

O.A. No.211/2019 **(SB)**

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

Dated : 20.07.2020

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

2. It is submitted that the representation dated 12/03/2020 is pending for consideration before the Special Inspector General of Police (Prison), Nagpur. Liberty is given to the applicant to make fresh representation to the Inspector General of Police (Prison) and Inspector General of Police (Prison) shall decide the representation within a period of 60 days from the date of its receipt.

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

Member (J)

dnk.

O.A. No.323/2020 (SB)

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

Dated : 20.07.2020

C.A. 166/2020 -

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

2. Notice on application be issued returnable **after four weeks**.

3. Shri M.I. Khan, the learned P.O. waives notice for State. Hamdast granted.

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 the O.A.

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 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.

S.O. after four weeks.

Member (J)

dnk.

Rev. A. 32/19 in O.A. No.433/16 (SB)

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

Dated : 20.07.2020

Heard Shri D.S. Sawarkar, Id. counsel for the applicant and Shri V.A. Kulkarni, 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.

8. **S.O. after four weeks.**

Member (J)

dnk.

O.A. No.339/2020 **(SB)**

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

Dated : 20.07.2020

Heard Shri G.G. Bade, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The applicant is relieved from the station. The representation is made by the applicant on 26/06/2020 (A-11,P-39). It is submitted that the posts of Assistant Conservator of Forests at Latur Forest Division, Usmanabad and Social Forestry Division, Beed are vacant and the applicant is ready to work there.

3. In this situation, the respondents are directed to decide the said representation within a period of 60 days from the date of this order.

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

Member (J)

dnk.

O.A. Nos.342,346,347,348,349,350,351, 352
& 353 of 2020 **(SB)**

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

Dated : 20.07.2020

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

2. Interim stay to the order of recovery is granted till filing of reply by the respondents.

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. Applicants are 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. Applicants are 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 Applications shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. after four weeks.

Member (J)

dnk.

O.A. No.735/2018 **(SB)**

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

Dated : 20.07.2020

Shri Jibhkate, Id. counsel holding for
Shri S.P. Palshikar, Id. counsel for the
applicant and Shri P.N. Warjurkar, Id. P.O. for
the respondents.

At the request of Id. counsel for the
applicant, **S.O. 23/7/2020**.

Member (J)

dnk.

O.A. No.795/2018 (SB)

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

Dated : 20.07.2020

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

2. It is submitted that the applicant has filed Pursis dated 25/06/2020 and requested to issue direction to the Chief Conservator of Forests, Amravati to decide the representation made by the applicant on 13/1/2020. Hence, the respondent no.2 is directed to decide the said representation within a period of 60 days from the date of this order.

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

Member (J)

dnk.

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O.A.No.244/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :20/07/2020.

Heard Shri P.Sahu, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the State. Await service of respondent nos. 2 to 5.

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

Chairman
Date:-20/07/2020.
aps.

Vice

O.A.No.280/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :20/07/2020.

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the Respondents.

2. The Id. P.O. has filed reply dated 17/07/2020 and submitted that all the representations have been decided by the respondents. Copy is supplied to the Id. counsel for the applicant. The Id. counsel for the applicant wants to go through it.

3. **S.O. 03.08.2020.**

Chairman
Date:-20/07/2020.
aps.

Vice

O.A.Nos.332&333/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :20/07/ 2020.

Heard Shri M.R.Khan, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

2. The Id. P.O. has filed reply dated 16.07.2020 in last para it is mentioned that review committee dated 18.03.2020 and 08.07.2020 have recommended to continue the suspension period. However, the Id. P.O. is not in a position to clarify whether department started Departmental Enquiry and whether chargesheet has been served or not? However, the Id. counsel for the applicant submitted that copy of Review Committee Meeting is not supplied to them.

3. The suspension order dated 04.09.2019 and corrigendum dated 16.09.2019; now almost seven months have lapsed. In this situation, several Judgments are there and applicant gets the benefit of the same, which are below:-

(i) The Apex Court in Civil Appeal No. 1912 of 2015 (arising out of SLP No.31761 of 2013) in the case of Ajay Kumar Chaudhary Vs. Union of India through its Secretary and another in its Judgment dated 16/02/2015 in para no. 14, it has observed that :-

14 We, therefore, direct that the currency of a Suspension Order should not extend beyond three months if within this period the Memorandum of Charges/Chargesheet is not served on the delinquent officer/employee; if the Memorandum of Charges/Chargesheet is served a reasoned order must be passed for the extension of the suspension. As in the case in hand, the Government is free to transfer the concerned person to any Department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The Government may also prohibit him from contacting any person, or handling records and documents till the stage of his having to prepare his defence. We think this will adequately safeguard the universally recognized principle of human dignity and the right to a speedy trial and shall also preserve the interest of the Government in the prosecution. We recognize that previous Constitution Benches have been reluctant to quash proceedings on the grounds of delay, and to set time limits to their duration. However, the imposition of a limit on the period of suspension has not been discussed in prior case law, and would not be contrary to the interests of justice. Furthermore, the direction of the Central Vigilance Commission that pending a criminal investigation departmental proceedings are to be held in abeyance stands superseded in view of the stand adopted by us.

(ii) The Hon'ble Apex Court in its Judgment in Civil Appeal No. 8427-8428 of 2018 (Arising out of S.L.P. (Civil) No. 12112-12113 of 2017) in the case of **State of Tamil Nadu Vs. Pramod Kumar IPS and Anr. delivered on 21/08/2018** in its para no. 23 had observed as follows:-

23. This Court in **Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291** has frowned upon the practice of protracted suspension and held that suspension must necessarily be for a short duration. On the basis of the material on record, we are convinced that no useful purpose would be served by continuing the first Respondent

under suspension any longer and that his reinstatement would not be a threat to a fair trial. We reiterate the observation of

the High Court that the Appellant State has the liberty to appoint the first Respondent in a non sensitive post.

(iii) The Principal Bench of Maharashtra Administrative Tribunal Mumbai Bench in O.A. No. 35/2018 Judgment delivered on 11/09/2018 has also rejected continuation of suspension beyond 90 days.

(iv) The Government of Maharashtra has issued G.R. dated 09/07/2019 (Annexure-A-4, Pg. No. 34). The Id. Counsel for the applicant has relied on para no. (ii) of the said G.R. on Pg. No. 35.

(v) The Hon'ble High Court of Bombay, Bench at Nagpur in W.P. No. 7506/2018, Judgment delivered on 17.07.2019 (Annexure-A-6, Pg. No. 47), was also on same principle. It has observed in para no. 2 that facts of this case are squarely covered by Government Resolution G.A.D. dated 09/07/2019.

(ii) fuyfcr 'kkI dh; I o dkk; k T; k i d j . k h 3 e f g l l ; k p k d k y k o / k h r f o h k k x h ; p k d l ' k h l q d : u n k s k j k i i = c t k o . ; k r v k y s u k g h] v ' k k i d j . k h e k - l o k p U ; k ; k y ; k p s v k n s k i k g r k] f u y e u l e k l r d j . ; k f ' k o k ; v U ; i ; k z j k g r u k g h R ; k e G s f u y f i c r ' k k I d h ; I o d k e k r f o h k k x h ; p k d l ' k h p d k ; b k g h l q d : u n k s k j k i i = c t k o . ; k p h d k ; b k ; h f u y e u k i k l u 9 0 f n o l k k ; k v k r d k v d k j i . k s d y h t l b y ; k p h n { k r k e [k c j n k j h ? s ; k r ; k o h

4. However, specific question was asked by the Bench to the Id. P.O., whether chargesheet served or not by the department to the applicant? The Id. P.O.

desires time to get instructions, **S.O. 03.08.2020.**

Vice

Chairman

Date:-20/07/2020.
aps.

O.A.No.340/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :20/07/2020.

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

2. The Id. counsel for the applicant has pointed out suspension order dated 05.03.2020 which has been given effect from 10.02.2020 (Annexure-A-1, P.B., Pg. No. 13). The Id. counsel for the applicant submitted that in O.A. on Pg. No. 06, he has pointed out following facts:-

"It is further submitted that as on date there is no departmental enquiry initiated or conducted against the applicant and for that purpose no charge sheet has been served upon applicant, so far as charge sheet in Criminal Case is concerned, it is also not yet filed by the prosecution before the Competent Court of Law, in absence of this continuation of suspension is per se illegal, bad in law and therefore order impugned deserves to be quashed and set aside."

3. The Id. counsel for the applicant further relied on various judgments of Hon'ble Apex Court which are below:-

(i) The Government of Maharashtra has issued G.R. dated 09/07/2019 (Annexure-A-4, Pg. No. 34). The Id. Counsel for the applicant has

relied on para no. (ii) of the said G.R. on Pg. No. 35.

(ii) The Apex Court in Civil Appeal No. 1912 of 2015 (arising out of SLP No.31761 of 2013) in the case of Ajay Kumar Chaudhary Vs. Union of India through its Secretary and another in its Judgment dated 16/02/2015 in para no. 14, it has observed that :-

14 We, therefore, direct that the currency of a Suspension Order should not extend beyond three months if within this period the Memorandum of Charges/Chargesheet is not served on the delinquent officer/employee; if the Memorandum of Charges/Chargesheet is served a reasoned order must be passed for the extension of the suspension. As in the case in hand, the Government is free to transfer the concerned person to any Department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The Government may also prohibit him from contacting any person, or handling records and documents till the stage of his having to prepare his defence. We think this will adequately safeguard the universally recognized principle of human dignity and the right to a speedy trial and shall also preserve the interest of the Government in the prosecution. We recognize that previous Constitution Benches have been reluctant to quash proceedings on the grounds of delay, and to set time limits to their duration. However, the imposition of a limit on the period of suspension has not been discussed in prior case law, and would not be contrary to the interests of justice. Furthermore, the direction of the Central Vigilance Commission that pending a criminal investigation departmental proceedings are to be held in abeyance stands superseded in view of the stand adopted by us.

(iii) The Principal Bench of Maharashtra Administrative Tribunal Mumbai Bench in O.A. No. 35/2018 Judgment delivered on 11/09/2018 has also rejected continuation of suspension beyond 90 days.

(iv) The Hon'ble Apex Court in its Judgment in Civil Appeal No. 8427-8428 of 2018 (Arising out of S.L.P. (Civil) No. 12112-12113 of 2017) in the case of **State of Tamil Nadu Vs. Pramod Kumar IPS and Anr. delivered on 21/08/2018** in its para no. 23 had observed as follows:-

*23. This Court in **Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291** has frowned upon the practice of protracted suspension and held that suspension must necessarily be for a short duration. On the basis of the material on record, we are convinced that no useful purpose would be served by continuing the first Respondent under suspension any longer and that his reinstatement would not be a threat to a fair trial. We reiterate the observation of the High Court that the Appellant State has the liberty to appoint the first Respondent in a non sensitive post.*

4. The legal position is well settled. So, order of suspension dated 05.03.2020 (Annexure-A-1, P.B., Pg. No. 13) requires to be quashed in the interest of Justice and parity. Hence, the following orders:-

ORDER

- A. Suspension order dated 05.03.2020 (Annexure-A-1, P.B., Pg. No. 13) is illegal and bad in law.
- B. In view of Justice and equity, the impugned order dated 05.03.2020 is quashed and set aside and respondents are directed to give suitable posting to the applicant as per observation in above para no. iv (23) of Hon'ble Apex Court Judgement.
- C. The order be complied **within four weeks** from the date of this order.
- D. With the above directions, **O.A. is disposed of with no order as to costs.**

Vice

Chairman

Date:-20/07/2020.

aps.

**O.A.Nos.59&60/2017
(S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :20/07/ 2020.**

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the Respondent nos. 1 to 3. None for the respondent no. 4 in O.A. No. 59/2017. None for the respondent no. 4 in O.A. No. 60/2017. None for the respondent no. 5 in O.A. No. 59/2017. None for the respondent no. 5 in O.A. No. 60/2017.

2. At the request of Id. counsel for the applicant, **S.O. next week.**

Chairman
Date:-20/07/2020.
aps.v

Vice

O.A.No.265/2020
(D.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
and
Shri A.D.Karanjkar, Member(J)
Dated :20/07/2020.**

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the Respondent nos. 1 & 2. None for the respondent nos. 3 & 4.

2. The Id. counsel for the applicant submitted that all the respondents are served. The Id. P.O. appearing for respondent nos. 1 & 2 requested for three weeks time.

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

Member(J)
Chairman
Date:-20/07/2020.
aps.

Vice

O.A.No.288/2020 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

Heard Smt. P.Rane, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent nos. 2 to 4.

2. **S.O. two weeks.**

**Member(J)
Chairman**

Date:-20/07/2020.

aps.

Vice

O.A.Nos.334,335&336/2020

(D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/ 2020.

Heard Shri M.R.Khan, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent nos. 2 to 4.

2. At the request of Id. C.P.O., **S.O.**
10.08.2020.

**Member(J)
Chairman**

Date:-20/07/2020.

aps.

Vice

O.A.No.696/2013 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

C.P.No.20/2020:-

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

2. Issue Notice to the respondent No. 2 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.

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

4. **S.O. four weeks.**

Member(J)

Chairman

Date:-20/07/2020.

aps.

Vice

O.A.No.341/2020 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

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

2. Issue notice to R-2, returnable on 10.08.2020. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry

within one week. Applicant is directed to file Affidavit of compliance and notice.

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

8. **S.O. 10.08.2020.**

Member(J)
Chairman
Date:-20/07/2020.
aps.

Vice

O.A.No.448/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

Heard Shri R.D.Hajare holding for Shri M.M.Sudame, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the Respondents.

2. Matter is **admitted** and kept for final hearing.

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

4. **S.O. 24.08.2020.**

Member(J)

Chairman

Date:-20/07/2020.

aps.

Vice

O.A.No.772/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

Heard Shri S.G.Lancharwar, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the Respondents.

2. Matter is **admitted** and kept for final hearing.

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

4. **S.O. 14.09.2020.**

**Member(J)
Chairman**

Date:-20/07/2020.

aps.

Vice

O.A.No.487/2018 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

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.**
23.07.2020.

**Member(J)
Chairman**

Date:-20/07/2020.
aps.

Vice

O.A.No.856/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

Heard Shri S.P.Palshikar, the Id. Counsel
for the applicant and Shri , the Id. P.O. for the
Respondents.

2.

**Member(J)
Chairman**

Date:-20/07/2020.

aps.

Vice

O.A.No.33/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

Heard Shri R.V.Shiralkar holding for Shri A.P.Sadavarte, 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. one week.**

**Member(J)
Chairman**

Date:-20/07/2020.

aps.

Vice

O.A.No.785/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

Heard Shri R.D.Hajare holding for Shri M.M.Sudame, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents.

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

**Member(J)
Chairman**

Date:-20/07/2020.

aps.

Vice

O.A.No.354/2020 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

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

2. Issue notice to R-2 to 4, returnable on three weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry

within one week. Applicant is directed to file Affidavit of compliance and notice.

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

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

Member(J)
Chairman
Date:-20/07/2020.
aps.

Vice

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

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/2020.

Heard Shri N.R.Saboo, 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 passed in O.A. No. 07/2020, specific directions was given to the Respondent no. 1 to keep the matter before the establishment board no. 2 along with the portfolio of respondent nos. 3 and 4 in that matter. The Id. C.P.O. submitted that he is not aware what decision is taken by the Government, and, therefore, one week time is required.

3. The Id. C.P.O. to give clarification regarding compliance of the order passed in O.A. No. 07/2020. In these circumstances, **we direct the respondents to maintain the status-quo till one week.**

4. Issue notice to R-2, returnable on 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. one week.**

Member(J)
Chairman
Date:-20/07/2020.
aps.

Vice

O.A.No.356 /2020 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :20/07/ 2020.

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

2. If in the meantime, promotion order is issued than it will be **subject to the final decision in this Original Application.**

3. Issue notice to R-2 & 3, returnable on six 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. six weeks.**

Member(J)
Chairman
Date:-20/07/2020.
aps.

Vice