

O.A. 139/2020 (S.B.)

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

Dated : 01/02/2021.

Shri D.B. Walthare, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

Vice-Chairman

dnk.

O.A. 715/2019 (S.B.)

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

Dated : 01/02/2021.

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

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

Interim relief to continue till then.

Vice-Chairman

dnk.

O.A. 716/2019 (S.B.)

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

Dated : 01/02/2021.

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

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

Interim relief to continue till then.

Vice-Chairman

dnk.

O.A. 813/2020 (S.B.)

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

Dated : 01/02/2021.

Heard Shri S.N. Gaikwad, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel for the applicant and Shri A.M. Khadatkhar, Id. P.O. for the respondents.

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

The Status-quo order dated 1/12/2020 to continue till then

Vice-Chairman

dnk.

O.A. 814/2020 (S.B.)

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

Dated : 01/02/2021.

Heard Shri S.N. Gaikwad, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4.

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

The Status-quo order dated 1/12/2020 to continue till then

Vice-Chairman

dnk.

O.A. 657/2015 (S.B.)

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

Dated : 01/02/2021.

Shri Shiralkar, Id. counsel holding for
Shri A.C. Dharmadhikar, Id .counsel for the
applicant and Shri A.M. Khadatkar, Id. P.O. for
the respondents.

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

Vice-Chairman

dnk.

O.A. 702/2016 (S.B.)

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

Dated : 01/02/2021.

Smt. Saboo, Id .counsel for the applicant
and Shri A.M. Khadatkar, Id. P.O. for the
respondents.

At the request of Id. counsel for the
applicant, **S.O. 18/2/2021.**

Vice-Chairman

dnk.

O.A. 725/2016 (S.B.)

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

Dated : 01/02/2021.

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

At the request of Id. counsel for the applicant, **S.O. 22/2/2021.**

Vice-Chairman

dnk.

O.A. 411/2020 (S.B.)

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

Dated : 01/02/2021.

Smt. Saboo, Id .counsel for the applicant
and Shri A.P. Potnis, Id. P.O. for the
respondents.

At the request of Id. counsel for the
applicant, **S.O. 12/2/2021.**

Vice-Chairman

dnk.

O.A. 12/2020 (S.B.)

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

Dated : 01/02/2021.

None for the applicant. Shri S.A. Sainis,
Id. P.O. for R-1&2. None for R-3.

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

Vice-Chairman

dnk.

O.A. 884/2020 (S.B.)

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

Dated : 01/02/2021.

Ms. Aarti Singh, Id. counsel holding for Shri P.D. Meghe, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

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

Vice-Chairman

dnk.

O.A. 729/2020 (S.B.)

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

Dated : 01/02/2021.

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

The Id. P.O. files reply on behalf of R-2. It is taken on record. Copy is served on the applicant.

The O.A. is admitted and it be kept for final hearing.

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

S.O. 8/2/2021.

Interim order dated 3/11/2020 to continue till then.

Vice-Chairman

dnk.

O.A. 821/2020 (S.B.)

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

Dated : 01/02/2021.

Heard Shri D.M. Kakani, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

Vide order dated 3/12/2020 following order was passed in para-2 which is as follows –

“ The respondent no.1 is directed to decide the representations made by the applicant dated 19/10/2020 & 23/10/2020 within four weeks from the receipt of the order. “

However, today Id. P.O. submits that he wants further time to decide the representations of the applicant.

At the request of Id. P.O., **S.O.**
15/2/2021.

Vice-Chairman

dnk.

O.A. 379/2020 (S.B.)

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

Dated : 01/02/2021.

None for the applicant. Shri H.K. Pande, Id. P.O. for R-1 to 3. Await service of R-4.

Service affidavit of R-4 is not filed.

S.O. four weeks.

Vice-Chairman

dnk.

O.A. 206/2020 (S.B.)

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

Dated : 01/02/2021.

Ms. Chandak, Id. counsel holding for Shri A.A. Chaube, Id. counsel for the applicant and Shri H.K. pande, Id. P.O. for the State.

At the request of Id. counsel for the applicant, **S.O. one week** for collecting the hamdast.

Vice-Chairman

dnk.

O.A. 173/2020 (S.B.)

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

Dated : 01/02/2021.

Heard Shri S.C. Joshi, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 and Ms. Reve, Id. counsel holding for B.N. Jaipurkar, Id .counsel for R-2.

The reply of R-2 is filed. It is taken on record. Copy is served to the other side.

The O.A. is admitted and it be kept for final hearing.

The Id. P.O. waives notice for R-1.

S.O. 5/3/2021.

Vice-Chairman

dnk.

O.A. 259/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice-Chairman.

Dated : 01/02/2021.

C.A. No. 92/2020 -

Heard Shri A.P. Sadavarte, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1, none for R-2 and Shri T.M. Zaheer, Id. counsel for R-3.

2. For the reasons stated in the application, the C.A.No. 92/2020 for filing documents on record is allowed.

O.A. 259/2018 –

Heard Shri A.P. Sadavarte, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1, none for R-2 and Shri T.M. Zaheer, Id. counsel for R-3.

S.O. four weeks for final hearing.

In the meantime, interim order dated 20/4/2018 to continue till then.

Vice-Chairman

dnk.

O.A. 846/2019 with C.A. 454/2019 (S.B.)

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

Dated : 01/02/2021.

Heard Shri U.J. Deshpande, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for the respondents and none for Intervener.

2. The Id. P.O. files reply on behalf of R-2&3. It is taken on record. Copy is served on the applicant.

3. The learned counsel for the applicant submits that copy of C.A.No. 454/2019 has not been supplied.

4. The learned counsel for the applicant has relied upon Government of Maharashtra GAD G.R. dated 9/7/2019 (P-58) and submits that the applicant was suspended on 24/9/2019 (A-8,P-49). The learned counsel for the applicant further submits that no charge sheet has been served till now and hence the applicant's case is squarely covered as per the Government decision para-1 (ii) & (iii) (P-59) as reproduced below of G.R. dated 9/7/2019 –

“ii) fuytcr 'kl dlt; l o dlt; k T; k idj. th 3 efgU; k; k dkylo/kr foHkxh; plst'kh l# d#u nskjki i= ct lo.; kr vlysulgtj v'k idj. th ek l olt p U; k; ky; kps vlnsk ikgrtj fuyzu l ekr dj.; k'lok; vU; i; k;

*jlgr ulgh R; keGsfuyfcr 'kkI dh; I ddkcr foHkxh;
pkd'kph dk; bkg I # d#u nskkjsi i = ctko.; kph
dk; bkg fuyucuki kl u 90 fnol kr; k vkr dkVdgi .ksdyh
tkby ; kph n{krk@ [kcjnkjh?ks; kr ; koh-*

*iii) Qkstkjh i dj.kkr fo'kskr%ykpypir i dj.kh fuyfcr
'kkI dh; I ddkj foHkxh; pkd'k I # d#u nskkjsi i =
ctko.kkr vko'; d rks vfkys[k ykpypir ifrcald
foHkxkus l cdkr izkl dh; foHkxkl miyC/k d#u nsk
vko'; d jkghy-***

5. In view of this situation, the suspension order dated 24/9/2019 (A-8,P-49) is revoked to immediate effect. The respondents are directed to issue suitable order for revocation along with the relevant posting to the applicant as per the established various Judgments of Hon'ble Apex Court.

6. With this direction, the O.A. along with C.A. stand disposed of. No order as to costs.

Steno copy is granted.

Vice-Chairman

dnk.

O.A. 778/2020 (S.B.)

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

Dated : 01/02/2021.

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

2. As per the record at A-15,P-140 the Resident Dy. Collector, Chandrapur made his correspondence to the Tahsildar, Jiwati where he has submitted that the Government G.R. dated 6/8/2002 allowed one step above salary and that order was implemented for the reason that -

^ r l p ' k k l u f u . k i d e k d , u , D I 2004@ i z d - 48@
fo'kk- 1 o f n u k d 7@12@2004 u d k j p m i j f t Y g ; k r h y 9
r k y p s u { k y x L r E g . k p ? k k f " k r d j . ; k r v k y s v k g s **

3. Further the G.R. dated 26/12/2014 (A-R-1,P-92) notified new naxal affected areas, but the said G.R. was stayed by G.R. dated 18/2/2015 (A-14,P-138) till further orders.

4. In this situation, the G.Rs. dated 6/8/2002 and 7/12/2004 are applicable for providing one step above salary to the employees.

5. As pointed out by the learned counsel for the applicant, the Civil Services Board meeting has taken place on 5/8/2020 (A-13,P-55 to 69). Further it is seen on record at Page no.70 signatures are put by first three Members –

(i) Desk Officer

(ii) Deputy Secretary

(iii) Additional Chief Secretary (Revenue)

(iv) Hon'ble Minister (Revenue)

(v) Hon'ble Chief Minister

6. The signature of Additional Chief Secretary (Revenue) is dated 6/8/ which means it is dated 6/8/2020. It is surprising to note that on Page no.71 again various paras have been added and below only two signatures are seen that is Minister (Revenue) than below Chief Minister and after that it is written in hand writing वेद वेगल य/२ i.e. Additional Chief Secretary (Revenue). The page nos.70 & 71 are against the rules of business in the Government and particularly at page no.71 the contents written above the signatures of Hon'ble Minister are not seen to be recommended by the Additional Chief Secretary (Revenue) and putting the endorsement of Additional Chief Secretary (Revenue) in hand written font after the signatures of Hon'ble Chief Minister is totally against the rules of business in the Government. It needs to be enquired that who has given the authority to write वेद वेगल य/२ i.e. Additional

Chief Secretary (Revenue) below the signature of Hon'ble Chief Minister.

7. It is submitted that today Shri M.I. Khan, Id. P.O. is not available, therefore, Id. P.O. requested for further time.

S.O. 5/2/2021.

Interim order dated 23/11/2020 to continue till final disposal of the present O.A.

Vice-Chairman

dnk.

O.A. 435/2020 (S.B.)

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

Dated : 01/02/2021.

Heard Ms. N. Chandak, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned counsel for the applicant has failed to answer the question put by this Bench on 10/8/2020 in para-2.

3. The learned P.O. submits that he has filed the reply, but after perusing the record, it seems that it is not filed. In view of this, **S.O. two weeks.**

Vice-Chairman

dnk.

O.A. 982/2019 (S.B.)

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

Dated : 01/02/2021.

Heard Shri S.A. Sahu, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

2. The learned counsel for the applicant has filed Pursis dated 23/1/2021 by which he wants to withdraw the O.A.

3. In view thereof, the O.A. stands disposed of as withdrawn. No order as to costs.

Vice-Chairman

dnk.

O.A. 354/2019 (S.B.)

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

Dated : 01/02/2021.

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

2. The learned counsel for the applicant has pointed out decision of M.A.T., Bench at Nagpur in O.A.Nos.532 & 533 of 2013 in favour of the applicant and subsequent to that Government order dated 6/5/2017 (P-81) wherein first paragraph, it is mentioned that ^ ek-U; k; kf/kdj.kkus vtzhjk; k cktusfu.k; nrkuk l ok i osk fu; ekthy fu; e B (ii) ud kj ch-, LI h- i noh gh vgrk l jGI os kBh vl w l nj fu; e inkurhl kBh ykxw gkr ukgh- inkurhl kBh QDr nku o'k vullu vl.k vto'; d vl Y; kpsueq dysvlg**

3. The learned counsel for the applicant admits that the applicant has been given two times time bound promotions, however, grievance of the applicant is that he should have been given higher pay scale in technical grade, but he was given clerical / ministerial cadre. The applicant has sought following reliefs (P-9) –

“(i) To pay the appropriate Pay Scales in case of First Time Bound Promotions/ ACPs by fixing

his salary in Pay Scale of Rs.5000-8000 w.e.f. 19/6/1996 with all consequential benefits.

(ii) To pay the appropriate Pay Scales in case of Second Time Bound Promotions / ACPs by fixing his salary in Pay Scale of Rs.9300-34800 (GP 4300/-) w.e.f. 19/6/2008 with all consequential benefits”.

4. The matter is remanded back to the respondents for deciding the grievances of applicant by giving personal hearing. The applicant has written various representations to the respondents. The last representation is dated 5/4/2019 (A-16,P-43). The respondents are directed to decide this representation in the light of relief clauses sought by the applicant and the Government order dated 6/5/2017 including M.A.T. order in O.A.Nos.532 & 533 of 2013 within 60 days from the date of this order.

5. In view thereof, the O.A. stands disposed of. No order as to costs.

Vice-Chairman

dnk.

O.A. 508/2020 (S.B.)

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

Dated : 01/02/2021.

Heard Smt. D.V. Sapkal, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 3&5 and none for R-4.

2. The learned counsel for the applicant has filed Judgment in O.A. 597/2020 with C.A.234/2020 and relied upon this Judgment which is taken on record. Copy is given to the other side.

3. The respondent nos.1 to 3 have filed their reply on 12/10/2020. After going through the reply, it appears that the O.A. is required to be dismissed, however, the learned counsel for the applicant wants to go through the reply and make a submission.

4. In view of this, both the learned counsels are directed to go through the citations filed today.

S.O. 8/2/2021.

Vice-Chairman

dnk.

(S.B.)

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

Dated : 01/02/2021.

**O.A.Nos. 809,810,811,812,813,814,815,816,
817,818,819,820,821 & 822 of 2017 -**

Heard Smt. Meenaxi Iyer, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

2. The learned counsel for the applicants pointed out order by this Tribunal dated 4/3/2020. The para nos.2,3&4 of the order are reproduced below –

“ (2) The Id. P.O. has filed letter dated 3/3/2020 by Executive Engineer, Nagpur Irrigation (South). It is taken on record. Copy is served to the other side.

(3) After filing the above said letter, he is ensured that in all 8 O.As. all the formalities are completed and he require further three weeks time.

(4) In view of this, the respondents are directed to take decision before 7/4/2020 and communicate to the applicant and file on record before this Tribunal.”

3. However, it appears that the respondents have not taken any decision as per the order

dated 4/3/2020 and on further 14 O.As. which are connected and also on the same lines. All these 14 O.As. have been heard and all the formalities have been completed.

4. In view of this situation, the respondents are directed to take positive decision in case of all the 14 O.As. within 15 days from the date of this order and file on record and also communicate to the learned counsel.

S.O. 16/2/2021.

Steno copy is granted.

Vice-Chairman

dnk.

O.A. 103/2021 (S.B.)

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

Dated : 01/02/2021.

Heard Shri Jibhkate, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

2. The learned counsel for the applicant requested to take the matter on board today for hearing. However as the applicant is retired on 31/1/2021, hence the matter be kept on board tomorrow.

S.O. 2/2/2021.

Vice-Chairman

dnk.

*

O.A.St.No.2666/2017 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

C.A.No.493/2017:-

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

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

Vice Chairman

Date:-01/02/2021.
aps.

O.A.No.792/2018 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant, Shri A.M.Khadatkar, the Id. P.O. for the respondents and Shri Tariq Zaheer holding for Shri H.D.Marathe, the Id. counsel for the respondent no. 4.

2. The Id. counsel for the respondent nos. 2 to 4 have not filed reply, **S.O. four weeks to file reply.**

Vice Chairman

Date:-01/02/2021.
aps.

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

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

Heard Shri P.V.Thakre, the Id. Counsel for the applicant and Shri S.A.Sainis, 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. He further submits that it is sufficient to decide the O.A.

3. The G.R. dated 06.06.2017 has been reversed by notification dated 11.06.2019. In reply para no. 4, respondents have agreed to this and they are in the process of deciding the representation.

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

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

6. **S.O. in due course.**

Vice Chairman

Date:-01/02/2021.
aps.

O.A.No.364/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

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

2. The Id. P.O. has filed reply on behalf of the respondent nos. 2 & 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the O.A.

3. The Id. counsel for the applicant submits that he has instructions to withdraw the O.A. for that he is directed to file pursis before next date.

6. **S.O. 08.02.2021.**

Vice Chairman

Date:-01/02/2021.
aps.

O.A.No.534/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

Heard Shri A.P.Sadavarte, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents. None for the respondent nos. 16 & 17. None for the respondent nos. 5, 7 & 8.

2. The Id. P.O. submits that he has got the amended copy of the O.A. recently. He further requested, **S.O. three weeks to file reply.**

Vice Chairman

Date:-01/02/2021.
aps.

O.A.No.605/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

None for the applicant. Shri S.A.Sainis, the Id. P.O. for the respondents. None for the respondent no. 4.

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. He further submits that it is sufficient to decide the O.A..

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

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

5. **S.O. in due course.**

Vice Chairman

Date:-01/02/2021.

aps.

O.A.No.140/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

Heard Shri A.Y.Sharma, 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. two weeks to file reply.**

Vice Chairman

Date:-01/02/2021.

aps.

O.A.No.212/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

None for the applicant. Shri V.A.Kulkarni, the
Id. P.O. for the State. Await service of respondent
nos. 2 to 4.

2. **S.O. four weeks to file service affidavit.**

Vice Chairman

Date:-01/02/2021.
aps.

O.A.No.355/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

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

2. At the request of Id. C.P.O., **S.O. four weeks
to file reply.**

Vice Chairman

Date:-01/02/2021.
aps.

O.A.No.637/2014 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

C.A.No.22/2021:-

Heard Shri S.M.Bahirwar, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents. None for the respondent no. 4.

2. **C.A. No. 22/2021 for early hearing is allowed.**

3. **S.O. four weeks.**

Vice Chairman

Date:-01/02/2021.
aps.

O.A.No.372/2017 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

C.A.No.96/2018:-

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

2. O.A. has been amended and amended copy of the O.A. be supplied to the Id. P.O.. The Id. counsel for the applicant has also filed C.A. for direction. The Id. P.O. is directed to file reply on C.A., **S.O. 15.02.2021.**

Vice Chairman

Date:-01/02/2021.
aps.

O.A.No.955/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

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

2. The applicant stood retired on 31.01.2020 as mentioned in synopsis of the O.A.. D.E. was started on 01.08.2019 i.e. more than one and half year has passed. The Id. counsel for the applicant submits that there is no progress in D.E..

3. Issue notice to Respondents, returnable on 22.02.2021. Learned C.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. 22.02.2021.**

Vice Chairman

Date:-01/02/2021.
aps.

O.A.No.71/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 01/02/ 2021.

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

2. The applicant was appointed as a Registrar in the Institute of Applied Arts, Mumbai, Maharashtra, Group-B on 08.11.2012 as per Annexure-A-6, P.B., Pg. No. 41. The Id. counsel for the applicant has pointed out many certificates which are N.O.C. from various departments showing that applicant was having necessary qualification and experience. However, as submission made by the Id. counsel for the applicant from Political Persons complaint in 2015 against the applicant and for that D.E. has been started. Final order in the D.E. is yet to be passed. However, applicant is having apprehension; with this apprehension he approached to this Tribunal.

3. Issue notice to Respondents, returnable on four weeks. Learned C.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:-01/02/2021.

aps.