

O.A. No.163/2023 (S.B.)

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

Dated : 14/06/2023.

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

At the request of learned P.O., **S.O. 03/07/2023** for filing reply.

Vice Chairman

dnk.

O.As. 135,136 & 137 of 2023 (S.B.)

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

Dated : 14/06/2023.

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

2. The learned counsel for applicant and learned P.O. submitted that the similar issue pending before the Hon'ble High Court.

3. In view of above, **S.O. in due course.**

Vice Chairman

dnk.

O.A. No.106/2021 (S.B.)

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

Dated : 14/06/2023.

Shri I.N. Choudhari, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. The learned counsel for applicant submits that similar matters are kept on 4/7/2023 therefore this matter may be kept along with the said matters.

S.O. 4/7/2023.

Put up along with O.As.130 & 131 of 2021.

Vice Chairman

dnk.

O.A. No.334/2021 (S.B.)

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

Dated : 14/06/2023.

Ms. Joshi, Id. Counsel holding for Kirti Satpute, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. At the request of learned counsel for the applicant, **S.O.21/6/2023.**

Vice Chairman

dnk.

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

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

Dated : 14/06/2023.

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

2. At the request of Id. P.O., **S.O. 21/06/2023.**

Vice Chairman

dnk.

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

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

Dated : 14/06/2023.

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

2. At the request of Id. P.O., **S.O. 03/07/2023.**

Vice Chairman

dnk.

O.A. No.418/2021 (S.B.)

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

Dated : 14/06/2023.

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

2. As per submission of learned counsel for the applicant, connected matters were decided by Member (J).

3. In view of above, put up the matter before Member (J), **on 21/06/2023.**

Vice Chairman

dnk.

O.A. No.147/2020 (S.B.)

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

Dated : 14/06/2023.

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

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

Vice Chairman

dnk.

O.A. No.1243/2022 (S.B.)

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

Dated : 14/06/2023.

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

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

Vice Chairman

dnk.

O.A. No.108/2023 (S.B.)

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

Dated : 14/06/2023.

R.N. Gaikwad, Id. counsel for the applicants, Shri V.A. Kulkarni, Id. P.O. for R-1 to 4 and A.S. Deshpande, Id. Counsel holding for U.A. Patil, Id. counsel for R-5.

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

Vice Chairman

dnk.

O.A. No.115/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. The Id. Counsel for applicant submits that the respondent nos. 2 and 3 are served and he will file service affidavit. He further submits that fresh notice may be issued to respondent no.4.

3. At the request of Id. Counsel for applicant, issue fresh notice to respondent no.4 returnable **04/07/2023**. Hamdast allowed.

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

5. 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.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the

questions such as limitation and alternate remedy are kept open.

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

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

S.O. 4/7/2023.

Vice Chairman

dnk.

O.A. No.129/2023 (S.B.)

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

Dated : 14/06/2023.

Heard Shri B.G. Waghmare, Id. Counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for respondents.

2. The Id. P.O. files reply of R-3&4. It is taken on record and copy is given to the applicant.

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

S.O. 5/7/2023.

Vice Chairman

dnk.

O.A. No.130/2023 (S.B.)

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

Dated : 14/06/2023.

Shri B.G. Waghmare, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. 5/7/2023** for filing reply.

Vice Chairman

dnk.

O.A. No.265/2023 (S.B.)

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

Dated : 14/06/2023.

Shri S.A. Marathe, Id. Counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service for R-2 to 4.

2. The Id. Counsel for applicant submitted the respondents are served and he will file service affidavit.

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

Vice Chairman

dnk.

O.As. 315,316 & 318 of 2023 (S.B.)

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

Dated : 14/06/2023.

Shri S.P. Palshikar, Id. Counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned counsel for the applicants submitted that all three applicants are granted benefit of earned leave. Now the issue in respect of interest is to be decided.

3. The learned P.O. is directed to file reply positively on the next date.

S.O. 3/7/2023.

Vice Chairman

dnk.

O.A. No.474/2023 (S.B.)

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

Dated : 14/06/2023.

Shri K. Mahalle, Id. Counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 and Shri G.K. Bhusari, Id. Counsel R-2.

At the request of Id. P.O., **S.O. 4/7/2023** for filing reply.

Vice Chairman

dnk.

O.A. No.335/2019 (S.B.)

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

Dated : 14/06/2023.

Shri Sheikh, Id. Counsel holding for Shri
A.S. Dhore, 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. 5/7/2023.**

Vice Chairman

dnk.

O.A. No.736/2020 (S.B.)

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

Dated : 14/06/2023.

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

S.O. 6/7/2023.

Vice Chairman

dnk.

O.A. No.102/2023 (S.B.)

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

Dated : 14/06/2023.

Shri B.G. Waghmare, 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. 5/7/2023.**

Vice Chairman

dnk.

O.A. No.1064/2019 (S.B.)

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

Dated : 14/06/2023.

K.N. Saboo, Id. Counsel for the applicant
and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. Counsel for the
applicant, **S.O. 21/6/2023.**

Vice Chairman

dnk.

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

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

Dated : 14/06/2023.

Shri S.R. Charpe, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. As per submission of learned P.O., this matter is handed over to learned P.O. Shri S.A. Sainis, but he is not keeping well.

S.O. 22/6/2023.

Vice Chairman

dnk.

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

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

Dated : 14/06/2023.

Shri Sheikh, Id. Counsel holding for Shri
A.S. Dhore, Id. Counsel for the applicant and
Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No.232/2023 (D.B.)

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

Dated : 14/06/2023.

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

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

Vice Chairman

dnk.

C.P. 05/2023 in O.A. No.343/2020 (D.B.)

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

Dated : 14/06/2023.

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

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

Vice Chairman

dnk.

C.P. 09/2023 in O.A. No.93/2020 (D.B.)

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

Dated : 14/06/2023.

Shri C.V. Jagdale, Id. Counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. At the request of learned P.O., **S.O. 5/7/2023.**

Vice Chairman

dnk.

O.A. No.543/2023 (D.B.)

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

Dated : 14/06/2023.

Heard Shri S.N. Gaikwad, learned counsel for the applicant and Shri H.K. Pande, learned P.O. for the State.

2. Issue notice to the respondents returnable **7/7/2023**. 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. 7/7/2023.

Vice Chairman

dnk.

C.P. 24/2023 in O.A. No.860/2019 (D.B.)

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

Dated : 14/06/2023.

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

2. The learned P.O. submits that the respondents have filed Writ Petition before the Hon'ble High Court.

3. The learned counsel for the applicant submits that he has no instructions in this regard.

4. The learned counsel for the applicant is directed to get instructions from his client before the next date.

S.O. after three weeks.

Vice Chairman

dnk.

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

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

Dated : 14/06/2023.

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

2. The learned counsel for the applicant pointed out affidavit filed by the applicant.

3. The learned counsel for applicant has submitted that the order in O.A.No.683/2022 was passed on 30/08/2022 in which the respondents were directed to promote the applicant and grant all consequential benefits subject to outcome of the criminal proceeding.

4. The learned counsel for applicant has submitted that the respondents should have complied the order, but they are taking advantage of the order in which specific time limit was not given.

5. The learned P.O. submits that process of promotion is going on. On 31/03/2023, the respondents were directed to comply the order dated 02/03/2022.

6. In view of above, the respondents are directed to comply the order passed by this Tribunal in O.A.683/2022 before the next date. It is made clear that if the order is not complied,

the concerned officer shall remain present before this Tribunal on the next date.

S.O. 04/07/2023.

Steno copy is granted...

Vice Chairman

dnk.

O.A. No.245/2018 (D.B.)

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

Dated : 14/06/2023.

Shri Sheikh, Id. Counsel holding for Shri A.S. Dhore, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

The Id. Counsel for the applicant seeks further time to remove office objection.

At the request of Id. Counsel for the applicant, **S.O. 3/7/2023.**

Vice Chairman

dnk.

O.A. No.380/2022 with C.A.245/2023 (D.B.)

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

Dated : 14/06/2023.

Heard Shri S.N. Gaikwad, Id. Counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for respondent nos.1 to 4 and Shri S.P. Palshikar, Id. Counsel for respondent no.5 (Intervener).

2. With the consent of Shri S.N. Gaikwad, Id. Counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for respondent nos.1 to 4 and Shri S.P. Palshikar, Id. Counsel for respondent no.5 (Intervener), the O.A. is heard finally.

3. During the course of argument the learned counsel for the applicant has filed letters dated 4/11/2019 and 5/11/2019. Those are commonly marked as Exh-X.

Closed for orders.

Vice Chairman

dnk.

O.A. No.866/2022 with C.A.221/2023 (D.B.)

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

Dated : 14/06/2023.

Shri N. Phadnis, Id. Counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

At the request of Id. Counsel for the applicant, **S.O. 4/7/2023.**

Vice Chairman

dnk.

(D.B.)

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

Dated : 14/06/2023.

O.A. 545/2022 with C.A. 216/2022,

O.A.554/2022, with C.A.215/2022,

O.A.568/2022 & 670/2022 -

Heard Shri A.B. Moon, Id. Counsel for the applicants, Shri S.A. Deo, Id. CPO for respective respondents and Shri S. Kakkad, Id. counsel holding for Shri S.M. Bhangde, Id. Counsel for R-4 in the respective O.As.

2. The learned counsel for applicant is insisting for final hearing.

3. The regular D.B. is not available. As per the letter / direction of the Hon'ble Chairperson, M.A.T., Mumbai, if all parties have consented for final argument, then the matter can be decided. Some of the respondents are not ready to argue finally.

S.O. 06/07/2023.

Vice Chairman

dnk.

O.A. No.318/2022 (D.B.)

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

Dated : 14/06/2023.

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

2. With the consent of Shri S.P. Palshikar, Id. Counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents, the O.A. is finally heard.

Closed for orders.

Vice Chairman

dnk.

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

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

Dated : 14/06/2023.

Smt. S.W. Deshpande, Id. Counsel for
the applicant, Shri H.K. Pande, Id. P.O. for R-1
to 4 and Shri S.A. Marathe, Id. Counsel for R-5.

S.O. 3/7/2023.

Vice Chairman

dnk.
**

O.A.No.271/2022 (S.B.)

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

Dated : 14/06/2023.

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

2. **Closed for Orders.**

Member (J).

rsm.

O.A.No.558/2022 (S.B.)

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

Dated : 14/06/2023.

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

2. Learned C.P.O. seeks time to make submission.

3. **S.O. next week.**

Member (J).

rsm.

O.A.No.758/2022 (S.B.)

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

Dated : 14/06/2023.

None for the applicant. Heard Shri A.M.Khadatkar, ld. P.O. for the respondents and Shri A.W.Paunikar, ld. counsel for the respondents 17, 19 & 22.

2. Reply of respondent no.11 filed by learned P.O. is taken on record.

3. **S.O. four weeks for filing reply of remaining respondents.**

Member (J).

rsm.

**C.A.No.258/2023 in R.A.No.10/2023 in
O.A.No.566/2019 (S.B.)**

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

Dated : 14/06/2023.

Heard Shri Majit Shaikh, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents and Shri A.P.Sadavarte, ld. counsel the original applicant no.1.

2. **Closed for Orders.**

Member (J).

rsm.

O.A.No.205/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. Learned counsel for the applicant submits that the respondents are served and today he file service affidavit.
3. Learned P.O. seeks time to file reply.
4. **S.O. one week.**

Member (J).

rsm.

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

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

Dated : 14/06/2023.

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

2. Learned counsel for the applicant submits that respondents are served and she will file service affidavit within one week.
3. Learned P.O. seeks time to file reply.
4. **S.O. one week.**

Member (J).

rsm.

O.A.No.499/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. Learned counsel for the applicant submits that respondents are served and she will file service affidavit within one week.
3. Learned P.O. seeks time to file reply.
4. **S.O. one week.**

Member (J).

rsm.

O.A.No.500/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. Learned counsel for the applicant submits that respondents are served and she will file service affidavit within one week.
3. Learned P.O. seeks time to file reply.
4. **S.O. one week.**

Member (J).

rsm.

O.A.No.501/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. Learned counsel for the applicant submits that respondents are served and she will file service affidavit within one week.
3. Learned P.O. seeks time to file reply.
4. **S.O. one week.**

Member (J).

rsm.

O.A.No.502/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. Learned counsel for the applicant submits that respondents are served and she will file service affidavit within one week.
3. Learned P.O. seeks time to file reply.
4. **S.O. one week.**

Member (J).

rsm.

O.A.No.511/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. Learned counsel for the applicant submits that respondents are served and she will file service affidavit within one week.
3. Learned P.O. seeks time to file reply.
4. **S.O. one week.**

Member (J).

rsm.

O.A.No.513/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. Learned counsel for the applicant submits that respondents are served and she will file service affidavit within one week.
3. Learned P.O. seeks time to file reply.
4. **S.O. one week.**

Member (J).

rsm.

O.A.No.515/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. Learned counsel for the applicant submits that respondents are served and she will file service affidavit within one week.
3. Learned P.O. seeks time to file reply.
4. **S.O. one week.**

Member (J).

rsm.

O.A.No.471/2023 (S.B.)

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

Dated : 14/06/2023.

Heard Shri A.Joshi, Id. counsel for the applicant, Shri M.I.Khan, Id. P.O. for the respondents 1 and 2 and Shri S.N.Gaikwad, Id. Advocate for the respondent no.3 Zilla Parishad.

2. On behalf of respondent no.3, a statement is made that the applicant is yet to be relieved.

3. Advocate for the applicant prays that since the applicant has not been relieved direction be issued by way of interim measure not to relieve the applicant at least till the returnable date.

3. Learned P.O. has pointed out that while passing order dated 30.05.2023 this Tribunal had considered two circumstances- 1) the applicant has completed normal tenure and 2) it was for the administration to consider the choice posting. It is the submission of the learned P.O. that order dated 30.05.2023 would indicate that the case was not found to be a fit case for passing interim order.

4. Learned P.O. has submitted that after passing the impugned order the applicant has not made any representation. At Annexure A-6 there is representation dated 16.05.2023. The impugned order is dated 15.05.2023.

5. Learned counsel for the applicant submits that he will make a representation to respondent no.1 tomorrow.

6. **S.O. one week.**

Member (I).

rsm.

O.A.No.860/2020 (S.B.)

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

Dated : 14/06/2023.

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

2. Learned counsel for the applicant has filed pursis for withdrawal of this O.A. with liberty to file fresh O.A..

3. The O.A. is disposed of as withdrawn with liberty as sought. No order as to costs.

Member (J).

rsm.

O.A.No.937/2022 (S.B.)

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

Dated : 14/06/2023.

Heard Shri U.K.Bisen, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. 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.

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

9. Question of limitation is kept open.

Member (I).

rsm.

O.A.No.938/2022 (S.B.)

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

Dated : 14/06/2023.

Heard Shri U.K.Bisen, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. 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.

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

9. Question of limitation is kept open.

Member (I).

rsm.

O.A.No.939/2022 (S.B.)

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

Dated : 14/06/2023.

Heard Shri U.K.Bisen, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. 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.

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

9. Question of limitation is kept open.

Member (I).

rsm.

O.A.No.940/2022 (S.B.)

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

Dated : 14/06/2023.

Heard Shri U.K.Bisen, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. 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.

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

9. Question of limitation is kept open.

Member (I).

rsm.

O.A.No.941/2022 (S.B.)

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

Dated : 14/06/2023.

Heard Shri U.K.Bisen, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. 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.

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

9. Question of limitation is kept open.

Member (I).

rsm.

O.A.No.942/2022 (S.B.)

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

Dated : 14/06/2023.

Heard Shri U.K.Bisen, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. 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.

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

9. Question of limitation is kept open.

Member (I).

rsm.

O.A.No.366/2023 (S.B.)

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

Dated : 14/06/2023.

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

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

9. Question of limitation is kept open.

Member (I).

rsm.

O.A.No.568/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. Main grievance of the applicant is that he is a Group-A Medical Officer and in the impugned order of transfer he is shown to be a Group-B Medical Officer and transferred to a post of Group-B Medical Officer in pay scale S-16. It is his contention that his pay scale is S-20. It is pointed out that in earlier orders of transfer (Annexure A-1 & A-2) he was rightly shown as Group-A Medical Officer. It is submitted that if the impugned order is allowed to be carried into effect it would amount to reversion of the applicant. Reliance is also placed on online application for transfer (Annexure A-4). On internal page 2 the applicant has specifically pointed out that he is a Group-A Medical Officer and his pay scale is S-20.

3. A statement is made that so far the applicant has not been relieved.

4. In view of aforesaid circumstances case is made out to pass interim order till the returnable date. **Effect and implementation of the impugned order (Annexure A-3) shall stand stayed till returnable date i.e.05.07.2023.**

5. Issue notice to the respondents, returnable **on 05.07.2023**. 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. 05.07.2023.**

12. **Steno copy is granted.**

Member (I).

rsm.

O.A.No.126/2015 with O.A.No.189/2015
(S.B.)

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

Dated : 14/06/2023.

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

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

Member (J).

rsm.

**O.A.No.445/2015 with O.A.No.446/2015 with
O.A.No.447/2015 (S.B.)**

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

Dated : 14/06/2023.

None for the applicants. Shri A.M.Ghogre,
ld. P.O. for the respondents. None for the
respondent no.4.

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

Member (J).

rsm.

O.A.No.625/2017 (S.B.)

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

Dated : 14/06/2023.

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

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

Member (J).

rsm.

O.A.No.926/2017 (S.B.)

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

Dated : 14/06/2023.

None for the applicant. Shri A.M.Ghogre, Id.
P.O. for the respondents. None for the respondents
5 to 7 and 8.

2. **S.O. four weeks.**

Member (J).

rsm.

O.A.No.953/2017 (S.B.)

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

Dated : 14/06/2023.

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

2. **S.O. 23.06.2023.**

Member (J).

rsm.

O.A.No.962/2017 (S.B.)

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

Dated : 14/06/2023.

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

2. **S.O. four weeks.**

Member (J).

rsm.

O.A.No.740/2018 (S.B.)

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

Dated : 14/06/2023.

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

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

Member (J).

rsm.

O.A.No.973/2019 (S.B.)

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

Dated : 14/06/2023.

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

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

Member (J).

rsm.

O.A.No.51/2020 (S.B.)

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

Dated : 14/06/2023.

Heard Shri V.G.Wankhede, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

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

Member (J).

rsm.

O.A.No.257/2020 (S.B.)

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

Dated : 14/06/2023.

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

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

Member (J).

rsm.

O.A.No.982/2021 (S.B.)

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

Dated : 14/06/2023.

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

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

Member (J).

rsm.

O.A.No.784/2022 (S.B.)

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

Dated : 14/06/2023.

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

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

Member (J).

rsm.

O.A.No.577/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. The applicant is relying on Section 5(1)(a) of the Maharashtra Government Servants Regulation of Transfer and Prevention of Delay in Discharge of Official Duties Act, 2005. The applicant is also relying on G.R. dated 09.04.2018 (Annexure A-6). Said G.R. carves out an exception for those employees who are *inter alia* suffering from Heart disease. According to the applicant, the impugned order is contrary to Section 5(1)(a) of the Act as well as G.R. dated 09.04.2018.

3. A Statement is made on behalf of the applicant that the applicant has not been so far relieved.

4. Learned C.P.O. seeks time till tomorrow to ascertain the factual position as to whether the applicant has been relieved or not. If the applicant is not relieved so far he shall not be relieved till tomorrow.

5. **S.O.15.06.2023.**

6. **Steno copy is granted.**

Member (J).

rsm.

O.A.No.578/2023 (S.B.)

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

Dated : 14/06/2023.

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

2. The impugned order is dated 31.05.2023. It states that the applicant shall be relieved on 05.06.2023. Learned counsel for the applicant makes a statement that the applicant has not been relieved. It is his contention that copy of the impugned order was received by the applicant yesterday i.e. on 13.06.2023.

3. Learned C.P.O. shall ascertain and make a statement whether the applicant is relieved or not.

4. **S.O.15.06.2023.**

5. **Steno copy is granted.**

Member (J).

rsm.