

O.A.No.733/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.

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

2. The Id. P.O. submits that he will file the reply
during the course of the day. **S.O. 2nd week of**
January, 2020.

Vice Chairman

Date:-19/12/2019.
aps.

O.A.No.964/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.

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

2. In order dated 28/11/2019, it was observed that Id. P.O. was directed to file reply within three weeks time. However, today again Id. P.O. is seeking time. It is sad that Id. P.O. is not able to get reply from respondent no. 2 whose order is under challenge in this O.A.. This clearly shows that respondent no. 2 is not serious in filing reply. However, as per the request of Id. P.O. matter is kept on 02/01/2020 for final decision.

3. If reply is not filed, it will be heard on merit. It should be treated as a last chance.

4. S.O. 02.01.2020.

5. Steno copy is granted.

Vice Chairman

Date:-19/12/2019.
aps.

O.A.No.984/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.

C.A.No.468/2019 :-

Heard Shri S.M.Bhagde, the Id. Counsel for the applicant, Shri P.N.Warjekar, the Id. P.O. for the respondents and Smt. A.V.Kadam, Registrar of Government Polytechnic College, Sakoli.

2. The Id. counsel for the applicant has placed letter dated 18/12/2019 by Principal, Government Technical College, Sakoli about his unavailability to attend today and he has sent his staff, his staff cannot explained the reason regarding the issue. However, as per the instructions of Registrar i.e. Smt. A.V.Kadam, Principal will be able to attend tomorrow.

3. The Principal, Government Technical College, Sakoli is directed to remain personally present tomorrow in the Tribunal and explain what is the problem regarding two issues:-

A. Not obeying the order of Tribunal.

B. Not obeying the order of Superiors Officers i.e. Respondent no. 3 (Joint Director) as pointed out by the Id. counsel for the applicant in para no. 5 of his C.A. No. 468/2019.

4. If Principal fails to attend tomorrow or not obey Tribunal's order it will be intimated to the

Superior Officers in Bombay to place him under suspension with immediate effect.

5. **Steno copy is granted.**

Date:-19/12/2019.
aps.

Vice Chairman

O.A.No.698/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.

Heard Shri A.P.Raghute, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. In order dated 19/11/2019, it was observed that Id. P.O. was directed to file reply within four weeks time. However, today again Id. P.O. is seeking time.

3. If reply is not file in this matter, it will be heard on merit. It should be treated as a last chance.

4. **S.O. 06.01.2020.**

Vice Chairman

Date:-19/12/2019.
aps.

O.A.No.903/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman

Dated :19/12/ 2019.

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

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

Vice Chairman

Date:-19/12/2019.

aps.

O.A.No.904/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.

Heard Shri Khond, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State. Await service of respondent nos. 2 to 5.

2. As per the request of Id. counsel for the applicant issue fresh notice to the respondent nos. 2 to 5.

3. Issue fresh notice to R-2 to 5, returnable on four weeks. Learned P.O. waives notice for R-1. 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. four weeks.**

Vice Chairman

Date:-19/12/2019.
aps.

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.

C.A.No.478/2019:-

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

2. The Id. counsel for the applicant is directed to pay deficit court fees as required. After paying deficit fees the **C.A.No.478/2019 for Jt. O.A. is allowed.**

3. Issue notice to R-2 & 3, returnable on four weeks. Learned P.O. waives notice for R-1. 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 on 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. four weeks.**

Vice Chairman

Date:-19/12/2019.

aps.

O.A.No.314/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.

Heard Shri S.A.Sahu, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side.

3. He further desires time to file reply for respondent nos. 2 and 4. The Id. P.O. is directed to file reply on behalf of the respondent nos. 2 & 4 before next date of hearing.

4. Reply of respondent no. 3 in para no. 9, it has been made clear that amount of Rs. 6,65,022/- is paid to the applicant towards Provident Fund and Rs. 3,39,911/- is paid towards Employees Insurance. Provisional pension is also sanctioned to the applicant. Alongwith the reply one letter has been placed on record by respondent no. 3 written by under Secretary, Finance Department, in which it has been mentioned that due to Court Cases as per M.C.S., Pension Rules, 1982, Section 130, Gratuity amount cannot be paid.

5. **S.O. four weeks.**

Vice Chairman

Date:-19/12/2019.
aps.

O.A.No.73/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.

Heard Shri G.G.Bade, the Id. Counsel for the applicant, Shri H.K.Pande, the Id. P.O. for the respondent nos. 1 to 4 and Shri A.Y.Kapgate, the Id. counsel for the respondent no. 5.

2. As per the request of both the counsels, **S.O.**
07/01/2020.

Date:-19/12/2019.
aps.

Vice Chairman

O.A.No.184/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.

Heard Shri N.S.Warulkar, the Id. Counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2 and Shri M.Shaikh, the Id. counsel for the respondent no. 3.

2. S.O. 02/01/2020.

3. Matter is treated as P.H.

Vice Chairman

Date:-19/12/2019.

aps.

O.A.No.786/2015 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman

Dated :19/12/ 2019.

Heard Shri R.A.Haque, the Id. Counsel for the applicant, Shri P.N.Warjekar, the Id. P.O. for the respondent nos. 1 & 2 and Shri A.M.Tirukh, the Id. counsel for the respondent no. 3.

2. **S.O. 06.01.2020.**

Vice Chairman

Date:-19/12/2019.

aps.

O.A.No.794/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.**

Heard Shri S.M.Khan, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. **S.O. after winter vacation.**

Vice Chairman

Date:-19/12/2019.
aps.

O.A.No.53/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman

Dated :19/12/ 2019.

Heard Shri S.K.Thengri, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. **S.O.08/01/2020.**

Vice Chairman

Date:-19/12/2019.

aps.

O.A.No.915/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman

Dated :19/12/ 2019.

Heard Shri Vishal Anand, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. **S.O. 08/01/2020.**

Vice Chairman

Date:-19/12/2019.

aps.

O.A.No.995/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/12/ 2019.

Rev.No.34/2019:-

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

2. The Id. counsel for the applicant desires certain review on order dated 05/12/2019 in O.A. No. 995/2017. As submitted by Id. P.O. it should be decided after getting reply from respondents.

3. Issue notice to R-2 to 4, returnable on 13.01.2020. Learned P.O. waives notice for R-1. 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 on 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. 13-01-2020.**

Vice Chairman

Date:-19/12/2019.
aps.

O.A. 769/18 with C.A. 375/19 (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 19/12/2019.

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

2. The leaned P.O. requested time to produce the roster. It is submitted that the concerned documents would be produced in the Afternoon, therefore, the matter be taken up on board tomorrow.

S.O. 20/12/2019.

Member (J)

Vice-Chairman

dnk.

O.A. 905/2019 (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 19/12/2019.

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

The Id. counsel for the applicant submitted that all the respondents are served.

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

Member (J)

Vice-Chairman

dnk.

O.A. 264/2019 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 19/12/2019.

Heard Ms. A.M. Kshirsagar, Id .counsel
for the applicant and Shri S.A. Sainis, Id. P.O.
for the respondent.

The matter is admitted and it be kept for
final hearing.

The learned P.O. waives notice for the
State.

S.O. 21/01/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 579/2018 (D.B.)

Coram:Shri Shree Bhagwan,

**Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 19/12/2019.

Heard Shri D.M. Kakani, Id .counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the respondents.

The matter is admitted and it be kept for final hearing.

The learned P.O. waives notice for the respondents.

S.O. 21/1/2020.

Member (J)

Vice-Chairman

dnk.

C.P. 48/19 in O.A. 586/2018 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,**

Member(J)

Dated : 19/12/2019.

Heard Shri S.A. Marathe, Id .counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the State.

2. Issue Notice to the respondent Nos. 2 and 3 returnable **after three weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. Shri A.P. Potnis, the learned P.O. waives notice for respondent No.1. Hamdast granted.

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

Member (J)

Vice-Chairman

dnk.

O.A. 278/2012 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 19/12/2019.

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

2. The learned P.O. has produced letter dated 11/12/2019 written by the Superintending Engineer & Administrator, Command Area Development Authority, Nagpur. In this letter, it is mentioned that the office was unable to traced out original record and proceeding of the inquiry.

3. In view of this, three weeks time is granted for compliance.

S.O. 20/01/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 346/2018 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 19/12/2019.

C.A. 149/2019 -

Heard Shri M.M. Sudame, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondents.

2. For the reasons stated in the application, the C.A. No.149/2019 is allowed. Necessary amendment be carried out before the next date.

C.A. 180/2019 –

Heard Shri M.M. Sudame, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondents.

2. It seems that the prayer in this application is to grant stay to the effect, operation and implementation of recommendation dated 20/03/2019. In our opinion as decision is already taken not to fill the posts reserved for Scheduled Caste (S.C.) candidates, therefore, it is not necessary to grant any such relief. Hence, the C.A.No. 180/2019 stands disposed of.

C.A. 208/2018 -

Heard Shri M.M. Sudame, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondents.

2. So far as C.A.No. 208/2018 is concerned, direction is already issued, therefore, the C.A. 208/2018 also stands disposed of.

O.A. 346/2018 –

Heard Shri M.M. Sudame, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondents.

2. The learned counsel for the applicant has filed the C.A.No.180/2019 and along with that C.A. the merit list dated 20/3/2019 (A-3, P-13 to 15) is filed. In the merit list at page no.14 the applicant no.2 is shown at sr.no.9 and he has secured 43 marks and the applicant no.1 is shown at Sr.no.11 and he has secured 42 marks. It is submitted that three other O.As. i.e. O.A.Nos. 415, 506 & 683 of 2018 are filed before the M.A.T, Principal Bench at Mumbai related to this issue only. The learned P.O. is directed to file documents on record with answer to the following two questions only -

(i) If any O.As. filed at Mumbai Bench have been decided, copy of Judgment to be filed.

(ii) What is the problem with MPSC in not implementing the merit list filed by them in which except these two applicants, no SC candidate is seen and as per the advertisement there is one post is to be filled from S.C. category candidate.

S.O. 13/1/2020 (PH).

Member (J)

Vice-Chairman

dnk.

(D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and**

**Shri A.D. Karanjkar,
Member(J)**

Dated : 19/12/2019.

**O.A.Nos. 956/17, 789/18, 790/18, 802/18 with
C.A.476/19, 803/18, 804/18, 805/18, 809/18
with C.A.477/19, 810/18, 811/18, & 857/18.**

Heard Shri R.A. Haque, Id .counsel for the applicants and Shri A.P. Sadavarte, Id. counsel for R-5 to 12 (in O.A.956/17), Shri A.P. Sadavarte, Id. counsel for the applicant and Shri R.A. Haque, Id. counsel for R-4 (in O.A.789/18), Shri A.P. Sadavarte, Id .counsel for the applicant, Shri R.A. Haque, Id. counsel for R-4 and none for R-5 (in O.A.790/18), Shri H.D. Futane, Id. counsel for the applicant and Shri R.A. Haque, Id .counsel for Intervener (in O.A.802/18 with C.A. 476/19), Shri A.P. Sadavarte, Id .counsel for the applicant and Shri R.A. Haque, Id. counsel for R-4 (in O.As.803 & 804 of 2018), Shri A.P. Sadavarte, Id. counsel for the applicant and Shri R.A. Haque, Id. counsel for R-4 and none for R-5 (in O.A.805/18), Shri H.D. Futane, Id. counsel for the applicant (in O.A.809/18 with C.A.477/19), Shri R.V. Shiralkar, Id. counsel for the applicant and Shri R.A. Haque, Id .counsel for R-4 (in O.As.810 & 811 of 2018) and Shri A.P. Sadavarte, Id. counsel for the applicant (in O.A.857/18).

2. Shri A.M. Khadatkar, Id. P.O. for the respective respondents in all the O.As.

3. As per the earlier order Shri R.A. Haque, Id. counsel in the respective O.As. has filed copy of order passed by the MAT, Nagpur in O.A.93/2015 & Other O.As., on 14/6/2016 and also copy of order passed by the MAT, Mumbai in O.A. 587/2008 on 23/6/2009. Same are taken on record and marked Exh-X and X1.

4. Shri H.D. Futane, Id. counsel for the applicants has not filed 2nd set in the O.A.Nos. 802/18 & 809/19. He is directed to file 2nd set of the said O.As before the next date. It appears that he filed in O.A. 802/18 the C.A. No.476/19 for early hearing and in O.A.809/18 the C.A. No. 477/19 for early hearing, however, he is not prepared to argue the matter today and requested further time in spite of this Bench is ready to hear the matters today only. In view thereof, the C.A.Nos.476/19 and 477/19 are disposed of.

5. All the counsels are directed to prepare together a chart of all applicants and the respective respondents in a tabular form showing respective dates of joining in the service, date of passing departmental examination, date of passing revenue qualifying

examination and number of years and attempts taken for passing both the examination and it should be filed on record before next date.

S.O. 15/1/2020.

Member (J)

Vice-Chairman

dnk.

C.P. 32/19 in O.A. 542/2017 (D.B.)

(D.Y. Tijare & 22 ors. Vs. State of Mah.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and**

**Shri A.D. Karanjkar,
Member(J)**

Dated : 19/12/2019.

Heard Shri Bharat Kulkarni, learned counsel for the applicants and Shri P.N. Warjurkar, learned P.O. for respondent nos.1&2. The respondent no.3 in person present.

2. In paragraph no.8 of the reply of respondent no.3, it is mentioned that permission is already granted to challenge the decision in the O.A. by preferring the Writ Petition, but no sound reason is shown why Writ Petition is not filed. We have also perused the paragraph no.13 of the order passed in O.A.No. 542/2017 in which specific finding is recorded that the applicants were entitled the pay scale admissible to the post of Multipurpose Health Worker which was Rs. 975-1660. Thus, it seems that the respondents have not complied the order. The respondents have not shown cogent reason for the non compliance. Attempt is made by the respondents to show that the Finance Department has not given approval, therefore, it is not possible to comply the order. We do not see any merit because once executable order is passed by this Bench, the Finance Department of Government has no control over that order and all Departments of the Government are bound to execute the order passed by the MAT.

3. In view of this, four weeks time is granted as a last chance to the respondents to comply the order.

S.O. 13/01/2020.

Steno copy is granted to the Id. P.O...

Member (J)

Vice-Chairman

dnk.

O.A. No. 720/2017(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

Heard Shri Rinkesh Sable, learned Advocate holding for Shri V.R. Choudhari, learned counsel for the applicant and Shri A.M. Khadatkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, **S.O. to 22.01.2020.**

Member (J)

kpb.

O.A. No. 66/2019(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

None present for the applicant. Shri H.K. Pande, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

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

Member (J)

kpb.

O.A. No. 686/2019(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

Heard Shri R.V. Shiralkar, learned counsel for the applicant and Shri A.M. Ghogre, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No.

1. Same is taken on record and copy thereof has been served on the other side. He has submitted that the proposal is already forwarded to the Police Establishment Board, Mumbai for taking decision on the issue of transfer of the applicant and two weeks time is required.

3. The present matter is admitted and it be kept for final hearing on **08.01.2020**.

Member (J)

kpb.

O.A. No. 744/2018(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

None present for the applicant. Shri A.P. Potnis, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 and submitted that it is sufficient to decide the present O.A. Same is taken on record.

3. The present matter is admitted and it be kept for final hearing in due course.

Member (J)

kpb.

O.A. No. 744/2018(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

None present for the applicant. Shri A.P. Potnis, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 and submitted that it is sufficient to decide the present O.A. Same is taken on record.

3. The present matter is admitted and it be kept for final hearing in due course.

Member (J)

kpb.

C.A. No. 282/2018 in
O.A. No. 759/2018(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

None present for the applicant. Shri A.P. Potnis, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and submitted that it is sufficient to decide the present O.A. Same is taken on record.

3. The present matter is admitted and it be kept for final hearing in due course.

Member (J)

kpb.

O.A. No. 628/2019(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

None present for the applicant. Shri V.A. Kulkarni, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record.

3. The present matter is admitted and it be kept for final hearing in due course.

Member (J)

kpb.

O.A. No. 982/2019(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

Heard Shri S.A. Sahu, learned counsel for the applicant and Shri S.A. Sainis, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submits that the transfer of the applicant premature in view of the provisions of Section 4 of the Transfer Act, 2005. It is submitted that the applicant is yet not relieved from the duty.

3. Learned Presenting Officer has submitted that he has no instructions from the respondents.

4. In view of this, the parties are directed to maintain status-quo till filing of the affidavit in reply by the respondents.

5. **S.O. two weeks.**

Member (J)

kpb.

C.A. No. 479/2019 in
O.A. No. 21/2019(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

C.A. No. 479/2019

Heard Shri P.V. Thakare, learned counsel for the applicant and Shri A.M. Khadatkar, learned Presenting Officer for respondents.

2. C.A. No. 479/2019 stands disposed of with no order as to costs.

O.A. No. 21/2019

3. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No.

4. Same is taken on record and copy thereof has been served on the other side.

4. **S.O. to 08.01.2020** for final hearing.

Member (J)

kpb.

O.A. No. 240/2017(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

None for the applicant. Shri A.M. Ghogre, learned Presenting Officer for respondents.

2. A the request of learned Presenting Officer for the respondents, **S.O. two weeks.**

Member (J)

kpb.

O.A. No. 333/2018(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

None for the applicant. Shri V.A. Kulkarni, learned Presenting Officer for respondent Nos. 1 & 2 and Shri N. Majithia, learned Advocate for respondent No. 3.

2. As none present for the applicant,
S.O. to 10.01.2020.

Member (J)

kpb.

O.A. No. 101/2018(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

Heard Shri Bharat Kulkarni, learned counsel for the applicant and Shri V.A. Kulkarni, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No.

1. Same is taken on record and copy thereof has been served on the other side.

3. The present matter is admitted and it be kept for final hearing on **29.01.2020**.

Member (J)

kpb.

O.A. No. 511/2019(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

Heard Shri S.K. Thengri, learned counsel holding for Shri G.G. Bade, learned counsel for the applicant and Shri M.I. Khan, learned Presenting Officer for respondents.

2. Learned counsel Shri S.K. Thengri, for the applicant has submitted that Shri G.G. Bade, is engaged in another matter.

3. In view of this, the present matter be taken up on board on **10.01.2020**.

Member (J)

kpb.

O.A. No. 1017/2019(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

Heard Shri D.T. Shinde, learned counsel for the applicant and Shri M.I. Khan, learned Presenting Officer for respondent No. 1.

2. Issue notice the respondents, returnable within **three weeks**. Hamdast allowed.

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

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

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

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

limitation and alternate remedy are kept open.

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

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

8. **S.O. three weeks.**

Member (J)

kpb.

O.A. No. 1016/2019(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 18.12.2019.

Heard Shri S.M. Khan, learned counsel for the applicant and Shri A.M. Khadatkar, learned Presenting Officer for respondent No. 1.

2. Learned counsel for the applicant has submitted that the direction has not given to the Treasury to recover the amount.

3. Learned P.O. has submitted that he would seek necessary instructions from the respondent No. 3, who has passed the impugned order.

4. Issue notice the respondents, returnable on 06.01.2020. 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.

10. **S.O. to 06.01.2020.**

Member (J)

kpb.

O.A. No. 94/2019(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

Heard Shri S.G. Jagtap, learned counsel for the applicant, Shri A.M. Khadatkar, learned Presenting Officer for respondent Nos. 1 & 7 and Shri A.M. Kukday, learned counsel for respondent Nos. 2 to 6.

2. Learned counsel for respondent Nos. 2 to 6 has submitted that the provisional pension of the applicant is granted, but the applicant is not appearing in the office and therefore, the amount could not be disbursed. It is submitted that the respondent Nos. 2 to 6 would file affidavit on record to this effect.

3. The applicant is present before this Bench. The applicant is directed to visit the office and to collect the cheque on any working day.

4. The present matter be kept on **09.01.2020** and before it, the affidavit be filed by the respondent Nos. 2 to 6 and served copy of the said affidavit on the applicant on 7th or 8th January, 2020.

Member (J)

kpb.

O.A. No. 949/2019(SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 19.12.2019.

Heard Shri P. Mehta, learned counsel for the applicant and Shri S.A. Sainis, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.
3. **S.O. three weeks.**
4. Status-quo granted earlier to continue till then.

Member (J)

kpb.

