O.A. No.207/2021 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Kunal Dhobale, Id. counsel holding for Waldekar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, S.O. 21/2/2023.

Vice Chairman

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri Amey Motlog, ld. counsel holding for Shri R.V. Shiralkar, ld. counsel for the applicants and Shri A.M. Ghogre, ld. P.O. for the respondents.

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

<u>Vice Chairman</u>

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri G.G. Bade, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. counsel for applicant, **S.O. 27/02/2023.**

<u>Vice Chairman</u>

O.A. No.822/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Mrs. Charlewar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for respondent nos.1&2. None for R-3&4.

At the request of Id. counsel for applicant, **S.O. 28/02/2023.**

Vice Chairman

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

At the request of Id. counsel for applicant, **S.O. 2/3/2023.**

Put up along with similar matters.

Vice Chairman

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

At the request of Id. counsel for applicant, **S.O. 2/3/2023.**

Put up along with similar matters.

Vice Chairman

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

At the request of Id. counsel for applicant, **S.O. 2/3/2023.**

Put up along with similar matters.

Vice Chairman

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

At the request of Id. counsel for applicant, **S.O. 2/3/2023.**

Put up along with similar matters.

Vice Chairman

O.A. No.58/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Gauri Deopujari, Id. counsel holding for Shri S.Y. Deopujari, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for respondents.

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

Vice Chairman

O.A. No.1017/2018 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

At the request of Id. counsel for applicant, **S.O. 28/2/2023.**

Vice Chairman

O.A. No.941/2019 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

At the request of Id. P.O., **S.O.** 02/03/2023.

Vice Chairman

O.A. No.956/2018 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1.

Await service of R-2&3.

The learned counsel for the applicant submits that the respondents are served and he will file service affidavit today itself.

S.O. three weeks.

Vice Chairman

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

The learned counsel for the applicant is insisting to pass the order.

The learned P.O. seeks one week time to file reply. Time is granted. It is made clear that matter will be heard and decided on the next date.

S.O. 27/2/2023.

Vice Chairman

O.A. No.701/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

The reply of R-4 is already filed on record. The Id. P.O. submits that it is sufficient to decide the matter.

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

S.O. 8/3/2023.

Vice Chairman

O.A. No.703/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

The ld. P.O. files reply of R-4. It is taken on record and copy is given to the applicant. The ld. P.O. submits that it is sufficient to decide the matter.

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

S.O. 8/3/2023.

Vice Chairman

O.As. 726,727,728 & 729 of 2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

(i) Heard Shri R.M. Fating, Id. counsel for the applicants in all the O.As.

(ii) Shri A.M. Khadatkar, Id. P.O. for R-1 and Shri T.M. Zaheer, Id. counsel for R-2 to 8 in O.A. 726/2022.

(iii) Shri A.M. Khadatkar, Id. P.O. for R-1,5,6& 7 and Shri T.M. Zaheer, Id. counsel for R-2,3,&4 in O.A.727/2022.

(iv) Shri A.M. Khadatkar, Id. P.O. for R-1 to 4 and Shri T.M. Zaheer, Id. counsel for R-5 to 11 in O.A.728/2022.

(v) Shri A.M. Khadatkar, Id. P.O. for R-1 to3,5,6 & 7 and Shri S.S. Shinde, Id. counsel forR-4 in O.A. 729/2022.

(vi) The learned counsel for the applicants submits that all these O.As. are covered by the Judgment of Division Bench of Hon'ble Madras High Court in the case of *P. Ayyamperumal Vs. Registrar, Central Administrative Tribunal, Chennai and others*. The said Judgment was confirmed by the Hon'ble Supreme Court. Based on that Judgment, the Hon'ble Bombay High Court, Bench at Aurangabad has passed the Judgment on similar line.

(vii). Shri S.S. Shinde, Id. counsel for R-4 in O.A. 729/2022 has pointed out the order of Hon'ble Supreme Court in SLP No.24204/2022 and submits that the Judgment of Hon'ble Bombay High Court is stayed by the Hon'ble Supreme Court.

(viii) Shri R.M. Fating, Id. counsel for the applicants submits that the M.A.T., Bench at Aurangabad passed an order subject to decision on the SLP.

(ix) The learned counsel for both the sidesrequested for time to point out the relevantJudgments / citations on the next date.

S.O. 09/03/2023.

Vice Chairman

O.A. No.945/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

2. The learned counsel for the applicant has filed letter dated 17/02/2023 addressed to the Dean, GMC, Nagpur. This letter shows that the applicant has now joined at GMC, Nagpur on 17/02/2023. Copy of letter dated 17/02/2023 is marked Exh-X for identification.

3. In view of the joining of the applicant at GMC, Nagpur, the grievances of the applicant are now redressed and therefore, the O.A. becomes infructuous.

4. In view of above, the O.A. is disposed of as infructuous. No order as to costs.

Vice Chairman

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 3 and S. Thakur, Id. counsel for R-4.

2. The O.A.No. 945/2022 is disposed of as the applicant has been posted at GMC, Nagpur. Earlier she was transferred to Yavatmal on promotion, but she did not join. In O.A. 945/2022 already stay order was granted to her new posting at Yavatmal, but the respondents were directed to submit before this Tribunal as to whether post is vacant at GMC, Nagpur or not. The Dean, GMC, Nagpur informed this Tribunal that one post is vacant at Nagpur. Her proposal was submitted to the Govt. of Maharashtra and that proposal was considered as per the direction of this Tribunal and now she is posted at GMC, Nagpur. Therefore, the respondents are directed to decide absent period, as per the rules.

3. In view of above, the O.A. is disposed of. No order as to costs.

Vice Chairman

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri Motlog, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

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

Vice Chairman

O.A. No.1176/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

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

Vice Chairman

O.A. No.1223/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri Ashwini Uikey, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

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

Vice Chairman

O.A. No.1224/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri G.N. Khanzode, ld. counsel for the applicant and Shri A.M. Khadatkar, ld. P.O. for R-1. Await service of R-2&3.

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

The Id. P.O. submits that he has received parawise reply and seeks further time.

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

Vice Chairman

O.A. No.1225/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

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

<u>Vice Chairman</u>

O.A. No.1241/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

<u>C.A. No. 03/2023 -</u>

Heard Shri I.G. Meshram, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the State.

2. The applicant no.1 is daughter and applicant no.2 is wife of deceased are claiming to provide appointment on compassionate ground as per the scheme of Government of Maharashtra.

3. Looking to the ground, the C.A. is allowed and disposed off.

O.A. No.1241/2022 -

Heard Shri I.G. Meshram, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the State.

2. Issue notice to the respondents returnable <u>after four weeks</u>. 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 <u>three days</u> and if service report on affidavit is not filed <u>three days</u> before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

10. In the meantime, point of jurisdiction is kept open.

S.O. after four weeks.

Vice Chairman

C.A. 530/2022 in O.A. No.1250/2022(S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

S.O. 28/2/2023.

Vice Chairman

O.A. No.06/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

S.O. 13/03/2023.

Vice Chairman

O.A. No.07/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

2. The stay was not granted to the transfer order. The applicant preferred W.P. No.826/2023 before the Hon'ble High Court, Bench at Nagpur. The Hon'ble High Court, Bench at Nagpur disposed of Writ Petition with direction to this Tribunal to decide the O.A.07/2023 within a period of 8 weeks.

3. The learned P.O. seeks time to file reply. Time is granted as a last chance.

S.O. three weeks.

Vice Chairman

O.A. No.09/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

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

Vice Chairman

O.A. No.55/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri Motlog, Id. counsel holding for Shri Palshikar, 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.

Vice Chairman

O.A. No.59/2023 with C.A. 30/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

<u>C.A.31/2023 -</u>

Heard S. Thakur, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

Looking to the ground, the C.A. for amendment is allowed. Necessary amendment be carried out within one week.

O.A. No.59/2023 with C.A. 30/2023-

S.O. 27/2/2023.

Vice Chairman

O.A. No.67/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri Pande, ld. counsel for the applicants and Shri V.A. Kulkarni, ld. P.O. for respondents.

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

Vice Chairman

O.A. No.79/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri Gaikwad, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for respondents.

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

Interim relief to continue till then.

Vice Chairman

O.A. No.153/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

C.A. 85/2023 -

Heard Shri Shiralkar, ld. counsel for the applicants and Shri V.A. Kulkarni, ld. P.O. for the State.

The grievances of the applicants are common and they are praying the same relief.

Looking to the ground, the C.A. for filing Jt. O.A. is allowed and disposed of.

O.A. No.153/2023 -

Heard Shri Shiralkar, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the State.

2. Issue notice to the respondents returnable <u>after four weeks</u>. Learned CP.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 <u>three days</u> and if service report on affidavit is not filed <u>three days</u> 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

O.A. No.309/2018 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

<u>C.A. 451/2022 -</u>

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

The ld. counsel for applicant submits that during pendency of the O.A. the applicant is retired now and hence amendment is necessary.

Looking to the ground, the C.A. for amendment is allowed and disposed off. Necessary amendment be carried out within two weeks.

O.A. No.309/2018

S.O. after two weeks.

Vice Chairman

O.A. No.1215/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri Meshram, Id. counsel holding for Shri Meghe, Id. counsel for the applicant and Shri Kulkarni, Id. P.O. for the respondents.

2. The Id. P.O .files reply of R-5. It is taken on record. The Id. P.O. seeks time to file reply of other respondents.

3. The Id. P.O. wants time to take instructions as per order dated 8/2/2023.

4. The respondents are directed to file reply positively on the next date.

S.O. after three weeks.

Vice Chairman

O.A. No.172/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O .for the State.

Issue notice to the respondents returnable <u>after three weeks</u>. 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 three weeks.

Vice Chairman

O.A. No.173/2023 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O .for the State.

Issue notice to the respondents returnable <u>after three weeks</u>. 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 three weeks.

Vice Chairman

O.A. No.70/2019 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

None for the applicant. Heard Shri A.P. Potnis, Id. P.O .for R-1&2. Adv. Giramkar for R-3.

S.O. 13/3/2023.

Vice Chairman

O.A. No.04/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

At the request of Id. P.O., **S.O. 22/02/2023.**

Vice Chairman

O.A. No.760/2018 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

S.O. 9/3/2023.

Vice Chairman

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

S.O. 2/3/2023.

<u>Vice Chairman</u>

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

S.O. 2/3/2023.

Vice Chairman

O.A. No.183/2021 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri Saboo, ld. counsel for the applicant and Shri V.A. Kulkarni, ld. P.O. for the respondents.

At the request of Id. counsel for applicant, **S.O. 9/3/2023.**

Vice Chairman

O.A. No.03/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

2. The learned counsel for the applicant submits that the applicant had not given undertaking at the time of fixation of promotional pay.

3. The Id. P.O. submits that the applicant had given undertaking.

4. The ld. P.O. submits that he will take instructions as to whether the applicant has given undertaking at the time of fixation of promotional pay or not.

S.O. 8/3/2023 (PH).

Vice Chairman

O.A. No.635/2022 (S.B.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Shri Deshpande, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. counsel for applicant, **S.O. 10/03/2023.**

Vice Chairman

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

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

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

At the request of Id. counsel for applicant, **S.O. 02/03/2023.**

Vice Chairman

dnk.

Rev.Appl.06/2022inO.A.No.138/2020 (S.B.)

<u>Coram</u>:Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

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

2. **Closed for orders.**

Member (J)

Date:- 20/02/2023. aps.

O.A. No.184/2023 (S.B.)

(Dr. Dharmendra R. Raut Vs. State of Mah.)

<u>Coram</u>: Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.

Dated : 20/02/2023.

Heard Shri N.D. Thombre, learned counsel for the applicant and Shri A.P. Potnis, learned P.O. for the State.

2. At the request of learned counsel for the applicant, the matter is taken up on today's board.

3. The learned counsel for the applicant pointed out the representation of applicant and order of respondents transferring the applicant from Akola to Chandrapur. It appears from the transfer order dated 13/02/2022, one Aparna Wahane was demoted and therefore the applicant was posted in her place, but the appointment was shown at Chandrapur, but the applicant was retained at Akola. Now Aparna Wahane joined on earlier post and therefore there is excess candidate on the said post, therefore, the applicant is transferred from Akola to Chandrapur. It appears that now there is no vacant post at Akola and therefore the applicant is transferred from Akola to Chandrapur.

4. The learned P.O. submitted that the applicant is working at Akola since last 17 years,

5. Issue notice to the respondents returnable after three 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.

 This intimation / notice is ordered under Rule
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 <u>three</u> <u>days</u> and if service report on affidavit is not filed <u>three days</u> before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. after three weeks.

0.A.No.345/2020 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

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

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

Member(J) Date:- 20/02/2023. aps.

O.A.No.572/2020 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Shri D.Patil holding for Shri O.Y.Kashid, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State. Await service of R-2 to 4.

2. At the request of ld. Counsel for the applicant, Issue fresh notice to Respondents, returnable on <u>four weeks</u>. 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 <u>three</u> <u>days</u> and if service report on affidavit is not filed <u>three days</u> before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. <u>S.O. four weeks</u>..

Member(J) Date:- 20/02/2023. aps.

O.A.No.206/2021 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the respondents and Shri S.A.Sahu, ld. Counsel for the R-4.

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

Member(J) Date:- 20/02/2023. aps.

0.A.No.995/2021 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

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

2. Ld. Counsel for the applicant is directed to amend the respondent no. 2 forthwith. At the request of ld. Counsel for the applicant, **S.O. 27.02.2023.**

Member(J) Date:- 20/02/2023. aps.

O.A.No.150/2022 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Ms. Uikey holding for Shri N.B.Rathod, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

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

Member(J) Date:- 20/02/2023. aps.

O.A.No.618/2022 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Shri V.B.Gawali holding for Shri S.P.Palshikar, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents. None for the R-3.

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

Member(J) Date:- 20/02/2023. aps.

O.A.No.770/2022 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

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

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

Member(J) Date:- 20/02/2023. aps.

0.A.No.1026/2022 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Shri A.S.Pandey holding for Shri B.Kulkarni, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

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

Member(J) Date:- 20/02/2023. aps.

0.A.No.1147/2022 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

None for the applicant. Shri M.I.Khan, ld. P.O. for the respondents.

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

Member(J) Date:- 20/02/2023. aps.

0.A.No.01/2023 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Ms. K.K.Pathak, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents 1 & 2. None for the R-3.

2. At the request of ld. P.O., parawise comments is received, **S.O. two weeks to file reply positively.**

Member(J) Date:- 20/02/2023. aps.

C.A.No.95/2023inO.A.No.23/2023 with

C.A.No.94/2023inO.A.No.24/2023 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

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

2. Notice on C.A. to Respondents be issued returnable in **23.02.2023**.

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

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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal.

Applicant is directed to file Affidavit of compliance and notice.

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

9. **S.O. 23.02.2023.**

Member(J) Date:- 20/02/2023. aps.

O.A.No.73/2023 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

None for the applicant. Shri M.I.Khan, ld. P.O. for the respondents.

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

Member(J) Date:- 20/02/2023. aps.

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

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

C.A.No.218/2022:-

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

2. Ld. P.O. submits that reply filed on O.A. will be treated for C.A. too.

3. At the request of ld. P.O., **S.O. 03.03.2023.**

Member(J) Date:- 20/02/2023. aps.

Rev.13/2022inO.A.Nos.160&932/2021 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Shri A.S.Pandey holding for Shri B.Kulkarni, 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. three weeks** to file reply.

Member(J) Date:- 20/02/2023. aps.

C.A.92/23inC.P.01/23inO.A.655/2021 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

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

2. As pointed out by ld. Counsel for the applicant that in representation dated 29.11.2022 (C-9, P. 23) in the last para it is mentioned that post at Sakharitola is vacant in Salekasa Range. Earlier also applicant submitted representation dated 18.04.2022 (C-3, P. 15) it was not considered till now.

3. Now, applicant submitted fresh representation dated 29.11.2022 (C-9, P. 23) mentioning that Sakharitola post is vacant.

4. Hence, Respondent no. 2 is directed to decide the applicant's **representation dated 29.11.2022 (C-9, P. 23) within 15 days from the receipt of this order.** Ld. Counsel for the applicant further submitted that he is not pressing for the **representation dated 18.04.2022 (C-3, P. 15)**.

5. With this direction, **C.P. along with C.A.** stands disposed of with no order as to costs.

Member(J) Date:- 20/02/2023.

aps.

0.A.No.178/2023 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

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

 Issue notice to Respondents, returnable on <u>four weeks</u>. 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. **<u>S.O. four weeks</u>**.

Member(J) Date:- 20/02/2023. aps.

O.A.No.181/2023 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Shri V.B.Gawali, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State.

2. It is the grievance of the applicant that appellate authority, while rejecting prayer of the applicant for grant of stay has passed an order which cannot be said to be a reasoned order. The applicant is at liberty to again pray before the appellate authority for grant of stay whereupon the said authority i.e. respondent no. 2 Divisional Commissioner shall consider prayer of the applicant for grant of stay on its own merits and shall pass a reasoned order within 15 days from the date of appearance of the applicant before the authority. For renewal of prayer for grant of stay, the applicant need not file a fresh application. Application previously filed by him shall again considered afresh.

 Issue notice to Respondents, returnable on <u>four weeks</u>. Learned P.O. waives notice for R-1. 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.

9. <u>S.O. four weeks</u>.

Member(J) Date:- 20/02/2023. aps.

C.P.No.13/2023inO.A.No.896/2021 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Shri D.P.Dapurkar, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the State.

2. Issue Notice to the respondents returnable in **06.03.2023** 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 A.M.Ghogre, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

4. <u>S.O. 06.03.2023.</u>

Member(J) Date:- 20/02/2023. aps.

O.A.No.838/2021 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Smt.S.W.Deshpande, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents 1 to 4 & 11. None for the R-5 to 10.

At the request of ld. P.O., S.O. tomorrow i.e.
21.02.2023 for final hearing.

Member(J) Date:- 20/02/2023. aps.

0.A.508/18withC.A.213/19withO.As.74to80&

1076/2019 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Shri S.A.Marathe, ld. Counsel for the applicants and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. At the request of ld. Counsel for the applicant, **S.O. 09.03.2023 for final hearing**.

Member(J) Date:- 20/02/2023. aps.

O.A.No.150/2019 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Smt. Thakur holding for Shri S.P.Palshikar, 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:- 20/02/2023. aps.

O.A.No.702/2020 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Smt. S.Thakur, 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. 01.03.2023 for final hearing.**

Member(J) Date:- 20/02/2023. aps.

0.A.No.950/2020 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

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

2. Ld. P.O. has filed letter dated 14.02.2023 by Government, address to C.C.F., Nagpur. In covering letter by C.C.F., Nagpur to ld. P.O., it is mentioned that appeal is to be placed before Minister on 21.02.2023 at 3:40 p.m..

3. However, ld. Counsel for the applicant submits that he or his applicant is not received any intimation till today.

4. S.O. 23.02.2023 to see the progress.

5. Steno copy is granted.

Member(J) Date:- 20/02/2023. aps.

0.A.No.523/2021WithC.A.Nos.293&294/2021

withO.A.Nos.524&525/2021 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Shri R.V.Shiralkar, ld. Counsel for the applicants, Shri A.M.Ghogre, ld. P.O. for the respondents. None for the R-15 to 20 in O.A. No. 523/2021. None for the R-6 to 8, 12 & 13..

2. At the request of ld. Counsel for the applicant, **S.O. 10.03.2023 for final hearing.**

Member(J) Date:- 20/02/2023. aps.

0.A.No.1028/2021 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

None for the applicant. Shri A.M.Khadatkar,

ld. P.O. for the respondents.

At the request of ld. P.O., S.O. tomorrow i.e.
21.02.2023 for final hearing.

Member(J) Date:- 20/02/2023. aps.

O.A.No.448/2022 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

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

2. At the request of ld. P.O., **S.O. 03.03.2023** for final hearing.

Member(J) Date:- 20/02/2023. aps.

0.A.No.554/2022withC.A.No.215/2022 (D.B.)

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

Heard Shri A.B.Moon, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents. None for the R-4.

2. At the request of ld. P.O., **S.O. 01**st Week of March, 2023 for final hearing.

Member(J) Date:- 20/02/2023. aps.

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

<u>Coram</u> : Shri Shree Bhagwan, Vice Chairman& Shri M.A.Lovekar, Member (J) <u>Dated</u> : 20/02/2023.

None for the applicant. Shri A.M.Khadatkar,

ld. P.O. for the respondents.

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

Member(J) Date:- 20/02/2023. aps.