the High Court or not ?

3. **S.O. 16.03.2023.**

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.195/2023. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

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

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

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

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

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

Applicant is directed to file Affidavit of compliance and notice.

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

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

9. Interim relief is kept open.

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.191/2023. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

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

Applicant is directed to file Affidavit of compliance and notice.

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

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

9. Interim relief is kept open.

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

Rev.31/2019 in O.A.No.799/2011.(D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

Heard Shri A.Motlog, holding for Shri R.V.Shiralkar, ld. counsel for the applicant Shri V.A.Kulkarni, ld. P.O. for the respondents 1 to 3 and Shri R.J.Sonwane, ld. Counsel for the respondent no.4.

2. On oral request of learned counsel for the applicant, **S.O. 14.03.2023.**

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

**O.A.No.692/2014 with C.A.No.418/2019 &
C.A.No.375/2017.(D.B.)**

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated: 02/03/2023.**

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

2. On oral request of learned
P.O.,**S.O.13.03.2023 high on board.**

**Member(J)
Date:-02/03/2023.
rsm.**

Vice Chairman

O.A.No.773/2019. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

Put up this matter before Single Bench.

**Member(J)
Date:-02/03/2023.
rsm.**

Vice Chairman

O.A.No.370/2020. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

Heard Shri V.Subramaniun, holding for
Shri S.S.Sanyal, ld. counsel for the applicant
and Shri M.I.Khan, ld. P.O. for the respondents.

2. **S.O.09.03.2023.**

**Member(J)
Date:-02/03/2023.
rsm.**

Vice Chairman

O.A.No.324/2021. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

2. **Closed for Orders.**

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.1059/2021 with
O.A.No.1060/2021.(D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)**
Dated: 02/03/2023.

Heard Shri V.B.Gawali, ld. counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the respondents 1 and 2 and Shri G.G.Bade, ld. Counsel for the respondent no.3.

2. **P.H.**

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

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.300/2022. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

Heard Shri M.R.Puranik, ld. counsel for the applicant and Shri S.A.Deo, ld.C.P.O. for the respondents 1 & 2. None for the respondents 3 to 5.

2. After submission of both the counsels
Closed for Orders.

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman

O.A.No.553/2022. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

**Member(J)
Date:-02/03/2023.
rsm.**

Vice Chairman

O.A.No.686/2022. (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)
Dated : 02/03/2023.**

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

2. **S.O.13.03.2023.**

**Member(J)
Date:-02/03/2023.
rsm.**

Vice Chairman

O.A.No.23/2023

with

C.A.No.95/2023.(D.B.)

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

Dated: 02/03/2023.

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

2. Learned counsel for the applicant has filed C.A.No.95/2023.

3. Learned P.O. is directed to file reply on C.A. before next date.

4. **S.O. 13.03.2023.**

Member(J)

Vice Chairman

Date:-02/03/2023.

rsm.

O.A.No.24/2023

with

C.A.No.94/2023.(D.B.)

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

Dated: 02/03/2023.

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

2. Learned counsel for the applicant has filed C.A.No.94/2023.

3. Learned P.O. is directed to file reply on C.A. before next date.

4. **S.O. 13.03.2023.**

Member(J)

Vice Chairman

Date:-02/03/2023.

rsm.

(D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri M.A.Lovekar, Member(J)**
Dated : 02/03/2023.

**O.As. 454,455,456,457,458,459,460,461,711,
833, 841,875,876,881,882 and 922 of 2022 -**

Heard Shri R.Joshi, Shri A.A.Naik, Shri N.R.Saboo and Shri A.B.Mirza, ld. counsel for the applicants in respective O.As., Shri V.A.Kulkarni, ld. P.O. for the respondents 1 & 2 and Shri S.A.Deo, ld. Counsel for the respondent no.3.

2. These matters pertain to M.P.S.C. and all O.As. have some difference of facts. These matters are required to be heard in detailed and therefore these matters be kept on the next date for hearing.

S.O. 21.03.2023.

Member(J)
Date:-02/03/2023.
rsm.

Vice Chairman