

O.A.No.361/2019 (D.B.)

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

Dated : 24th May 2019.

C.A.No.186/2019:-

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

2. The Id. Counsel for the applicant has pointed out the G.R. dated 06.06.2017 (Annexure-A-3), by which eligibility criteria for promotion from Class-IV to Class-III has been changed to only Graduate level employees. The Id. Counsel for the applicant has also pointed out clarification sought by respondent no. 3 (Annexure-A-4) at P.B., Pg. Nos. 20 and 21.

3. In view of this situation, **Respondent nos. 1 and 2 are directed to issue clarification on letter dated 22.01.2018 (Annexure-A-4) by respondent no. 3 within four weeks** from the date of this order.

4. **However, C.A. No. 186/2019 for Jt. O.A. is allowed.**

5. Issue notice to R-2 to 4, returnable on four weeks. 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. four weeks.**

Vice Chairman

Date:-24/05/2019.
aps.

O.A.No.360/2019 (S.B.)

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

Dated : 24th May 2019.

C.A.No.187/2019:-

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the State.

2. The Id. Counsel for the applicant has filed C.A. No. 187/2019. The Id. Counsel for the applicant has requested for interim relief in relief clause no. 1 of C.A. No. 187/2019. The matter is already listed on 04.06.2019. Relief clause no. 1 of C.A. No. 187/2019 is allowed and Respondent nos. 2 and 3 are directed not to relieve the applicant till 04.06.2019 i.e. next date of hearing.

4. **With the above directions, C.A. No. 187/2019 for Direction is disposed of.**

5. Issue notice to R-2 & 3, returnable on 04.06.2019. 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. 04.06.2019.

Date:-24/05/2019.
aps.

Vice Chairman

O.A.No.362/2019 (S.B.)

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

Dated : 24th May 2019.

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

2. The Id. Counsel for the applicant has invited my attention to the order dated 01/10/2018 (Annexure-A-2) at P.B., Pg. No. 18.

3. Issue notice to R-2, 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:-24/05/2019.
aps.

O.A.No.363/2019 (S.B.)

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

Dated : 24th May 2019.

Heard Shri S.M.Khan, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State.

2. The Id. Counsel for the applicant has pointed out recovery order no. 18@vfr inku oru o HARsol yhevks@l gk; d l pkyd@xM&118] fnukd 25@01@2019 (Annexure-A-1) by which total recovery of Rs. 9,11,430/- is to be made and first instalment of recovery has been already started as Rs. 10,000/- per month from the salary of January, 2019. As submitted by the Id. Counsel for the applicant, applicant is going to retire on 31.05.2019.

3. The Id. P.O. is directed to take instructions from the department. Since, the applicant is going to retire on 31.05.2019 itself and place the report on next date of hearing.

4. Issue notice to R-2 to 4, returnable on 07.06.2019. 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. 07.06.2019.

11. Steno copy is granted.

Vice Chairman

Date:-24/05/2019.
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