

O.A. No.1054/2022 (S.B.)

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

**Dated :05/12/2023.**

Shri S.P. Palshikar, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for respondents.

At the request of Id. counsel for the applicant, **S.O. 04/01/2024**

**Vice Chairman**

dnk.

O.A. No.1251/2023 (D.B.)

( Prashant R. Janbandh Vs. State of Mah. & Ors.)

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

**Dated :05/12/2023.**

**ORDER**

Heard Shri A.M. Sudame, learned counsel for the applicant and Shri S.A. Sainis, learned P.O. for the State.

2. The learned counsel for the applicant submitted that two charge sheets are issued to the applicant on the verge of retirement. He has pointed out the Judgment of Hon'ble Supreme Court in the case of **State of Madhya Pradesh Vs. Bani Singh & Ano.,1990 (Supp) SCC 738** and prayed to grant stay.
3. As per the recent Judgment of Hon'ble Supreme Court in the case of the **State of M.P. & Ano. Vs. Akhilesh Jha& Ano., 2022 (1) Mh.L.J.,557**,the department is at liberty to conduct the inquiry in specific time period. Hence, the cited Judgment is not applicable in the case in hand.In view of the Judgment of Hon'ble Supreme Court in the case of the **State of M.P. & Ano. Vs. Akhilesh Jha& Ano.**stay cannot be granted.
4. Prayer for interim relief is rejected.
5. Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. Hamdast allowed.
6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
7. 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.
8. 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.

9. 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.

10. 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.

**Rev.A.06/2021 in O.A.837/2018 (S.B.)**

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

**Dated : 05/12/2023.**

Shri S.A. Deo, Id. CPO for the applicants (Org. respondents) and Ms. Archana Paunikar, Id. Counsel holding for Mrs. R.S. Sirpurkar, Id. Counsel for respondent (Org. applicant).

At the request of Ms. Archana Paunikar, Id. Counsel holding for Mrs. R.S. Sirpurkar, Id. Counsel for respondent (Org. applicant), **S.O. 20/12/2023.**

**Vice Chairman**

dnk.

C.A. 550/22 in C.A.263/21 in O.A.767/21 (S.B.)

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

**Dated : 05/12/2023.**

Shri K. Jain, Id. Counsel holding for Shri  
S.S. Dhengale, Id. counsel for applicant and Shri  
S.A.Deo, Id. CPO for the respondents.

At the request of Id. CPO, **S.O.**  
**20/12/2023** for filing reply.

**Vice Chairman**

dnk.

O.A. No.491/2021 (S.B.)

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

**Dated : 05/12/2023.**

Shri M.R. Khan, Id. counsel for applicant  
and Shri A.M. Khadatkar, Id. P.O. for respondent  
no.1. Await service of R-2&3.

**S.O. two weeks** for filing service  
affidavit.

**Vice Chairman**

dnk.

O.A. No.873/2021 (S.B.)

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

**Dated : 05/12/2023.**

Mrs. K.N. Saboo, Id. counsel for applicant, Shri A.M. Khadatkar, Id. P.O. for respondent no.1 and Shri Joshi, Id. Counsel holding for Shri S.N. Gaikwad, Id. Counsel for R-2.

2. As per the submission of learned counsel for respondent no.2 that the compliance is done and he will file documents on record.

**S.O. 15/01/2024.**

**Vice Chairman**

dnk.

C.A.341/2021 in O.A. 967/2021 (S.B.)

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

**Dated : 05/12/2023.**

Shri P.P. Khaparde, Id. Counsel holding for Shri G.G. Bade, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

2. The learned counsel for applicant submitted that the respondents are served and he will file service affidavit.

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

**Vice Chairman**

dnk.



O.A. No.117/2022 (S.B.)

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

**Dated : 05/12/2023.**

Smt. K.N. Saboo, Id. counsel for applicants 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.

O.A. No.223/2022 (S.B.)

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

**Dated : 05/12/2023.**

Shri D.R. Rupnarayan, Id. counsel for applicant and Shri A.M. Khadtkar, Id. P.O. for R-1. Await service of R-2 to 4.

The Id. P.O. files reply of R-2 to 4. It is taken on record. The Id. P.O. submits that said reply is sufficient to decide the matter.

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

**S.O.09/01/2024.**

**Vice Chairman**

dnk.

O.A. No.312/2022 (S.B.)

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

**Dated : 05/12/2023.**

None for applicants. Shri A.M. Khadatkar, Id. P.O. for respondents. Await service of R-3.

The Id. P.O. files reply of R-4&5. It is taken on record.

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

**Vice Chairman**

dnk.

O.A. No.859/2022 (S.B.)

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

**Dated : 05/12/2023.**

Shri A.P. Sadavarte, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. three weeks** for filing reply of R-1 to 3.

**Vice Chairman**

dnk.

O.A. No.861/2022 (S.B.)

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

**Dated : 05/12/2023.**

None for applicant. Shri A.M. Khadatkar,  
Id. P.O. for R-1. Await service of R-2 to 4.

**S.O. after four weeks** for filing service  
affidavit.

**Vice Chairman**

dnk.

O.A. 690/2022 (S.B.)

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

**Dated : 05/12/2023.**

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

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

**Vice Chairman**

dnk.

**C.A.256/2023 in O.A. 274/2023 (S.B.)**

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

**Dated : 05/12/2023.**

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

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

**Vice Chairman**

dnk.

**C.A.476/2023 in O.A. St.2325/2023 (S.B.)**

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

**Dated : 05/12/2023.**

Shri S.M. Khan, Id. Counsel for applicant  
and Shri S.A. Sainis, Id. P.O. for respondents.

2. At the request of Id. P.O., **S.O.**  
**20/12/2023** for filing reply on C.A.

**Vice Chairman**

dnk.



O.A. 541/2023 (S.B.)

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

**Dated : 05/12/2023.**

Shri B. Vyas, Id. Counsel holding for Shri A.M. Tirukh, Id. Counsel for applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 4 and Shri P.S. Kshirsagar, Id. Counsel for R-5. None for other respondents.

2. Shri P.S. Kshirsagar, Id. Counsel submits that he will file reply of R-5 today itself.

3. The matter is admitted and kept for final hearing. The learned P.O. waives notice for R-1 to 4.

**S.O. 04/01/2024.**

Interim relief to continue till then.

**Vice Chairman**

dnk.

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

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

**Dated : 05/12/2023.**

Heard Shri G.K. Bhusari, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondent nos.1&2. None for R-3.

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

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for respondent nos.1&2.

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

Interim relief to continue until further orders.

**Vice Chairman**

dnk.

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

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

**Dated : 05/12/2023.**

Shri Borkar, Id. Counsel for applicants  
and Shri A.M. Khadatkar, Id. P.O. for  
respondents.

At the request of Id. P.O., **S.O. after two  
weeks** for filing reply of R-1 to 7.

**Vice Chairman**

dnk.

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

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

**Dated : 05/12/2023.**

Shri A.A. Korpenuwar, Id. Counsel holding for Shri G.N. Khanzode, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2&3.

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

**Vice Chairman**

dnk.

O.A. No.985/2023 (S.B.)

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

**Dated : 05/12/2023.**

None for applicant. Shri S.A. Sainis, Id.  
P.O. for R-1&2. None for other respondents.

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

**Vice Chairman**

dnk.

O.A. No.1111/2023 (S.B.)

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

**Dated :** 05/12/2023.

**C.A.No.522/2023 –**

None for applicants. Heard Shri S.A.  
Deo, Id. CPO for respondents.

All the applicants are praying common  
relief.

Looking to the submission, the C.A. is  
allowed and disposed of.

**O.A. No.1111/2023 –**

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

**Vice Chairman**

dnk.

O.A. No.724/2023 (S.B.)

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

**Dated : 05/12/2023.**

Heard Shri G.K. Bhusari, Id. Counsel for applicant and Shri S.A. Deo, Id. CPO for the respondents.

2. The learned CPO seeks time to comply the order of this Tribunal dated 11/07/2023, 21/08/2023 and 11/09/2023.

3. On the last date specific order was passed, but till date no reply is filed. The respondents are not complying the order of this Tribunal. The applicant is not getting pension and pensionary benefits.

4. The learned CPO submits that only one week may be granted to comply the order. Time is granted as a last chance.

5. On the next date the O.A. will be decided finally and no any adjournment will be granted on any ground.

**S.O. 19/12/2023.**

Steno copy is granted.

**Vice Chairman**

dnk.

Rev.A. 24/2023 in O.A.766/2023 (S.B.)

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

**Dated : 05/12/2023.**

Heard Ms. S.P. Agrawal, Id. Counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. Issue notice on review application to the respondents returnable **after two 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.

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

**Vice Chairman**

dnk.

(S.B.)

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

**Dated : 05/12/2023.**

**Rev.A.26/19 in O.A. 1004/18**

**Rev.A.27/19 in O.A. 1005/18 and**

**Rev.A.28/19 in O.A.1006/18 -**

Shri N. Majethia, Id. counsel for applicants and Shri S.A. Sainis, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

O.A. No.194/2019 (S.B.)

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

**Dated : 05/12/2023.**

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

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

**Vice Chairman**

dnk.

O.A. No.481/2021 (S.B.)

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

**Dated : 05/12/2023.**

Shri R.V. Shiralkar, Id. counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

2. The learned P.O. submitted that shri H.K. Pande, Id. P.O. appeared in this matter and he is not present today.

3. At the request of Shri S.A. Sainis, Id. P.O. for respondents, **S.O. 13/12/2023.**

**Vice Chairman**

dnk.

O.A. No.493/2021 (S.B.)

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

**Dated : 05/12/2023.**

Shri R.V. Shiralkar, Id. counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

2. At the request of Id. P.O., **S.O. 09/01/2024.**

**Vice Chairman**

dnk.

O.A. No.551/2021 (S.B.)

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

**Dated : 05/12/2023.**

Shri S.N. Gaikwad, Id. counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

2. At the request of Id. P.O., **S.O. 13/12/2023.**

**Vice Chairman**

dnk.

O.A. No.1136/2021 (S.B.)

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

**Dated : 05/12/2023.**

Shri S.M. Khan, Id. counsel for applicants and Shri S.A. Sainis, Id. P.O. for respondents.

2. At the request of Id. P.O., **S.O. 19/12/2023.**

**Vice Chairman**

dnk.

O.A. No.28/2022 (S.B.)

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

**Dated : 05/12/2023.**

Shri R.V. Shiralkar, Id. counsel for applicant, Shri S.A. Sainis, Id. P.O. for respondent nos.1 to 4 and 6 and Shri G.N. Khanzode, Id. Counsel for R-5.

2. At the request of Id. P.O., **S.O. 11/12/2023.**

**Vice Chairman**

dnk.



O.A. No.214/2022 (S.B.)

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

**Dated : 05/12/2023.**

Shri M.R. Khan, Id. counsel for applicant  
and Shri S.A. Sainis, Id. P.O. for respondents.

**S.O. 19/12/2023.**

Interim relief to continue till next date.

**Vice Chairman**

dnk.

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

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

**Dated : 05/12/2023.**

Shri S.A. Marathe, Id. counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

2. At the request of Id. Counsel for applicant, **S.O. 11/12/2023.**

**Vice Chairman**

dnk.

O.A. No.359/2023 (S.B.)

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

**Dated : 05/12/2023.**

Shri N.D. Thombre, Id. counsel for applicant, Shri S.A. Sainis, Id. P.O. for respondent nos.1 to 4 and Shri S.N. Gaikwad, Id. Counsel holding for Shri S.B. Patil, Id. Counsel for R-5.

2. The learned P.O. files reply of R-1 to 4. It is taken on record.

3. Shri S.N. Gaikwad, Id. Counsel holding for Shri S.B. Patil, Id. Counsel for R-5 seeks further time. At his request, **S.O. 12/12/2023.**

4. It is made clear that on the next date the matter will be heard and decided finally.

**S.O. 12/12/2023.**

**Vice Chairman**

dnk.

O.A. No.504/2023 (S.B.)

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

**Dated :** 05/12/2023.

None for applicant. Shri S.A. Sainis, Id.  
P.O. for respondents.

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

**Vice Chairman**

dnk.

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

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

**Dated : 05/12/2023.**

Shri Shaikh Sohil, Id. Counsel holding for Shri A.S. Dhore, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

2. The Id. P.O. files reply of R-3. It is taken on record. The Id. P.O. submits that said reply is sufficient to decide the O.A.

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

Put up the matter before regular D.B.

**Vice Chairman**

dnk.

O.A. No.562/2023 (D.B.)

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

**Dated : 05/12/2023.**

Shri G.G. Bade, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

O.A. No.576/2023 (D.B.)

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

**Dated : 05/12/2023.**

None for applicant. Shri S.A. Sainis, Id.  
P.O. for respondents.

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

**Vice Chairman**

dnk.

C.A.434/2023 in O.A. St. 2157/2023 (D.B.)

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

**Dated : 05/12/2023.**

Shri R.S. Bhoyar, Id. Counsel holding for  
Shri K.P. Mahalle, Id. Counsel for applicant and  
Shri S.A. Sainis, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.



(D.B.)

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

**Dated : 05/12/2023.**

**C.A. 514/22 & 409/22 in O.A.880/22 -**

Shri G.G. Bade, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 4. None for other respondents.

2. The learned P.O. submits that the reply is ready and he will file on the next date. At his request, **S.O. 15/12/2023.**

Put up along with connected matter.

**Vice Chairman**

dnk.

O.A. 1100/2022 (D.B.)

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

**Dated : 05/12/2023.**

Shri G.G. Bade, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

2. The learned P.O. submits that the reply is ready and he will file on the next date. At his request, **S.O. 15/12/2023.**

Put up along with connected matter.

**Vice Chairman**

dnk.

O.A. 926/2022 (D.B.)

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

**Dated : 05/12/2023.**

None for applicant. Shri S.A. Sainis, Id.  
P.O. for respondents.

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

**Vice Chairman**

dnk.

O.A. 1195/2022 (D.B.)

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

**Dated : 05/12/2023.**

**C.A. 570/2023 -**

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

2. The learned counsel for applicant submitted that the Joint Director, Directorate of Sports and Youth Services, State of Maharashtra, Pune is necessary party and also want to add in the O.A. as stated in para-2 of the C.A.

3. Looking to the submission, the C.A. is allowed. Necessary amendment be carried out within two weeks and amended copy be supplied to the other side.

**O.A. 1195/2022 –**

The learned P.O. files reply of R-2&3. It is taken on record.

After amendment, issue notice to the newly added respondent returnable **after two weeks**. Hamdast allowed.

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

3. 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.

4. 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.

5. 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.

6. 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.

7. The respondents are at liberty to file additional reply to the amended portion.

8. Interim relief to continue until further orders.

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

**Vice Chairman**

dnk.

C.P. 30/2023 in O.A. 803/2019 (D.B.)

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

**Dated : 05/12/2023.**

Shri Prakash Ramteke, Id. Counsel for applicants and Shri S.A. Sainis, Id. P.O. for State. Await service of R-1 to 4.

2. The learned counsel for applicant submitted that the respondents are served and he will file service affidavit in the office.

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

**Vice Chairman**

dnk.

O.A. No.1182/2022 (D.B.)

( Swapan Kumar Ganguly Vs. State of Mah. & Ors.)

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

**Dated :** 05/12/2023.

**ORDER**

Heard Shri G.N. Khanzode, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. The regular Division Bench is not available. The Hon'ble Chairperson, M.A.T., Principal Bench, Mumbai issued Circular No.MAT/MUM/JUD/469/2023,dated 24/04/2023. As per the direction of Hon'ble Chairperson, if both the parties have consented for final disposal, then regular matter pending before the Division Bench can be disposed off finally. The matter is heard and decided finally with the consent of learned counsel for both the parties.

3. The learned counsel for applicant has pointed out the Annex-A-2 and submitted that the appeal of applicant dated 20/12/2019 is pending before the Governor of Maharashtra.

4. As per the direction of respondent no.1, the applicant has submitted the translated copy of appeal on 21/07/2020. The appeal is pending till date.

5. The learned counsel for applicant submitted that only direction be given to the respondent / State to decide the appeal of applicant.

6. Looking to the submission, the following order is passed –

**ORDER**

(i) The O.A. is disposed of.

(ii) The respondents are directed to decide the appeal of applicant namely Swapan Kumar Ganguly within a period of four months from the date of receipt of this order.

(iii) No order as to costs.

**Vice Chairman**

dnk.

O.A. No.05/2023 (D.B.)

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

**Dated : 05/12/2023.**

Shri S.P. Palshikar, Id. counsel for applicant, Shri S.A. Sainis, Id. P.O. for R-1&2 and Shri A. Deshpande, Id. Counsel holding for U.A. Patil, Id. Counsel for R-3.

At the request of Id. counsel for R-3, **S.O. 07/12/2023** to remove office objection.

**Vice Chairman**

dnk.  
\*\*



O.A.No.171/2021 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri M.P.Kariya, ld. Counsel for the applicant  
and Shri A.P.Potnis, ld. P.O. for the respondents.

2. Learned counsel for the applicant seeks  
permission to unconditionally withdraw the O.A..  
**The O.A. is allowed to be withdrawn and  
disposed of.**

**Member(J)**

rsm.

O.A.No.374/2022 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri R.R.Prajapari, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. Reply of respondent no.1 filed by learned P.O. is taken on record. It is stated to be sufficient. The O.A. is **admitted** and kept for final hearing.

3. Learned P.O. waives notice for the respondents.

4. **S.O. second week of January, 2024.**

**Member(J)**

rsm.

O.A.No.414/2022 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri G.G.Bade, ld. Counsel for the applicant  
and Shri A.M.Khadatkar, ld. P.O. for the respondents.  
Await service of respondents 2 to 4.

2. Learned counsel for the applicant seeks time  
of one week to take steps.

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

**Member(J)**

rsm.

O.A.No.465/2022 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri M.V.Bute, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the respondents. Await service of respondents 2 to 4.

2. Learned counsel for the applicant seeks time of two weeks to take steps.

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

**Member(J)**

rsm.

O.A.No.1016/2022 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. Reply of respondents 2 and 3 filed by  
learned P.O. is taken on record. It is stated to be  
sufficient. The O.A. is **admitted** and kept for final  
hearing.

3. Learned P.O. waives notice for the  
respondents.

4. **S.O. second week of January, 2024.**

**Member(J)**

rsm.

O.A.No.1140/2022 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri S.S.Dhenge, 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.**

**Member(J)**

rsm.

O.A.No.1204/2022 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri B.Kulkarni, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents 1, 3 & 4. None for the respondent no.2.

2. It is pointed out by the learned counsel for the applicant that ample opportunity is given so far to the respondents to file reply.

3. Learned P.O. states that he will positively take necessary steps and matter be kept on 12.12.2023.

4. **S.O. 12.12.2023.**

5. **Steno copy is granted.**

**Member(J)**

rsm.

O.A.No.1205/2022 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri B.Kulkarni, ld. Counsel for the applicant  
and Shri A.M.Khadatkar, ld. P.O. for the respondents  
1, 3 & 4. None for the respondent no.2.

2. **S.O. 12.12.2023.**

**Member(J)**

rsm.



O.A.No.406/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. Reply of respondents 2 to 5 filed by learned P.O. is taken on record. It is stated to be sufficient. The O.A. is **admitted** and kept for final hearing.

3. Learned P.O. waives notice for the respondents.

4. **S.O. next week for final hearing.**

**Member(J)**

rsm.

O.A.No.416/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. Learned counsel for the applicant states that  
the respondents are served.

3. Learned P.O. points out that reply of  
respondents 3 and 4 is already there on record.  
Today he has filed reply of respondent no.7 is taken  
on record.

4. **S.O. second week of January, 2024.**

**Member(J)**

rsm.

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

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri A.D.Mohgaonkar, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

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

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

4. **S.O. second week of January, 2024.**

**Member(J)**

rsm.

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

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri S.G.Jagtap, ld. Counsel for the applicant,  
Shri S.A.Sainis, ld. P.O. for the respondents 1 to 5 and  
U.A.Patil, ld. counsel for the respondent no.6.

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

**Member(J)**

rsm.

O.A.No.569/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri S.N.Gaikwad, Id. Counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents. None for the respondent no.4.

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

**Member(J)**

rsm.

O.A.No.770/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri M.R.Rajgure, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

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

**Member(J)**

rsm.

O.A.No.774/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

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

3. Learned P.O. waives notice for the respondents.

4. Learned counsel for the applicant states that rest of the respondents are served.

5. **S.O. two weeks for filing service affidavit and final hearing.**

**Member(J)**

rsm.

O.A.No.871/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

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

**Member(J)**

rsm.



O.A.No.964/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri V.B.Gawali, ld. Counsel for the applicant  
and Shri A.P.Potnis, ld. P.O. for the respondents.

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

**Member(J)**

rsm.

O.A.No.946/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri S.V.Kulkarni holding for Shri S.D.Chande, Id. Counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents.

2. Reply of respondent no.3 filed by learned P.O. is taken on record. It is stated to be sufficient.

The O.A. is **admitted** and kept for final hearing.

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

4. **S.O.12.12.2023.**

**Member(J)**

rsm.

O.A.No.1016/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri S.V.Kulkarni holding for Shri S.D.Chande, Id. Counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents.

2. Learned P.O. states that parawise reply is received and on next date he will file reply.

3. **S.O. two weeks for filing reply.**

**Member(J)**

rsm.

O.A.No.1110/2023 (S.B.)

**Coram** : Hon'ble Shri M.A.Lovekar, Member (J)  
**Dated** : 05/12/2023.

**C.A.No.521/2023**

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

2. C.A. for Jt. O.A. is allowed.
3. On oral request of learned P.O., **S.O. three weeks for filing reply.**

**Member(J)**

rsm.

O.A.No.1126/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

None for the applicant. Shri A.P.Potnis, Id.  
P.O. for the respondents. Await service of  
respondents 2 & 3.

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

**Member(J)**

rsm.

O.A.No.1153/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

None for the applicant. Shri A.P.Potnis, Id.  
P.O. for the respondents. Await service of  
respondents 2 to 4.

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

**Member(J)**

rsm.

O.A.No.1157/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri S.Borkute, Id. Counsel for the applicant  
and Shri A.P.Potnis, Id. P.O. for the respondents.

2. Reply of respondent no.5 filed by learned  
P.O. is taken on record. It is stated to be sufficient.  
The O.A. is admitted and kept for final hearing.

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

4. **S.O. second week of January, 2024.**

**Member(J)**

rsm.

O.A.No.903/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri R.V.Shiralkar, ld. Counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the respondents 1 & 2 and Shri G.G. Bade, ld. counsel for the respondent no.3.

2. **S.O. 15.12.2023.**

**Member(J)**

rsm.



O.A.No.1161/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. Learned counsel for the applicant states that respondent no.2 is served and today he will file service affidavit.

3. On oral request of learned P.O., **S.O. four weeks for filing reply.**

4. Interim relief to continue fill filing of reply.

**Member(J)**

rsm.

**O.A.No.1265/2023 (S.B.)**

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

**Dated : 05/12/2023.**

**C.A.637/2023**

Heard Shri I.N.Choudhari, Id. Counsel for the applicants and Shri S.A.Deo, Id. C.P.O. for the respondents.

2. C.A. for Jt. O.A. is allowed.

**O.A.No.1265/2023**

Heard Shri I.N.Choudhari, Id. Counsel for the applicants and Shri S.A.Deo, Id. C.P.O. for the respondents.

3. It is submitted that the respondents may proceed to re-fix salary of the applicants and if they come to the conclusion that excess payment is made to them, they may proceed to effect recovery of the amount. In reply it is submitted that presently order of re-fixation is not passed and therefore there is no question of consequential order of recovery.

4. Issue notice to 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.

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

11. The applicant would be question of interim relief is kept open.

**Member(J)**

rsm.

**O.A.No.1266/2023 (S.B.)**

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

**Dated : 05/12/2023.**

**C.A.No.636/2023**

Heard Shri I.N.Choudhari, Id. Counsel for the applicants and Shri S.A.Deo, Id. C.P.O. for the respondents.

2. C.A. for Jt. O.A. is allowed.

**O.A.No.1266/2023**

Heard Shri I.N.Choudhari, Id. Counsel for the applicants and Shri S.A.Deo, Id. C.P.O. for the respondents.

3. It is submitted that by order dated 08.08.2023 (Annexure A-2) recovery is started. It is further submitted that this recovery is impermissible in view of the Judgment in "**State of Punjab and Others Vs. Rafiq Masih (White Washer) and Others (2015) 4 SCC 334**". Prima facie there is merit in this submission. No further recovery shall be effected till the returnable date. No further recovery shall be effected from any of the applicants pursuant to recovery orders initiated against each one of them.

4. Issue notice to 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.

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

11. **Steno copy is granted.**

**Member(J)**

rsm.

O.A.No.1275/2023 (S.B.)

**(Prakash Saundaji Aghavpatil Vs. State of Maharashtra & two others)**

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

**Dated : 05/12/2023.**

Heard Shri N.B.Kalwaghe, Id. Counsel for the applicant, Shri S.A.Deo, Id. C.P.O. for the respondents 1 & 2 and Shri V.B.Gawali, Id. counsel for the respondent no.3/Caveator.

2. Parent department of the applicant is Revenue Department. Parent department of respondent no.3 is Food and Civil Supplies Department.

3. By order dated 11.04.2023 (Annexure A-2) the applicant was directed to be reinstated by revoking his suspension pursuant to registration of an offence against him. Para 3 of order dated 11.04.2023 states as under –

त्यानुषंगाने, महाराष्ट्र शासकीय कर्मचा-यांच्या बदल्याचे विनियमन

आणि शासकीय कर्तव्य पार पाडताना होणा-या विलंबास प्रतिबंध अधिनियम, २००५ च्या

कलम ४(४) मधील तरतुदीनुसार, श्री. प्रकाश आघाव पाटील यांची जिल्हा पुरवठा

अधिकारी, गोंदिया या रिक्त पदावर सक्षम प्राधिका-यांच्या मान्यतेने सार्वजनिक

सेवेच्या हितार्थ व प्रशासकीय सोयींच्या दृष्टीने पदस्थापना करण्यात येत आहे. सदर

पदावर श्री. प्रकाश आघाव पाटील यांनी दि १३.०४ २०२३ (भ.पू.) पर्यंत रुजू होऊन, रुजू

अहवास शासनास तातडीने सादर करावा.

4. By order dated 01.12.2023 (Annexure A-1) respondent no.3 who was working as District Supply Officer, Amravati was transferred as District Supply Officer, Gondia. Since, by order dated 11.04.2023 the applicant was holding the post District Supply Officer, Gondia, the order dated 01.12.2023 stated as follows-

श्री. प्रकाश आघाव पाटील, जिल्हा पुरवठा अधिकारी, गोंदिया यांच्या सेवा सदर

आदेशान्वये मूळ महसूल व वन विभागास प्रत्यावर्तित करण्यात येत आहेत.

5. A conjoint consideration of orders dated 11.04.2023 and 01.12.2023 shows that the applicant whose parent department is Revenue Department is repatriated to his parent department since respondent no.3 was transferred to the post of District Supply Officer, Gondia which was till then held by the applicant.

6. When the matter had come up yesterday for hearing following details were noted-
- 3. Learned C.P.O. has placed on record order dated 01.12.2023 in support of his contention that pursuant to the impugned order respondent no.3 was relieved on 01.12.2023 itself (A.N.). Communication dated 04.12.2023 is also placed on record to show that respondent no.3 has joined on the transferred post today itself i.e. on 04.12.2023 (B.N.). This Joining report is addressed to respondent no.2. It is the contention of the applicant that said joining report of respondent no.3 has not been accepted by respondent no.2.**
- 4. According to learned counsel for the applicant the fact that respondent no.2 has so far not accepted joining report of respondent no.3 can be gathered from the fact that there are no orders issued so far relieving the applicant. In reply, it is submitted by the C.P.O. that respondent no.3 might have taken the charge unilaterally.**
7. After aboveresferred order was passed yesterday, in the afternoon the applicant filed affidavit wherein it is stated -
- 3. The applicant most respectfully submits that till date and time, he has not handed over the charge of D.S.O., Gondia to anybody including respondent No.3. Moreover, the respondent No.2 has not relieved the applicant and also has not directed the applicant to hand over the charge of D.S.O., Gondia to anybody including respondent No.3.**
8. Today, during the course of hearing, learned C.P.O. made a statement on instructions that yesterday respondent no.2 was busy in some other important work and joining report submitted by respondent no.3 could not be accepted by respondent no.2. On instructions from respondent no.2 the C.P.O. further submitted that the issue regarding acceptance of joining report of respondent no.3 was deferred by respondent no.2 because the matter is sub-judice.
9. It was submitted by advocate for the applicant that since the applicant has not handed over charge of his post to respondent no.3 and since report regarding unilateral joining of respondent no.3 has not so far been accepted by respondent no.2, an order of status-quo be passed.

10. I have referred to the circumstances under which order dated 11.04.2023 transferring and posting the applicant as D.S.O., Gondia was passed. It may be reiterated that the applicant's parent department is Revenue department and by order dated 11.04.2023 he was posted in Food and Supplies Department. It was submitted by the C.P.O. and advocate for the respondent no.3 that the applicant ought not to have been given the post of District Supply Officer, Gondia because that was contrary to Rules framed by Food and Civil Supplies Department. It was further submitted that order dated 11.04.2023 must have been passed by way of stop-gap arrangement and this can be gathered from tenor of order dated 01.12.2023.

11. It was submitted on behalf of the applicant that order dated 11.04.2023 refers to Sub-Section 4 of Section 4 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 and, therefore subsequent order to the extent it affects posting of the applicant could not have been passed without recommendation to that effect made by Civil Services Board in view of G.R. dated 31.01.2014 (Annexure A-6). In reply it was pointed out by the C.P.O. that order dated 01.12.2023 was passed as per provisions of Transfer Act and therefore aforesaid submission of the applicant cannot be accepted. Opening part of order dated 01.12.2023 states as under-

महाराष्ट्र शासकीय कर्मचाऱ्यांच्या बदल्यांचे विनियमन आणि शासकीय कर्तव्ये पार पाडताना होणाऱ्या विलंबास प्रतिबंध अधिनियम, २००५ च्या कलम ४(४) (दोन), ४(५), कलम ६ (क) व कलम (ख) मधील तरतुदीनुसार बदली करण्यास सक्षम असलेल्या प्राधिकाऱ्यांच्या मान्यतेने पुरवठा यंत्रणेतील खालील जिल्हा पुरवठा अधिकारी, गट-अ संवर्गातील अधिकारी यांची विनंती बदली त्यांच्या नावासमोर स्तंभ क्र.४ येथे दर्शविलेल्या पदावर व ठिकाणी करण्यात येत आहे-

12. Having regard to the circumstances discussed above I have come to the conclusion that no case is made out to pass interim order of status-quo.

13. Issue notice to Respondents, returnable **after two weeks**. Learned C.P.O. waives notice for respondent no.1/State. Learned counsel V.B.Gawali waives notice for respondent no.3. Hamdast allowed.

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



15. 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.

16. 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.

17. 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.

18. 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.

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

20. **Steno copy is granted.**

**Member(J)**

rsm.

O.A.No.1276/2023 (S.B.)

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

**Dated : 05/12/2023.**

Heard Shri G.K.Bhusari, Id. Counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the respondents.

2. The applicant is Ex-serviceman. It is his case that pursuant to guidelines contained in G.Rs. dated 21.11.2022 (Annexure A-4) and 09.04.2018 (Annexure A-7) he was transferred and posted at Tahsil Office, Mehkar as per his request (Annexure A-3 dated 31.03.2023) after recommendation made in that behalf by Civil Services Board (Annexure A-6).

3. By the impugned order (Annexure A-1) all 14 transfers recommended by the Civil Services Board, including that of the applicant, were cancelled. The impugned order is dated 05.09.2023. According to the applicant since order of his transfer on request was passed after following due procedure, it ought not to have been cancelled by the impugned order. In reply, it is submitted by learned C.P.O. that all 14 orders of transfer including that of the applicant were required to be cancelled because while effecting the same approval of next higher authority was not obtained as mandated by the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. It was further submitted that the impugned order is dated 05.09.2023 and by now the applicant must have been relieved. A statement is made on behalf of the applicant that he is still working at Mehkar.

4. Considering rival submissions following interim order deserves to be passed. The applicant, if he is not already relieved pursuant to impugned order dated 05.09.2023 (Annexure A-1), he shall not be relieved till the returnable date.

5. Issue notice to Respondents, returnable on **after four weeks**. Learned C.P.O. waives notice for State. Hamdast allowed.

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

7. 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.

8. 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.

9. 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.

10. 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.

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

12. **Steno copy is granted.**

**Member(J)**

rsm.

O.A.No.698/2016 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

None for the applicant. Shri A.M.Khadatkar,  
ld. P.O. for the respondents 1 & 2 and Shri  
S.N.Gaikwad, ld. counsel for the respondent no.3.

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

**Member(J)**

rsm.

O.A.No.441/2017 (S.B.)

**Coram** : Hon'ble Shri M.A.Lovekar, Member (J)  
**Dated** : 05/12/2023.

Shri G.G.Bade, ld. Counsel for the applicant  
and Shri S.A.Sainis, ld. P.O. for the respondents.

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

**Member(J)**

rsm.

O.A.No.442/2017 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri G.G.Bade, ld. Counsel for the applicant  
and Shri S.A.Sainis, ld. P.O. for the respondents.

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

**Member(J)**

rsm.

O.A.No.505/2017 with  
C.A.No.331/2017 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Mrs.K.N.Saboo, ld. Counsel for the applicant  
and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. **S.O. 18.12.2023.**

**Member(J)**

rsm.

O.A.No.314/2019 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri M.I.Dhatrak, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. **S.O. 11.12.2023.**

**Member(J)**

rsm.



O.A.No.786/2019 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri G.N.Khazode, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

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

**Member(J)**

rsm.

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

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri R.N.Gaikwad, Id. Counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents 1 & 2. None for the respondents 3 to 5.

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

**Member(J)**

rsm.

O.A.No.991/2021 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri H.Dhumale, ld. Counsel for the applicant, Shri A.P.Potnis, ld. P.O. for the respondents and Shri B.M.Kharkate, ld. counsel for the respondent no.7.

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

**Member(J)**

rsm.

O.A.No.1071/2021 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. Learned counsel for the applicant seeks time to file pursis.

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

**Member(J)**

rsm.

O.A.No.232/2022 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. **S.O. 13.12.2023.**

**Member(J)**

rsm.

O.A.No.342/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Heard Shri I.G.Meshram, Id. Counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

2. **Closed for Orders.**

**Member(J)**

rsm.

O.A.No.477/2023 with  
C.A.No.415/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

Shri G.G.Bade, ld. Counsel for the applicant  
and Shri A.P.Potnis, ld. P.O. for the respondents 1 to  
4. None for the respondent no.5.

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

**Member(J)**

rsm.

O.A.No.637/2023 (S.B.)

**Coram** : Hon'ble Shri M.A.Lovekar, Member (J)  
**Dated** : 05/12/2023.

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

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

**Member(J)**

rsm.



O.A.No.1042/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. **S.O. 07.12.2023.**

**Member(J)**

rsm.

O.A.No.1043/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. **S.O. 07.12.2023.**

**Member(J)**

rsm.

O.A.No.1044/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. **S.O. 07.12.2023.**

**Member(J)**

rsm.

O.A.No.1045/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. **S.O. 07.12.2023.**

**Member(J)**

rsm.

O.A.No.1046/2023 (S.B.)

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)**  
**Dated : 05/12/2023.**

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

2. **S.O. 07.12.2023.**

**Member(J)**

rsm.

**O.A.No.926/2023 with O.A.No.927/2023 with  
O.A.No.928/2023 with O.A.No.929/2023 with  
O.A.No.930/2023 with O.A.No.931/2023 with  
O.A.No.932/2023 with O.A.No.933/2023 with  
O.A.No.934/2023 with O.A.No.935/2023 with  
O.A.No.936/2023 with O.A.No.937/2023 with  
O.A.No.938/2023 with**

**C.A.No.482/2023 with O.A.No.939/2023 with  
O.A.No.959/2023 with O.A.No.960/2023 with  
O.A.No.941/2023 (S.B.)**

**Coram : Hon'ble Shri M.A.Lovekar, Member (J)  
Dated : 05/12/2023.**

Mrs.K.N.Saboo, ld. Counsel for the applicants,  
Shri A.P.Potnis, ld. P.O. for the respondents and Shri  
N.D.Thombre, ld. counsel for the respondent no.4.

2. Learned P.O. submits that this group of  
matters be kept on 2<sup>nd</sup> week of January, 2024 since  
group of connected matters is also fixed 2<sup>nd</sup> week of  
January, 2024.

3. **S.O. 2<sup>nd</sup> week of January, 2024.**

**Member(J)**

rsm.

