

O.A. 833/2018 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

None for the applicant. Heard Shri S.A. Sainis, Id. P.O. for R-1 to 3 and Shri Deshpande, Id. Counsel for R-4.

At the request of Id. Counsel for R-4,
S.O. two weeks.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 791/2013 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

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

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 430/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

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

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A. 532/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri S.M. Prasad, Id. counsel for 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.

If reply is not filed before next date, the matter will be heard on merit.

Steno copy is granted to P.O...

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

C.A. 14/2023 in O.A. 640/2022 -

Heard Shri A.Y. Kapgate, Id. counsel for applicants, Shri S.A. Sainis, Id. P.O. for R-1 to 8 and Shri Burde, Id. counsel for R-9. None for Caveator.

2. At the request of Id. P.O., **S.O. 31/1/2023** to file reply.
3. If reply is not file, matter will be heard on merit.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 1064/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri N.D. Thombre, Id. counsel for applicant and Shri S.A. Deo, Id. CPO for respondents.

2. The Id. CPO submits that reply is already filed on record.

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

S.O. 8/2/2023.

Put up along with connected matters.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 1097/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri N.D. Thombre, Id. counsel for applicant and Shri S.A. Deo, Id. CPO for respondents.

2. The Id. CPO files reply of R-2. It is taken on record and copy is given to the applicant.

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

S.O. 8/2/2023.

Put up along with connected matters.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 1062/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri N.D. Thombre, Id. counsel for applicant and Shri S.A. Deo, Id. CPO for respondents.

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

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

S.O. 8/2/2023.

Put up along with connected matters.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 1131/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

None for applicant. Heard Shri S.A. Deo,
Id. CPO for R-1.

Await service of R-2 to 4.

S.O. four weeks.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 1133/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri Maraskolhe, Id. counsel holding for Shri Wathore, Id. counsel for applicants and Shri A.M. Ghogre, Id. PO for respondents.

2. The Id. PO files reply of R-1,3,4 & 5. It is taken on record and copy is given to the applicant.

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

S.O. 2nd week of February,2023.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 1227/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Deshpande, Id. counsel for
applicant and Shri S.A. Sainis, Id. P.O. for R-1.

Await service of R-2 &3.

S.O. six weeks.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 1251/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard shri S.M. Bhagde, Id. counsel for applicants and Shri A.M. Ghogre, Id. P.O. for respondents.

2. The learned counsel for applicants has relied on the Judgments of Hon'ble Bombay High Court, Bench at Nagpur and also Hon'ble Bombay High Court, Bench at Aurangabad.

3. In similar matter in O.A. 41/2022, this Tribunal as per order dated 14/09/2022 (P-78) granted relief to the applicant. The applicants prayed similar relief in this matter also.

4. In view of above Judgments and order of this Tribunal in O.A.41/2022, dated 14/09/2022, the **operation of Clauses 4.1,4.3,4.4,4.5 and 4.7 of the G.R. dated 07/08/2012 is stayed till further orders.**

S.O. four weeks.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

C.As. 360/2017,38/2017 & O.A.662/2012

Heard Shri Bharhate, Id. counsel holding for Shri Saboo, Id. counsel for applicants and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2&4.

2. The learned counsel for applicant submits that the respondent nos.2&4 are served and filed service affidavit.

3. The Id. P.O. submits that reply of R-1 is already filed on record. He seeks further time to file reply of R-2.

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

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

**C.A. 66/2022 in C.P. 53/2021 in O.A.405/2021
& C.P. 46/2021 in O.A.405/2021-**

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

2. The Id. P.O. files reply of R-2 on Contempt Petition No.53/2021. It is taken on record.

3. The Id. P.O. submits that the O.A. is already dismissed by order dated 12/12/2022.

4. Since the O.A. is already dismissed, nothing survives in the Contempt Petitions. Hence, the contempt petitions are dismissed. The C.A. No.66/2022 in C.P. 53/2021 & also C.P. 46/2021 stand disposed off.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

C.P. 70/2022 in O.A. 506/2017 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri Barhate, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned P.O. is directed to file review application in the present matter and other also in view of the Judgment of Hon'ble Supreme Court in the case of **Shaikh Miya S/o Shaikh Chand Etc. Vs. State of Maharashtra** in Civil Appeal No.6531-6533/2022 (Arising out of SLP (C) Nos.6039-6041/2016), dated 07/09/2022.

S.O. two weeks.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice-Chairman**

dnk.

C.P. 84/2022 in O.A. 1016/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri A.P. Khadatkar, Id. counsel for applicant and shri A.M. Ghogre, Id. P.O. for State. Await service of R-1&2.

2. The Id. P.O. has filed reply of R-1&2 on record and submits that the order has already been complied. Along with reply, the Id. P.O. has attached order of revocation of suspension of the applicant vide order dated 10/12/2022 issued by the Divisional Agriculture Joint Director, Amravati.

3. In view of above, the Contempt Petition is disposed off. No order as to costs.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

C.P. 85/2022 in O.A. 974/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri A.P. Khadatkar, Id. counsel for applicant and shri A.M. Ghogre, Id. P.O. for State. Await service of R-1&2.

2. The Id. P.O. has filed reply of R-1&2 on record and submits that the order has already been complied. Along with reply, the Id. P.O. has attached order of revocation of suspension of the applicant vide order dated 10/12/2022 issued by the Divisional Agriculture Joint Director, Amravati.

3. In view of above, the Contempt Petition is disposed off. No order as to costs.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

C.P. 88/2022 in O.A. 798/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri S.P. Palshikar, Id. counsel for applicant and Shri A.M. Ghogre, Id. P.O .for R-1. Await service of R-2.

2. The Id. counsel for applicant submits that he has already filed service affidavit on 13/1/2023. The office to clarify the same.

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

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

C.P. 89/2022 in O.A. 792/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri S.P. Palshikar, Id. counsel for applicant and Shri A.M. Ghogre, Id. P.O .for R-1. Await service of R-2.

2. The learned counsel for applicant submitted that the order has already been complied, the appeal has been decided and it is rejected.

3. In view of above, the Contempt Petition stands disposed off. No order as to costs.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

**C.A. 292/2022 in Rev.A. St. 1723/22 in
O.A.126/17**

Heard Shri Akshay Daronde, Id. counsel hooding for Shri Jaipurkar, Id. counsel for Zilla Parishad, Yavatmal & Ano., Shri R.M. Halde (Org.applicant) and Shri V.A. Kulkarni, Id. P.O. for the respondents /State.

Put up before Single Bench of Vice-Chairman Shri Shree Bhagwan on 23/01/2022 at 3.00 p.m. along with C.P. 37/2022.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice-Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

**C.A. 517/2022 in C.P. 37/2022 in O.A.
126/2017-**

Heard the applicant in person, Shri V.A. Kulkarni, Id. P.O. for respondent nos.1&3 and Shri Akshay Daronde, Id. counsel holding for Shri Jaipurkar, Id. counsel for respondent nos.2 and 4.

2. The Zilla Parishad has preferred Review Application. Review Application will be decided on 23/01/2023 at 3.00 p.m. and thereafter Contempt Petition will be heard.

Put up before Single Bench of Vice-Chairman Shri Shree Bhagwan on 23/01/2022 at 3.00 p.m. along with Rev.A. St. 1723/22.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

C.A. 515/2022 in O.A. St.2744/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri D.S. Sawarkar, Id. counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2 to 4.

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

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

**O.As. 454,455,456,457,458,459,460,461,711,
841, 833,875,876,881,882,883 & 884 of 2022 -**

Heard Shri R. Joshi / Naik/ Saboo/
Bhusari/ Jamal Id. counsel for respective
applicants, Shri A.M. Ghogre, Id. P.O. and other
P.Os. for respondent nos.1 and 2 and Shri S.A.
Deo, Spl. learned Counsel for R-3.

2. Shri S.A. Deo, Spl. learned Counsel for
R-3 submits that the reply is already filed in
O.A.No.459/2022 and he will file reply in O.As.
454,455,456,457,458,460,461,711,833,875,881,
882,883 & 884 of 2022 during the course of day.

3. The matters are admitted and kept for
final hearing.

4. The learned counsel for applicant in
O.A.458/2022 is directed to carry out necessary
amendment within one week and copy be
supplied to the other side.

5. As submitted by Shri S.A. Deo, Spl.
learned Counsel for R-3, this Tribunal had
directed to the MPSC to take interviews of the

applicants and keep their results in a sealed cover.

6. Now we direct the MPSC to declare the results of applicants and after declaration of the result, copy of result should be filed before this Tribunal. The applicants who will be declared as unsuccessful, then their grievance does not arise and applicants who will be declared as successful, their matters will be heard. If any appointments are made, that will be subject to the outcome of these O.As.

7. With the consent of learned counsel for parties, put up the matters **on 9/2/2023**.

Put up along with O.A. 922/2022.

Steno copy is granted...

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

C.A. 26/2003 in O.A. 922/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri A.B. Mirza, Id. counsel for the applicants, Shri A.M. Ghogre, Id. P.O. and other P.Os. for respondent nos.1 and 2 and Shri S.A. Deo, Spl. learned Counsel for R-3.

2. Since the present matter is similar with the matters at Sr.No.21 to 37, the order passed in Sr.Nos.21 to 37 will apply in the present matter also.

2. In view of above, the C.A. stands disposed off.

3. The O.A. is admitted and kept for final hearing. The Id. P.O. waives notice for R-1&2.

3. With the consent of learned counsel for parties, put up the matter **on 9/2/2023.**

Put up along with other connected matters.

Steno copy is granted...

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 663/2017 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri S.A. Marathe, Id. counsel for applicant nos.3 and 4, Shri A.M. Ghogre, Id. P.O. for R-1 to 3 and Shri P.P. Khaparde, Id. Counsel for R-4,5,9 & 10. None for other respondents.

2. Some similar matters are decided by this Tribunal. The reply is not filed. The matter is of the year 2017. Hence, the matter is admitted and kept for final hearing. The Id. P.O. waives notice for R-1 to 3.

S.O. 16/02/2023.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice-Chairman**

dnk.

C.P. 48/2020 in O.A. 15/2019 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard the applicant in person. Heard Shri A.M. Ghogre, Id. P.O. for respondents.

2. The Id. P.O. has filed letter by the Government, dated 01/09/2022. It is marked Exh-X for identification.

3. The Id. P.O. submits that the departmental inquiry has been completed and final order is awaited. He seeks two weeks time to take instructions in this regard.

S.O. two weeks.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

C.P. 49/2022 in O.A. 357/2019 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri Vishal Anand, Id. counsel for applicant, Shri A.M. Ghogre, Id. P.O. for R-1 to 7 and Shri R.M. Fating, Id. counsel for R-8.

2. The reply of respondent no.4 is filed on 25/8/2022. The para-3 and 4 of the reply are reproduced as below –

“ (3) That, according to the directions of the Hon'ble Tribunal, the respondent no.1 has initiated process of deemed date of promotion of the applicant in accordance with the provision in G.R. dated 6/6/2002. In view of provision in G.R. dated 6/6/2002 the process of granting deemed date of promotion needs necessary approval of GAD and Finance Department, which is in process at the level of respondent no.1. It is humbly submitted that as soon as necessary orders in regard to deemed date of promotion is received by the respondent no.1, appropriate steps may be taken to pay difference of salary to the applicant as per rules forthwith.

(4) In view of the facts and circumstances mentioned above, the answering respondent no.4 compels to comply with order of the Hon'ble Tribunal.

3. The learned P.O. submitted that issue of granting deemed date of promotion to the

applicant is in process at the level of respondent no.1 and after approval, necessary steps to comply the order will be taken.

4. The learned P.O. seeks two weeks time to take instructions in this regard.

S.O. after two weeks

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

C.P. 74/2022 in O.A. 406/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

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

2. The learned counsel for applicant submitted that the order was passed by this Tribunal on 13/04/2022. However, till now the order has not been complied fully.

3. As per record, it is shows that for compliance order the respondent no.1 has to take decision.

4. In this situation, the respondent no.1 is directed to file reply regarding compliance of order within four weeks.

S.O. four weeks.

Steno copy is granted...

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 158/2020 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Ms. T. Daga, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

2. The learned counsel Ms. T. Daga submits that the applicant has expired and therefore she wants time to take instructions.

S.O. four weeks.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 24/2015 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

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

2. As submitted by Id. P.O., the applicant was working on ad-hoc basis and he is seeking benefit of GPF and GIS.

S.O. four weeks.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

**O.A. 141/2015 with C.A. 86/2021, 87/2021 &
90/2021 -**

Heard Shri P.B. Patil, Id. counsel for applicants, Shri A.M. Ghogre, Id. P.O. for R-1 to 3 , Shri Sadavarte, Id. counsel for R-7 to 10, Shri Fating, Id. counsel for Intervener. None for other respondents.

The Id. counsel for applicants and Id. counsel for R-7 to 10 are directed to file written notes of argument.

S.O. 16/2/2023.

Put up along with connected matters.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

O.A.718/2015 with C.A.88/2021 & 89/2021-

Heard Shri S.K. Tambe, Id .counsel for applicants, Shri A.M. Ghogre, Id. P.O. for State / respondent, Shri Sadavarte, Id. counsel for R-8 to 11 and Shri Tote, Balpande & Fating, Id. counsel for Intervener. None for other respondents.

S.O. 16/2/2023.

Put up along with connected matters.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 377/2016 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 19/01/2023.

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

S.O. 16/2/2023.

Put up along with connected matters.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

**O.A. 555/18 with C.A. No.245/19, 205/19 &
392/21**

Heard Shri A.Z. Jibhkate, Id. counsel for applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 3 and Shri A.Y. Kapagate, Id. counsel for R-4&5.

2. The Id. counsel for respondent nos.4&5 submits that he has not received documents from the applicant. The Id. counsel for applicant submits that he had supplied documents to the learned counsel for R-4&5.

3. To avoid complications and to decide the matter, the document is necessary for respondent nos.4 and 5. Therefore, the Id. counsel for applicant to supply copies to the Id. counsel for respondent nos.4 and 5.

4. The learned counsel for applicant submits that the applicant is not receiving provisional pension from July,2021. In the interest of justice, the applicant should be paid atleast provisional pension either the matter is related with the Zilla Parishad or State Government.

5. In view of this situation, the respondents are directed to get instructions from Zilla Parishad/ State Government about payment of pension of the applicant and submit short affidavit in that respect.

S.O. 7/2/2023.

Steno copy is granted...

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 667/2019 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Shri Sukhdeo, Id. counsel holding for
Shri Ghate, Id. counsel for applicant and Shri
A.M. Ghogre, Id. P.O .for respondents.

At the request of Id. counsel for
applicant, **S.O. 9/2/2023.**

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 149/2020 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard A.D. Kolhe, Id. counsel for applicant and Shri A.M. Ghogre, Id. P.O. for respondents.

2. The Id. counsel for applicant has filed written notes of argument along with brief facts of the case. It is taken on record.

S.O. 10/2/2023.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 385/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

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

2. The Id. counsel for applicant has filed copy of Judgments in the case of ***State of Bihar & Ors. Vs. Amrendra Kumar Mishra (2006) 12SCC 561*** and in the case of ***Haryana Vidyut Prasaran Nigam & Ano. Vs. Mukesh Kumar (2004) 13 SCC 596***. Same are taken on record.

3. By correspondence dated 22/01/2021 at Annex-A-27 it appears that the respondent had given chance to the applicant mentioning in para-2 that time was extended as a last chance to join on the post.

S.O. 25/2/2023.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A. 1001/2021 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 19/01/2023.

Heard Shri Kamble, Id .counsel holding
for Shri Sinha, Id. counsel for applicant and Shri
V.A. Kulkarni, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. two
weeks** for supplying document to the other side.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 27/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri Deopujari, Id. counsel for applicant and Shri A.M. Ghogre, Id. P.O. for respondents.

2. The Id. counsel for applicant is directed to amend prayer clause limited only to the departmental inquiry, then only this O.A. can be heard.

3. The learned counsel for applicant has filed letter dated 15/9/2020 by which he further submitted that during the pendency of the O.A., ACP has been granted to the applicant. It is marked Exh-X for identification. Therefore, there is no question of ACP.

S.O. two weeks.

Put up along with other connected O.A.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 304/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

Heard Shri Deopujari, Id. counsel for applicant and Shri A.M. Ghogre, Id. P.O. for respondents.

S.O. two weeks.

Put up along with other connected O.A.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 686/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 19/01/2023.

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

2. The learned counsel for applicant in O.A. at page no.11 in para-VIII has submitted as follows –

“It is further submitted that as stated hereinabove the crime no.1-93/2013 was investigated by the CID and CID vide its report dated 16/2/2022 has submitted N.C. final to the office of respondent no.2, therefore, it is now crystal clear that the complaint which was lodged against the applicant was absolutely false and bogus and only to harass the applicant in fact because of the pendency of the crime applicant could not have been denied/ cancelled the promotion granted in his favour but the same was cancelled vide order dated 7/3/2014, a person cannot be said to be accused unless he has been convicted by the Court of law but it appears that without waiting for the outcome of the investigation abruptly promotion granted to applicant as API was cancelled which is nothing but colourable exercise of power and for that purpose applicant should not be claimed with result it is a fit case wherein this Tribunal can direct to grant deemed date of promotion as API to the applicant as

of 2/8/2013 and consider the same in future for all promotions and service benefits to meet the ends of justice.”

3. As mentioned above, the P.O. is directed to take document regarding CID report from respondent no.2 and produce before this Tribunal and copy be supplied to the learned counsel for applicant so that the matter will be decided.

S.O. 15/2/2023.

Steno copy is granted..

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

**

O.A.No.233/2020 (S.B.)

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

Dated :19/01/2023.

C.A.No.458/2022

Heard Shri B.J.Lonare, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. Grievance of the applicant in this O.A. is regarding grant of deemed date of promotion.
3. There is letter dated 08.09.2022 on record (at pp.65 to 67) sent by respondent no.2 to respondent no.1.
4. Learned counsel for the applicant submits that if respondent no.1 is directed to take decision on letter dated 08.09.2022 within a time to be stipulated by this Tribunal his grievance, for the present, would stand redressed. A case is made out to issue the directions as sought on behalf of the applicant. Hence, the order.

ORDER

Respondent no.1 is directed to take decision on letter dated 08.09.2022 issued by respondent no.2. (at pp.65 to 67) within one month from the date of receipt of this order, and communicate the same to the applicant. With these directions the O.A. is disposed of.

C.A.No.458/2020 is not pressed by the applicant. It is also disposed of.

Member (J).

rsm.

O.A.No.244/2021 (S.B.)

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

Dated :19/01/2023.

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

2. Reply of respondents 1 to 4 filed by learned P.O. It is taken on record. 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.462/2021 (S.B.)

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

Dated :19/01/2023.

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

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

Member (J).

rsm.

O.A.No.954/2021 (S.B.)

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

Dated :19/01/2023.

Heard Shri S.D.Chande, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the State.

2. Issue fresh notice to the respondents, returnable **after one week**. 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. **S.O. after one week.**

Member (I).

rsm.

O.A.No.589/2022 (S.B.)

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

Dated :19/01/2023.

Heard Shri R.M.Fating, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. Reply of respondent no.3 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. 10.02.2023.**

Member (J).

rsm.

O.A.No.675/2022 (S.B.)

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

Dated :19/01/2023.

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

2. Leaned P.O. submits that pleadings are completed. The O.A. is **admitted** and kept for final hearing.

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

4. **In due course.**

Member (J).

rsm.

O.A.No.732/2022 (S.B.)

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

Dated :19/01/2023.

Heard Shri A.Motlog, ld. counsel for the applicant and Shri A.M.Khadatkar, 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.1125/2022 (S.B.)

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

Dated :19/01/2023.

Heard Shri G.G.Bade, ld. counsel for the applicant, Shri A.M.Khadatkar, ld. P.O. for the respondents 1 to 4 and Shri A.P.Barahate, ld. counsel for the respondent no.5.

2. Learned counsel seeks permission to withdraw this O.A. unconditionally.

The O.A. is disposed of as withdrawn.

Member (J).

rsm.

O.A.No.1158/2022 (S.B.)

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

Dated :19/01/2023.

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

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

Member (J).

rsm.

O.A.No.826/2022 (S.B.)

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

Dated :19/01/2023.

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

2. Reply of respondents 1, 3, 4 and 5 filed by P.O. It is taken on record. Copy is served to the applicant. The O.A. is **admitted** and kept for final hearing.

3. Liberty is given to the applicant to file rejoinder.

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

Member (J).

rsm.

O.A.No.858/2022 (S.B.)

**Coram: Hon'bleShriM.A.Lovekar,
Member (J)**

Dated :19/01/2023.

Heard Shri B.M.Lonare, ld. counsel for the applicant and Shri A.M.Khadatkar, 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.1228/2022 (S.B.)

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

Dated :19/01/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the State. Await service to respondents 2 to 4.

2. Learned counsel states that the respondents are served and within one week he will file service affidavit.

3. On oral request of ld. P.O., **S.O. one week for filing reply.**

Member (J).

rsm.

O.A.No.1229/2022 (S.B.)

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

Dated :19/01/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the State. Await service to respondents 2 to 4.

2. Learned counsel states that the respondents are served and within one week he will file service affidavit.

3. On oral request of ld. P.O., **S.O. one week for filing reply.**

Member (J).

rsm.

O.A.No.50/2023 (S.B.)

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

Dated :19/01/2023.

C.A.No.17/2023

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

2. C.A.No.17/2023 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.382/2022 (S.B.)

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

Dated :19/01/2023.

Heard Shri S.D.Chande, ld. counsel for the applicant and Shri A.M.Khdatkar, ld. P.O. for the State.

2. Issue notice to the respondents, returnable **after one week**. 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. **S.O. after one week.**

Member (I).

rsm.

O.A.No.03/2023 (S.B.)

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

Dated :19/01/2023.

Heard Mrs.K.N.Saboo, holding for Shri N.R.Saboo, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the 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. **S.O. after four weeks.**

Member (I).

rsm.

O.A.No.36/2017 (S.B.)

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

Dated :19/01/2023.

Heard Mrs.K.N.Saboo, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents 1 and 4 and Shri L.Dadmal, holding for Shri S.G.Jagtap, ld. counsel for the respondents 2 and 3.

2. Submissions are heard. For Submission of respondents 2 and 3 **S.O. 20.01.2023.**

Member (J).

rsm.

O.A.No.171/2018 (S.B.)

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

Dated :19/01/2023.

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

2. **S.O. 10.02.2023.**

Member (J).

rsm.

O.A.No.247/2019 (S.B.)

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

Dated :19/01/2023.

Heard Shri A.Motlog, holding for Shri R.V.Shiralkar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondent no.1. None for the respondents 2 and 3.

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

Member (J).

rsm.

O.A.No.797/2019 (S.B.)

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

Dated :19/01/2023.

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

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

Member (J).

rsm.

O.A.No.268/2020 (S.B.)

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

Dated :19/01/2023.

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

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

Member (J).

rsm.

O.A.No.539/2020 (S.B.)

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

Dated :19/01/2023.

Heard Shri S.Fadmis, holding for Mrs.S.Kulkarni, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents 1 to 3. None for the respondents 4 and 5.

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

Member (J).

rsm.

O.A.No.718/2020 (S.B.)

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

Dated :19/01/2023.

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

2. Learned P.O. states that respondents desires to file additional affidavit. He seeks time of three weeks.

3. **S.O. three weeks.**

Member (J).

rsm.

O.A.No.472/2021 (S.B.)

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

Dated :19/01/2023.

None for the applicant. Heard Shri
A.M.Khadatkar, ld. P.O. for the respondents 1 to 3.
None for the respondent no.4.

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

Member (J).

rsm.

O.A.No.481/2021 (S.B.)

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

Dated :19/01/2023.

Heard Shri A.Motlog, holding for Shri R.V.Shiralkar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

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

Member (J).

rsm.

O.A.No.644/2021 (S.B.)

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

Dated :19/01/2023.

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

2. The applicant is seeking directions to the respondents to disburse the family pension and all retiral benefits to her from the date of death of her husband, with interest.
3. It is submitted that the applicant and her mother-in-law Kantabai both had set up rival claims for family pension and retiral benefits whereupon the authorities had directed them to obtain Succession Certificate.
4. It is submitted that in the meantime mother-in-law of the applicant who had set up the rival claims died on 28.04.2021. Her death certificate is at Annexure A-4.
5. It is further submitted that the proceeding for issue of Succession Certificate is still pending.
6. Learned counsel for the applicant states that he will pursue the proceeding for grant of Succession Certificate whereupon the matter can be decided expeditiously. In view of this statement the applicant desires to withdraw the O.A. with liberty. The O.A. is disposed of as withdrawn with liberty to file fresh O.A. on the same grounds.

Member (J).

rsm.

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

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

Dated :19/01/2023.

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

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

Member (J).

rsm.

O.A.No.142/2022 (S.B.)

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

Dated :19/01/2023.

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

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

Member (J).

rsm.

O.A.No.557/2022 (S.B.)

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

Dated :19/01/2023.

Heard Shri R.M.Fating, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondent no.1. None for the respondent no.2.

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

Member (J).

rsm.

O.A.No.656/2022 (S.B.)

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

Dated :19/01/2023.

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

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

Member (J).

rsm.

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

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

Dated :19/01/2023.

Heard Shri R.Lilhare, holding for Shri S.S.Dhengale, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. **S.O. 13.02.2023.**

Member (J).

rsm.

Rev.A.No.24/2019 in O.A.No.226/2018
(S.B.)

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

Dated :19/01/2023.

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

2. Submissions of both the sides are heard in part.
3. **S.O. 20.01.2023.**
4. **P.H.**

Member (J).

rsm.

O.A.No.925/2018 (S.B.)

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

Dated :19/01/2023.

None for the applicant. Heard Shri M.I.Khan, Id. P.O. for the respondents 1 and 2 and Shri S.Makkad, holding for Shri R.U.Dharpure, Id. counsel for the respondent no.3.

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

Member (J).

rsm.

O.A.No.43/2020 (S.B.)

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

Dated :19/01/2023.

Heard Adv.M.Kadu, holding for Shri N.S.Khandewale, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

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

Member (J).

rsm.

O.A.No.71/2023 (S.B.)

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

Dated :19/01/2023.

Heard Shri S.N.Gaikwad, 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 is dated 26.05.2022 (Annexure A-2).
3. It is the submission of the applicant that the impugned order was never communicated to him nor was it communicated to his superiors viz. respondents 3 and 4. In support of this submission reliance is placed on communication dated 19.10.2022 (Annexure A-4) wherein it is stated –

तथापी श्री महेश नरहरी रणदिवे, समुपदेशक, शासकीय मुलांचे बालगृह (कनिष्ठ) नागपूर यांचे संदर्भिय पत्रातील नमुद बदली आदेश दिनांक २६/०५/२०२२ या कार्यालयास मा.आयुक्तालय, पुणे किंवा विभागीय उपआयुक्त, म.बा.वि., नागपूर तसेच जिल्हा महिला व बालविकास अधिकारी, नागपूर यांचेकडून अद्यापही कोणत्याही स्वरुपात पाठविण्यात आलेली नाही त्यामुळे कोणत्या कर्मचा-यांची बदली झाली किंवा नाही ते संबंधित कार्यालयास कशाप्रकारे कळेल हे प्रश्नचिन्ह आहे व दरम्यानच्या कालावधीत कोणतेही लेखी स्वरुपात सदर बाब यापूर्वी निदर्शनास आणून दिलेली नाही व कळविलेली सुध्दा नाही. संदर्भिय पत्रातील नमुद बदली आदेश दिनांक २६/०५/२०२२ चे अवलोकन केले असता अधिक्षक, शासकीय मुलांचे बालगृह (कनिष्ठ) नागपूर (कार्यालय प्रमुख) यांना उक्त आदेश सुध्दा बजावण्यात आलेले नसुन प्रत सुध्दा देण्यात आलेली नाही. त्यामुळे कोणत्याही कर्मचा-यांस कार्यमुक्त करण्याचा प्रश्नच उद्भवत नाही. (संदर्भिय पत्रातील नमुद संदर्भ क्र.२ चे पत्र व संलग्न पत्र रजिस्टर पोस्टाने नमुद असुनही अद्यापही या कार्यालयास अप्राप्त आहे.)

4. The applicant has pointed out that by order dated 08.12.2022 he is sought to be relieved and it is directed that charge of the applicant shall be kept with one Smt. Kanchan Thakre.
5. Further contention of the applicant is that by the impugned order he is transferred to an institution which in fact does not exist.
6. It is also submitted on behalf of the applicant that the applicant is on medical leave since 26.12.2022.
7. On the basis of aforesated grounds the applicant is seeking interim order in terms of prayer clause (a) which reads as under-

a. during pendency of the instant application, be pleased to grant stay to the effect, operation and implementation of the impugned dated 26.05.2022 (Annexure-A-2) issued by the respondent No.2 i.e. The Commissioner, Women and Child Development Department, Pune as it being arbitrary, capricious, illegal and bad in law and also grant stay to the order of relieving dated 16.01.2023 issued by respondent no.4.

7. Case is made out to grant said relief till returnable date. Interim Relief is granted in terms of prayer clause (a) till returnable date.

8. Issue notice to the respondents, returnable **on 13.02.2023**. Learned C.P.O. waives notice for State. Hamdast allowed.

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

10. 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.

11. 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.

12. 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.

13. 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.

14. **S.O. on 13.02.2023.**

Steno copy is granted.

Member (I).

rsm.