

O.A. No.199/2023 (S.B.)

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

Dated : 03/03/2023.

Heard Shri Sunil Pande, Id. counsel holding for Shri R.M. Fating, learned counsel for the applicant and Shri S.A. Deo, Id. CPO for the 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.201/2023 (S.B.)

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

Dated : 03/03/2023.

Heard Shri S.D. Chande, learned counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The applicant was suspended. This Tribunal passed the order and revoked the suspension order. Now departmental inquiry is pending. During pendency of the departmental inquiry, the respondents have transferred the applicant from Buldhana to Sonala in the same district. The applicant is reinstated as per the order of this Tribunal.

3. Looking to the pendency of the departmental inquiry, transfer order cannot be said to be illegal.

4. Issue notice to the respondents returnable **after four weeks**. Learned C.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.

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.208/2023 (S.B.)

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

Dated : 03/03/2023.

Heard Saboo, learned counsel for the applicant and Shri S.A. Deo, Id. CPO for the 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.209/2023 (S.B.)

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

Dated : 03/03/2023.

Heard Saboo, learned counsel for the applicant and Shri S.A. Deo, Id. CPO for the 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.223/2023 (S.B.)

(S.P. Neriya Vs. State of Mah. & Ors.)

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

Dated : 03/03/2023.

Heard Shri D.M. Kakani, learned counsel for the applicant and Shri S.A. Deo, Id. CPO for the State / respondent.

2. The matter is heard and decided finally with the consent of learned counsel for parties.

3. The learned counsel for the applicant has pointed out the applicant's representation dated 22/10/2021 and submitted that the respondents be directed to consider this representation. Therefore, there is no need to issue notice.

4. Heard Shri S.A. Deo, Id. CPO for the State / respondent. He has submitted that the direction can be given to the respondents to decide the representation.

5. From the perusal of the representation dated 22/10/2021, it appears that the applicant is working as a Senior Pharmacy Officer attached to the Police Hospital, Police Training Center, Akola. He is working since last 28 years and only three years are left for retirement. There are vacancies at (i) Pimpri Chinchwad Police Commissionerate Police Hospital (ii) Pune Rural, Police Head Quarter, Police

Hospital and (iii) Pune Railway Police Head Quarter, Police Hospital. The letter dated 03/12/2021 issued by Superintendent of Police (Rural), Pune shows that they have no objection, if he is transferred to Pune. The applicant can be adjusted on the vacant post. The applicant is seeking transfer on his personal and medical ground. Hence, the following order –

ORDER

- (i) The O.A. is allowed.
- (ii) The respondents are directed to consider the applicant's representation dated 22/10/2021 in coming general transfers of the year March/April,2023 and transfer the applicant as per his request in the representation dated 22/10/2021, if he is otherwise eligible for transfer and subject to vacancy of the post.
- (iii) No order as to costs.

Steno copy is granted..

Vice Chairman

dnk.

C.A.150/2020 in O.A.St. 641/2020 (S.B.)

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

Dated : 03/03/2023.

Shri, S.P. Hedao, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

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

Put up along with connected matter.

Vice Chairman

dnk.

C.A.151/2020 in O.A.St. 643/2020 (S.B.)

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

Dated : 03/03/2023.

Shri, S.P. Hedao, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

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

Put up along with connected matter.

Vice Chairman

dnk.

O.A. No. 279/2021 (S.B.)

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

Dated : 03/03/2023.

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

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

Vice Chairman

dnk.

O.A. No. 1154/2021 (S.B.)

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

Dated : 03/03/2023.

Shri S.A. Marathe, 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. 904/2022 (S.B.)

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

Dated : 03/03/2023.

Shri S.G. Karmarkar, 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. one week** for filing reply.

Vice Chairman

dnk.

O.A. No. 957/2022 (S.B.)

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

Dated : 03/03/2023.

Shri S.Pande, 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. three weeks** for filing reply.

Vice Chairman

dnk.

O.A. No. 1007/2022 (S.B.)

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

Dated : 03/03/2023.

Shri Thombre, 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. four weeks** for filing reply.

Vice Chairman

dnk.

O.A. No. 1027/2022 (S.B.)

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

Dated : 03/03/2023.

Shri S. Pande, Id. counsel holding for
Shri R.M. Fating, 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. two
weeks** for filing reply.

Vice Chairman

dnk.

O.A. No. 1260/2022 (S.B.)

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

Dated : 03/03/2023.

None for applicant. 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.168/2023 (S.B.)

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

Dated : 03/03/2023.

Shri S.G. Karmarkar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 to 3. Await service of R-4.

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent no.3 returnable in **one week**. 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. one week.

Vice Chairman

dnk.

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

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

Dated : 03/03/2023.

Shri N.S. Warulkar, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 4, Shri S.A. Sahu, Id. counsel for R-5 and none for R-6.

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

Vice Chairman

dnk.

C.A. 496/2022 in O.A. No.998/2022 (S.B.)

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

Dated : 03/03/2023.

Shri N.S. Warulkar, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for the respondents.

2. The learned counsel for the applicant submits that the applicant is not getting pension.
3. The learned P.O. is directed to get instructions in this regard and file reply positively on the next date.

S.O. two weeks.

Vice Chairman

dnk.

O.A. No.1041/2022 (S.B.)

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

Dated : 03/03/2023.

Heard Shri Ghatte, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

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

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

S.O. 21/03/2023.

Vice Chairman

dnk.

O.A. No. 1076/2022 (S.B.)

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

Dated : 03/03/2023.

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1 to 3, 5 and 6. None for R-7. Await service of R-4.

S.O. two weeks for filing service affidavit.

Vice Chairman

dnk.

O.A. No. 569/2018 (S.B.)

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

Dated : 03/03/2023.

Shri, R.V. Shiralkar, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

S.O. 20/03/2023.

Vice Chairman

dnk.

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

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

Dated : 03/03/2023.

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

S.O. 14/03/2023.

Vice Chairman

dnk.

O.A. No. 321/2022 (S.B.)

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

Dated : 03/03/2023.

Shri D.R. I. Patil, Id. counsel for the applicants, Shri A.M. Ghogre, Id. P.O. for R-1 to 4 and 7 and Shri D.M. Kakani, Id. counsel for R-5&6.

S.O. 05/04/2023.

Till then, interim relief to continue.

Vice Chairman

dnk.

O.A. No. 322/2022 (S.B.)

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

Dated : 03/03/2023.

Shri D.R. I. Patil, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

S.O. 05/04/2023.

Vice Chairman

dnk.

O.A. No. 704/2022 (S.B.)

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

Dated : 03/03/2023.

Shri, V.D. Mohod, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No. 838/2022 (S.B.)

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

Dated : 03/03/2023.

Shri Sayajee Jagtap, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No. 892/2022 (S.B.)

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

Dated : 03/03/2023.

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

S.O. 20/03/2023.

Vice Chairman

dnk.

O.A. No. 1055/2022 (S.B.)

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

Dated : 03/03/2023.

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

S.O. 20/03/2023.

Vice Chairman

dnk.

O.A. No. 62/2023 (S.B.)

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

Dated : 03/03/2023.

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

S.O. 20/03/2023.

Vice Chairman

dnk.
**

O.A.No.664/2020 (D.B.)

**Coram :Shri Shree Bhagwan, Vice Chairman &
Shri Justice M.G.Giratkar, Vice Chairman
Dated : 03/03/2023.**

Heard Shri N.D.Thombre, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 17.03.2023** for final hearing.

(Justice M.G.Giratkar)
Vice Chairman
Date:- 03/03/2023.
aps.

(Shree Bhagwan)
Vice Chairman

M.C.A.No.06/2023inO.A.No.665/2020 (D.B.)

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

Dated : 03/03/2023.

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

2. At the request of ld. P.O., **S.O. 10.03.2023 to take instructions.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.St.No.2268/2022 (D.B.)

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

Dated : 03/03/2023.

C.A.No.405/2022:-

Heard Shri H.D.Futane, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the State. Await service of R-4 in C.A..

2. Issue notice to Respondents, returnable on four weeks. Learned 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 (C.A. will be heard along with O.A.)**.

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.St.No.1297/2022 (D.B.)

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

Dated : 03/03/2023.

C.A.No.218/2022:-

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

2. In the interest of justice, **C.A. No. 218/2022 for condonation of delay is allowed and disposed of.**

3. **Matter is taken up for final hearing, S.O. 14.03.2023.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.548/2022 (D.B.)

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

Dated : 03/03/2023.

Heard Shri R.V.Shiralkar, 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 to file reply.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.909/2022 (D.B.)

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

Dated : 03/03/2023.

Heard Shri S.P.Palshikar, ld. Counsel for the applicant and Shri A.M.Ghogre, 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. last week of March, 2023.**

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

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.915/2022 (D.B.)

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

Dated : 03/03/2023.

Heard Shri A.Upasani, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. It is submitted that against the order passed by the Disciplinary Authority, the applicant has preferred an appeal before C.C.F., Nagpur on 11.10.2020 and since then said appeal is pending.

3. The applicant prays that the Appellate Authority be directed to dispose of the appeal within the stipulated period.

4. **C.C.F., Nagpur shall decide appeal of the applicant within six weeks from the date of receipt of this order.**

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

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.977/2022 (D.B.)

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

Dated : 03/03/2023.

Heard Shri S.G.Karmarkar, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents. None for the R-4 to 6.

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

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.Nos.1078,1079,1085&1110/2022 (D.B.)

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

Dated : 03/03/2023.

Heard Shri R.S.Khobragade, 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. 17.03.2023** to file reply.

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

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

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

Dated : 03/03/2023.

C.A.No.546/2022:-

Heard Shri G.G.Bade, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. **C.A. No. 546/2022 for amendment is allowed and disposed of.** The ld. counsel for the applicant is directed to carryout the amendment within one week. He is further directed to supply the same to the other side.

3. At the request of ld. P.O., **S.O. two weeks to file reply.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.1128/2022 (D.B.)

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

Dated : 03/03/2023.

Heard Shri S.P.Palshikar, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 17.03.2023** to file reply.

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.1144/2022 (D.B.)

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

Dated : 03/03/2023.

C.A.No.366/2021:-

Heard Shri A.P.Sadavarte, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.1173/2022 (D.B.)

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

Dated : 03/03/2023.

Heard Shri P.V.Thakre, Id. Counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

2. The Id. 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 Id. P.O. waives notice for the respondents.

5. **S.O. four weeks.**

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

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

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

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

Dated : 03/03/2023.

Heard Shri V.K.Paliwal, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 10.03.2023 to take instructions.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.1216/2022 (D.B.)

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

Dated : 03/03/2023.

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

2. The Id. P.O. has filed reply on behalf of the respondent no. 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 Id. P.O. waives notice for the respondents.

5. **S.O. four weeks.**

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

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.1255/2022 (D.B.)

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

Dated : 03/03/2023.

Heard Shri B.Kulkarni, Id. Counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

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

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.1261/2022 (D.B.)

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

Dated : 03/03/2023.

None for the applicant. Shri M.I.Khan, Id. P.O.
for the State. Await service of R-2 & 3.

2. **S.O. six weeks to file service affidavit.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.04/2023 (D.B.)

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

Dated : 03/03/2023.

Heard Shri A.Barahate, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents. None for the R-4 to 11.

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

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.16/2023 (D.B.)

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

Dated : 03/03/2023.

C.A.No.28/2023:-

Heard Shri N.D.Dhoot, Id. Counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

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

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.13/2023 (D.B.)

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

Dated : 03/03/2023.

Heard Shri B.Kulkarni, ld. Counsel for the applicant and Shri M.I.Khan, 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. Ld. Counsel for the applicant submits that private respondents 3 to 5 have not filed their reply.

6. **S.O. 10.03.2023 high on board.**

7. **Interim relief passed on order dated 06.01.2023 in para no. 3 is to be continued till next date.**

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

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

Vice Chairman

aps.

O.A.Nos.17,18,76&77/2023 (D.B.)

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

Dated : 03/03/2023.

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

2. The Id. P.O. submits that he has received parawise comment, **S.O. 17.03.2023 to file reply.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

C.P.No.72/2022inO.A.No.181/2022 (D.B.)

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

Dated : 03/03/2023.

Heard Shri S.P.Palshikar, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. Ld. P.O. has filed reply of R-2. It is taken on record. Copy is served to the other side.

3. **S.O. 13.03.2023.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

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

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

Dated : 03/03/2023.

Heard Shri R.Fating, Id. Counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the State.

2. Issue notice to Respondents, returnable on two 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. two weeks.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

C.P.31/22inT.A.743/92inW.P.2209/1985(D.B.)

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

Dated : 03/03/2023.

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

2. On the very first day, query was raised by the Tribunal regarding limitation. Today, it is submitted that the applicant is getting pension throughout at lesser rate and this would furnish a continuing cause of action thereby rendering question of limitation irrelevant.

3. Ld. P.O. seeks time to file reply, **S.O. four weeks.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

C.P.No.65/2022inO.A.No.07/2021 (D.B.)

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

Dated : 03/03/2023.

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

2. Ld. Counsel for the applicant has placed on record promotion order of the applicant Shri A.M.Shelkar from Class-IV to Class-III post. It is taken on record. Copy is served to the other side.

3. Hence, grievance of the applicant is redressed. **C.P. stands disposed of with no order as to costs.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

C.P.No.79/2022inO.A.No.640/2020 (D.B.)

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

Dated : 03/03/2023.

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

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

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.768/2020withC.A.No.501/2022with

O.A.No.877/2022withC.A.No.504/2022 (D.B.)

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

Dated : 03/03/2023.

Heard Shri B.Kulkarni, Id. Counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents.

2. The issue involved is regarding G.R. dated 14.01.2016, in Government decision in the said G.R. point no. 1 is reproduced below:-

“१.गट-क मधील जास्तीत जास्त २५ टक्के पदे गट-ड मधील अर्हताप्राप्त कर्मचा-यांमधून भरण्याची अट सुधारीत करून ही मर्यादा ५० टक्के पर्यंत करण्यात येत आहे. तसेच सदर संवर्गाच्या सेवाप्रवेश नियमात आवश्यक सुधारणा करण्यात येतील.”

3. Ld. Counsel for the applicant has also produced letter written by Settlement Commissioner, Pune dated 12.07.2022 (A-2, P. 19).

4. In view of both the G.R. and letter by Settlement Commissioner, **Respondent no. 1 is directed to take into consideration G.R. dated 14.01.2016 as well as letter dated 12.07.2022 and take final decision and communicate the same to the Settlement Commissioner within four weeks.**

5. With the above directions, **O.A. along with**

C.A. stands disposed of with no order as to costs.

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman

O.A.No.236/2023 (D.B.)

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

Dated : 03/03/2023.

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

2. Issue notice to Respondents, returnable on 10.03.2023. 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. 10.03.2023.**

9. **Issue of interim relief is kept open.**

Member(J)
Date:- 03/03/2023.
aps.

Vice Chairman