

O.A. 784/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

Heard Shri C.V. Sawalkar, Id. counsel for the applicants 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.

Member (J).

dnk.

O.A. 255/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

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

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

Member (J).

dnk.

O.A. 407/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

Heard Shri P.P. Khaparde, 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. two
weeks** for filing reply.

Member (J).

dnk.

O.A. 555/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

Heard Shri M.R. Patil, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1&4. None for R-2&3.

S.O. after three weeks for filing reply of R-2&3.

Member (J).

dnk.

O.A. 570/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

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

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

Member (J).

dnk.

O.A. 663/2021(S.B.)

(Dr. Pravin D. Padve Vs. State of Mah.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

Heard Shri Sunil Pande, Id. counsel holding for Shri N.D. Thombre, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1 to 3 and Shri S.C. Deshmukh, Id. counsel for R-4&5.

2. The learned counsel for respondent nos.4&5 pointed out the order passed by this Tribunal on 11/8/2021. It is noted in the said order that where the applicant is transferred that post is already filled and therefore he cannot be joined at the place of transfer, therefore, the stay was granted to the transfer order. The applicant is working at Hingna, Dist. Nagpur.

3. The Id. P.O. submits that nobody is posted at Hingna. The applicant cannot join at the transferred post at PHC, Tishti, Tq. Kalmeshwar, Dist. Nagpur. He was and is working as Medical Officer at PHC, Hingna, Dist. Nagpur. He was transferred on the ground that he has completed three years at PHC, Hingna, but nobody is posted at Hingna and the place where the applicant is transferred that post is already filled, therefore, the impugned transfer order appears to be illegal

4. The Transferring Authority not taken into consideration as to whether the post at PHC, Tishti, Tq. Kalmeshwar, Dist. Nagpur is vacant or not.

5. In that view of the matter, the following order is passed –

ORDER

(i) The O.A. is partly allowed.

(ii) The impugned transfer order dated 9/8/2021 (Annex-A-2) as far as the applicant is concerned, is hereby quashed and set aside.

(iii) No order as to costs.

Member (J).

dnk.

O.A. 815/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

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

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

Member (J).

dnk.

O.A. 853/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

There is a leave note from Shri S.P. Palshikar, Id. counsel for the applicant. Shri S.A. Sainis, Id. P.O. for R-1 and none for R-2.

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

Member (J).

dnk.

O.A. 904/2021 (S.B.)

(Ku. Sunita P. Survade Vs. State of Mah.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

Heard Shri P.S. Verma, 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 on record Pursis dated 24/11/2021. As per submission of Id. counsel for the applicant, the O.A. is wrongly filed by the applicant because the employees of School are not governed under the under the Maharashtra Civil Services Rules, Government Resolutions, Notification etc. are not applicable to the employees of School/ Society including the applicant and therefore he prayed to withdraw the O.A. The applicant is permitted to withdraw the O.A. as prayed for. The applicant is at liberty to take necessary steps as per the law.

3. In view of Pursis dated 24/11/2021, the O.A. stands disposed off as withdrawn. No order as to costs.

Member (J).

dnk.

O.A. 942/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

Heard Shri P.P. Khaparde, Id. counsel
for the applicant and Shri V.A. Kulkarni, Id. P.O.
for R-1. Await service of R-2&3.

S.O. three weeks for filing service
affidavit.

Member (J).

dnk.

O.A. 943/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

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

S.O. three weeks for filing service affidavit.

Member (J).

dnk.

O.A. 944/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

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

S.O. three weeks for filing service affidavit.

Member (J).

dnk.

O.A. 945/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

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

S.O. three weeks for filing service
affidavit.

Member (J).

dnk.

O.A. 946/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

Heard Shri P.P. Khaparde, Id. counsel
for the applicant and Shri S.A. Sainis, Id. P.O.
for R-1. Await service of R-2&3.

S.O. three weeks for filing service
affidavit. .

Member (J).

dnk.

O.A. 1008/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&2. Shri N.S. Warulkar, Id. counsel appears on behalf of R-3.

At the request of Id. counsel for R-3, **S.O.**
one week.

Member (J).

dnk.

O.A. 1062/2021 (S.B.)

(D.P. Mundhe Vs. State of Mah. & Ors.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

None for the applicant. Heard 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.

Member (J).

dnk.

O.A. 164/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

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

2. The Id. P.O. wants to file additional reply and for that purpose he seeks time.
3. At the request of Id. P.O., **S.O. 6/12/2021** for filing additional reply.

Member (J).

dnk.

O.A. 308/2017 (S.B.)

(Mr. Praful W. Lambat Vs. State of Mah. & Ors.)

Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).

Dated : 29/11/2021.

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. The Id. P.O. requested for further time. As the matter is part heard, further time is not required to be granted.

3. The short point involved in this application is that, another employee namely Shri Khushal Tijare, API kept his Pistol negligently and his son committed murder of Mangesh Yede. Whereas, the applicant kept his Pistol in his house in a safe custody, but during his absence, there was theft. The report was lodged and Pistol was recovered from the thief. The charge sheet is filed. The API, Shri Khushal Tijare was fined only Rs.500/- in respect of his negligence about keeping the Pistol. Whereas, it was proposed to the Appellate Authority to remove the applicant from service, but the order bringing down the pay to the basic pay for three years was passed.

4. The applicant preferred appeal before the Special Inspector General of Police, Nagpur and the said appeal was dismissed. The Revision was filed before the Additional Director General of Police, Mumbai. It was partly allowed and instead of punishment for bringing down his pay on the basic pay for three years, only two years was passed.

5. The Id. P.O. submits that the matter be remanded to the Superintendent of Police, Chandrapur for necessary decision.

6. The learned counsel for the applicant pointed out decision of the Hon'ble Bombay High Court, Bench at Nagpur in Writ Petition No.2965/2001 in which the Hon'ble Bombay High Court has held that the employee of the Court who was given a serious punishment for the minor misconduct, but to remove from service etc. was not proper and the Hon'ble Bombay High Court has directed to reinstate the petitioner without any backwages.

7. The Id. P.O. has relied on the decision of Hon'ble Supreme Court in case of **Lucknow Kshetriya Gramin Bank & Ano. Vs. Rajendra Singh (2013) 12 SCC,372**. The cited decision is not helpful to the respondents, because, in the cited decision, the co-delinquent submitted that he also wants to plead guilty as like other delinquent. In the present matter, there is no question of co-delinquent, but other employee API who was more negligent while keeping his Pistol in his house was awarded punishment of only Rs.500/-, in spite of son of that employee Shri Khushal Tijare committed murder of Mangesh Yede. Whereas, the Pistol of applicant was kept in safe custody in the house and when he was out of house for some urgent work, there was theft in his house and along with other valuable articles, the Pistol and 5 rounds were stolen. Thereafter, immediately the report was lodged by the applicant. The person who committed theft was arrested and all the valuable articles along with the Pistol were seized by the Police. The charge sheet is filed against that thief and it is pending before the Court.

8. Looking to these documents and submission, it is clear that that negligence on the part of the applicant is not so severe as compared to other employee API Shri Khushal Tijare. It appears that the Superior Authority of the applicant gave discriminate treatment to the applicant as compared to other employee API namely Shri Khushal Tijare.

9. In that view of the matter, the O.A. is partly allowed. The matter is remanded back to the Superintendent of Police, Chandrapur. He is directed to consider the grievance of the applicant within a period of three months from the date of receipt of this order. No order as to costs.

Member (J).

dnk.

O.A. 98/2018 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

Heard Shri R.M. Fating, Id. counsel for the applicants, Shri A.M. Ghogre, Id. P.O. for R-1&4 and none for R-2&3.

At the request of Id. P.O., **S.O. next week.**

Member (J).

dnk.

O.A. 139/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

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

With the consent of both the parties, **S.O.**
three weeks.

Member (J).

dnk.

O.A. 640/2021 with C.A. 230/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

Heard Shri Y.P. Kaslikar, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for respondent nos.1 to 3 and Shri V.A. Kothale, Id. counsel holding for Shri G.R. Sadar, Id. counsel for R-4.

At the request of Id. counsel for R-4, **S.O.**
6/12/2021.

Member (J).

dnk.

O.A. 904/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 29/11/2021.

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

At the request of Id. counsel for the applicant, **S.O. 6/12/2021.**

Member (J).

**dnk.

O.A.No.730/2021 (D.B.)

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

Dated : 29/11/ 2021.

C.A.No.278/2021:-

Heard Smt. S.V.Kolhe, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents on C.A. No. 278/2021.

2. The Id. P.O. has already filed reply. However, on perusal of reply by Id. P.O. it seems that Hon'ble Apex Court Judgment which stipulates that repeated representations cannot become the cause of delay has not been mentioned by Id. P.O. in the reply.

3. The Id. P.O. is directed to file the above same Judgment on record and supply the same to the other side, **S.O. next week.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.458/2021 (D.B.)

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

Dated : 29/11/2021.

C.A.No.216/2021:-

Heard Shri R.M.Fating, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents. None for the respondent no. 2.

2. The Id. P.O. has filed reply on behalf of the respondent nos. 3 & 4. It is taken on record. Copy is served to the other side.

3. The Id. counsel for the applicant was relying on G.R. dated 01.02.2020 (A-19, Pg. No. 78) and he mainly relied on Pg. No. 79 para 'v' and 'c' which are reproduced below:-

v- vgrk i jh{kk fclok foHkkxh; i jh{kk fofgr l dhr@emrhr mRrh.kz u >KY; keGs T; sBrk xekoyh vl y v'kk depkj; kus 12 o"kkP; k fu; fer l ok dkyo/khr l nj i jh{kk mRrh.kz dY; kl R; kyk fu; fer l oph 12 o"ki wkz>KY; kurjP; kyxrP; k rkj [kd

vFkok

c 12 o"kkP; k fu; fer l surj] foHkkxh; @ vgrk i jh{kk mRrh.kz >KY; kP; k rkj [kd

mi jkdR ¼v½ vFkok ¼c½ ; ki bth dksR; kgh i dkljr ekM.kj; k depkj@ vf/kdjh ; kuk foHkkxh; i nksurh l fertP; k cBdhrhy i k=ruq kj] ¼R; kP; k l dkljr T; sBrk l phrhy LFkkur cny u djrk½ dkyo/n i nksurh ; kst usvrxZ@ l okrxZ vk' okfl r i xrh ; kst usvrxZ ofj" B oru.Jskh ns; kr ; koh-

4. The Id. counsel for the applicant is also relied on Hon'ble High Court Judgment in W.P. No. 3815/2012 along with 3466/2012 and 3807/2012.

5. The Id. counsel for the applicant should also produce relevant documents for condonation of delay, first condonation of delay will be decided and then Bench will proceed for merit of the case. **S.O. next week.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.773/2020 (D.B.)

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

Dated : 29/11/2021.

Heard Shri Y.P.Kaslikar holding for Shri P.S.Patil, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply on behalf of the respondent nos. 2 & 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the O.A.

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

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

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

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

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.774/2020 (D.B.)

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

Dated : 29/11/2021.

Heard Shri Y.P.Kaslikar holding for Shri P.S.Patil, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

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

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

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

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

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

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.Nos.865&866/2020 (D.B.)

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

Dated : 29/11/2021.

Heard Shri P.S.Patil, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents. None for R-4 (O.A. No. 866/2020).

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 O.A.

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

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

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

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

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.226/2021 (D.B.)

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

Dated : 29/11/2021.

None for the applicant. Shri M.I.Khan, the Id.
P.O. for the respondents. None for the Respondent
nos. 3 & 4.

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

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.351/2021 (D.B.)

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

Dated : 29/11/2021.

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

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

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.637/2021 (D.B.)

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

Dated : 29/11/ 2021.

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

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

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.832/2021 (D.B.)

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

Dated : 29/11/2021.

Heard Shri P.P.Khaparde, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

2. At the request of Id. counsel for the applicant, **S.O. two weeks to file service affidavit and for removing office objections.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.704/2020 (D.B.)

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

Dated : 29/11/2021.

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

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

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.932/2021 (D.B.)

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

Dated : 29/11/2021.

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

2. As submitted by Id. counsel for the applicant O.A. No. 160/2021 is similar and relief is also same and in both the matters same counsel is appearing. Hence, **O.A. No. 932/2021 should be connected with O.A. No. 160/2021.**

3. The Id. P.O. desires time to file reply, **S.O. four weeks.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.220/2019 (D.B.)

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

Dated : 29/11/ 2021.

M.C.A.Nos.18 & 25/2021:-

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

2. The Judgment was passed on 24.12.2020 and the operative part of the order is below:-

"(i) The applicant's termination order dated 17.01.2019 (A-15, Pg. No. 35) is hereby quashed.

(ii) The respondents are directed to reinstate the applicant in service with back wages by appointing the applicant on any other ministerial post after seeking medical opinion whether the applicant is able to perform duty on any ministerial post, equivalent to the post of Forest Guard and pay him back wages and continuity in service.

(iii) The respondents are directed to comply this order within two months from the date of this order.

(iv) No order as to costs."

3. In para no. 2 of the above said Judgment it is very clearly mentioned that only medical opinion has to be taken whether applicant is able to perform duty on any ministerial post after seeking medical opinion whether the applicant is able to perform

duty on any ministerial post, equivalent to the post of Forest Guard and pay him back wages and continuity in service.

4. Hence, there is no question of sending the applicant to Bombay and taking opinion regarding his colour blindness, this medical opinion can be taken from Nagpur Medical College also. Respondents are hereby directed to take the opinion of Nagpur Medical College regarding the Judgment part and comply the order within two months from the date of receipt of this order. The Id. counsel for the applicant further submits that medical has been already completed. Hence, report should be filed immediately on record.

5. **M.C.A. Nos. 18 & 25/2021 are disposed of.**

6. **After two months for compliance of order.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.998/2021 (D.B.)

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

Dated : 29/11/2021.

Heard Shri R.M.Fating holding for Shri V.B.Gawali, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

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

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.537/2020 (D.B.)

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

Dated : 29/11/2021.

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

2. At the request of Id. counsel for the applicant, **S.O. two weeks to file rejoinder.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.609/2021 (D.B.)

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

Dated : 29/11/2021.

Heard Shri Akhilesh Potnis holding for Shri M.M.Sudame, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. next week to file rejoinder.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.Nos.613&614/2021 (D.B.)

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

Dated : 29/11/ 2021.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. As documents produced by the Id. C.P.O., during last hearing the applicants have failed in the examination. However, it is made clear that since applicants get failed they have not succeeded in this examination. However, their eligibility has not been decided by this Tribunal. Hence, **both the matters stands disposed of.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.999/2021 (D.B.)

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

Dated : 29/11/2021.

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

2. The Id. P.O. is ready to file reply during the course of the day. He is ready to serve it to the other side. **S.O. 10.12.2021.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

C.P.No.19/2021 in O.A.No.324/2020 (D.B.)

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

Dated : 29/11/2021.

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

2. The Id. P.O. has filed documents dated 24.11.2021 which is marked Exh. 'X' for the purpose of identification. The same letter is by Assistant Chief Engineer, Irrigation, Nagpur.

3. According to this documents, department has preferred an appeal before Hon'ble High Court, Nagpur Bench. The Id. P.O. submits that matter is likely to be listed in two weeks before Hon'ble High Court. Hence, **S.O. three weeks.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.Nos.1059&1060/2021 (D.B.)

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

Dated : 29/11/ 2021.

Heard Shri V.B.Gawali, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. As submission made by the applicant, applicant appear for Group 'D' posts from Kotwal posts and he further submits that initially their names is not in the list.

3. Issue notice to Respondents, returnable on four weeks. 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. **S.O. four weeks.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.760/2015 (D.B.)

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

Dated : 29/11/2021.

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

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

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.611/2017 (D.B.)

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

Dated : 29/11/2021.

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

2. Today, the Id. P.O. has filed return on behalf of the respondent no. 4. It is taken on record. Copy is served to the other side.

3. The Id. counsel for the applicant submits that he seeks three weeks time to file his Rejoinder. He further submits that O.A. No. 721/2018 is similar with O.A. No. 611/2017. Hence, office is directed to put both the matters together.

4. **S.O. three weeks.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.864/2017 (D.B.)

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

Dated : 29/11/2021.

Heard Shri G.G.Bade, the Id. Counsel for the applicant, Shri V.A.Kulkarni, the Id. P.O. for the respondents, Shri B.Kulkarni, the Id. counsel for the respondent no. 2 and Shri R.L.Alone, the Id. counsel for the respondent nos. 5 & 6

2. At the request of Id. counsel for the applicant, **S.O. 07.12.2021.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.850/2018 (D.B.)

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

Dated : 29/11/2021.

Heard Ms. N.Pathan holding for Smt. S.V.Sirpurkar, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents. None for the respondent no. 3.

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

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman

O.A.No.209/2019 (D.B.)

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

Dated : 29/11/2021.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. The matter was heard on 20.10.2021 and S.O. was after winter vacation. However, the Id. counsel for the applicant is at liberty to file rejoinder, if any. **S.O. 10.01.2022.**

Member (J)
Date:-29/11/2021.
aps.

Vice Chairman