

O.A. 203/2022 (D.B.)

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

Dated : 31/01/2023.

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

At the request of learned P.O., **S.O.**
15/02/2023.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A. 553/2022 (D.B.)

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

Dated : 31/01/2023.

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

At the request of learned P.O., **S.O.
16/02/2023.**

(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 : 31/01/2023.

**O.A. 508/2018 with C.A. 213/19, O.As.
74,75,76,77,78,79,80 & 1076 of 2019.**

Heard Shri Amay Motlog, learned counsel holding Shri S.A. Marathe, learned counsel for the applicants and Shri S.A.Deo, Id. CPO and other P.Os. for the respondents.

At the request of learned counsel for the applicants, **S.O. one week.**

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 91/2019 (D.B.)

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

Dated : 31/01/2023.

Heard Shri Suraj Kapse, Id. Counsel holding for Shri B. Dafle, learned counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of learned counsel for the applicant, **S.O. 06/02/2023.**

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 1010/2022 (D.B.)

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

Dated : 31/01/2023.

Heard Smt. Kolhe, Id. Counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1 to 3 and Shri S. Phadnis, Id. Counsel holding for Shri H.D. Marathe, Id. Counsel for R-2.

At the request of learned counsel for R-2,
S.O. two weeks for filing reply of R-2.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 922/2022 (D.B.)

(Dr. Quazi Shadma Syed Vs. State of Mah.& Ors.)

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

Dated : 31/01/2023.

C.A. 406/2023 in O.A.922/2022 -

Heard Shri A.B. Mirza, learned counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1&2 and Shri S.A. Deo, Spl. learned counsel for respondent no.3.

2. On 19/01/2023, in C.A.26/2003 in O.A.922/2022 the following order was passed –

“ 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. ”

3. The learned counsel for applicant has filed C.A. No.406/2023 mentioning that in order dated

19/01/2023, inadvertently matters at Sr.No.21 to 37 are mentioned, instead of O.As. 454,455,456,457,458,459,460,461,711, 841, 833,875,876,881,882,883 & 884 of 2022, therefore, it be corrected by mentioning Original Application Numbers.

4. Hence, the following order is passed –

Since the present matter is similar with the matters O.As. 454,455,456,457,458, 459,460, 461,711, 841, 833,875,876,881,882,883 & 884 of 2022, the order passed in O.As. 454,455,456,457,458,459,460,461,711,841,833, 875, 876,881,882,883 & 884 of 2022 will apply in the present matter also.

5. In view of above the C.A. is disposed off.

O.A. 922/2022 –

S.O. 09/02/2023.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 953/2020 (D.B.)

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

Dated : 31/01/2023.

None for the applicant. Heard Shri A.M.
Khadatkar, learned P.O. for R-1.

Await service of R-2 to 4.

S.O. Six weeks.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

C.A. 160/2021 in O.A. 416/2021 (D.B.)

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

Dated : 31/01/2023.

Heard Shri N.R. Saboo, learned counsel for the applicants, Shri M.I. Khan, learned P.O. for respondent nos.1&2 and Shri Devdatta, Id. counsel holding for Shri S.S. Ghate, Id. counsel for respondent nos. 3 to 9 (Intervener).

2. The learned P.O. has filed copy of Government order dated 18/02/2022 and submitted that the applicant has been promoted. Copy of the same is supplied to the applicant. It is taken on record and marked Exh-X for identification.

3. The learned counsel for applicant desires time to take instructions in this regard.

S.O. Next week.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 1002/2021 (D.B.)

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

Dated : 31/01/2023.

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

2. The learned 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.

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

4. The learned counsel for the applicant has filed pursis for deleting the name of applicant no.1. He is permitted to do so. Necessary amendment be carried out within one week.

S.O. after two weeks.

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

**(Shree Bhagwan)
Vice-Chairman**

dnk.

O.A. 438/2022 (D.B.)

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

Dated : 31/01/2023.

Heard Shri Khobragade, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 to 3. None for R-4.

At the request of Id. P.O., **S.O. 14/2/2023** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A. 618/2022 (D.B.)

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

Dated : 31/01/2023.

Heard Shri S.P. Palshikar, learned counsel for the applicant, Shri V.A. Kulkarni, learned P.O. for respondent nos.1&2 and Shri Vinay Rathi, learned counsel holding for Shri Patil, Id. counsel for R-3.

2. The learned counsel for R-3 submits that reply is ready and he will file within one week.

3. The learned P.O. seeks three weeks time to file reply. However, two weeks time is granted to file reply of R-1 to 3. It is made clear that if reply is not filed, the matter will be heard on merit.

S.O. after two weeks.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

C.A. 14/2023 in O.A. 640/2022 (D.B.)

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

Dated : 31/01/2023.

Heard Shri A.Y. Kapgate, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for State / respondent. None for other respondents.

The learned P.O. submits that reply is ready and he will file during the course of day.

S.O. 8/2/2023.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 724/2022 (D.B.)

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

Dated : 31/01/2023.

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

At the request of Id. P.O., **S.O. three
weeks** for filing reply as a last chance. If the
reply is not filed, the matter will be heard on
merit.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 824/2022 (D.B.)

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

Dated : 31/01/2023.

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

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 832/2022 (D.B.)

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

Dated : 31/01/2023.

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

2. The learned 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 reply of R-2&3 is sufficient to decide the matter.

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

S.O. in due course.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

C.A. 504/2022 in O.A. 877/2022 (D.B.)

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

Dated : 31/01/2023.

Heard Shri B. Kulkarni, learned counsel for applicants and Shri A.P. Potnis, Id .P.O. for respondents.

2. The learned counsel to clarify on the next date whether the G.R. will prevail over the rule or rule will prevail over the G.R.
3. The learned P.O. to file detailed reply on the next date.

S.O. 14/02/2023.

Put up along with connected matter.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 768/2020 with C.A. 501/2022 (D.B.)

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

Dated : 31/01/2023.

Heard Shri B. Kulkarni, learned counsel for applicants and Shri A.P. Potnis, Id .P.O. for respondents.

S.O. 14/02/2023.

Put up along with connected matter.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 1050/2022 (D.B.)

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

Dated : 31/01/2023.

Heard Shri S. Phadnis, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2.

2. The learned counsel for applicant submits that he has filed service affidavit. From the record / board it appears that service report of respondent no.2 is awaited. The learned counsel to verify the same.

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

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 1067/2022 (D.B.)

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

Dated : 31/01/2023.

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

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 1106/2022 (D.B.)

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

Dated : 31/01/2023.

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

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A. 1107/2022 (D.B.)

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

Dated : 31/01/2023.

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

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A. 1108/2022 (D.B.)

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

Dated : 31/01/2023.

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

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 1172/2022 (D.B.)

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

Dated : 31/01/2023.

Heard Shri Amay Motlog, Id. counsel holding for Shri Shiralkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

Rev. A. 31/2019 in O.A. 799/2011 (D.B.)

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

Dated : 31/01/2023.

Heard Shri Amay Motlog, Id. counsel holding for Shri Shiralkar, Id. counsel for applicant, Shri H.K. Pande, Id. P.O. for R-1 to 3 and none for R-4.

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

3. The matter is admitted and kept for final hearing. The Id. P.O. waives notice for R-1 to 3.

S.O. 15/02/2023.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 83/2023 (D.B.)

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

Dated : 31/01/2023.

Heard Shri R.D. Hajare, learned counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

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

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

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

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

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

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

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

S.O. after three weeks.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 639/2018 (D.B.)

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

Dated : 31/01/2023.

Heard Shri S.P. Palshikar, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for respondent no.2. None for respondent nos.1&3.

2. The learned P.O. has filed copy of letter dated 30/01/2023 mentioning that inquiry is completed and final decision is awaited. It is taken on record and marked Exh-X for identification.

3. The learned counsel for applicant seeks time to take instructions in this regard.

S.O. four weeks.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 448/2018 (D.B.)

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

Dated : 31/01/2023.

Heard Shri R.D. Hajare, Id. counsel for applicant and Shri A.M. Ghogre, Id. P.O. for respondent nos.1 to 5. None for other respondents.

2. The learned counsel for applicant submits that he has already filed written notes of arguments on record.

3. The Id. P.O. seeks time to file written notes of argument.

S.O. 7/2/2023 for hearing.

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

**(Shree Bhagwan)
Vice-Chairman**

dnk.

O.A. 127/2017 (D.B.)

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

Dated : 31/01/2023.

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

2. The Id. counsel for applicant for applicant has filed some citations. Same are taken on record.

3. The Id. P.O. has also filed some citations. Same are taken on record.

Closed for orders.

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

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 324/2021 (D.B.)

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

Dated : 31/01/2023.

Heard Shri N.R. Saboo, Id. counsel for
applicant and Shri H.K. Pande, Id. P.O. for
respondents.

S.O. 8/2/2023.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 1140/2021 (D.B.)

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

Dated : 31/01/2023.

Heard Shri Wathore, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for respondents.

2. The learned counsel for the applicant submits that similar matter i.e. O.A.No.1072/2022 may be kept along with the present matter.

S.O. after two weeks.

Put up along with O.A.1072/2022.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 384/2022 (D.B.)

(S.G. Thakre Vs. State of Mah. & Ors.)

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

Dated : 31/01/2023.

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

2. The learned counsel for applicant has pointed out the order dated 01/03/2018 in O.A.Nos.121 to 124 of 2018. This Tribunal in para-3 passed the following order –

“(3) The learned counsel for the applicant submits that the recommendations of the Committee are arbitrary, illegal and the said recommendation has been passed without any evidence, with bias and, therefore, the same is required to be stayed. Considering the allegations against the applicant, I am of the view that the recommendation No.1 as regards transfer the applicant out of region, cannot be stayed, since it will also be an harassment to the applicant to continue to work at the place where there are complaints against him and, therefore, recommendation no.1 cannot be stayed. So far as recommendation No.2 regarding stoppage of increments permanently and payment of cost of Rs.50,000/- is concerned, the same is stayed in the interest of justice till reply by the respondents is filed.”

3. After hearing learned counsel for both the sides, it appears that the O.A.Nos.121 to 124 of 2018 are not finally decided. The order dated 01/03/2018 is the interim order. As per this order, the recommendation no.2 regarding stoppage of increments permanently and payment of cost of Rs.50,000/- is stayed. Hence, we pass the following order –

(i) The recommendation no.2 regarding stoppage of increments permanently and payment of cost of Rs.50,000/- is concerned, the same is stayed in the interest of justice, until further orders.

(ii) This O.A. shall be heard along with O.A.Nos. 121 to 124 of 2018.

(iii) **S.O. after three weeks.**

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

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