

O.A. No.27/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri D.M. Kakani, learned Advocate for the Applicant, Shri A.P. Potnis, learned Presenting Officer for Respondents No.1 to 3 and Shri V.N. Morande, learned Advocate for Respondent No.4.

2. Ld. PO seeks two weeks time to file reply.
3. **S.O. to two weeks.**

Member (J)

(sgj)

O.A. No.299/2019 (S.B.)

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

Dated : 23.8.2019

Heard Smt. S.S. Dhane, learned Advocate holding for Smt. B.P. Maldhure, Applicant in person and Shri A.P. Potnis, learned Presenting Officer for the Respondents.

2. At the request of Ld. Advocate for the applicant **adjourned to two weeks.**

Member (J)

(sgj)

O.A. No.377/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri P.J. Mehta, learned Advocate for the Applicant and Shri S.A. Deo, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO seeks one weeks time to file reply.
3. **S.O. to one week.**

Member (J)

(sgj)

O.A. No.406/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri N.R. Saboo, learned Advocate for the Applicant, Shri V.A. Kulkarni, learned Presenting Officer for Respondents No.1 to 3, Shri R.S. Khobragade, learned Advocate for Respondent No.4 and Dr. K. Kanishwar, Respondent No.5 in person.

2. Ld. PO seeks two weeks time to file reply.
3. **S.O. to two weeks.**

Member (J)

(sgj)

O.A. No.544/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri N.R. Saboo, learned Advocate for the Applicant, Shri S.A. Sainis, learned Presenting Officer for Respondents No.1 & 2 and Shri R.S. Khobargade, learned Advocate for Respondent No.3.

2. Ld. PO seeks two weeks time to file reply.
3. **S.O. to two weeks.**

Member (J)

(sgj)

O.A. No.419/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri R.V. Shiralkar, learned Advocate for the Applicant and Shri A.M. Ghogre, learned Presenting Officer for the Respondents.

2. Ld. PO seeks two weeks time to file reply.
3. **S.O. to two weeks.**

Member (J)

(sgj)

O.A. No.538/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri N.R. Saboo, learned Advocate for the Applicant and Shri M.I. Khan, learned Presenting Officer for the Respondents.

2. Ld. PO has filed order dated 13.8.2019 and now the applicant is transferred to Nandgaon Khandeshwar, Amravati.

3. In view of the order there remains no substance in the OA. Hence, OA stands disposed off. No order as to costs.

Member (J)

(sgj)

O.A. No.547/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri P.C. Marpakwar, learned Advocate for the Applicant and Shri S.A. Deo, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO seeks three weeks time to file reply.
3. **S.O. to three weeks.**

Member (J)

(sgj)

O.A. No.614/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri M.M. Sudame, learned Advocate for the Applicant and Shri V.A. Kulkarni, learned Presenting Officer for the Respondents.

2. Ld. PO seeks three weeks time to file reply.
3. **S.O. to three weeks.**

Member (J)

(sgj)

O.A. No.783/2017 (S.B.)

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

Dated : 23.8.2019

Heard Shri P.S. Patil, learned Advocate for the Applicant and Shri S.A. Sainis, learned Presenting Officer for the Respondents.

2. Ld. PO files reply on behalf of respondents no.2 & 3.

3. **S.O. to 27.8.2019.**

Member (J)

(sgj)

O.A. No.442/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri S.P. Palshikar, learned Advocate for the Applicant, Shri A.M. Ghogre, learned Presenting Officer for Respondents No.1 to 3 and Shri S.S. Memane, learned Advocate for Respondent No.4.

2. **S.O. to 28.8.2019.**

Member (J)

(sgj)

O.A. No.152/2016 (S.B.)

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

Dated : 23.8.2019

Heard Shri Anirudh Anantha Krishnan, learned Advocate holding for Shri R.R. Vyas, learned Advocate for the Applicant and Shri S.A. Sainis, learned Presenting Officer for Respondents No.1 to 5. None for Respondent Nos.6 & 7.

2. Time granted till 11.9.2019.

Member (J)

(sgj)

O.A. No.222/2016 (S.B.)

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

Dated : 23.8.2019

Heard Shri S.P. Palshikar, learned Advocate for the Applicant and Shri A.P. Potnis, learned Presenting Officer for the Respondents.

2. At the request of Ld. Advocate for the applicant adjourned to **5.9.2019**.

Member (J)

(sgj)

O.A. No.283/2016 (S.B.)

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

Dated : 23.8.2019

Heard Shri G.G. Bade, learned Advocate for the Applicant and Shri V.A. Kulkarni, learned Presenting Officer for the Respondents.

2. At the request of Ld. Advocate for the applicant adjourned to **9.9.2019**.

Member (J)

(sgj)

O.A. No.387/2016 (S.B.)

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

Dated : 23.8.2019

Heard Shri S.P. Kshirsagar, learned Advocate for the Applicant and Shri P.N. Warjurkar, learned Presenting Officer for the Respondents.

2. The matter is **partly heard**.
3. At the request of Ld. Advocate for the applicant adjourned to **13.9.2019** for further hearing.

Member (J)

(sgj)

O.A. No.648/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri D.M. Kakani, learned Advocate for the Applicant and Shri S.A. Deo, learned Chief Presenting Officer for the Respondents.

2. At the request of Ld. Advocate for the applicant the matter be taken up for hearing on Monday 26.8.2019.

3. **S.O. 26-08-2019.**

Member (J)

(sgj)

O.A. No.659/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri K.N. Saboo, learned Advocate for the Applicants and Shri P.N. Warjurkar, learned Presenting Officer for the Respondents.

2. Perused the impugned order dated 22.8.2019. Though it is mentioned that the order is passed in terms of Section 4(4)(5) of the Transfer Act, 2005 but specific reasons for transfer is nowhere mentioned in the impugned transfer order. Ld. Advocate for the applicant invited my attention to the fact that Collector, Nagpur vide his letter dated 23.4.2019 informed Settlement Commissioner, Land Records & Director of Land Records, Pune that the applicant was good worker and he be retained at Nagpur for one year.

3. This is a mid-term transfer and specific reason is not mentioned in the order and as the applicant is not yet relieved, the impugned order of transfer is stayed till filing of reply.

4. Issue notice to R-2 to 4, returnable in one week. Learned C.P.O. waives notice for R-1. 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 one week.**

11. Steno copy and hamdast is granted. Ld. PO is directed to communicate this order to the respondents.

Member (J)

(sgj)

O.A. No.660/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri R.V. Shiralkar, learned Advocate for the Applicant and Shri H.K. Pande, learned Presenting Officer for the Respondents.

2. Perused the order dated 22.1.2019 by which the applicant was transferred as Additional Superintendent of Police, Wasim and in pursuance of the order the applicant joined at Wasim on 5.2.2019. It is submitted that by order dated 22.8.2019 the applicant is transferred from Wasim to Nagpur as Deputy Commissioner of Police, his issues are taking education at Wasim. It is mid-term transfer and no reasons are given for transfer order. The applicant is not yet relieved.. Therefore, interim relief be granted.

3. In view of the facts it seems that no specific reasons are recorded for transferring the applicant before completion of normal tenure the issues of the applicant are taking education and he is not relieved, therefore, it is suitable to grant interim relief. The respondents are directed not to relieve the applicant till filing of reply by the respondents.

4. Issue notice to R-2, returnable in **one week**. Learned P.O. waives notice for R-1. 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 one week.**

11. Steno copy and hamdast is granted. Ld. PO is directed to communicate this order to the respondents.

Member (J)

(sgj)

O.A. No.661/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri P.V. Thakre, learned Advocate for the Applicant and Shri Sainis, learned Presenting Officer for the Respondents.

2. The applicant was due for transfer but he was not transferred in the general transfer of 2019. It is submission of the applicant that this is mid-term transfer. After reading the transfer order it seems that the provisions of Section 4(4)(5) of the Transfer Act are not complied with. The applicant is not yet relieved. Therefore, interim relief be granted.

3. On perusal of the order it seems that applicant was due for transfer and he is posted on vacant post. Under these circumstances the applicant may prosecute this OA after resuming duty and obeying the transfer order. I do not see any substance in the contention to stay the transfer order.

4. Issue notice to R-2 & 3, returnable in **one week**. Learned P.O. waives notice for R-1. 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 one week.**

11. Steno copy and hamdast is granted. Ld. PO is directed to communicate this order to the respondents.

Member (J)

(sgj)

O.A. No.662/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri D.P. Dapurkar, learned Advocate for the Applicant and Shri A.M. Ghogre, learned Presenting Officer for the Respondents.

2. Perused the impugned transfer order dated 4.7.2019. The applicant was due for transfer and therefore the applicant is transferred to Nanja, Tah. Kalam, Yeotmal on vacant post. It is submitted that there is violation of Section 4(5) of the Transfer Act. I do not see any merit to interfere in the transfer order because applicant was due for transfer and he is posted on vacant post. It is contended that applicant was serving in Tribal area and he is again transferred in the Tribal area. Here I would like to point out that impugned transfer cannot be vitiated merely on the ground that employee is transferred from one tribal area to another tribal area.

3. Prima facie I do not see any merit for grant of interim relief.

4. Issue notice to R-2 & 3, returnable in **one week**. Learned P.O. waives notice for R-1. 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 one week.**

Member (J)

(sgj)

O.A. No.652 to 655/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri D.M. Kakani, learned Advocate for the Applicants and Shri S.A. Deo, learned Chief Presenting Officer for the Respondents.

2. All the applicants are challenging the transfer order dated 21.8.2019 on the ground that some of the applicants were not for due transfer, their transfers are mid-term and they are transferred from one Wild Life Forest Project to another Wild Life Forest Project. Some of the applicants have completed age of 50 years. It is submitted that orders are in violation of Section 4(5) of the Transfer Act, 2005 and therefore the respondents be directed not to relieve the applicants till decision in the OAs.

3. Ld. CPO has made submission that he has received telephonic information that all the applicants are relieved from their present post and, therefore, interim relief should not be given and it will be create complications.

4. I have perused the impugned order of transfers. It appears that all the applicants are transferred and posted at vacant post and this decision was taken as per result of the meeting held by Hon'ble Chief Minister on 24.7.2019. It is submitted that specific direction was given by the Hon'ble Chief Minister after meeting to fill in the vacant post in Gadchiroli District. Here I would like to point out that as per the law laid down by the Hon'ble Supreme Court, it is duty of the Government servant to obey the transfer order by immediately joining the posting. He may challenge the order even after joining. In

view of this I do not see it suitable and just in the interest of justice to grant interim relief.

5. Issue notice to R-2 & 3, returnable in **one week**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

7. 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.

8. 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.

9. 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.

10. 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.

11. **S.O. to one week.**

Member (J)

(sgj)

O.A. No.663/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri D.P. Dapurkar, learned Advocate for the Applicant and Shri A.M. Ghogre, learned Presenting Officer for the Respondents.

2. The respondents are directed to decide the representations made by the applicant on 26.3.2019, 9.4.2019 and 14.7.2019 within a period of three months from the date of this order. It is submitted that the applicant is already relieved. In view of the above directions OA stands disposed off. No order as to costs.

Member (J)

(sgj)

O.A. No.664/2019 (S.B.)

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

Dated : 23.8.2019

Heard Shri V.B. Gawali, learned Advocate for the Applicant and Shri M.I. Khan, learned Presenting Officer for the Respondents.

2. Ld. PO submitted that the applicant is already relieved on 20.8.2019. Therefore, on request of Ld. Advocate for the applicant, matter be kept for further hearing on 26.8.2019.

3. **S.O. to 26.8.2019.**

Member (J)

(sgj)

O.A.No.468/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23rd Aug. 2019.

Heard Shri S.P.Palshikar holding for Shri R.V.Shiralkar, the Id. Counsel for the applicant, Shri A.M.Ghogre, the Id. P.O. for the respondent nos. 1 & 2 and Shri N.S.Khandewale, the Id. counsel for the respondent no. 3.

2. The Id. P.O. filed the affidavit-in-reply on behalf of the respondent no. 2. It is taken on record. Copies are served to the other sides.

3. The Id. P.O. further seeks three weeks time to file reply on behalf of the respondent no. 1.

4. S.O. three weeks.

Vice Chairman

Date:-23/08/2019.
aps.

O.A.No.609/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23rd Aug. 2019.

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the State. Await service of respondent nos. 2 to 4. Shri S.A.Sahu is going to file vakalatnama on behalf of the respondent no. 4.

2. The Id. counsel for the applicant submits that he will file service affidavit during the course of the day. However, he desires time in view of certain progress to the case.

3. **S.O. one week.**

Vice Chairman

Date:-23/08/2019.
aps.

O.A.No.253/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23rd Aug. 2019.

C.A.No.151/2019:-

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

2. The Id. counsel for the applicant filed C.A. No. 151/2019 for Jt. O.A.. There are 32 applicants having similar cause and grievances. As agreed by Id. P.O. also C.A. No. 151/2019 is allowed for Jt. O.A..

3. **S.O. three weeks for reply.**

Vice Chairman

Date:-23/08/2019.
aps.

O.A.No.302/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23rd Aug. 2019.

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

2. As per the request of Id. P.O., **S.O. two weeks for reply.**

Vice Chairman

Date:-23/08/2019.
aps.

O.A.No.840/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23rd Aug. 2019.**

Heard Shri A.K.Waghmare, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. As per the request of Id. counsel for the applicant, **S.O. 30.08.2019.**

Vice Chairman

Date:-23/08/2019.

aps.

**O.A.Nos. 165, 161, 162, 163, 166/2015 &
48/2016 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23rd Aug. 2019.**

Heard Shri Johrapurkar, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. As per the order dated 08/08/2019, the Id. counsel for the applicant has filed synopsis. It is taken on record. Copy is served to the other side.

3. However, in order dated 08/08/2019, the Id. P.O. was directed to take instructions from the Government regarding any decision taken after Hon'ble High Court Judgment in writ petition no. 2046/2010 i.e. Sachin Ambadas Dawale and 90 Ors. Vs. State of Maharashtra & Another delivered on 19.10.2013? Secondly, any representation filed by the applicant after MAT order dated 05.05.2016?

4. The Id. P.O. seeks another week time to file the above same on record.

5. Closed for orders.

6. *The Id. P.O. is at liberty to file the above same within 30.08.2019.*

Vice Chairman

Date:-23/08/2019.
aps.

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23rd Aug. 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. The applicant was served with chargesheet dated 18.06.1996 at Annexure-A-3, P.B., Pg. No. 17 with two charges. Enquiry was conducted and enquiry report was submitted vide letter dated 11/01/1999, Annexure-A-4, P.B., Pg. No. 25. Enquiry officer conducted as per opinion on P.B., Pg. No. 44 that both the charges where proved.

3. Subsequently, applicant was awarded punishment, first punishment vide order dated 16.04.2017 Annexure-A-1, P.B., Pg. No. 10. Applicant preferred an appeal before the Government which was rejected vide order dated 18.11.2016 (Annexure-A-2), P.B., Pg. No. 13. There was complaint against the applicant i.e. Criminal Case No. 305/1998 which was decided on 28/10/2005 and applicant was exonerated by Trial Court.

4. Enquiry officer has mentioned at P.B., Pg. No. 37 that he personally examined the nine ladies and they have submitted that they were operated at different places by different Doctors. However, on record it does not seem to be that their statements were recorded anywhere and applicant was given chance to cross examine them. Whether those

statements were made available for cross examination to the applicant?

5. The Id. P.O. as well as Id. counsel for the respondent no. 5 are directed to take instructions from the department as mentioned in the chargesheet on P.B., Pg. No. 24 document no. 14 is statements of beneficiaries. Whether any of those documents can be produced before this Tribunal?

6. **S.O. 19.09.2019.**

Vice Chairman

Date:-23/08/2019.

aps.

O.A.No.181/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23rd Aug. 2019.**

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

2. S.O. 28.08.2019 high on board.

Vice Chairman

Date:-23/08/2019.
aps.

O.A.No.113/2015 (D.B.)

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

Dated :23rd Aug. 2019.

C.A.No.154/2019:-

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

2. The Registry is directed to issue notices to the respondents in Civil Application No. 154/2019.

3. Notice on C.A. to Respondent nos. 2 to 4 be issued returnable in **three weeks**.

4. Shri H.K.Pande, the learned P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once

week before the date fixed by this Tribunal. 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. three weeks.**

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.879/2017 (D.B.)

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

Dated :23rd Aug. 2019.

C.A.No.322/2019:-

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

2. In view of the urgency, the **Civil Application No. 322/2019 is allowed** in terms of prayer clause

1. The matter be kept for final hearing on 30.08.2019.

3. **S.O. 30.08.2019.**

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.157/2019 (D.B.)

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

Dated :23rd Aug. 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. At the request of Id. P.O., **S.O. one week for reply.**

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.483/2019 (D.B.)

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

Dated :23rd Aug. 2019.

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

2. At the request of Id. P.O., **S.O. 06/09/2019** for filing reply.

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

**O.A.Nos.514, 515, 516, 517, 518 & 519/2019
(D.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman and
Shri A.D.Karanjkar, Member(J)
Dated :23rd Aug. 2019.**

Heard Shri S.N.Nandeshwar, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. The applicant in O.A. Nos. 514, 518 & 519 are within the Jurisdiction of this Tribunal. However, the applicant in O.A. Nos. 515, 516 & 517 are from Parbhani and Solapur District.

3. The Id. counsel for the applicant is pursuing for all the O.As.. The State Government is directed to file reply within two weeks.

4. S.O. two weeks.

**Member(J)
Date:-23/08/2019.
aps.**

Vice Chairman

O.A.No.571/2019 (D.B.)

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

Dated :23rd Aug. 2019.

None for the applicant. Shri P.N.Warjurakar,
the Id. P.O. for the State. Await service of respondent
nos. 2 & 3.

2. S.O. in due course.

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.206/2017 (D.B.)

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

Dated :23rd Aug. 2019.

C.A.No.323/19 in C.P.52/2018:-

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

2. The Registry is directed to call the reports.
3. **S.O. one week.**

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.219/2019 (D.B.)

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

Dated :23rd Aug. 2019.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. At the request of Id. C.P.O., **S.O. three weeks.**

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.769/2018 (D.B.)

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

Dated :23rd Aug. 2019.

Heard Ms. D.S.Khandewale holding for Shri S.S.Ghate, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. The matter is **admitted** and kept for final hearing in due course.

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

4. **S.O. in due course.**

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.480/2016 (D.B.)

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

Dated :23rd Aug. 2019.

C.P.No.23/2018:-

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

2. Closed for orders.

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.647/2019 (D.B.)

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

Dated :23rd Aug. 2019.

Heard Shri A.P.Tathod, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. We have perused the order dated 08/08/2019, which is challenged in this Original Application. It is directed in the order that it would not come in force for a period of 25 days from the date of order. It is contention of the applicant that the direction given in paragraph no. 11 in writ petition no. 5025/2016 decided on 20/09/2017 is not strictly complied by the M.P.S.C. and no reasons are recorded by the authority for giving the conclusion that the applicant was not eligible for the post.

3. The Id. C.P.O. submitted that he requires time till 28/08/2019 to make some submission before this Bench. Therefore, we direct to issue notices to the respondents returnable on 28/08/2019. Hamdast Allowed.

4. Issue notice to R-2 to 4, returnable on 28.08.2019. Learned C.P.O. waives notice for R-1. 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. 28-08-2019.**

11. *Steno copy be headed over to Id. C.P.O. for compliance.*

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.112/2008 (D.B.)

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

Dated :23rd Aug. 2019.

C.P.No.06/2019:-

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

2. It is submitted that the matter is pending with Director General of Police, Mumbai and the Home Department.

3. **S.O. 30.08.2019 as a last chance.**

4. *Steno copy is granted.*

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.Nos.113/2018 & 871/2017 (D.B.)

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

Dated :23rd Aug. 2019.

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

2. The Id. counsel for the applicant submitted pursis informing the dates of issuance of the chargesheet and the order passed in departmental enquiry. It is submitted that minor punishment was awarded to the applicant in both the departmental enquires.

3. The Id. P.O. is requesting for time to produce the minutes of D.P.C. meeting.

4. **S.O. one week.**

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.897/2012 (D.B.)

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

Dated :23rd Aug. 2019.

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

2. At the request of Id. counsel for the applicant, **S.O. two weeks.**

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.651/2017 (D.B.)

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

Dated :23rd Aug. 2019.

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

2. S.O. 09.09.2019.

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.411/2018 (D.B.)

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

Dated :23rd Aug. 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. Closed for orders.

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.26 /2019 (D.B.)

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

Dated :23rd Aug. 2019.

C.A.No.176/2019:-

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

2. Today, the Id. P.O. filed letter dated 21.08.2019 written by Deputy Secretary, Industries and Energy Department, Government of Maharashtra. Copy of the letter is headed over to the applicant.

3. The Id. counsel for the applicant wants to consult his applicant, **S.O. Monday i.e. 26.08.2019.**

3. *Put up this matter along with the C.P.No.19/19 with C.A.No.212/19 in O.A. No.26/19.*

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman

O.A.No.26 /2019 (D.B.)

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

Dated :23rd Aug. 2019.

C.P.No.19/19 with C.A.No.212/2019:-

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

2. Today, the Id. P.O. filed letter dated 21.08.2019 written by Deputy Secretary, Industries and Energy Department, Government of Maharashtra. Copy of the letter is headed over to the applicant.

3. The Id. counsel for the applicant wants to consult his applicant, **S.O. Monday i.e. 26.08.2019.**

4. *Put up this matter along with the O.A. No.26/19 with C.A.176/2019.*

Member(J)
Date:-23/08/2019.
aps.

Vice Chairman