

**MCA 41/22 in C.P. 04/22 in O.A. 330/2021 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

None for applicant. Heard Shri H.K.  
Pande, Id. P.O. for respondents.

**S.O. four weeks.**

**Vice- Chairman**

dnk.

**O.A. 159/2022 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

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

The Id. P.O. files reply of R-1 to 3. It is taken on record and copy is given to the applicant.

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

The applicant is at liberty to file rejoinder.

**S.O. three weeks.**

**Vice- Chairman**

dnk.

**O.A. 208/2022 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

None for applicants. Heard Shri M.I. Khan, Id. P.O. for R-1 to 4. None for R-5 to 7.

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

**Vice- Chairman**

dnk.

**O.A. 392/2022 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

Heard Shraddha Kulkarni, Id. counsel holding for Shri S.S. Ghate, Id. counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

2. On the earlier date, last chance was given to file reply. Today also Id. P.O. seeks further three weeks time to file reply.

3. In view of above, three weeks time is granted to file reply. It is made clear that if reply is not filed on the next date, the matter will be decided on merit.

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

**Vice- Chairman**

dnk.

O.A. 548/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

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

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

**Vice- Chairman**

dnk.

**O.A. 745/2022 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

Heard Shri S.P. Palshikar, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

The Id. P.O. files reply of R-3. It is taken on record and copy is given to the applicant. The Id. P.O. submits that reply of R-3 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. 01/02/2023.**

**Vice- Chairman**

dnk.

**O.A. 847/2022 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

Heard Ms. M. Kadu, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

The Id. P.O. files reply of R-3. It is taken on record and copy is given to the applicant. The Id. P.O. submits that reply of R-3 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. after four weeks.**

**Vice- Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

**C.A. 514/2022 and C.A. 409/2022 in O.A.  
880/2022-**

Heard Shri G.G. Bade, Id. counsel for applicant and Shri A.M. Khadatkar, Id .P.O. for R-1 to 4. None for other respondents.

At the request of Id. counsel for applicant, **S.O. 23/01/2023.**

**Vice- Chairman**

dnk.



**O.A. 909/2022 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

Heard Shri S.P. Palshikar, Id. counsel  
for applicant and Shri A.M. Khadatkar, Id. P.O  
.for respondents.

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

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

**Vice- Chairman**

dnk.

**C.A. 481/2022 in O.A. 965/2022 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

Heard Shri S.A. Marathe, Id. counsel for applicant, Shri A.M. Khadatkar, Id. P.O. for State and Shri S. Khandekar, Id. counsel for Intervener. None for R-3 to 5.

Shri S.A. Marathe, Id. counsel for applicant submits that he has filed document on record. But, it is not on record.

The office is directed to file relevant documents on record.

**S.O. 24/1/2023.**

**Vice- Chairman**

dnk.

**O.A. 1029/2022 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

Heard Shri K.S. Malokar, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondent no.1. Await service of R-2 to 4.

2. At the request of learned counsel for applicant, issue fresh notice to the respondent nos.2 to 4 returnable **after two weeks.** Hamdast allowed.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced

along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

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

**Vice- Chairman**

dnk.

O.A. 1037/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

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

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

**Vice- Chairman**

dnk.

O.A. 1083/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

Heard Shri P.N. Warjurkar, Id. counsel  
for applicant and Shri A.M. Khadatkar, Id. P.O.  
for respondents.

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

**Vice- Chairman**

dnk.

O.A. 1114/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

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

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

**Vice- Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

**C.A. 506/2022 in Rev.A.St.2720/2022 in O.A.  
197/2017-**

Heard Shri M.I. Khan, Id. P.O. for applicants (Org. respondents) and Shri S.P. Palshikar, Id. counsel for respondent (Org. applicant).

Shri S.P. Palshikar, Id. counsel for respondent (Org. applicant) desires time to file reply. At his request, **S.O. three weeks.**

**Vice- Chairman**

dnk.



**O.A. 63/2023 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

Heard Shri G.G. Bade, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for State.

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

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

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

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

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

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

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

8. In the meanwhile, the respondents are directed to consider the application of applicant dated 3/1/2023 and decide on merit in the light of decisions of Hon'ble Supreme Court in Civil Appeal No.2537/2013 (arising out of SLP (C) No.1933/2011), decided on 15/3/2013 in the case of ***Union of India & Ors. Vs. Anil Kumar Sarkar*** and in the case of ***Union of India etc. Vs. K.V. Jankiraman Etc.,*** decided on 27/08/1991.

9. The learned counsel for applicant has filed copies of both the Judgments. Same are taken on record and marked Exh-X and X1 for identification.

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

**Vice- Chairman**

dnk.

O.A. 1171/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

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

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

**Vice- Chairman**

dnk.

**O.A. 178/2021 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

Heard Shri Kunal Pande, Id. counsel holding for Shri D.H. Sharma, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

The Id. P.O. files reply of R-1 and 2. It is taken on record and copy is given to the applicant. The Id. P.O. submits that said reply is sufficient to decide the matter.

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

**S.O. in due course.**

**Vice- Chairman**

dnk.

**O.A. 1160/2022 (D.B.)**

**Coram: Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 18/01/2023.**

Heard Shri A.P. Sadavarte, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for R-1 to 3. None for other respondents.

The Id. P.O. files reply of R-2&3. It is taken on record and copy is given to the applicant. The Id. P.O. submits that said reply is sufficient to decide the matter.

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

The applicant is at liberty to file rejoinder.

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

**Vice- Chairman**

dnk.

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

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

**Dated : 18/01/2023.**

Heard the applicant in person and Shri H.K.  
Pande, Id. P.O. for the respondents.

At the request of applicant in person, **S.O.**  
**08/02/2023.**

**Member(J)**  
rsm.

**Vice Chairman**

**O.A.No.570/2022 with C.A.249/22 (D.B.)**

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

**Dated : 18/01/2023.**

Heard Shri D.T. Shinde, ld. counsel for applicant and Shri H.K. Pande, ld. P.O .for R-1&2. None for R-3.

With the consent of learned counsel for both the parties, **S.O. 08/02/2023.**

**Member(J)**  
rsm.

**Vice Chairman**

**O.A.No.710/2018 (D.B.)**

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

**Dated : 18/01/2023.**

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

2. The learned counsel for applicant submits that identical O.A. No.884/2017 has been filed before the M.A.T., Principal Bench, Mumbai and it is listed on 22/2/2023.

3. The learned P.O. is directed to get instructions regarding O.A.No.884/2017 which is filed before the M.A.T., Principal Bench, Mumbai and submit before the next date. It is made clear that if no instructions are received in this regard, the matter will be decided on merit.

**S.O. 27/02/2023.**

**Member(J)**  
rsm.

**Vice Chairman**



(D.B.)

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

**Dated : 18/01/2023.**

**O.A. Nos. 724,726,732,794 to 806, 815 to 820,  
827 to 838, 840 to 854 of 2020.**

Heard Shri S.R. Narnaware / R.D. Karode,  
ld. counsel for the applicants and Shri S.D. Deo, ld.  
CPO and other ld. P.Os. for respondents.

2. Learned counsel for applicants Shri S.R. Narnaware has filed Pursis dated 13/01/2023 mentioning therein that in view of order passed by this Tribunal in O.A. 150/2020, dated 12/1/2023 and in terms of G.R. dated 14/12/2022 and in view of the Judgment of Hon'ble Bombay High Court Bench at Aurangabad, dated 16/12/2022, the grievances of the applicants have been redressed and therefore prayed to withdraw all the O.As.

2. In view of the Pursis dated 13/01/2023, **all the O.As. are disposed off as withdrawn along with all the C.As., if any.**

3. Interim order if any in these matters that also stands vacated.

**Member(J)**  
rsm.

**Vice Chairman**

**O.A.Nos.369 & 394 of 2022 (D.B.)**

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

**Dated : 18/01/2023.**

Heard Shri H.D. Dangre, learned counsel for applicants and Shri S.A. Sainis, learned P.O. for the respondents.

**Closed for orders.**

**Member(J)**  
rsm.

**Vice Chairman**

**O.A.No.401/2020 (D.B.)**

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

**Dated : 18/01/2023.**

Heard the applicant in person and Shri S.A. Sainis, Id. P.O. for respondents.

2. At the request of applicant in person, the matter is taken on today's board.

3. The applicant has filed Pursis dated 18/01/2023 and submits that in view of the G.R. dated 14/12/2022 and in view of the Judgment of Hon'ble Bombay High Court Bench at Aurangabad, dated 16/12/2022, his grievance is redressed and therefore he wants to withdraw the O.A. without any condition.

4. In view of pursis dated 18/01/2023, the O.A. is disposed of as withdrawn. No order as to costs.

**Member(J)**  
rsm.

**Vice Chairman**

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**O.A.No.344/2020 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri D.M.Kakani, ld. counsel for the applicant, Shri H.K.Pande, ld. P.O. for the respondents 1 to 3 and 5 and Shri S.N.Gaikwad, holding for Shri H.D.Marathe, ld. counsel for the respondent no.4.

2. On oral request of ld. P.O., **S.O. 10.02.2023** for filing reply.

**Member (J).**

rsm.

**O.A.No.84/2021 (S.B.)**

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

**Dated :18/01/2023.**

**C.A.No.477/2022**

Heard Shri A.P.Barahate, holding for Shri N.R.Saboo, ld. counsel for the applicant, Shri H.K.Pande, ld. P.O. for the respondent no.1 and Shri S.Majid, ld. counsel for the respondent no. 2, Shri A.Motlog, holding for Shri R.V.Shiralkar, ld. counsel for the respondent no. 3.

2. Reply of respondent no.2 filed on C.A.No.477/2022. It is taken on record.

3. Learned P.O. seeks time of three weeks to file reply.

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

**Member (J).**

rsm.

**O.A.No.866/2021 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri P.D.Meghe, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents 1 to 3 and 6. None for the respondents 4 and 5.

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

**Member (J).**

rsm.

**O.A.No.204/2021 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri R.M.Fating, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

**Member (J).**

rsm.

**O.A.No.630/2022 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri N.Y.Lade, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. In view of a statement made by learned counsel for the applicant that the applicant is paralytic and bedridden.

3. On oral request of ld. P.O., **S.O. two weeks for filing reply as last chance.**

**Member (J).**

rsm.



**O.A.No.688/2022 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri P.V.Ganar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

3. The ld. P.O. waives notices for the respondents.

4. **In due course.**

**Member (J).**

rsm.

**O.A.No.698/2022 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri P.P.Khaparde, ld. counsel for the applicant, Shri H.K.Pande, ld. P.O. for the respondents 1, 2 and 5 and Shri S.Deshmukh, ld. counsel for the respondents 3 and 4.

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

**Member (J).**

rsm.

**O.A.No.910/2022 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri A.Motlog, holding for Shri R.V.Shiralkar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

3. The ld. P.O. waives notices for the respondents.

4. **In due course.**

**Member (J).**

rsm.

**O.A.No.948/2022 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri S.Y.Deopujari, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Learned P.O. states that he has received parawise contents. He seeks time of two weeks to file reply.

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

**Member (J).**

rsm.

**O.A.No.1075/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

2. Learned counsel for the applicant states that all respondents are served and he has filed service affidavit in the office.

3. On oral request of ld. P.O., **S.O. three weeks for filing reply.**

**Member (J).**

rsm.

**O.A.No.1077/2022 (S.B.)**

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

**Dated :18/01/2023.**

**C.A.No.460/2022**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. C.A.No.460/2022 for Jt. O.A. is allowed.
3. **S.O. four weeks.**

**Member (J).**

rsm.

**O.A.No.1088/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

2. On oral request of ld. P.O., **S.O. 17.02.2023 for filing reply.**

**Member (J).**

rsm.

**O.A.No.1089/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

2. On oral request of ld. P.O., **S.O. 17.02.2023 for filing reply.**

**Member (J).**

rsm.



**O.A.No.1091/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

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

3. **S.O. 17.02.2023.**

**Member (J).**

rsm.

**O.A.No.1092/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

2. On oral request of ld. P.O., **S.O. 17.02.2023 for filing reply.**

**Member (J).**

rsm.

**O.A.No.1124/2022 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri R.M.Fating, holding for Shri S.B.Tiwari, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

**Member (J).**

rsm.

**O.A.No.1178/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

2. On oral request of ld. P.O., **S.O. 16.02.2023 for filing reply.**

**Member (J).**

rsm.

**O.A.No.1179/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

2. On oral request of ld. P.O., **S.O. 16.02.2023 for filing reply.**

**Member (J).**

rsm.

**O.A.No.1191/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

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

**Member (J).**

rsm.

**O.A.St.No.258/2022 (S.B.)**

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

**Dated :18/01/2023.**

**C.A.No.42/2022**

Heard Shri A.P.Barahate, holding for Shri S.S.Meshram, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

**Member (J).**

rsm.

**O.A.No.918/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

2. On oral request of ld. P.O., **S.O. four weeks for filing reply as last chance.**

**Member (J).**

rsm.



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

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

**Dated :18/01/2023.**

**C.A.No.25/2023**

Heard Shri B.Kulkarni, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the State.

2. C.A.No.25/2023 for Jt. O.A. is allowed.
3. Issue notice to the respondents, returnable **after four weeks**. Learned P.O. waives notice for State. 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. after four weeks.**

**Member (I).**

rsm.

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

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

**Dated :18/01/2023.**

Heard Shri S.Y.Deopujari, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. The impugned order of transfer of the applicant from COEP University, Pune to Government Engineering College, Nagpur is at Annexure A-1. In this composite order name of the applicant is at Sr.No.10. Para 4 on page 45 which is part and parcel of the impugned order states that the applicant has been transferred on the basis of option given by him.

3. The applicant has placed on record the relevant text of the Maharashtra COEP Technological University Act, 2022 at Annexure A-9. Reliance is placed on Section 85 of the Act which are transitory provisions. Relevant part of Section 85 reads as under –

**(2) Subject to the other provisions of this Act, every teacher duly selected and appointed in accordance with the law applicable therefor serving in existing college on the date immediately before the appointed date shall become teacher of the University and shall hold his post for the same tenure and upon the same terms and conditions of service and with the same rights as to retirement benefits or other matters as he would have held if this Act had not been enacted until his tenure, remuneration or other terms and conditions of service are duly altered in accordance with this Act or Statutes made thereunder :**

**Provided that the tenure, remuneration and terms and conditions of services of any such person shall not be altered to his disadvantage :**

**Provided further that, nothing contained in this section shall apply to any such teacher appointed by the Government on the Government**

sanctioned post in existing college and serving the date immediately preceding before the appointed date on such post, who has by notice in writing given to the Government, within a period of thirty days from the appointed date intimated his intention of not becoming a teacher of the University ; and the service of such teachers who are serving in the college shall, till the expiry of the period allowed for exercising the option, be treated as on deputation without any deputation allowance:

4. It is the contention of the applicant that while passing the impugned order letter of request at Annexure A-12 was mischievously perceived as exercise of option. Relevant part of Annexure A-12 is as under-

मी वर्ष २०२२ च्या सार्वत्रिक बदल्यांसाठी शासकीय अभियांत्रिकी महाविद्यालय, औरंगाबाद येथे विनंती बदलीसाठी अर्ज सादर केलेला आहे. माझे अडचणीचा सहानुभूतिपूर्वक विचार करून मला औरंगाबाद येथेच बदली मिळाल्यास मला सिओईपी तंत्रज्ञान विद्यापीठातून बाहेर जाण्यास माझा विकल्प समजण्यात यावा.

माझी विनंती बदली न झाल्यास मी सिओईपी तंत्रज्ञान विद्यापीठाचा शिक्षक म्हणून नियमावलीत (statutes) माझ्या सर्व सेवाशर्ती व हक्क अबाधित राहतील तोपर्यंत काम करण्यास तयार आहे ह्याची नोंद घ्यावी. माझ्या शासकीय सेवाशर्ती व हक्क ह्यास विपरीत बदल वा बाधा उत्पन्न झाल्यास भविष्यात विद्यापीठातून शासकीय सेवेत परत जाण्याचा माझा हक्क अबाधित ठेवण्यात यावा ही आपणास नम्र विनंती करण्यात येत आहे.

5. It is further submitted by the applicant that by letter dated 10.11.2022 (Annexure A-13) the applicant has withdrawn his request application dated 20.07.2020 (Annexure A-12).

6. On the basis of these circumstances the applicant is praying for following interim relief-

**(ii) The Respondents be directed not to fill the post remaining vacant after the transfer of the applicant till the final disposal of this original application.**

7. In support of grant of aforequoted interim relief a statement is made by learned counsel for the applicant that the post in COEP University, Pune vacated by the applicant is yet to be filled up.

8. In reply it is submitted by learned C.P.O. that so far as the question of filing up the post vacated by the applicant is concerned, it will be done by respondent no.3.

9. It is not in dispute that the applicant has already joined on the transferred post.
10. On considering rival submissions I have come to the conclusion that case is made out to grant interim relief in terms of prayer clause ii] till filing of reply. The respondents are directed not to fill the post remaining vacant after the transfer of the applicant till filing of reply.
11. Issue notice to the respondents, returnable **after four weeks**. Learned C.P.O. waives notice for State. Hamdast allowed.
12. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
13. 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.
14. 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.
15. 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.
16. 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.
17. **S.O. after four weeks.**  
**Steno copy is granted.**

**Member (I).**

rsm.

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

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

**Dated :18/01/2023.**

Heard Shri G.G.Bade, 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 one week**. 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. one week.**

9. A question of grant of interim relief is kept open.

**Member (I).**

rsm.

**O.A.No.724/2014 (S.B.)**

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

**Dated :18/01/2023.**

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

2. Learned P.O. seeks time to file reply of newly added respondents.

3. **S.O. 16.02.2023.**

**Member (J).**

rsm.



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

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

**Dated :18/01/2023.**

Heard Shri A.P.Barahate, holding for Shri N.R.Saboo, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

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

**Member (J).**

rsm.

**O.A.No.511/2017 (S.B.)**

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

**Dated :18/01/2023.**

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

2. **Closed for Orders.**

**Member (J).**

rsm.

**O.A.No.518/2018 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri A.D.Girdekar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. On oral request of ld. counsel for the applicant, **S.O. one week.**

**Member (J).**

rsm.

**O.A.No.616/2018 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri A.S.Sonare, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the respondents 1 to 3 and Shri P.V.Thakre, ld. counsel for the respondent no.4.

2. **S.O. 23.02.2023.**

**Member (J).**

rsm.

**O.A.No.566/2019 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri A.P.Sadavarte, ld. counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the respondents 1 to 3 and 6 and Shri M.Shaikh, ld. counsel for the respondents 4 and 5.

2. **Closed for Orders.**

**Member (J).**

rsm.

**O.A.No.1015/2019 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri S.A.Marathe, ld. counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the respondent no.1 and Shri T.M.Zaheer, ld. counsel for the respondents 2 and 3.

2. On behalf of respondents 2 and 3 it is submitted that the O.A. is barred by limitation.

3. **Closed for Orders.**

**Member (J).**

rsm.

**O.A.No.223/2020 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri A.P.Barahate, holding for Shri N.R.Saboo, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents 1 and 2. None for the respondent no.3.

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

**Member (J).**

rsm.

**O.A.No.683/2020 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri V.B.Gawali, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

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

**Member (J).**

rsm.



**O.A.No.962/2020 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri A.C.Suryawanshi, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondent no.1. None for the respondents 3 to 5.

2. **S.O. 06.02.2023.**

**Member (J).**

rsm.

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

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

**Dated :18/01/2023.**

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

2. **S.O. 08.02.2023.**

**Member (J).**

rsm.

**O.A.No.966/2021 (S.B.)**

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

**Dated :18/01/2023.**

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

2. **S.O. 23.01.2023.**

Put up this matter high on board.

**Member (J).**

rsm.

**O.A.No.154/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

2. **S.O. 14.02.2023.**

**Member (J).**

rsm.

**O.A.No.674/2022 (S.B.)**

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

**Dated :18/01/2023.**

Heard Adv. N.S.Pathan, holding for Shri F.C.Badani, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents 1 to 4 and Shri G.G.Bade, holding for Shri S.N.Singh, ld. counsel for the respondents 6 to 8.

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

**Member (J).**

rsm.

**O.A.No.746/2022 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri S.K.Bhattacharya, holding for Shri N.S.Warulkar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

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

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

**Member (J).**

rsm.

**O.A.No.1121/2022 (S.B.)**

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

**Dated :18/01/2023.**

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

2. **S.O. 25.01.2023.**

**Member (J).**

rsm.

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

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

**Dated :18/01/2023.**

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

2. **S.O. 07.02.2023.**

**Member (J).**

rsm.



**O.A.No.597/2021 (S.B.)**

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

**Dated :18/01/2023.**

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

2. **Closed for Orders.**

**Member (J).**

rsm.

**O.A.No.301/2018 (S.B.)**

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

**Dated :18/01/2023.**

Heard Shri S.R.Puddatwar, holding for Shri S.M.Bhagde, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents 1 to 4. None for respondent no.5.

2. **S.O. 09.02.2023.**

**Member (J).**

rsm.