

**O.A. 209/2018 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

None for the applicant. Shri H.K. Pande, Id. P.O. for R-1 to 4. Await service of R-5. None for R-6.

The Id. P.O. files reply of R-2&3. It is taken on record. P.O. submits that reply of R-2&3 is sufficient to decide the matter.

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

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

**Member (J).**

dnk.

**O.As. 496 and 497 of 2019 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri Barhate, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondents.

2. The Id. P.O. submits that reply of R-1 to 3 is already filed. After perusing the record, it appears that reply is not on record. The office is directed to file reply on record.

**S.O. two weeks.**

**Member (J).**

dnk.

O.A. 498/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri Barhate, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondents.

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

Put up along with connected matters.

**Member (J).**

dnk.

O.A. 255/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

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

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

**Member (J).**

dnk.

**O.A. 862/2020 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri R.D. Rondhe, Id. counsel holding for Shri V.R. Choudhari, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The Id. P.O. files reply of R-1. It is taken on record and copy is given to the applicant. The Id. P.O. submits that reply of R-1 is sufficient to decide the matter.

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

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

**Member (J).**

dnk.

O.A. 39/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

None for the applicant. Shri V.A. Kulkarni, Id. P.O. for the respondents.

The applicant to remove office objections.

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

**Member (J).**

dnk.

O.A. 69/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

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

The applicant to remove office objection.

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

**Member (J).**

dnk.

O.A. 139/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard U.J. Deshpande, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

The matter is related to the time bound promotion. It is a jurisdiction of Division Bench. Hence, put up before Division Bench.

**Member (J).**

dnk.



(S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

**C.A. 346/2021 in O.A. 695/2021 -**

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

2. On 17/8/2021 in para-2 specific order was passed which is as below –

*“2. The applicant has made representation dated 7/5/2021 (A-2,P-12) requesting for transfer as per provision of husband and wife together at Nagpur since husband of the applicant was working at Nagpur. It appears that after considering and after going through the Civil Services Board, the applicant was transferred vide order dated 9/8/2021 (A-3,P-13) in which the applicant's name appears at Sr.No.5 and the applicant was transferred from Wardha to Nagpur and again within two days as per order dated 11/8/2021 (A-4,P-17) issued by the Jt. Director of Animal Husbandry, M.S., Pune the applicant has been posted to Hinganghat, Dist. Wardha and in the last column it is mentioned that modified posting place. It appears that at first stage the applicant's representation was considered and order was considered before Civil Services Board or Committee and after counselling the decision was taken for issuing the order dated 9/8/2021 (A-3,P-13). It seems that the order dated 11/8/2021 (A-4,P-17) has been issued without following any procedure. In this situation, the transfer order dated 11/8/2021 (A-4,P-17) is stayed till further orders. However, it is made clear that the respondents are at liberty to continue posting of applicant as per the order dated 9/8/2021 (A-3, P-13)”.*

3. On 27/10/2021 in para-4 specific direction was given to the respondents which is as below –

*“4. The matter was heard on 17/8/2021 and in last part of the para-2 of the order, it was directed that the respondents are at liberty to continue posting of applicant as per order dated 9/8/2021 (A-3,P-13), but till now the applicant has not been relieved from Wardha to join at Nagpur”.*

4. The learned P.O. is directed to get instructions as to whether orders dated 17/8/2021 and 27/10/2021 are complied or not, if not, why it is not complied, within a period of two weeks.

**S.O. three weeks.**

Steno copy is granted.

**Member (J).**

O.A. 747/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. R-1 to 3. None for other respondents.

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

**Member (J).**

dnk.

(S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

**C.A. 92/2022 in O.A. 882/2021 -**

Heard Shri D.B. Wankar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondent.

The Id. counsel to take instructions from the applicant regarding C.A.

**S.O. two weeks.**

**Member (J).**

dnk.

O.A. 1075/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

None for the applicant. Shri V.A.  
Kulkarni, Id. P.O. for R-1.

Await service of R-2&3.

The applicant to remove office objection.

**S.O. thre weeks** for filing service  
affidavit.

**Member (J).**

dnk.

O.A. 162/2022 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri P.P. Khaparde, Id. counsel holding for Shri G.G. Bade, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1. Await service of R-2&3.

The Id. counsel for the applicant submits that the respondents are served and he will file service affidavit in the office.

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

**Member (J).**

dnk.

(S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

**C.A. 293/2020 in O.A. St. 1653/2020, C.A. 294/2020 in O.A. St.1655/2020, C.A.295/2020 in  
O.A.St. 1657/2020 & C.A. 296/2020 in O.A. St.1659/2020 -**

Heard Shri A.A. Mankar, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the State.

2. The Id. counsel for the applicants has filed C.As. for condonation of delay. It is submitted that due to unavoidable circumstances and Covid, there are delay nearabout two years. It is also submitted that the applicants made representation to the respondents and therefore the delay be condoned.

3. Heard Id. P.O. Shri H.K. Pande. He has submitted that the representation does not extend the period of limitation. Therefore, applications are liable to be dismissed.

4. The Hon'ble Supreme Court has extended the period of limitation due to Covid. Since three last years, delay is condoned by the Hon'ble Supreme Court on the ground of Covid.

5. Looking to the ground in the applications, the applicants made several representations and due to Covid, they could not approach before the Court within limitation. Hence, the C.As. are allowed and delays are condoned.

**O.A.St. Nos. 1653,1655,1657 & 1659 of 2020-**

Heard Shri A.A. Mankar, 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.**

**Member (J).**

dnk.\*\*\*

**O.A. 81/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. The Id. counsel for the applicant submitted that the respondents have deposited the salary of the applicant.

3. The Id. P.O. seeks time to file reply. At his request, **S.O. 20/4/2022.**

**Member (J).**

dnk.



**O.A. 320/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri S.B. Tiwari, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondent.

2. The learned counsel for the applicant submitted that the impugned suspension order is passed without application of mind.

3. From the perusal of the documents, it appears that departmental enquiry is started against the applicant. In such circumstances, it will not be proper to grant stay at this stage.

4. Issue notice to the respondents returnable **after three 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 three weeks.**

**Member (J).**

dnk.

**O.A. 1023 of 2019 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri N.D. Thombre, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

The Id. P.O. has filed undertaking given by the applicant. It is taken on record and marked Exh-X for identification.

The Id. counsel has pointed out the decision of Hon'ble Bombay High Court in W.P. 3128/2018. The Id. P.O. has pointed out decision in W.P. No.5198/2013 & W.P. 7885/2016.

**Closed for orders.**

**Member (J).**

dnk.

O.A. 1024 of 2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri N.D. Thombre, Id. counsel  
for the applicants and Shri A.M. Ghogre, Id. P.O.  
for the respondents.

**Closed for orders.**

**Member (J).**

dnk.

O.A. 868/2018 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri B. Kulkarni, 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. 1/4/2022.**

**Member (J).**

dnk.

O.A. 189/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri S. Jagtap, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for R-1&2. Shri H.D. Marathe, Id. counsel for R-3 to 7.

At the request of Id. P.O., **S.O. 6/4/2022.**

**Member (J).**

dnk.

O.A. 334/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard K. Satpute, 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. two weeks.**

**Member (J).**

dnk.

O.A. 922/2017 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri Shri R.M. Fating, Id. counsel holding for Shri S.P. Palshikar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. counsel, **S.O.**  
**7/4/2022.**

**Member (J).**

dnk.



**O.A. 640/2020 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

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

2. As per the contention of applicant, he was working as Naib Tahsildar as per order dated 11/6/2007. However he was granted deemed promotion on the said post as per order dated 24/7/2012 w.e.f. 27/5/1998. The applicant is now retired from the post of Tahsildar on 31/7/204 (P-38),

3. The applicant is claiming deemed date of Tahsildar w.e.f. 5/10/2007. As per submission of applicant, proposal was moved by the Divisional Commissioner on 14/12/2015. Before that also there was recommendation of the Divisional Commissioner upon queries were made by the Government on 13/7/2015. Those queries were replied on 14/12/2015 and Divisional Commissioner, Nagpur recommended applicant's deemed date of promotion w.e.f. 5/10/2007.

4. Specific order was passed on 23/7/2021 by this Tribunal directing the respondents as to whether the proposal is decided or not. But till

date, there is no reasons given from the respondents as to why the order dated 23/7/2021 has not been complied..

5. The applicant is claiming for deemed date. it is also recommended by respondent no.2 from time to time and lastly on 14/12/2015. As per the recommendation, the applicant is entitled for deemed date of the post of Tahsildar w.e.f. 5/10/2007. That is not decided by the respondents. In that view of the matter following order is passed –

**ORDER**

- 1) The O.A. is allowed.
- 2) The respondent no.1 is directed to give sanction of deemed date of promotion to the applicant on the post of Tahsildar w.e.f. 5/10/2007 and give all consequential benefits as per rules within a period of two months.
- 3) No order as to costs.

**Member (J).**

dnk.

**(S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

**O.A. 134/2019 with C.A. 162/2020, O.A.  
135/2019 with C.A. 171/2020, O.A. 136/2019  
with C.A. 172/2020 & O.A. 137/2019 in C.A.  
173/2020**

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

2. The Id. counsel for the applicants submitted that the present matters are covered by the Judgment of this Tribunal in O.A.No.290/2013 with other connected O.As.

3. The Id. P.O. seeks further time to argue the matter. Time is granted as prayed for.

4. It is made clear that on the next date, no adjournment will be sought and matter will be heard positively.

**S.O. 7/4/2022 (PH).**

**Member (J).**

dnk.

O.A. 01/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

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

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

**Member (J).**

dnk.

O.A. 680/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 23/03/2022.**

Heard Shri G.K. Bhusari, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

**S.O. 30/3/2022.**

**Member (J).**

dnk.

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O.A.No.296/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Heard Ms. Sonali holding for Shri A.P.Tathod, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State. Await service of respondent nos. 2 to 5.

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

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.319/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Heard Shri S.U.Nemade, 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 affidavit in 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 matter is **admitted** and kept for final hearing.

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

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

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.557/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

None for the applicant. Shri H.K.Pande, the  
Id. P.O. for the State. Await service of respondent no.  
2. Shri M.A.Shaikh, the Id. counsel for the respondent  
nos. 3 & 4.

2. **S.O. four weeks.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**



O.A.No.1082/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

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

2. At the request of both the counsels, matter is **admitted** and kept for preliminary issue. The issue of maintainability is kept open.

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

4. **S.O. 28.03.2022.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.41/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Heard Shri A.V.Wankhede, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

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

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

O.A.No.58/2022 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Heard Shri A.P.Chaware, 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. two weeks to file Reply.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.921,922,923,924&925/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

None for the applicant. Shri S.A.Sainis, the Id.  
P.O. for the State. Await service of R-2.

2. Though the matter is circulated by Id.  
counsel for the applicant and then also he didn't  
appear. So, it appears that he don't want to  
prosecute the matter. Hence, **S.O. in due course.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

O.A.No.227/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Heard Ms. Sonali holding for Shri N.R.Saboo,  
the Id. Counsel for the applicant and Shri S.A.Sainis,  
the Id. P.O. for the State. Await service of R-2 & 3.

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

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

O.A.No.959/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

**C.A.No.385/2020:-**

Heard Shri N.Karade, 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. At the request of Id. counsel for the applicant, **S.O. two weeks to collect hamdast.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

O.A.No.205/2022 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

2. At the request of Id. P.O., **S.O. two weeks to file service affidavit.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.1076/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Heard Shri S.A.Marathe, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State. The Id. counsel for the respondent nos. 2 & 3 has not collected Hamdast.

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

3. **At the request of Id. counsel for the applicant, put up this matter along with O.A. Nos. 76, 77, 78 & 79/2019.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**



**O.A.No.655/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Heard Smt. Tripathi holding for Shri D.I.Charlewar, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State. Await service of respondent nos. 2 & 5 to 13.

2. Office is directed to issue fresh notice to Respondent nos. 2 & 5 to 13, returnable on four weeks. Learned 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. four weeks.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

O.A.No.178/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

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

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

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

O.A.No.745/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

None for the applicant. Shri V.A.Kulkarni, the  
Id. P.O. for the Respondents.

2. **S.O. four weeks.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.155/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

None for the applicant. Shri S.A.Sainis, the Id.  
P.O. for the State.

2. Issue notice to Respondents, returnable on four weeks. Learned 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. four weeks.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**C.P.No.48/2020inO.A.No.15/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri R.M.Ahirrao, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

2. At the request of Id. P.O., **S.O. 13.04.2022 to file reply.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**C.P.No.23/2022 in O.A.No.917/2020 with (D.B.)**

**C.P.No.24/2022 in O.A.No.662/2020 with**

**C.P.No.25/2022 in O.A.No.934/2020 with**

**C.P.No.26/2022 in O.A.No.679/2020**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

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

2. 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.

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

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

**Member(J)**

**Date:-23/03/2022.**

aps.

**Vice Chairman**



**O.A.Nos.313&314/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri S.N.Gaikwad, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State.

2. Issue notice to Respondents, returnable on four weeks. Learned 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. four weeks.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.308&22/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri A.B.Moon, the Id. counsel for the applicant in O.A.No. 308/2022 and Shri P.J.Mehta, the Id. counsel for the applicant in O.A. No. 22/2022. Shri S.A.Deo, the Id. C.P.O. for the Respondents.

2.

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.490/2017 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri S.N.Gaikwad, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

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

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.882/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri A.P.Sadavarte, 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. 30.03.2022.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.700/2020withC.A.No.373/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri C.A.Joshi, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the Respondents.

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

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.318&777/2015 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri D.S.Sawarkar, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents. None for the R-4.

2. At the request of Id. P.O., **S.O. 06.04.2022.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.464/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

None for the applicant. Shri V.A.Kulkarni, the  
Id. P.O. for the Respondents and Shri R.Joshi, the Id.  
counsel for the R-3.

2. At the request of Id. P.O., **S.O. one week to  
tress his file.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**



**O.A.No.248/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

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. two weeks.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.204/2019withC.A.No.101/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri A.C.Dharmadhikari, the Id. counsel for the applicant, Shri A.M.Ghogre, the Id. P.O. for the Respondents, Shri H.Dangre, the Id. counsel for the respondent nos. 1 & 2. None for the R-2. Shri N.S.Khubalkar, the Id. counsel for the R-3 to 127.

2. At the request of Id. counsel for the R-1 & 2, S.O. Friday for written notes of arguments. Time allotted will be only 30 minutes i.e. 11:00 to 11:30 a.m..

3. **S.O. Friday i.e. 25.03.2022.**

4. **Office is strictly directed to keep the matter high on board.**

**Member(J)  
Date:-23/03/2022.**

aps.

**Vice Chairman**

**O.A.No.66/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

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

2. In the order dated 17.03.2022 in para no. 3, the Id. P.O. was directed to seek instructions from the department that whether any Class-III posts are vacant or not?

3. The Id. P.O. submits that due to some of the reason he didn't connect to the department and he desires one week time for getting the same, **S.O. 01.04.2022.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.993/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri A.R.Ingole, 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. next week.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.624/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri B.Kulkarni, 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 Judgment of Principal Bench in O.A. No. 624/2021 passed by Principal Bench of MAT; in which various O.As. have been decided by Principal Bench and order has been passed on 30.11.2020.

3. **Closed for orders.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.159/2013 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri S.P.Palshikar, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the Respondents.

2. The Id. counsel for the applicant has pointed out various Judgements were in the order sheet it has been mentioned that all the payment are to be paid. However, he has also pointed out para no. 3 on page no. 226 in which he has mentioned that G.P.F., Pension and other retiral benefits are fully paid.

3. The Id. P.O. desires one week time to file on affidavit from respondents side that all the payments are to be paid. **Only on reference to para no. 3 on page no. 226, matter is kept for 31.03.2022.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.638/2017 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri R.Joshi, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents. None for the R-2.

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. The Id. counsel for the applicant wants to go through it, **S.O. next week.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.728/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri S.C.Chande, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the Respondents. None for the R-5.

2. The Id. P.O. has filed pursis along with pursis he has also filed merit list of the applicant and respondents both. The Id. P.O. has filed Maharashtra Civil Services (Regulation of Seniority) Rules, 1982 and at page no. 78 in para no. 2 (b) which is reproduced below:-

*"(b) The inter se seniority of Government servants promoted from a Select List shall be in the same order in which their names appear in such Select list. If the select list is prepared in two parts, the first part containing the names of those selected unconditionally and the second part containing the names of those selected provisionally. All persons included in the first part shall rank above those included in the second part."*

3. As per this clause the seniority has to be determined as per their rank in order of preference. The Id. counsel for the applicant has filed pursis according to that pursis, applicant is at Sr. No. 6 and



he has scored 90 marks and the name of respondent no. 5 appears at Sr. No. 22 and she has got 86 marks.

4. **Closed for orders.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.308/2022&22/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/ 2022.**

Shri A.B.Moon, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the Respondents.

2. However, as there are many such cases are pending before the Bench. So, it should be club together and we will hear all the matter on Friday. The main crux of the matter is clause 11.10 of the advertisement but at the same time in one of the O.A. there is a clarification letter issued by Additional D.G.. It is placed on record. The Id. C.P.O. is requested to get that copy also so that clarification given by D.G. office in advertisement should be interpreted simultaneously.

3. **S.O. Friday i.e. 25.03.2022.**

**Member(J)**  
**Date:-23/03/2022.**  
aps.

**Vice Chairman**

O.A.No.1025/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**  
**Dated : 23/03/2022.**

Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the Respondents.

2. As pointed out by Id. counsel for the applicant, applicant has made a representation dated 02.11.2021 (A-4, Pg. No. 38). Respondent no. 2 vide order dated 03.11.2021 (A-5, Pg. No. 41) has rejected the representation after perusing the rejection letter it is seen that in the last para respondent no. 2 has mentioned Government of Maharashtra, G.R. dated 19.12.2018.

3. The Id. P.O. is directed to take instructions regarding this paragraph because this G.R. does not talk about Ex-Serviceman Horizontal Reservation quota. The Id. P.O. is also directed to file application form of R-3 on record and supply the same to the other side. The Id. P.O. has filed G.R. dated 19.12.2018 and order of this Tribunal in O.A. No. 580/2015 delivered on 14.03.2022. However, Judgment is relied on **Hon'ble Apex Court Judgement in Saurav Yadav Vs. State of Uttar Pradesh in Miscellaneous Application No. 2641 of 2019 in Special Leave Petition (Civil) no. 23223 of 2018 decided on 18.12.2020.**

4. S.O. 06.04.2022.

5. Matter is treated as P.H.

Member(J)  
Date:-23/03/2022.

Vice Chairman

**Rev.No.03/2022inC.P.No.40/2019in**

**O.A.No.590/2017 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 23/03/2022.**

Shri A.R.Ingole, the Id. counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents.

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

**Member(J)**

**Date:-23/03/2022.**

aps.

**Vice Chairman**