

(D.B.)

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

Dated : 20/01/2023.

**MCA 46/2019 in O.A. 220/2012 & MCA 45/2019
in O.A. 700/2013 -**

Heard Shri M.R. Patil, Id. Counsel for applicants and Shri H.K.Pande, Id. P.O. for respondents.

2. The learned counsel for applicant submits that similar matter is filed before the Hon'ble Bombay High Court and he will file copy of order.

3. At the request of learned counsel for applicants, **S.O. 10/02/2023.**

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A.No. 903/2020 (D.B.)

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

Dated : 20/01/2023.

Heard Ashwini Uikey, Id. Counsel holding for Shri N.B. Rathod, Id. Counsel for applicants and Shri H.K. Pande, Id. P.O. for respondents.

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A.No. 918/2021 (D.B.)

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

Dated : 20/01/2023.

Heard the applicant in person, Shri H.K. Pande, Id. P.O. for R-1 to 4 and R. Deo, Id. counsel for R-7 to 9. None for other respondents.

At the request of Id. counsel for R-7 to 9, **S.O. 03/02/2023** for filing reply as a last chance.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. No. 316/2022 (D.B.)

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

Dated : 20/01/2023.

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

2. The learned P.O. files reply of R-2. It is taken on record. The Id. P.O. submits that respondent no.3 is adopting reply filed by respondent no.2.

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

S.O. in due course.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A.No. 506/2022 (D.B.)

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

Dated : 20/01/2023.

Heard S.P. Palshikar, Id. Counsel for applicant and Shri H.K. Pande, Id. P.O. for respondent no.1. None for R-2.

2. The learned counsel for applicant submits that rejoinder is not necessary and matter may be admitted.

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

S.O. 16/02/2023.

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

**(Shree Bhagwan)
Vice-Chairman**

dnk.

O.A. No. 717/2022 (D.B.)

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

Dated : 20/01/2023.

Heard G.K. Bhusari, 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 filing reply as a last chance.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A.No. 997/2022 (D.B.)

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

Dated : 20/01/2023.

Heard the applicant in person and Shri A.P. Potnis, Id. P.O. for R-1 to 5. None for other respondents.

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A.No. 1134/2022 (D.B.)

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

Dated : 20/01/2023.

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

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A.No. 1199/2022 (D.B.)

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

Dated : 20/01/2023.

C.A. 505/2022 -

Heard Shri Walde, Id. Counsel for applicants and Shri S.A. Deo, Id. CPO for respondents.

For the reasons stated in the application, the C.A. for filing Jt. O.A. is allowed and disposed of.

O.A.No. 1199/2022 -

Heard Shri Walde, Id. Counsel for applicants and Shri S.A. Deo, Id. CPO for respondents.

2. The Id. counsel for applicants submits that the respondents are served and he has filed service affidavit.

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

(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 : 20/01/2023.

C.A. 27/2023 -

Heard Shri N.R. Saboo, learned counsel for the applicants and Shri A.P. Potnis, Id. P.O. for respondents.

2. For the reasons stated in the application, the C.A. for amendment is allowed and disposed of. Necessary amendment be carried out within two weeks.

O.A. No.16/2023 with C.A. No. 28/2023 –

Heard Shri N.R. Saboo, learned counsel for the applicants and Shri A.P. Potnis, Id. P.O. for respondents.

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

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A.No. 36/2023 (D.B.)

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

Dated : 20/01/2023.

Heard Motlog, Id. counsel holding for
Shri R.V. Shiralkar, Id. counsel for applicant and
Shri A.P. Potnis, Id. P.O. for R-1.

Await service of R-2 & 3.

S.O. one week for filing service affidavit.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A.St.No. 2268/2022 (D.B.)

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

Dated : 20/01/2023.

C.A. 405/2022 in O.A.St.No. 2268/2022 -

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

S.O. four weeks.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A.No. 843/2015 (D.B.)

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

Dated : 20/01/2023.

Heard Shri P.S. Wathore, Id. counsel for
the applicants and Shri V.A. Kulkarni, learned
P.O. for the respondents.

S.O. four weeks.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A.No. 501/2020 with C.A. 369/2020 (D.B.)

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

Dated : 20/01/2023.

Heard Shri A.P. Sadavarte, Id. counsel for the applicants and Shri A.P. Potnis, learned P.O. for the respondents.

With the consent of Id. counsel for parties, **S.O. after three 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 : 20/01/2023.

O.A. 135,136,137 & 138 of 2022 -

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

At the request of Id. CPO, **S.O.**
10/02/2023.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A.No. 400/2020 (D.B.)

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

Dated : 20/01/2023.

Heard Shri Ashwin Deshpande, learned counsel for the applicant and Shri V.A. Kulkarni, learned P.O. for respondents.

2. The learned counsel for the applicant submits that as per the Judgment of Hon'ble Bombay High Court, Bench at Aurangabad in Writ Petition No.1485/2020 with connected W.Ps., decided on 16/12/2022 and the Government G.R. dated 14/12/2022, the applicant is entitled for benefit.

3. In view of above, the respondents are directed to give benefit to the applicant as per the Judgment of Hon'ble Bombay High Court, Bench at Aurangabad in Writ Petition No.1485/2020 with connected W.Ps., decided on 16/12/2022 and the Government G.R. dated 14/12/2022.

4. The applicant is at liberty to avail other statutory remedy before the Court, if he is not given the benefit as per the G.R. dated 14/12/2022.

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

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A.No. 763/2020 (D.B.)

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

Dated : 20/01/2023.

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

2. This Tribunal has passed the order dated 12/07/2022 which is reproduced below –

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

*2. Respondents have filed reply on 22.03.2021 and in para no. 3 which is reproduced below:-
“It is admitted fact that, the applicant has been prosecuted under the Anti Corruption Act, the applicant was arrested in the crime, therefore, he was suspended and therefore he has not been considered for promotion. The applicant has already received all pensionary benefits including regular pension. As stated above regarding the claim of the applicant for grant of deemed date is under active consideration of the higher authorities, therefore, the present original application is devoid of any merits and liable to be rejected.”*

3. Now, if you see para no. 3, the last three lines are very important were respondents have said that

grant of deemed date is under active consideration of higher authority therefore, the present original application is devoid of any merits and liable to be rejected. Today, we are hearing again the matter on 12.07.2022, so it is now almost more than 1½ years completed but active consideration does not seems to have been done.

4. In view of this, Respondent nos. 2 & 3 are directed to go by their own reply and take the decision of deemed date of applicant within three weeks and file it on record.

5. S.O. 01st August, 2022 for compliance.

6. Steno copy is granted.”

3. As per submission of learned counsel for applicant till date, the order is not complied.

4. The learned P.O. seeks further time to get instructions as to whether the proposal in respect of deemed date of promotion which is under consideration of the higher authority, is decided or not.

5. At the request of learned P.O., the matter is kept on 10/02/2023. On that date, if the instructions are not received by the respondents, the matter will be heard and decided finally.

S.O. 10/02/2023.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A.No. 335/2022 (D.B.)

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

Dated : 20/01/2023.

Heard Shri A.D. Girdekar, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for respondent nos.1&2. None for respondent no.3.

2. Though the respondent no.3 was served on 24/06/2022, he did not appear. As per submission of the applicant and his prayer, it appears that if the O.A. is allowed, then the respondent no.3 will be affected person and therefore it is necessary to hear on the side of respondent no.3, before deciding the O.A.

3. Therefore, issue notice to respondent no.3 to remain present before this Tribunal on 16/02/2023.

S.O. 16/02/2023.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.
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