

O.A. 619/2019 (S.B.)

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

Dated : 29/10/2021.

Heard Shri A.B. Mirza, Id. counsel for the applicant, Shri A.M. Khadatkhar, Id. P.O. for R-1 to 3 and Shri C.A. Babrekar, Id. counsel for R-6. Await service of R-4&5.

2. The Id. P.O. files reply of R-3. It is taken on record. Copy is served to the other side.

3. The learned counsel submits that he wants to delete the names of R-4&5. He is permitted to do so.

4. The matter is admitted and kept for final hearing. The Id. P.O. waives notice for R-1 to 3.

5. The Id. counsel for R-6 is at liberty to file reply, if any.

S.O.26/11/2021.

Vice-Chairman

dnk.

O.A. 1027/2019 (S.B.)

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

Dated : 29/10/2021.

Heard Shri N.R. Saboo, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The Id. P.O. files reply of R-1&2. It is taken on record and copy is given to the Id. counsel for the applicant.

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

S.O. 22/11/2021.

Vice-Chairman

dnk.

O.A. 49/2020 (S.B.)

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

Dated : 29/10/2021.

C.A. 340/2021 in O.A. 49/2020 -

Shri D.M. Surjuse, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

S.O. 22/11/2021.

Vice-Chairman

dnk.

O.A. 156/2020 (S.B.)

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

Dated : 29/10/2021.

Shri K.N. Dadhe, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1 to 3 and Shri B.N. Jaipurkar, Id. counsel for R-4&5.

At the request of Id. P.O., **S.O. After Vacation** for filing reply.

Vice-Chairman

dnk.

O.A. 168/2020 (S.B.)

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

Dated : 29/10/2021.

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

2. It appears that the present matter is related to time bound promotion. Therefore, the matter be placed before the D.B.

Put up before D.B.

S.O. After Vacation.

Vice-Chairman

dnk.

O.A. 284/2020 (S.B.)

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

Dated : 29/10/2021.

Heard Shri S.V. Bhutada, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The Id. P.O. files reply of R-1 to 3. It is taken on record and copy is served to the Id. counsel for the applicant.

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

S.O. After Vacation.

Vice-Chairman

dnk.

O.A. 638/2020 (S.B.)

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

Dated : 29/10/2021.

Shri M.R. Khan, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

S.O. After Vacation.

Vice-Chairman

dnk.

O.A. 698/2020 (S.B.)

(Shri Prakash T. Fulari Vs. State of Mah.)

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

Dated : 29/10/2021.

Heard Shri G.G. Bade, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1 and none for R-4.

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

3. The learned counsel has relied on Judgment of Hon'ble High Court in Writ Petition No. 2236/1997 delivered on 24/8/2012 and other Writ Petition No. 12043/2016 where several Writ Petitions have been jointly decided.

4. The learned counsel further relied on the order of CEO, Zilla Parishad, Wardha dated 28/5/2020 / 4/6/2020 (A-10,P-45 to 47) where it has been mentioned that after Hon'ble High Court order regarding service period of Muster Assistant has been calculated for pension benefits w.e.f. 1/10/1988 and in the said order 13 employees has been granted benefit and the last para of the order (P-47) is reproduced as below –

^ ojhyiæk.ks l økfuorR >kyŸ; k o l økfuorR gkskk&; k
gtjh l gk; dluk fu; ekiæk.ks ftYgk ifj"kn deþk&; luk

Bj.kkjs dG I dkfuorR oru fo"k; d ykHk I qkkjhr d#u eatj dj.; kph I c/khr vL.Fkki uk vf/kdk&; kauh dk; bkgH d#u forR foHkxkdMsrRdkG I knj djkostskd#u foyc gkskkj ukgh ; kph ukn ?; koh-**

5. The Id. counsel has also placed reliance on decision of CEO, Zilla Parishad, Nashik vide order dated 19/7/2021. It is taken on record and marked Exh-X. In that order also similar decision has been taken regarding Muster Assistant w.e.f. 1/10/1988 and in para-8 it is also mentioned that undertaking should be taken after granting benefit excess amount to be recovered.

6. In the present matter only one applicant from District Yavatmal has approached to this Tribunal. The respondents are directed to consider the applicant's case w.e.f. 1/10/1988 as per the order as mentioned above passed by the CEO, Zilla Parishad, Nashik and CEO, Zilla Parishad, Wardha and in the light of Hon'ble High Court order as mentioned above and take decision as per law within 60 days from the date of receipt of this order.

S.O. after 60 days.

Steno copy is granted...

Vice-Chairman

dnk.

O.A. 36/2021 (S.B.)

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

Dated : 29/10/2021.

Shri G.K. Bhusari, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. After
Vacation** for filing reply.

Vice-Chairman

dnk.

O.A. 141/2021 (S.B.)

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

Dated : 29/10/2021.

Heard Shri S.G. Karmarkar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. The Id. P.O. files reply of R-1 to 3. It is taken on record. Copy is served to the Id. counsel for the applicant.

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

S.O. After Vacation.

Vice-Chairman

dnk.

O.A. 198/2021 (S.B.)

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

Dated : 29/10/2021.

Shri A.D. Girdekar, Id. counsel for the applicant and Shri V.A. Kulkarni, 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. 209/2021 (S.B.)

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

Dated : 29/10/2021.

C.A. No. 357/2021 -

Heard Shri G.G. Bade, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. For the reasons stated in the application, the C.A. for amendment is allowed and disposed off. Necessary amendment be carried out within three weeks and amended copy be supplied to the Id. P.O.

O.A. 209/2021 -

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. 756/2021 (S.B.)

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

Dated : 29/10/2021.

C.A. No. 273/2021 in O.A. 756/2021 -

Heard Shri A.M. Sudame, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

With the consent of Id. counsel for both the parties, **S.O. 22/11/2021.**

Vice-Chairman

dnk.

O.A. 797/2021 (S.B.)

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

Dated : 29/10/2021.

Heard Shri R.L. Kadu, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. The Id. counsel pointed out that the applicant has submitted representations dated 28/1/2019 (A-3,P-25) and dated 27/1/2021 (A-4,P-27) which are yet to be decided by the respondents.

3. The Id. P.O. desires to file reply. In the meanwhile, the respondents are at liberty to decide the representations submitted by the applicant.

S.O. four weeks for filing reply.

Vice-Chairman

dnk.

O.A. 814/2021 (S.B.)

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

Dated : 29/10/2021.

Shri V.A. Kothale, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. After
Vacation** for filing reply.

Vice-Chairman

dnk.

O.A. 852/2021 (S.B.)

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

Dated : 29/10/2021.

Heard Shri V.S. Alone, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. The Id. counsel submits that the Hon'ble High Court in Criminal Application No. 870/2021 passed the order on 7/9/2021 (P-55) and in para-7 following direction is given which is reproduced below –

“ (7) Though the Investigating Officer may continue with the investigation, he shall not file charge sheet against the present applicants without leave of the Court.”

3. The Id. P.O. to take instructions regarding serving of charge sheet and file relevant document on record before the next date.

S.O. 22/11/2021.

Vice-Chairman

dnk.

O.A. 866/2021 (S.B.)

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

Dated : 29/10/2021.

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

At the request of Id. P.O., **S.O. After Vacation** for filing reply.

Vice-Chairman

dnk.

O.A. 874/2021 (S.B.)

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

Dated : 29/10/2021.

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

At the request of Id. P.O., **S.O. After
Vacation** for filing reply.

Vice-Chairman

dnk.

O.A. 902/2021 (S.B.)

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

Dated : 29/10/2021.

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

At the request of Id. P.O., **S.O.**
17/11/2021 for filing reply.

Vice-Chairman

dnk.

O.A. 935/2021 (S.B.)

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

Dated : 29/10/2021.

C.A. No. 330/2021 -

Heard Shri G.N. Khanzode, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the State.

2. Considering the similar grievance of the applicants, the C.A. No.330/2021 for filing Jt. O.A. is allowed and disposed off.

O.A. 935/2021 –

Heard Shri G.N. Khanzode, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the State.

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

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

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

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

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

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

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

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. 936/2021 (S.B.)

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

Dated : 29/10/2021.

C.A. No. 331/2021 -

Heard Shri G.N. Khanzode, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the State.

2. Considering the similar grievance of the applicants, the C.A. No.331/2021 for filing Jt. O.A. is allowed and disposed off.

O.A. 936/2021 –

Heard Shri G.N. Khanzode, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the State.

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

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

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

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

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

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

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

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. St. 1852/2021 (S.B.)

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

Dated : 29/10/2021.

C.A. 299/2021 in O.A. St. 1852/2021

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

S.O. 26/11/2021

Vice-Chairman

dnk.

Rev. A. 18/2021 in O.A. 94/2021 (S.B.)

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

Dated : 29/10/2021.

Heard Shri V.A. Kulkarni, Id. P.O. for the applicants (Org. Respondents PWD Dept.) and Shri S.V. Deshmukh, Id. counsel for the respondent no.1 (Org. applicant) and Shri T.M. Zaheer, Id. counsel for R-4.

S.O. 22/11/2021 for filing reply.

Vice-Chairman

dnk.

O.A. 517/2021 (S.B.)

(P.N. Borkute & Ano. Vs. State of Mah.& ors.)

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

Dated : 29/10/2021.

Heard Shri A. Subhan, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the State.

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

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced

along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. 697/2021 (S.B.)

(Ku. M.P. Patle Vs. State of Mah. & Ors.)

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

Dated : 29/10/2021.

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

S.O. 17/11/2021.

Vice-Chairman

dnk.

O.A. 701/2021 (S.B.)

(S.M. Choudhari Vs. State of Mah. & ors.)

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

Dated : 29/10/2021.

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

S.O. four weeks.

Vice-Chairman

dnk.

O.A. 901/2021 (S.B.)

(Smt. R.P. Bonde Vs. State of Mah. & ors.)

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

Dated : 29/10/2021.

Heard Shri G.N. Khanzode, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the State.

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

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced

along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. after six weeks.

Vice-Chairman

dnk.

O.A. 955/2021 (S.B.)

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

Dated : 29/10/2021.

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

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

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced

along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. After four weeks.

Vice-Chairman

dnk.

O.A. 956/2021 (S.B.)

(S.T. Gholap Vs. State of Mah. & Ors.)

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

Dated : 29/10/2021.

Heard Shri R.L. Kadu, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the State.

2. The applicant was suspended vide order dated 12/10/2021 (A-12,P-75&76). The learned counsel submits that the suspension order was issued after more than two years without any show cause notice and without any inquiry. However, the Id. P.O. wants to take instructions and file reply on record. In the meantime, the Id. counsel is directed to remove office objections.

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

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

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

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

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

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

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. 961/2021 (S.B.)

(Smt. Veena R. Chamat Vs. State of Mah.)

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

Dated : 29/10/2021.

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

2. As per page no.3 of the O.A., the applicant's husband retired on superannuation on 31/12/2013 from Gondia District and expired on 5/9/2020. Almost after 6 and half years, the respondent no.5 issued letter dated 15/10/2020 (A-5,P-18) to the respondent no.4 in which excess amount paid amount of DCRG of Rs.34,980/- and excess paid amount of commutation of Rs.42,592/- and also excess payment in pension is mentioned and directed it to recover the amount from family pension. On the basis of said letter, the impugned order dated 28/9/2021 (A-1,P-12) has been issued by the respondent no.4, i.e., the Additional Treasury Officer, District Treasury Office, Gondia for recovery of Rs. 3,10,546/-. It appears that the said recovery order has been issued without given any opportunity of hearing to the applicant.

3. In view thereof, **the orders dated 15/10/2020 (A-5,P-18) and dated 28/9/2021 (A-1,P-12) are stayed till filing of reply.**

4. Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. Hamdast allowed.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. 971/2021 (S.B.)

(Rushi R. Meshram Vs. State of Mah.)

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

Dated : 29/10/2021.

Heard Shri P.V. Thakre, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the State.

2. As per page no.3 of the O.A., the applicant retired on superannuation on 31/7/2017. Almost after 4 years, the impugned order dated 5/7/2021 (A-9,P-49) has been issued by the respondent no.3, i.e., the Senior Geologist, Ground Water Survey & Development Agench, Gadchiroli for recovery of Rs. 8,45,276/-. It appears that the said recovery order has been issued without given any opportunity of hearing to the applicant.

3. In view thereof, **the impugned order dated 5/7/2021 (A-9,P-49) is stayed till filing of reply.**

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

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

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

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

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

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

S.O. after four weeks.

Steno copy is granted...

Vice-Chairman

dnk.

O.A. 991/2021 (S.B.)

(Ajay G. Bhanwar Vs. State of Mah.)

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

Dated : 29/10/2021.

Heard Shri H. Dhumale, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the State.

2. There are three orders for recovery, however, in order dated 7/10/2021 (A-22,P-58) in second para following observation is made –

^ vki ysvf/kuLr dk; j r Jh- Hkoj] fyi hd ; kpdMsv?kki
#i ; s21]22]094@&- brdk ykdokVkJDde iyfcr vkgS
R; kpdMsiyfcr vl yyh ykdokV; kph jDde , djjdeh
ol y d#u egkj"V^a jkT; df"k m?kks egkeMGkdMs
rRdkG Hkj.kk djkoh- iyfcr ykdokVkJDde , djjdeh
Hkj.; kl I ci/kr vf/kdkjh@depkjh r; kj ul Y; kl
'kkl dh; jdepk vYi dkyhu vi gj Eg.ku R; kps0#/n
, Qvk; vkj nk[ky dj.; kph dk; bkgH vki .k djkoh- r l p
R; kph LFkoj ekyeRrk I yXu dj.; kckcrph dk; bkgH
djkoh**

3. According to this order, the applicant's property is also to be attached which is serious hardship to the applicant.

4. In view of this, **the order dated 7/10/2021 (A-22,P-58) is stayed till filing of reply.**

5. Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. 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.

S.O. after four weeks.

Steno copy is granted...

Vice-Chairman

dnk.

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

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

Dated : 29/10/2021.

Ms. N. Pathan, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

S.O. After Vacation.

Vice-Chairman

dnk.

O.A. 744/2016 (S.B.)

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

Dated : 29/10/2021.

Heard Shri D.I. Charlewar, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1, Shri N. Majithia, Id. counsel for R-2, Shri S.M. Bhagde, Id. counsel for R-4 and A. Singh, Id. counsel for R-5.

S.O. After Vacation.

Vice-Chairman

dnk.

O.A. 691/2020 (S.B.)

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

Dated : 29/10/2021.

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

S.O. 22/11/2021.

Vice-Chairman

dnk.

O.A. 970/2020 (S.B.)

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

Dated : 29/10/2021.

Shri G.G. Bade, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

S.O. After Vacation.

Vice-Chairman

dnk.

Rev. A. 01/2021 in O.A. 100/2020 (S.B.)

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

Dated : 29/10/2021.

Shri H.K. Pande, Id. P.O. for the applicants (Org. Respondents) and Shri G.K. Bhusari, Id. counsel for the respondent (Org. Applicant).

S.O. After Vacation.

Vice-Chairman

dnk.

O.A. 506/2017 (S.B.)

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

Dated : 29/10/2021.

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

S.O. After Vacation.

Vice-Chairman

dnk.

O.A. 155/2018 (S.B.)

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

Dated : 29/10/2021.

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

S.O. After Vacation (PH).

Vice-Chairman

dnk.

O.A. 525/2020 (S.B.)

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

Dated : 29/10/2021.

Shri A.S. Shukla, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

S.O. After Vacation.

Vice-Chairman

dnk.

O.A. 34/2021 (S.B.)

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

Dated : 29/10/2021.

Shri M.R. Rajgure, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 and Shri T.M. Zaheer, Id. counsel for R-2 to 4.

S.O. 26/11/2021.

Vice-Chairman

dnk.

O.A. 224/2021 (S.B.)

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

Dated : 29/10/2021.

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

S.O. After Vacation.

Vice-Chairman

dnk.

O.A. 225/2021 (S.B.)

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

Dated : 29/10/2021.

Shri R.M. Fating, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

S.O. After Vacation (PH).

Vice-Chairman

*dnk.

O.A.No.396/2018 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

C.A.No.514/2019:-

Heard Shri N.D.Thombre, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The Id. P.O. has placed on record letter dated 26.10.2021 by Deputy Director, Medical Department, Nagpur which is marked Exh. X for the purpose of identification. It is taken on record. Copy is served to the other side.

3. It appears that Deputy Director has taken action and he has called Medical Officer, Ramtek to his office on 08.09.2021 to take his objections regarding salary of applicant. The Id. P.O. is directed to take instructions from Deputy Director that what happened from 08.09.2021.

4. S.O. 08.11.2021.

5. Steno copy is granted.

Vice Chairman

Date:-29/10/2021.
aps.

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

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

C.A.No.355/2021:-

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

2. **C.A. No. 355/2021 for amendment is allowed.** The Id. counsel for the applicant is directed to carryout the amendment within one week. He is further directed to supply the same to the other side.

3. The respondents have filed their reply on 19.11.2019 and in para no. 7 they have submitted following details:-

"It is submitted that, as per the provisions of the pension rules, particularly Rule-30 the applicant is not entitled for regular pension and gratuity as well as leave rule the leave encashment is not permissible and the applicant is receiving the admissible provisional pension as per the Rule, therefore, the prayer made in the present original application are contrary to the provisions of Rule, therefore, the present original application filed by the applicant is devoid of merits and as such same is liable to be dismissed."

4. However, it is made clear in M.C.S. (Pension) Rule, 1982, Section 130, para 'C' following directions is given which is reproduced below:-

"No gratuity shall be paid to the Government servant until the conclusion of the departmental or judicial proceedings and issue of final orders thereon."

5. However, there is no provisions for not paying the leave encashment. The Id. P.O. is directed to take necessary instructions from the respondents regarding reply's para no. 7 because para no. 7 has been drafted not carefully; first of all wrong Section is mentioned as 30. The correct Section is 130. However they have submitted that leave encashment is not permissible on perusal of Section 130. There is no whisper about stopping leave encashment.

6. The Id. P.O. should take instructions within three weeks. **S.O. 26.11.2021.**

7. **Steno copy is granted.**

Vice Chairman

Date:-29/10/2021.
aps.

O.A.No.93/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/2021.

Heard Shri A.D.Bhorkar, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. 17.11.2021 to file reply.**

Vice Chairman

Date:-29/10/2021.
aps.

O.A.No.609/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

Heard Shri V.B.Gawali, the Id. Counsel for the applicant, Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 to 3 and Shri S.M.Vaishnav, the Id. counsel for the respondent nos. 4 to 14.

2. At the request of Id. P.O., **S.O. After Diwali Vacation to file reply.**

Vice Chairman

Date:-29/10/2021.
aps.

O.A.No.664/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

C.A.No.303/2021:-

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

2. The Id. P.O. has filed reply on behalf of the respondents. It is taken on record. Copy is served to the other side.

3. As per C.A.; applicant retired on superannuation on 31.05.2021. He further submitted that except G.P.F. nothing have been paid to the applicant till now. The Id. P.O submits that D.E. is going on against applicant. However, there is no hurdle to give provisional pension. Respondents are directed to give provisional pension to the applicant with immediate effect. However, final pension will be decided after D.E..

4. Hence, C.A. No. 303/2021 is allowed and disposed of.

5. S.O. after Diwali Vacation.

6. Steno copy is granted.

Vice Chairman

Date:-29/10/2021.

aps.

O.A.No.949/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has filed pursis dated 21.10.2021 and submitted that he wants to withdraw the O.A. with liberty to challenge deemed date of applicant.

3. As per submission of Id. counsel for the applicant, **O.A. is disposed of as withdrawn.**

Vice Chairman

Date:-29/10/2021.

aps.

O.A.No.382/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

Heard Shri R.L.Kadu, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 & 2. None for the R-3. Shri H.N.Jaipurkar, the Id. counsel for the Respondent no. 4 is going to file vakalatnama today itself.

2. As submitted by Id. counsel for the applicant, applicant has submitted representations dated 05.03.2021 (A-20, Pg., NO. 70), 08.03.2021 (Pg. No. 71), 16.03.2021 (Pg. No. 72) and 23.03.2021 (Pg. No. 73). All the four representations are yet to be decided.

3. The Id. P.O. submits that he has received parawise reply. Meanwhile, **Respondents are directed to decide the representations within 21 days from the date of receipt of this order.**

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

5. **Steno copy is granted.**

Vice Chairman

Date:-29/10/2021.

aps.

O.A.No.563/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

Heard Shri B.Kulkarni, 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. 22.11.2017 to file reply.**

Vice Chairman

Date:-29/10/2021.
aps.

O.A.No.632/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/2021.

C.A.No.353/2021:-

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

2. The matter was heard on 15.09.2021 and in para no. 4 following observations were made due to inordinate delay in the decision of the D.E. which is below:-

*"4. As submitted by Id. counsel for the applicant due to delayed and latches in enquiry to meet the ends of disputes to both the parties. It is better that respondents should be directed to **maintain status-quo as on today till filing of the reply**. If they have taken any decision before today that should be communicated and if not taken any decision then they are not allowed to take decision. They forfeit the right to take any decision against the applicant before that they should file the reply."*

3. Again matter was heard on 29.09.2021 and in para no. 2 following observation was made:-

"2. The matter was heard on 15.09.2021 and detailed order has been passed on 15.09.2021. On 15.09.2021; it is clearly mentioned that if they have taken any decision before today that should be communicated and if not taken any decision then they are not allowed to take decision. However, since today nothing is on the record. So, it clarifies that department has not taken any decision till 15.09.2021. Now, they forfeit the right to take any decision against the applicant."

4. Surprisingly, today it is seen that respondent no. 2 has issued letter dated 08.09.2021 but it was not placed on record when matter was heard on 15.09.2021 and 29.09.2021. *Prima facie*, it appears that this letter is fabricated

after the orders of this Tribunal and today it has been reproduced that this serious irregularities committed by Respondent no. 2. Considering these aspects and in according to his prayer clause on Pg. No. 1 which is below:-

"(i) Further be pleased to quash and set aside the Departmental Enquiry No. 753/2019 as illegal bad in law;

"(ii) Further be pleased to hold and declare that the applicant is exonerated from all the charges and direct the respondent to release all consequential and monetary benefits in favour of the applicant forthwith;"

5. Respondents are directed to file reply before next date of hearing that why applicant's prayer should not be allowed and why action should not be proposed to respondent no. 2.

6. Meanwhile, it is further directed that respondents should not act as per their letter dated 08.09.2021 which is Pg. No. 80. Since, this letter has been issued after the Tribunal's order.

7. S.O. 22.11.2021.

8. Steno copy is granted.

Vice Chairman

Date:-29/10/2021.
aps.

O.A.No.730/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

C.A.No.278/2021:-

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

2. At the request of Id. P.O., **S.O. 17.11.2021 to file reply.**

Date:-29/10/2021.
aps.

Vice Chairman

O.A.No.768/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

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

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

Vice Chairman

Date:-29/10/2021.
aps.

O.A.No.868/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/2021.

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

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

Vice Chairman

Date:-29/10/2021.

aps.

O.A.No.979/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

C.A.No.350/2021:-

Heard Shri N.D.Thombre, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the State.

2. As submitted by Id. counsel for the applicant; the grievances of both the applicants are same. Hence, considering similar cause and similar relief, **C.A. No. 350/2021 for Jt. O.A. is allowed and disposed of.**

3. The Id. counsel for the applicant submits that documents at A-5, Pg. No. 58 is written by Director, Medical Education, Mumbai to Secretary, Medical Education and Drugs Department. This correspondence is pending before respondent no. 1 for decision. Hence, **Respondent no. 1 is directed to decide this correspondence within four weeks.**

4. Issue notice to Respondents, returnable on four weeks. 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. four weeks.**

11. **Steno copy is granted.**

Vice Chairman

Date:-29/10/2021.

aps.

O.A.No.876/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

Heard Shri V.G.Wankhede, 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 filed appointment letter of the applicant which is dated 19.01.2011 (A-4, Pg. No. 20) and he desires relief as per G.R. dated 07.08.2012 which is regarding N.P.A. which has already been stayed by the Hon'ble High Court. Since applicant has been appointed before the said G.R.; applicant is covered by the Judgment of Hon'ble High Court.

3. The Id. counsel for the applicant is also relied in the order of this Tribunal in O.A. Nos. 179, 564, 813/2018 delivered on 12.10.2018 and In O.A. Nos. 141, 158 & 159/2017 delivered on 27.03.2017. Since applicant has been appointed before G.R. dated 07.08.2012, therefore, applicant is covered by the order of this Hon'ble High Court order. The Id. counsel for the applicant submitted that applicant has not been given that benefit.

4. Issue notice to Respondents, returnable on six weeks. 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. six weeks.**

11. **Steno copy is granted.**

Vice Chairman

Date:-29/10/2021.

aps.

O.A.No.977/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

Heard Shri G.G.Bade, 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 has pointed out correspondence dated 05.01.2021 (A-14, Pg. Nos. 449 & 450) at Pg. No. 450 in the remarks column it is written that as per Government Order dated 24.12.2020; applicant has passed the examination in four years and three chances and so applicant's seniority should be as per the date of his appointment. This correspondence is written by Superintending Engineer, P.W.D., Nagpur to Government (P.W.D.).

3. The Id. counsel for the applicant has relied in order of this Tribunal in O.A. NO. 858/2021 delivered on 24.09.2021 and he mainly relied on para no. 7 of the same order which is reproduced below:-

"7. In view of above discussions, the prayer clause no.13(i) of interim prayer on page no.15 of the O.A. is allowed. The respondents are directed to promote the applicant on the post of Junior Engineer along with other candidates of 192 subject to outcome of this O.A."

4. **Meanwhile, respondents are directed to correct the seniority list and place the candidate**

at proper seniority in view of the letter dated 05.01.2021 (A-14, Pg. No. 449) by Superintending Engineer.

5. Issue notice to Respondents, 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.

12. *The Id. counsel for the applicant is further directed to remove office objections as early as possible.*

Date:-29/10/2021.
aps.

Vice Chairman

C.P.No.42/2021inO.A.No.347/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

Heard Shri G.K.Bhusari holding for Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The applicants were working at Research Centre, Balarshah and they were provided training at Government cost at Tripura. They were skilled employees. However, due to non-availability of posts they were terminated. Now, department has published new advertisement; but only hurdle is that in between the applicant has crossed the age limit. Respondents should consider their case of age relaxation since they have been given training at the cost of Government and they are skilled employees.

3. Meanwhile, Issue Notice to the respondents returnable in **four 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.

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

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

Vice Chairman

Date:-29/10/2021.

aps.

C.P.No.49/2021inO.A.No.28/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

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

2. The matter was previously heard before this Tribunal in O.A. No. 28/2019 and order was passed on 09.03.2021 on C.A. No. 73/2021.

3. Issue Notice to the respondents returnable in **four 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.

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

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

Vice Chairman

Date:-29/10/2021.
aps.

C.P.No.32/2021inO.A.No.614/2014 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

Heard Shri B.J.Lonare, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply on behalf of the respondent no. 1. It is taken on record. Copy is served to the other side.

3. S.O. after Diwali Vacation.

Date:-29/10/2021.
aps.

Vice Chairman

O.A.No.537/2019withO.A.261/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 29/10/ 2021.

Heard Smt. A.P.Murrey, 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. after Diwali Vacation.**

3. *The Id. counsel for the applicant is further directed to remove office objections as early as possible.*

Vice Chairman

Date:-29/10/2021.
aps.