

**C.P. 72/2023 in O.A.860/2022 (D.B.)**

**(Y. N. Ghodmare Vs. State of Mah. & Ors.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

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

2. The learned counsel for applicant has submitted that the respondents have not complied the order of this Tribunal. The applicant is not getting pensionary benefits.

3. In view of above, the respondents are directed to comply the order passed by this Tribunal in O.A.No.860/2022 till next date.

4. The learned P.O. is directed to get instructions about compliance of order passed by this Tribunal in O.A.No.860/2022.

**S.O. 13/12/2023.**

Steno copy is granted...

**Vice Chairman**

dnk.

**C.P. 86/2023 in O.A.916/2021 (D.B.)**

**(B.D. Umate Vs. State of Mah. & Ors.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

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

2. The learned counsel for applicant files reply of R-3. It is taken on record.
3. The respondents are directed to comply the order dated 20/01/2023 in O.A.No.916/2021 before next date.
4. The learned P.O. is directed to get instructions in this regard.

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

Steno copy is granted...

**Vice Chairman**

dnk.

**O.A.640/2022 (D.B.)**

**(P.A. Kharat & Ors. Vs. State of Mah. & Ors.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Heard Shri A.Y. Kapgade, Id. counsel for applicant, Shri S.A. Deo, Id. CPO for R-1 to 8 and Shri L.S. Burde, Id. counsel for respondent no.9.

2. The applicants are working in the Zilla Parishad. The respondents have issued advertisement dated 19/03/2022. As per the advertisement, the posts of District Extension & Media Officer are advertised and 49 posts are to be filled from the Government employee.

3. As per the submission of the respondents in the reply, the applicants are not Government employee, they are working in Zilla Parishad and therefore they are not entitled for the posts advertised by the respondents.

4. The learned counsel for the applicants submits that the recruitment rules of the respondents, is under challenge in this O.A. Therefore, the applicants prayed to grant stay to the further recruitment process of the posts advertised as per the advertisement dated 19/03/2022.

5. Heard Shri S.A. Deo, Id. CPO for R-1 to 8. He has submitted that the applicants are not

Government employees, they are working in Zilla Parishad.

6. The issue in respect of the recruitment rules cannot be decided at present. The advertisement is issued as per the recruitment rules. As per the recruitment rules, the applicants are not eligible for the posts advertised by the respondents. The applicants are working in Zilla Parishad, they are not Government employees. Hence, interim relief cannot be granted. Hence, the C.A.No.14/2023 is disposed of.

**O.A.640/2022 –**

Put up the matter before regular D.B.

Steno copy is granted...

**Vice Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

**O.As.69,70,71,72 & 73 of 2020 -**

A.S. Deshpande, Id. counsel for applicants and Shri M.I. Khan, Id. P.O. for respondents.

**S.O. 20/12/2023.**

Put up along with O.A.835/2021 (SB).

**Vice Chairman**

dnk.

(D.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

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

**O.A. 718/15 with C.As.88 & 89 of 2021 & O.A.  
377/2016 -**

Shri P.B. Patil, Id. counsel for applicants, Shri M.I. Khan, Id. P.O. for R-1 to 3, shri A.P. Sadavarte, Id. counsel for R-7 to 10, Shri A.D. Tote, Id. counsel for R-7 to 16 (intervener) and none for other respondents in O.A.141/2015.

2. None for applicant. Shri M.I. Khan, Id. P.O. for R-1 to 4, Shri Agrawal, Id. counsel for R-5 to 7, Shri A.P. Sadavarte, Id. counsel for R-8 to 11 and Shri Tote, Id. counsel for R-5 to 11 (Intervener) in O.A.718/2015

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

**Put up before Division Bench as and  
when available.**

**Vice Chairman**

dnk.

**O.A.746/2021 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri S.R. Charpe, Id. counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for respondents.

2. The Id. P.O. files reply of the respondents. It is taken on record.

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

**S.O. 21/12/2023.**

**Vice Chairman**

dnk.

**O.A.No.21/2023 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

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

At the request of Id. counsel for  
applicant, **S.O. after three weeks.**

**Vice Chairman**

dnk.



**C.A.393/2023 in O.A.207/2023 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri S.P. Palshikar, Id. counsel for  
applicant, Shri S.A. Deo, Id. CPO for R-1 and  
R.M. Bhangde, Id. counsel for R-2.

**S.O. 19/12/2023.**

**Vice Chairman**

dnk.

**O.A.No.228/2023 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri N.D. Thombre, Id. counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. 30/11/2023** for filing reply.

**Vice Chairman**

dnk.

**O.A.No.1086/2023 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri N.R. Saboo, Id. counsel for applicants, Shri A.P. Potnis, Id. P.O. for R-1 to 3 and Shri R. Tajne, Id. counsel for R-3 to 5.

2. At the request of Id. counsel for R-3 to 5,  
**S.O. 21/11/2023.**

**Vice Chairman**

dnk.

**O.A.No.1095/2023 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Smt. Saboo, Id. counsel for applicant and  
Shri M.I. Khan, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

**O.A.No.1059/2023 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri A.R. Wagh, Id. counsel for applicant, Shri M.I. Khan, Id. P.O. for R-1 to 3, Shri Bhusari, Id. counsel for R-7 & 10, Respondent no.9 present in person. Await service of R-4&5. Shri P.S. Dherge appears for respondent no.6 and filed vakalatnama. None for other respondents.

2. Shri Bhusari, Id. counsel files reply on behalf of R-10. It is taken on record.

**S.O. four weeks.**

**Vice Chairman**

dnk.

**O.A.No.1100/2023 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

None for applicant. Shri M.I. Khan, Id.  
P.O. for R-1. Shri A. P. Joshi, Id. counsel  
appears for respondent no.3. Await service of  
R-2.

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

**Vice Chairman**

dnk.

**O.A.No.1151/2023 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

**C.A. 573/2023 -**

Heard Shri P.B. Patil, Id. counsel for applicants and Shri S.A. Deo, Id. CPO for the State.

2. The applicants are claiming common relief.

3. Looking to the submission, the C.A. for filing Jt. O.A. is allowed and disposed of.

**O.A.No.1151/2023 -**

Heard Shri P.B. Patil, Id. counsel for applicants and Shri S.A. Deo, Id. CPO for the State.

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

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is

put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

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

**Vice Chairman**

dnk.



**C.P. 82/2023 in O.A.No.133/2019 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Heard Shri C. Kulkarni, Id. counsel holding for Shri A.S. Deshpande, Id. counsel for the applicant and shri M.I. Khan, Id. P.O. for State.

2. The applicant has not collected hamdast for R-2 to 4.

3. The respondents have challenged the order of this Tribunal before the Hon'ble Bombay High Court, Bench at Nagpur in Writ Petition No.4432/2023. The Hon'ble High Court has granted stay on 20/09/2023.

4. In view of above, the C.P. is disposed of. No order as to costs.

**Vice Chairman**

dnk.

**C.P. 98/2023 in O.A.No.892/2022 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri A. Motlag, Id. counsel for applicant  
and Shri A.P. Potnis, Id. P.O. for R-1.

2. The applicant has not collected hamdast  
for R-2 to 4.

3. At the request of Id. counsel for  
applicant, **S.O. after four weeks.**

**Vice Chairman**

dnk.

**O.A.No.926/2022 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Heard Shri R.L. Alone, Id. counsel for applicant and Shri S.A. Deo, Id. CPO for State.

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

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

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

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

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

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

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

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

**Vice Chairman**

dnk.

**O.A.Nos. 256,257 & 258 of 2019 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri Y.P. Kaslikar, Id. counsel for the  
applicants and Shri A.M. Khadatkar, Id. P.O. for  
the respondents.

**S.O. 11/12/2023.**

**Vice Chairman**

dnk.

**O.A.No.1074/2019 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Ms. Nitnaware, Id. counsel holding for  
Shri O.Y. Kashid, Id. counsel for applicant and  
Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. counsel for  
applicant, **S.O. 20/11/2023.**

**Vice Chairman**

dnk.

**O.A.No.506/2021 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Smt. K.N. Saboo, Id. counsel holding for  
Shri N.R. Saboo, Id. counsel for applicants and  
Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None  
for R-4&5.

**Put up before regular D.B.**

**Vice Chairman**

dnk.

**O.A.No.1153/22 with C.A. 283/23 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri N.B. Bargat, Id. counsel for applicants and Shri S.A. Sainis, Id. P.O. for respondents.

**S.O. 28/11/2023.**

**Vice Chairman**

dnk.



**O.A.No.359/2023 (D.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri N.D. Thombre, Id. counsel appears for applicant and submits that he will file Vakalatnama. Shri M.I. Khan, Id. P.O. for respondents.

2. Shri N.D. Thombre, Id. counsel submits that the present matter pertains to the Single Bench as the applicant prayed for charge of the post of Medical Superintendent.

3. In view of above, matter be kept before Single Bench on **05/12/2023**.

**Vice Chairman**

dnk.  
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O.A. No.1187/2023 (S.B.)

( Ramdas D. Patil Vs. State of Mah. & Ors. )

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Heard Shri P.S. Kshirsagar, learned counsel for the applicant and Shri S.A. Deo, learned CPO for the State.

2. As per the submission of learned counsel for applicant, the applicant was working as a Class-III employee till 30/03/2022. On 30/03/2022, he was promoted on the post of Junior Engineer. The respondents issued notice dated 08/09/2023 to the applicant directing the recovery of excess payment in respect of wrongly given increment from 16/02/2004. The applicant is retired on 30/04/2023.

3. In view of the Judgment of Hon'ble Supreme Court in the case of ***State of Punjab & Ors. Vs. Rafiq Masih (White Washer) & Ors. (2015) 4 SCC,334***, the stay is granted to the impugned recovery order dated 08/09/2023 till filing of reply.

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

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

6. 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.

7. 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.

8. 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.

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

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

Steno copy is granted...

**Vice Chairman**

dnk.

**O.A. No.514/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri A. Motlag, Id. counsel holding for  
Shri D.P. Dapurkar, Id. counsel for applicant and  
Shri A.P. Potnis, Id. P.O. for respondents.

At the request of Id. counsel for the  
applicant, **S.O. 01/12/2023.**

**Vice Chairman**

dnk.

**O.A. No.1054/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri S.P. Palshikar, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. 05/12/2023.**

**Vice Chairman**

dnk.

**O.A. No.1176/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri D.S. Sawarkar, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for respondents.

At the request of Id. counsel for the applicant, **S.O. 04/12/2023.**

**Vice Chairman**

dnk.

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

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri A. Motlag, Id. counsel holding for  
Shri R.V. Shiralkar, Id. counsel for applicant and  
Shri A.P. Potnis, Id. P.O. for respondents.

2. The learned counsel for the applicant  
filed Pursis. It is taken on record.

**S.O. four weeks.**

**Vice Chairman**

dnk.

**O.A. No.322/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri S.N. Gaikwad, Id. counsel for applicants and Shri H.K. Pande, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.



**O.A. No.1242/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Ms. Nitnaware, Id. counsel holding for  
Shri O.Y. Kashid, Id. counsel for applicant and  
Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. counsel for the  
applicant, **S.O. 20/11/2023.**

**Vice Chairman**

dnk.

**C.A. 357/2019 in O.A.St.No.1872/2019 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri Joshi, Id. counsel holding for Shri  
S.N. Gaikwad, Id. counsel for applicant and Shri  
A.P. Potnis, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

**O.A. No.527/2020 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri A. Motlag, Id. counsel holding for  
Shri R.V. Shirkar, Id. counsel for applicant and  
Shri A.M. Khadatkhar, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

**O.A. No.733/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

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

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

**Vice Chairman**

dnk.

**C.A. 45/2022 in O.A. No.125/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri S.R. Charpe, Id. counsel for applicants and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2 to 5.

2. The learned counsel for applicants submits that the respondent nos.1 to 4 are served and he will file service affidavit. The Id. P.O. seeks time to file reply. Time is granted.

3. At the request of learned counsel for applicants, issue fresh notice to respondent no.5 returnable **after four weeks**. 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.

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

**Vice Chairman**

dnk.

**O.A. No.259/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri Shatwatkar, Id. counsel holding for  
Shri V.S. Mishra, Id. counsel for applicant and  
Shri H.K. Pande, Id. P.O. for respondent no.1.

2. The applicant has not collected hamdast  
for R-2 to 5.

3. The learned counsel for applicant  
submits that he will collect hamdast and serve  
the respondents before next date.

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

**Vice Chairman**

dnk.

**O.A. No.290/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

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

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

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

**S.O. 11/12/2023.**

**Vice Chairman**

dnk.



(S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

**O.As. 270,283,291,293& 294 of 2022 -**

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

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

**Vice Chairman**

dnk.

**O.A. No.105/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri Y.P. Kaslikar, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. 11/12/2023** for filing reply.

**Vice Chairman**

dnk.

**O.A. No.133/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.448/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

None for applicant. Shri M.I. Khan, Id.  
P.O. for R-1. Await service of R-2&3.

2. On earlier date, none were present for  
the applicant. Today also none present for  
applicant.

**S.O. 28/11/2023 for order.**

**Vice Chairman**

dnk.

**O.A. No.706/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

None for applicants. 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. No.760/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri V.R. Borkar, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. The Id. P.O. files reply of R-8. It is taken on record.

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

**Vice Chairman**

dnk.

**O.A. No.992/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri A.P. Sadavarte, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

**O.A. No.1013/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

The applicant in person present and Shri  
M.I. Khan, Id. P.O. for respondents.

At the request of Id. P.O., **S.O.**  
**04/12/2023** for filing reply.

**Vice Chairman**

dnk.



**O.A. No.1176/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

**C.A.No.584/2023 -**

Heard Shri D.S. Sawarkar, Id. counsel for applicants and Shri S.A. Deo, Id. CPO for State.

2. The applicants are seeking common relief.

3. Looking to the ground, the C.A. is allowed and disposed of.

**O.A. No.1176/2023 –**

Heard Shri D.S. Sawarkar, Id. counsel for applicants and Shri S.A. Deo, Id. CPO for State.

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

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

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

**Vice Chairman**

dnk.

**Rev.A.19/2023 in O.A. No.92/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri Pawan Raulkar, Id. counsel for the applicant (Org. Respondent no.4), Shri A.M. Khadatkar, Id. P.O. for respondent nos.2 and 3 (Org. Respondent nos.1&2) and Shri A. Khanorkar, Id. counsel for respondent no.1 (Org. Applicant). Await service of R-2 to 4.

2. At the request of Shri A. Khanorkar, Id. counsel for respondent no.1 (Org. Applicant),  
**S.O. 11/12/2023.**

**Vice Chairman**

dnk.

**O.A. No.156/2018 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.123/2019 with C.A.70/2019 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri D.S. Sawarkar, Id. counsel for applicant and Shri V.A. Kulkarni, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. 07/12/2023.**

**Vice Chairman**

dnk.

**O.A. No.864/2020 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri P.V. Kaslikar, Id. counsel holding  
for Shri P.S. Patil, Id. counsel for applicant and  
Shri V.A. Kulkarni, Id. P.O. for respondents.

At the request of Id. P.O., **S.O.**  
**18/12/2023.**

**Vice Chairman**

dnk.

**O.A. No.45/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri S.R. Dawarle, Id. counsel holding  
for Shri Shamkuwar, Id. counsel for applicant  
and Shri M.I.Khan, Id. P.O. for respondents.

At the request of Id. counsel for the  
applicant, **S.O. after four weeks.**

**Vice Chairman**

dnk.

**O.A. No.551/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri S.N. Gaikwad, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. 05/12/2023.**

**Vice Chairman**

dnk.



**O.A. No.883/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

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

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

**Vice Chairman**

dnk.

**O.As. 1104 & 1105 of 2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri Y.P. Kaslikar, Id. counsel for applicants, Shri A.P. Potnis, Id. P.O. for respondent nos.1 to 5 and none for other respondents.

At the request of Id. P.O., **S.O. 11/12/2023.**

**Vice Chairman**

dnk.

**O.A. No.607/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri A.S. Bhendarkar, Id. counsel for applicant, Shri A.P. Potnis, Id. P.O. for R-1 to 3 and Smt. U. Patil, Id. counsel for R-4.

**S.O. after four weeks (PH).**

**Vice Chairman**

dnk.

**O.A. No.108/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri Gaikwad, Id. counsel for applicants,  
Shri A.M. Khadatkar, Id. P.O. for R-1 to 4 and  
Smt. Patil, Id. counsel for R-5.

At the request of Id. P.O., **S.O.**  
**04/12/2023.**

**Vice Chairman**

dnk.

**O.A. No.853/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri D.S. Sawarkar, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. 12/12/2023.**

Interim relief / stay is continued till next date.

**Vice Chairman**

dnk.

**O.A. No.835/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

A.S. Deshpande, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

**S.O. 20/12/2023.**

Put up along with O.A.Nos.69,70,71,72 & 73 of 2020 (DB).

**Vice Chairman**

dnk.

**O.As. 74,75 & 76 of 2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Shri Joshi, Id. counsel holding for Shri  
S.N. Gaikwad, Id. counsel for applicants and  
Shri M.I. Khan, Id. P.O. for respondents.

**S.O. 13/12/2023.**

**Vice Chairman**

dnk.  
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**Rev.A. 20/2023 in O.A.No.609/2023 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 06/11/2023.**

Heard Smt. U.A. Patil, Id. counsel for applicant no.1 (Org. Resp.no.2), Shri N.R. Saboo, Id. counsel for respondent no.1 (Org. Applicant) and Shri A.M. Khadatkar, Id. P.O. for State.

2. This Tribunal has passed the Judgment on 04/08/2023. The applicant challenged the suspension order before this Tribunal. As per the Judgment of Hon'ble Supreme Court in the case of ***Ajay Kumar Choudhary Vs. Union of India through its Secretary and Another (2015) 7 SCC,291***, if the charge sheet is not served within 90 days, then the suspension is to be revoked. After the Judgment of the Hon'ble Supreme Court in the case of ***Ajay Kumar Choudhary Vs. Union of India through its Secretary and Another (cited supra)***, the Government of Maharashtra also issued the G.R. dated 09/07/2019.

3. During the course of submission, Shri N.R. Saboo, Id. counsel for respondent no.1 (Org. Applicant) made statement that charge



sheet was not served to the applicant till that date (the date of Judgment).

4. Now, Shri N.R. Saboo, Id. counsel for respondent no.1 (Org. Applicant) submits that it was incorrect statement made by him. In fact, the charge sheet was served to the Org. applicant (respondent no.1) within 90 days from the date of suspension order. Therefore, suspension cannot be revoked. Hence, the order passed by this Tribunal is reviewed.

5. The Review Application is allowed. The O.A.No.609/2023 is hereby dismissed. No order as to costs.

**Vice Chairman**

dnk.

**O.A.No.56/2020 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Smt. Saboo, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents. C.F. applicant has not carried out amendment as per C.A. No. 544/2022.

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

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.292/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

None for the applicant. Shri V.A.Kulkarni, ld.  
P.O. for the Respondents. Await service of R-2 & 3.

2. **S.O. four weeks for steps.**

**Member (J)**

**Date:- 06/11/2023.**  
aps.

**O.A.No.757/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri Bhalerao holding for Shri A.D.Girdekar, 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. three weeks to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.914/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents. C.F. applicant has not filed service affidavit for R-2 to 6.

2. Ld. counsel for the applicant states that respondents are served and within two weeks he will file service affidavit, **S.O. two weeks.**

**Member (J)**

**Date:- 06/11/2023.**  
aps.

**O.A.No.202/2022 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri Y.S.Nikam holding for Shri N.B.Bargat, 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. four weeks to file reply as a last chance.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.517/2022 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri P.P.Khaparde, 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. four weeks to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.Nos.1228&1229/2022 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents. C.F. applicant has not filed service affidavit of R-2 to 4.

2. Ld. counsel for the applicant has placed on record copy of judgment in O.A. No. 750/2022 to contend that the issue in this O.A. squarely covered by said judgment.

3. **Closed for orders.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**



**O.A.No.107/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri K.V.Kothale, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. Ld. P.O. states that on 28.11.2023 he will positively file reply, **S.O. 28.11.2023 for reply/for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.250/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

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

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.Nos.374&399/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)  
Dated : 06/11/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.410/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Smt. Gosavi, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. two weeks to file reply as a last chance.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.414/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

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

4. The ld. P.O. waives notice for the respondents.

5. **S.O. 11.12.2023.**

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

**Member (J)**

**Date:- 06/11/2023.**  
aps.

**O.A.No.443/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)  
Dated : 06/11/2023.**

Heard Ms. K.G.Nakode holding for Shri R.V.Vyawhare, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply as a last chance.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.497/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. two weeks to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.679/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

**C.A.No.592/2023:-**

Heard Shri P.N.Warjekar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. By the proposed amendment subsequent developments are sought to be brought on record. Amendment shall be carried out within two weeks from today.

3. On oral request of ld. P.O., **S.O. three weeks to file reply.**

**Member (J)**

**Date:- 06/11/2023.**  
aps.



**O.A.No.731/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Smt. Saboo, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents 1 & 2 and Shri S.N.Gaikwad holding for Shri N.B.Kalwaghe, ld. counsel for the R-3.

2. On oral request of ld. P.O. as well as ld. counsel for the respondent no. 3, **S.O. three weeks to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.745/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.845/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)  
Dated : 06/11/2023.**

Heard Shri A.W.Paunikar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply as a last chance.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.1069/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri S.M.Bahirwar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 23.11.2023 to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.Nos.1087&1088/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri V.R.Borkar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. four weeks to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.1108/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

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

2. On oral request of ld. P.O., **S.O. four weeks to file reply.**

3. **Interim relief to continue till filing of the reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.1135/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri P.T.Nagdeve holding for N.D.Thombre, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. four weeks to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.1156/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri P.S.Wathore, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**



**O.A.No.291/2020 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. The ld. counsel for the applicant submits that on next date he will place on record copy of promotion of the applicant dated 25.04.1994.

3. On oral request of ld. P.O., **S.O. four weeks for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.138/2017 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri S.Bhalerao, 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. after Diwali Vacation for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.486/2017 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri S.R.Charpe holding for Smt. T.D.Khade, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. On instructions he makes a statement that the application has become infructuous. He prays that it be disposed of.

3. Hence, **O.A. is disposed of with no order as to costs.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.962/2017 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri S.N.Gaikwad holding for Shri N.B.Kalwaghe, 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. after Diwali Vacation for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.192/2018 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri Gopal Verma holding for Shri V.R.Thote, 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. after four weeks for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.870/2019 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Ms. Uikey, 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. after Diwali  
Vacation for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.883/2019 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri Gopal Verma holding for Shri V.R.Thote, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents 1 to 5. None for the R-6.

2. On oral request of ld. P.O., **S.O. after four weeks for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.205/2020 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri Kothale holding for Shri G.R.Sadar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. Ld. counsel for the applicant on instructions states that the applicant is dead. He seeks time to take steps, **S.O. after four weeks.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**



**O.A.No.156/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri R.V.Shiralkar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. Ld. counsel for the applicant submits that the O.A. is become infructuous, **O.A. is disposed of with no order as to costs.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.157/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

None for the applicant. Shri S.A.Sainis, ld.  
P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. after Diwali  
Vacation for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.302/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

None for the applicant. Shri H.K.Pande, ld.  
P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. after four weeks for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.179/2022 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri N.S.Warulkar, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the Respondents.

2. On oral request of Id. P.O., **S.O. 28.11.2023 for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

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

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri R.V.Shiralkar, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the Respondents.

2. On oral request of Id. P.O., **S.O. 11.12.2023 for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.672/2022 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents. None for the R-4.

2. On oral request of ld. P.O., **S.O. after Diwali Vacation for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.961/2022 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri N.D.Thombre, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. On oral request of ld. counsel for the applicant, **S.O. 30.11.2023 for final hearing.**

3. **Office is directed to keep the matter high on board.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.446/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)  
Dated : 06/11/2023.**

Heard Shri P.V.Thakre, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. after Diwali Vacation for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**



**O.A.No.586/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri A.A.Choube, 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. 21.11.2023 for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.633/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents 1 to 3 and Shri R.V.Shiralkar, ld. counsel for the R-4. None for the R-5.

2. On oral request of ld. P.O., **S.O. 20.11.2023 for final hearing.**

3. **Matter be treated as P.H..**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.Nos.617&618/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)  
Dated : 06/11/2023.**

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

2. On oral request of ld. P.O., **S.O. after Diwali Vacation for final hearing.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.866/2023 (S.B.)**

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

**Dated : 06/11/2023.**

Heard Shri S.Marathe, Id. counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the Respondents.

2. Record shows that on 03.11.2023 rejoinder was filed by the applicant.

3. Today when the matter was called up Id. P.O. sought time to go through the Rejoinder and make his submissions. This prayer is opposed by the applicant on the ground that there is no provision/practise which will enable the other side to file reply to the rejoinder. Prayer to grant time is also opposed on the ground that by the impugned order salary of the applicant from June, 2023 onwards has been withheld.

4. On behalf of the applicant it is submitted that by way of interim order the respondents be directed to pay his salary till date which has been withheld.

5. It is the submission of the applicant that the impugned order is not supported by any provision of law or any statutory rule. The impugned order dated 13.07.2023 (A-1) simply refers to the Maharashtra Civil Services (Leave) Rules, 1981 and proceeds to state that the applicant has not followed relevant rules.

6. Though the Id. P.O. has stoutly supported the impugned order of withholding the salary of the applicant, no provision could be pointed out to support the same. On behalf of the respondents G.R. dated 10.10.2017 (A-R-1) is placed on record. It deals with the subject of taking requisite departmental action against the employee who unauthorizedly remains absent. Even from this G.R. no enabling provision could be pointed out which authorises the employer to withhold salary even when no departmental proceeding is initiated against the concerned employee. It is submitted by the Id. P.O. that several notices were issued to the applicant and even a proposal has been forwarded to initiate departmental enquiry against the applicant for remaining absent without authorisation. Thus, it is not disputed that so far no departmental enquiry has been initiated against the applicant.

7. It is the submission of the applicant that his salary for five months has been withheld and under the circumstances it has become impossible for him to take care even his day-to-day needs.

8. Having regard to nature of the impugned order and record of the case direction will have to be issued to respondent no. 4 to release the salary of the applicant for June, July and August, 2023 within two days from today by way of interim measure. **Respondent no. 4 shall release withheld salary of the applicant for the months of June, July & August, 2023 within two days from today.** This interim order is subject to final outcome of the O.A..

9. **The O.A. shall be finally heard on 29.11.2023.**

10. **Steno copy is granted.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.No.895/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 06/11/2023.**

Heard Shri C.D.Dhore, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. **Closed for orders.**

**Date:- 06/11/2023.**  
aps.

**Member (J)**

**O.A.Nos.682,683,684,685,687,688,689,690,691**

**,692,694,695,696,697,698,699,700,701,702,  
703,716,717,790,974&1083/2023 (S.B.)**

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

**Dated : 06/11/2023.**

Heard Shri N.R.Saboo & S.N.Gaikwad, ld. counsel for the applicants and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. Ld. counsel for the applicant states that he is filing rejoinder in O.A. Nos. 682, 683, 684, 687, 688, 690, 691, 694, 695, 698, 700, 701/2023. It is taken on record. Copy is served to the other side.

3. Ld. C.P.O. states that the respondent department is reviewing the orders impugned in this batch of O.As. and to take the review some time would be required. He submits that this batch of O.As. be kept on 20.12.2023.

4. **S.O. 20.12.2023.**

5. **Interim relief to continue till further orders.**

**Member (J)**

**Date:- 06/11/2023.**

aps.