

O.A. No.261/2023 (S.B.)

(Priydarshani U. Borkar Vs. State of Mah. & Ors.)

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

Dated : 14/03/2023.

Heard Shri D.M. Kakani, learned counsel for the applicant and Shri V.A. Kulkarni, learned P.O. for the State.

2. The learned P.O. seeks time to get instructions.

3. The learned counsel for the applicant has pointed out the transfer order dated 09/03/2023 wherein the name of applicant appears at Sr.No.4. Clause nos.2 and 5 of the transfer order dated 09/03/2023 is reproduced as under –

२. सदरील आदेश तात्काळ अंमलात येत असून उपरोक्त नमूद अधिकारी यांना बदलीने पदस्थापना दर्शविण्यात आलेल्या पदावर तात्काळ रुजू होण्यासाठी ते धारण करीत असलेल्या पदावरून या आदेशान्वये एकतर्फी कार्यमुक्त करण्यात येत आहे. त्यानी त्यांच्या पदस्थापनेच्या पदावर दिनांक १३/०३/२०२३ रोजी (म.पू.) रुजू होणे अनिर्वाय आहे.

५. सदरहू आदेशानुसार तात्काळ पदस्थापनेच्या पदावर रुजू न झाल्यास वा कोणत्याही प्रकारचा दबाव आणून बदली रद्द करण्याचा प्रयत्न झाल्यास, ही कृती महाराष्ट्र नागरी सेवा (वर्तणूक) नियम, १९७९ मधील नियम २३ चे उल्लंघन करणारी असल्यामूळे, ती गैर्वर्तणूक समजून त्यांचे विरुद्ध शिस्तभंग विषयक कारवाई करण्यात येईल, याची संबंधितांनी नोंद घ्यावी.’’

4. The applicant moved application on 13/03/2023 before the Collector, Nagpur and requested him to allow her to join duty at Hingna as per the transfer order dated 09/03/2023. But no any order was passed by the Collector, Nagpur.

5. The learned counsel for the applicant has submitted that the applicant is ready to accept the transfer, as per the order dated 09/03/2023. The respondents itself have issued transfer order dated 09/03/2023, then it was their duty to follow the same. On the other hand, the transfer order itself shows that the applicant was relieved and she was directed to join duty on 13/03/2023. As per Clause no.5 of the transfer order, if she failed to join duty, then disciplinary action can be initiated against her. There was no reason for the Collector, Nagpur not to allow her to join as Tahsildar, Hingna.

6. Hence, **the respondent no.3, i.e., the Collector, Nagpur is directed to allow the applicant to join on the post of Tahsildar at Hingna with immediate effect.**

7. Issue notice to the respondents returnable **after two weeks**. Learned P.O. waives notice for State. Hamdast allowed.
8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
9. 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.
10. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
11. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
12. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. after two weeks.

Steno copy is granted.

Vice Chairman

dnk.

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

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

Dated : 14/03/2023.

Shri S.N. Gaikwad, 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. 28/03/2023.**

Vice Chairman

dnk.

C.A. 477/2022 in O.A. 84/2021 (S.B.)

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

Dated : 14/03/2023.

None for the applicant. Shri A.M. Khadatkhar, Id. P.O. for respondent no.1, Shri S. Majid, Id. counsel for respondent no.2 and Shri R.V. Shiralkar, Id. counsel for R-3.

2. Shri R.V. Shiralkar, Id. counsel for R-3 has filed copy of letter dated 2/3/2020 wherein it is mentioned that the Service Book is forwarded to the Zilla Parishad, Nagpur. It is taken on record and marked Exh-X for identification.

3. Shri S. Majid, Id. counsel for respondent no.2 seeks time to get instructions from Zilla Parishad, Nagpur.

S.O. two weeks.

Vice Chairman

dnk.

C.A. 62/2017 in O.A. No.124/2017 (S.B.)

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

Dated : 14/03/2023.

Heard Wankhede, Id. counsel holding for Shri S.D. Chande, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The matter is remanded back by the Hon'ble Bombay High Court, Bench at Nagpur. Operative portion of the order in para-7 reads as under –

“(7) In this view of the matter, we quash and set aside the order impugned and remit the matter to the MAT for deciding the original application by directing that the delay be condoned and with a request to the learned MAT to consider the original application on merits as expeditiously as possible.”

3. As per the direction of Hon'ble Bombay High Court, Bench at Nagpur, the delay is condoned.

4. The matter be kept for filing reply on behalf of the respondents.

S.O. two weeks.

Vice Chairman

dnk.

O.A. No.759/2017 (S.B.)

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

Dated : 14/03/2023.

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 to 4. None for R-5.

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

Vice Chairman

dnk.

O.A. No.252/2020 (S.B.)

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

Dated : 14/03/2023.

None for the applicant. Shri V.A.
Kulkarni, Id. P.O. for R-1.

Hamdast not collected for R-2 to 4.

S.O. after three weeks.

Vice Chairman

dnk.

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

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

Dated : 14/03/2023.

None for applicant. Shri A.M. Khadatkar,
Id. P.O. for R-1 to 4 and Shri H.D. Marathe, Id.
counsel for R-5.

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

Vice Chairman

dnk.

O.A. No.908/2020 (S.B.)

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

Dated : 14/03/2023.

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

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

Vice Chairman

dnk.

O.A. No.250/2022 (S.B.)

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

Dated : 14/03/2023.

Shri H.M. Bobade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for State. Await service of R-2 to 5.

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent nos.2 to 5 returnable **after three 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.

S.O. after three weeks.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.251/2022 (S.B.)

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

Dated : 14/03/2023.

Shri H.M. Bobade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. None for R-4. Await service of R-2 and 3

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent nos.2 and 3 returnable **after three 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.

S.O. after three weeks.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.252/2022 (S.B.)

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

Dated : 14/03/2023.

Shri H.M. Bobade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. None for R-4. Await service of R-2 and 3

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent nos.2 and 3 returnable **after three 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.

S.O. after three weeks.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.253/2022 (S.B.)

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

Dated : 14/03/2023.

Shri H.M. Bobade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for State. Await service of R-2 to 4.

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent nos.2 to 4 returnable **after three 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.

S.O. after three weeks.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.254/2022 (S.B.)

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

Dated : 14/03/2023.

Shri H.M. Bobade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for State. Await service of R-2 to 5.

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent nos.2 to 5 returnable **after three 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.

S.O. after three weeks.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.255/2022 (S.B.)

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

Dated : 14/03/2023.

Shri H.M. Bobade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. None for R-4. Await service of R-2 and 3

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent nos.2 and 3 returnable **after three 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.

S.O. after three weeks.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.256/2022 (S.B.)

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

Dated : 14/03/2023.

Shri H.M. Bobade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for State. Await service of R-2 to 5.

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent nos.2 to 5 returnable **after three 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.

S.O. after three weeks.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.257/2022 (S.B.)

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

Dated : 14/03/2023.

Shri H.M. Bobade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for State. Await service of R-2 to 4.

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent nos.2 to 4 returnable **after three 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.

S.O. after three weeks.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.262/2022 (S.B.)

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

Dated : 14/03/2023.

Shri H.M. Bobade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for State. Await service of R-2 to 4.

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent nos.2 to 4 returnable **after three 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.

S.O. after three weeks.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.269/2022 (S.B.)

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

Dated : 14/03/2023.

Shri H.M. Bobade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for State. Await service of R-2 to 4.

2. At the request of Id. counsel for the applicant, issue fresh notice to respondent nos.2 to 4 returnable **after three 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.

S.O. after three weeks.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.1104/2022 (S.B.)

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

Dated : 14/03/2023.

Shri A.P. Sadavarte, Id. counsel for the
applicant and Shri M.I. Khan, Id. P.O. for R-1&2.
None for R-3.

S.O. 23/03/2023 for reply.

Vice Chairman

dnk.

O.A. No.1246/2022 (S.B.)

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

Dated : 14/03/2023.

None for applicant. Shri M.I. Khan, 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.165/2023 (S.B.)

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

Dated : 14/03/2023.

None for applicant. Shri M.I. Khan, Id.
P.O. for R-1.

Hamdast not collected for R-2 to 4.

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.1111/2022 (S.B.)

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

Dated : 14/03/2023.

Shri R.V. Shiralkar, Id. counsel for applicants and Shri M.I. Khan, 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.1141/2021 (S.B.)

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

Dated : 14/03/2023.

None for applicant. Shri V.A. Kulkarni, 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.219/2022 (S.B.)

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

Dated : 14/03/2023.

None for applicant. Shri V.A. Kulkarni, Id.
P.O. for R-1. None for R-5.

Await service of R-2 to 4.

S.O. four weeks.

Vice Chairman

dnk.

O.A. No.381/2022 (S.B.)

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

Dated : 14/03/2023.

None for applicant. Shri V.A. Kulkarni, Id.
P.O. for R-1. Await service of R-2 and 3.

S.O. four weeks.

Vice Chairman

dnk.

O.A. No.1148/2022 (S.B.)

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

Dated : 14/03/2023.

Shri Saket Makkad, Id. counsel holding for Shri S.M. Bhangde, Id. counsel for the applicant and Shri V.A. Kulkarni, 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.1247/2022 (S.B.)

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

Dated : 14/03/2023.

Heard Shri J.S. Wankhede, 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-2&3. It is taken on record. 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 Id. P.O. waives notice for respondents.

S.O. in due course.

Vice Chairman

dnk.

O.A. No.02/2023 (S.B.)

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

Dated : 14/03/2023.

Shri P.A. Kadu, Id. counsel for applicant
and Shri V.A. Kulkarni, 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.03/2023 (S.B.)

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

Dated : 14/03/2023.

None for applicant. 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.81/2023 (S.B.)

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

Dated : 14/03/2023.

Shri R.V. Shiralkar, Id. counsel for 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.164/2023 (S.B.)

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

Dated : 14/03/2023.

Shri A.P. Sadavarte, Id. counsel for applicants 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.194/2023 (S.B.)

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

Dated : 14/03/2023.

Shri A. Motlag, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2&3.

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

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

Vice Chairman

dnk.

O.A. No.224/2023 (S.B.)

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

Dated : 14/03/2023.

Heard Shri A. Motlag, Id. 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.214/2023 (S.B.)

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

Dated : 14/03/2023.

Heard Shri V. Dahat, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

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

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

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

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

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

within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. after three weeks.

Vice Chairman

dnk.

O.A. No.829/2011 (S.B.)

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

Dated : 14/03/2023.

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

2. On the last date also none appeared for the applicants.

3. Issue notice to the applicants returnable **after three weeks.**

Vice Chairman

dnk.

**O.As. 524,525 & 623 of 2016,
747,748,749,750,752 & 755 of 2018 (S.B.)**

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

Dated : 14/03/2023.

Shri N. Dhoot, Id. counsel holding for
Shri N.R. Saboo, Id. counsel for the applicants
and Shri A.M. Khadatkar, Id. P.O. for the
respondents.

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

Vice Chairman

dnk.

O.A. No.797/2018 (S.B.)

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

Dated : 14/03/2023.

Shri S.P. Palshikar, 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. 28/03/2023.**

Vice Chairman

dnk.

O.A. No.948/2019 (S.B.)

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

Dated : 14/03/2023.

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

2. The learned counsel for the applicant has pointed out the Judgment of this Tribunal in O.A.No.300/2018 dated 14/7/2022 and the Judgment of Hon'ble Supreme Court in the case of ***Dev Dutt Vs. Union of India & Ors.(2008) 8 SCC,725***. Copies of the same are taken on record.

Closed for orders.

Vice Chairman

dnk.

O.A. No.54/2020(S.B.)

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

Dated : 14/03/2023.

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

S.O. 11/4/2023.

Vice Chairman

dnk.

O.A. No.897/2021 (S.B.)

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

Dated : 14/03/2023.

Shri R.M. Fating, 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. 27/03/2023.**

Vice Chairman

dnk.

O.A. No.87/2022 (S.B.)

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

Dated : 14/03/2023.

R.P. Jog, 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.**
06/04/2023.

Vice Chairman

dnk.

O.A. No.917/2022 (S.B.)

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

Dated : 14/03/2023.

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

S.O. 06/04/2023.

Vice Chairman

dnk.

O.A. No.389/2021 (S.B.)

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

Dated : 14/03/2023.

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

2. The Id. P.O. has filed reply to the amended portion. It is taken on record and copy is given to the applicant.

S.O. 17/03/2023.

Vice Chairman

dnk.

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

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

Dated : 14/03/2023.

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

2. The Id. P.O. has filed reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

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

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

5. **S.O. 03.04.2023.**

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

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.Nos.1106,1107&1108/2022 (D.B.)

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

Dated : 14/03/2023.

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

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

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.1244/2022 (D.B.)

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

Dated : 14/03/2023.

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

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

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

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

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

Dated : 14/03/2023.

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

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

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.54/2023 (D.B.)

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

Dated : 14/03/2023.

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

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

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.Nos.147&148/2023 (D.B.)

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

Dated : 14/03/2023.

Heard Shri D.M.Kakani, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Ld. Counsel for the applicant has relied on the judgment of M.A.T., Principal Bench in O.A. No. 752/2022 delivered on 29.09.2022. He further submits that this Judgment squarely covers the issue involved in this O.A.. However, ld. P.O. has relied on order of M.A.T., Principal Bench in C.A.No.69/2022 in O.A. No.339/2020, order dated 21.02.2023. .

3. As mentioned in Clause 7 (i) of the O.A., D.P.C. has taken place on 31.07.2019 and applicant's case is kept in sealed envelope. We have gone through the above referred Judgments. The Judgment relied upon by the applicant covers his case. Hence, the order:-

O R D E R

1. Respondents are directed to promote the applicant if otherwise found eligible as per Rules and Regulations within one month from the date of receipt of this order.

2 With these directions, O.A. is allowed in terms of relief sought clause 7(i) with no order as to costs.

**Member(J)
Date:- 14/03/2023.**

Vice Chairman

aps.

C.P.No.11/2023inO.A.No.793/2016 (D.B.)

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

Dated : 14/03/2023.

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the State.

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

3. Shri M.I.Khan, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

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

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

C.P.No.22/2023inO.A.No.94/2020 (D.B.)

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

Dated : 14/03/2023.

Heard Shri Rahul Waghmare holding for Shri N.B.Rathod, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the State.

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

3. Shri M.I.Khan, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

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

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.202/2023 (D.B.)

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

Dated : 14/03/2023.

Heard Shri S.N.Gaikwad, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the State. Await service of R-2 to 4.

2. Ld. Counsel for the applicant submits that he has served the notices on 10.03.2023. At the request of ld. P.O., **S.O. four weeks to file reply.**

3. **Interim relief is to be continued till filing of the reply.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.156/2023 (D.B.)

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

Dated : 14/03/2023.

None for the applicant. Shri M.I.Khan, Id. P.O.
for the State.

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.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.579/2017 (D.B.)

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

Dated : 14/03/2023.

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

2. At the request of ld. Counsel for the applicant, **S.O. 16.03.2023.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.Nos.800/19,919&921/17,83,320,321,322,

323,324&764/18 (D.B.)

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

Dated : 14/03/2023.

Heard Ms. V.Thakre holding for Shri S.R.Deshpande, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. At the request of ld. Counsel for the applicant, **S.O. three weeks.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

R.A.No.31/2019inO.A.No.799/2011 (D.B.)

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

Dated : 14/03/2023.

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

2. Ld. P.O. desires to place certain judgment on record. He is permitted to do so.

3. **Closed for orders.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.221/2018 (D.B.)

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

Dated : 14/03/2023.

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

2. Put up this matter along with other connected O.As..

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

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.60/2019 (D.B.)

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

Dated : 14/03/2023.

Heard Shri S.N.Chikale holding for Shri P.A.Kadu, ld. Counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the respondents and Shri S.N.Gaikwad, ld. Counsel for the R-4.

2. At the request of ld. Counsel for the applicant, **S.O. 28.03.2023 for final hearing.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.766/2019 (D.B.)

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

Dated : 14/03/2023.

Heard Shri J.S.Wankhede, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

2. At the request of Id. Counsel for the applicant, **S.O. one week to file Rejoinder.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.114/2020 (D.B.)

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

Dated : 14/03/2023.

Heard Shri S.N.Chikale holding for Shri P.A.Kadu, ld. Counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the respondents, Shri B.Kulkarni, ld. Counsel for the R-3 & Shri J.S.Wankhede, ld. Counsel for the Intervenor.

2. At the request of ld. Counsel for the applicant, **S.O. 28.03.2023 for final hearing.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.973/2020 (D.B.)

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

Dated : 14/03/2023.

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

2. **S.O. six weeks.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.512/2021 (D.B.)

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

Dated : 14/03/2023.

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

2. **S.O. six weeks.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.1135/2021 (D.B.)

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

Dated : 14/03/2023.

Heard Shri A.Y.Humane holding for Shri Y.Y.Humane, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. At the request of ld. Counsel for the applicant, **S.O. two weeks for final hearing.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.664/2022 (D.B.)

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

Dated : 14/03/2023.

Heard Shri G.K.Bhusari, 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. 21.03.2023** for final hearing.

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.1133/2022 (D.B.)

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

Dated : 14/03/2023.

Heard Shri P.S.Wathore, 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. 21.03.2023** for final hearing as a last chance.

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.248/2023 (D.B.)

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

Dated : 14/03/2023.

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

2. Registry is directed to keep the reply along with the matter.
3. **S.O. 16.03.2023 for final hearing.**
4. **Keep this matter high on board.**

Member(J)
Date:- 14/03/2023.
aps.

Vice Chairman

O.A.No.935/2018 (D.B.)

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

Dated : 14/03/2023.

Heard Shri J.S.Wankhede, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

2. Put up before Single Bench.

Member(J)

Date:- 14/03/2023.

aps.

Vice Chairman