

**O.A. 682/2017 (S.B.)**

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

**Dated : 29/03/2022.**

**C.A. 79/2020 -**

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

The Id. counsel has filed C.A. along with document at Annex-A-11. It is marked Exh-X for identification.

In view of above, the C.A. for placing document on record is allowed.

**O.A. 682/2017 –**

**S.O. four weeks.**

**Member (J).**

dnk.

O.A. 819/2018 (S.B.)

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

**Dated : 29/03/2022.**

Heard Ku. K. Agrawal, 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. one week** for filing reply.

**Member (J).**

dnk.

**O.A. 240/2020 (S.B.)**

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

**Dated : 29/03/2022.**

None for the applicant. Shri A.M.  
Khadatkar, Id. P.O. for R-1.

Await service of R-2 to 4.

**S.O. four weeks** for filing reply service  
affidavit.

**Member (J).**

dnk.

**O.A. 22/2016 (S.B.)**

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

**Dated : 29/03/2022.**

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1&2. None for Intervener.

The Id. counsel for the applicant has placed on record Govt. G.R. dated 10/11/2009. It is marked Exh-X for identification. Copy is given to the Id. P.O.

The Id. P.O. seeks two weeks time. At his request, **S.O. two weeks** for final hearing.

**Member (J).**

dnk.

**O.A. 268/2022 (S.B.)**

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

**Dated : 29/03/2022.**

Heard Shri K.V. Deshmukh, Id. counsel for the applicant 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.

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

**Member (J).**

dnk.

**O.A. 185/2022 (S.B.)**

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

**Dated : 29/03/2022.**

Heard Shri C.A. Babrekar, Id. counsel for the applicant 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.

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

**Member (J).**

dnk.



**O.A. 846/2021 (S.B.)**

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

**Dated : 29/03/2022.**

Heard Shri P.S. Patil, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1 to 3 and Shri S.N. Gaikwad, Id. counsel for R-4.

The reply of R-3 is already filed on record. Copy is given to the applicant today.

The matter is admitted and kept for final hearing.

The Id. P.O. waives notice for R-1 to 3.

**S.O. 8/4/2022.**

**Member (J).**

dnk.

O.A. 405/2021 (S.B.)

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

**Dated : 29/03/2022.**

Heard the applicant in person. Shri H.K. Pande, Id. P.O. for the respondents.

The Id. P.O. submits that amended copy is not received from the applicant. The applicant is directed to supply amended copy to the P.O.

The Id. P.O. seeks time to file reply on amended portion. At his request, **S.O. two weeks.**

**Member (J).**

dnk.

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

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

**Dated : 29/03/2022.**

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

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

**Member (J).**

dnk.

O.A. 695/2020 (S.B.)

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

**Dated : 29/03/2022.**

Heard Shri M.P. Kariya, 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.**  
**12/4/2022.**

**Member (J).**

dnk.

**O.A. 761/2020 with C.A. 210/2021 (S.B.)**

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

**Dated : 29/03/2022.**

**O.A. 761/2020 with C.A. 210/2021 & O.A.  
762/2020 with C.A. 212/2021**

Heard Shri N.R. Saboo, Id. counsel for  
the applicants and Shri V.A. Kulkarni, Id. P.O. for  
R-1 to 4. None for other respondent.

**Closed for orders.**

**Member (J).**

dnk.

O.A. 406/2021 (S.B.)

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

**Dated : 29/03/2022.**

Heard Shri R.M. Fating, 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.**  
**31/3/2022.**

**Member (J).**

dnk.

O.A. 468/2017 (S.B.)

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

**Dated : 29/03/2022.**

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

At the request of Id. P.O., **S.O.**  
**11/4/2022.**

**Member (J).**

dnk.

O.A. 81/2018 (S.B.)

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

**Dated : 29/03/2022.**

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

At the request of Id. P.O., **S.O.**  
**11/4/2022.**

**Member (J).**

dnk.



(S.B.)

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

**Dated : 29/03/2022.**

**C.A. 150/20 in O.A. St. 641/20 & C.A. 151/20 in  
O.A.St. 643/20**

Heard Shri S.P. Hedao, 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. three  
weeks for filing reply on C.As.**

**Member (J).**

dnk.

**C.A. 298/2021 in O.A. 787/2020 (S.B.)**

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

**Dated : 29/03/2022.**

Heard Shri S.P. Pawar, Id. counsel holding for Shri J.R. Kidilay, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

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

**Member (J).**

dnk.

O.A. 947/2018 (S.B.)

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

**Dated : 29/03/2022.**

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

With the consent of Id. counsel for parties, **S.O. 7/4/2022.**

**Member (J).**

dnk.

**O.A. 345/2022(S.B.)**

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

**Dated : 29/03/2022.**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri R.R. Shetty, Id. special counsel for R-1&2.

2. The learned Special Counsel for R-1&2 has raised objection on the ground that Single Bench has no jurisdiction to decide this matter, because, this application is challenging regarding show cause notice.

3. From perusal of the distribution of work of Division Bench and Single Bench by Hon'ble Chairperson, M.A.T., Principal Bench Mumbai the entry no.23 shows that Single Bench has a jurisdiction to decide the matters regarding "direction / show cause notice relating to minor penalty / recovery etc."

3. The learned Special Counsel for respondent nos.1&2 submits that at this stage nobody can say that it will be the nature of minor punishment or major punishment.

4. In that view of the matter, the Registrar is directed to place this matter before Division Bench today itself.

**Member (J).**

dnk.

O.A. 943/2020 (S.B.)

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

**Dated : 29/03/2022.**

Heard Shri Sumit N. Muley, Id. counsel holding for S.S. Deshpande, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for State.

The Id. counsel for the applicant has not collected hamdast for R-2.

At the request of Id. Counsel for the applicants, **S.O. four weeks.**

**Member (J).**

dnk.

O.A. 56/2021 (S.B.)

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

**Dated : 29/03/2022.**

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

At the request of Id. P.O., **S.O. one week** for filing reply.

**Member (J).**

dnk.

O.A. 96/2021 (S.B.)

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

**Dated :** 29/03/2022.

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for the respondents.

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

**Member (J).**

dnk.



O.A. 91/2021 (S.B.)

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

**Dated : 29/03/2022.**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for the State.

Await service of R-2 to 4.

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

**Member (J).**

dnk.

O.A. 280/2021 (S.B.)

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

**Dated : 29/03/2022.**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for the State.

Await service of R-2 to 4.

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

**Member (J).**

dnk.

O.A. 284/2021 (S.B.)

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

**Dated :** 29/03/2022.

None for the applicant. Shri A.M.  
Khadatkar, Id. P.O. for the State.

Await service of R-2 to 4.

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

**Member (J).**

dnk.

**C.A. 394/2021 in O.A. 559/2021 (S.B.)**

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

**Dated : 29/03/2022.**

Heard Shri Sumit N. Muley, Id. counsel holding for Shir Y.Y. Humne, 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. two weeks** for filing reply on C.A.

**Member (J).**

dnk.

**O.A. 1161/2021 (S.B.)**

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

**Dated : 29/03/2022.**

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

The Id. P.O. files reply of R-3&4. It is taken on record. Copy is given to the applicant. The Id. P.O. submits that said reply is sufficient to decide the matter.

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

The applicant is at liberty to file rejoinder, if any.

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

**Member (J).**

dnk.

O.A. 281/2021 (S.B.)

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

**Dated : 29/03/2022.**

Jyoti Gatlwar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 6/4/2022.**

**Member (J).**

dnk.

**O.A. 47/2020 (S.B.)**

**(Smt. S.B. Mahurle & 4 ors. Vs. State of Mah.)**

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

**Dated : 29/03/2022.**

Heard Shri A.D. Girdekar, learned counsel for the applicants, Shri A.P. Potnis, Id. P.O. for R-1 and Smt. J.J. Alkarni, learned counsel for respondent nos.2&3.

2. The deceased Bapuji R. Mohurle was working as a Labour with respondent nos.2&3. He was brought on CRTE as per the Kalelkar Award. Though he was designated as a Labour in the pay scale of Rs.2550-3200, but the respondent nos.2&3 directed him to work as a Wireless Operator from 18/3/2008 till his death. The pay scale of the post of Wireless Operator was Rs.4000-6000, whereas, he was paid salary of the post of Labour in the pay scale of Rs.2550-3200. The Government of Maharashtra Govt. G.R. dated 29/9/2003 is well known as "dkkkuq kj gpnk gpn; kuq kj oru\*\* (designation as per work and pay as per designation).

3. The respondent nos.2&3 moved the proposal dated 18/8/2008 to give the benefit of G.R. dated 29/9/2003 to the employees who were working on the lower posts, but discharging their work on higher posts. The similarly situated employees at Sr.Nos.23 to 27 had filed O.A.No. 175/2015 before this Tribunal. This Tribunal has directed to give the benefit of G.R. dated 29/9/2003. The respondents have complied the directions of this Tribunal in O.A. 175/2015, but denied the claim of the deceased employee Bapuji R. Mohurle.

4. The respondent nos.2&3 pointed out the another G.R. issued by the Government of Maharashtra which says that when the similarly situated employees are given the benefit of the Judgment / G.Rs. on the set of other similarly situated employees shall be given same benefits.

The respondent nos.2&3 have given the benefit of Judgment of this Tribunal to other similarly situated employees, whereas, denied the claim of deceased employee Bapuji R. Mohurle. In that view of the matter, following order –

**ORDER**

- (i) The O.A. is disposed off.
- (ii) The respondent nos. 2&3 are directed to give benefit of G.R. dated 29/9/2003 to the deceased employee Bapuji R. Mohurle of the post of Wireless Operator as per proposal dated 18/8/2008.
- (iii) No order as to costs.

**Member (J).**

dnk.\*\*



O.A.Nos.279&280/2019 (D.B.)

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

**Dated : 29/03/ 2022.**

Heard Shri A.Motlog holding for Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri A.M.Khadatkar, 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:-29/03/2022.**  
aps.

**Vice Chairman**

O.A.No.807/2019 (D.B.)

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

**Dated : 29/03/ 2022.**

**C.A.No.79/2022:-**

Heard Ms. P.Chaudhari, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

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

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

O.A.No.38/2021 (D.B.)

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

**Dated : 29/03/ 2022.**

Heard Smt. R.P.Jog, 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. three weeks to file reply on amended part.**

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.393/2021 (D.B.)**

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

**Dated : 29/03/ 2022.**

Heard Shri R.S.Khobragade, the Id. Counsel  
for the applicant and Shri A.M.Khadatkar, 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:-29/03/2022.**  
aps.

**Vice Chairman**

O.A.No.466/2021 (D.B.)

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

**Dated : 29/03/ 2022.**

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri A.M.Khadatkar, 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:-29/03/2022.**  
aps.

**Vice Chairman**

O.A.No.468/2021 (D.B.)

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

**Dated : 29/03/ 2022.**

Heard Shri S.M.Khan, the Id. Counsel for the applicant and Shri A.M.Khadatkar, 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:-29/03/2022.**  
aps.

**Vice Chairman**

O.A.No.1131/2021 (D.B.)

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

**Dated : 29/03/ 2022.**

Heard Shri S.S.Nemade, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents. None for the R-5.

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

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.21/2022 (D.B.)**

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

**Dated : 29/03/ 2022.**

Heard Shri T.Rahul, 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. three weeks to file reply.**

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**



**O.A.No.95/2022 (D.B.)**

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

**Dated : 29/03/ 2022.**

**C.A.No.29/2022:-**

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

**2. C.A.No.29/2022 for Jt. O.A. is allowed and disposed of.**

**O.A. No. 95/2022:-**

Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

3. 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.

4. 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.

5. 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.

6. 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.

7. **S.O. four weeks.**

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

**M.C.A.No.07/2022inO.A.No.1015/2021 (D.B.)**

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

**Dated : 29/03/ 2022.**

Heard Shri B.Kulkarni, the Id. Counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the respondents and Smt. S.Thakur, the Id. counsel for the R-3.

2. The Id. counsel for the applicant is not pressing M.C.A. No. 07/2022. **Hence, M.C.A. No. 07/2022 is disposed of.**

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.571/2016 (D.B.)**

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

**Dated : 29/03/ 2022.**

Heard Shri A.B.Mirza, 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. four weeks.**

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

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

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

**Dated : 29/03/ 2022.**

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 submitted letter dated 05.08.2021. It is taken on record. Copy is served to the other side. The said letter is marked Exh. 'X' for the purpose of identification.

3. In response to Principal Police Training Centre, Nagpur by which it appears that before joining at establishment of Principal Police Training Centre, Nagpur applicant was working at Ramtek from 23.09.2019. He has started working at Police Hospital, Nagpur it is surprising to note that till now his service book is not been submitted by Sub-District Hospital, Ramtek to Principal Police Training Centre, Nagpur even after three years. With this correspondence Deputy Director, Health Services, Nagpur has directed to Medical Superintendent, Sub District Hospital, Ramtek to submit service book of the applicant to Principal Police Training Centre, Nagpur at earliest. However, it appears that Medical Officer of Ramtek has not submitted service book since 23.09.2019 which is great negligence on his part and Deputy Director, Nagpur is directed to ensure that service book of the applicant should reach to Police Training Centre, Nagpur even by

hand delivery. If it is not done we should start departmental enquiry on Medical Superintendent, Ramtek.

**4. Steno copy is granted.**

**5. S.O. after one week.**

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.948/2021 (D.B.)**

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

**Dated : 29/03/ 2022.**

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. P.O. has filed letter dated 17.03.2022 along with that he has attached department letter dated 15.03.2021. It is taken on record. Copy is served to the other side. It is marked Exh. 'X' for the purpose of identification.

3. However, by record it appears that letter was issued by Industry Department on 15.03.2021 but it was received in Geology and Mining Department i.e. Respondent no. 2 on 15.03.2022. The letter was signed by one Shri Angad Kadam, Desk Officer, Mantralaya, Mumbai. It is also taken on record. Copies are served to other side. It is marked Exh.-X-1 for the purpose of identification.

4. It is surprising to note that when the letter was issued on 15.03.2021, how it was received in other department of Mantralaya on 15.03.2022, the Desk Officer owns responsibility to explain this delay and if necessary he should be called before the Tribunal to explain this time frame for reaching the letter from one department to other department in Mantralaya. Vide this letter they have submitted that D.P.C. took place on 30.12.2021 and applicant's

name has been considered for Geologist, Group-A as per recommendation of M.P.S.C. and as per date suggested by M.P.S.C. and finally it is submitted to G.A.D., after clearance from G.A.D. letter will be issued for applicant.

5. However, as submitted by Id. counsel for the applicant i.e. order dated 22.03.2022 (Mark-X-1) by Industry Energy and Employment Department. According to this, Id. counsel for the applicant submits that subordinate to applicant i.e. Juniors of applicant have been promoted vide order dated 22.03.2022. There is a lot of discrepancy regarding letter dated 15.03.2021 and received on 15.03.2022. It is also mentioned that D.P.C. took place on 30.12.2021 for Geology, Group-A and finally orders of promotions issued on 22.03.2022.

6. All these orders are creating a lot of doubt about working of department. The Id. P.O. desires two weeks time to clarify all these points and place on record documents related to that. If he does not get proper reply he should ask Shri Angad kadam, Desk Officer, Mantralaya to remain present before Tribunal and explain this discrepancy on 12.04.2022. If after two weeks issue is not settled then the Secretary of the said department will be called before this Tribunal to explain all these issues.

7. **S.O. 12.04.2022.**

8. **Steno copy is granted.**

**Member(J)**

**Vice Chairman**



**Date:-29/03/2022.**

aps.

**O.A.No.1166/2021 (D.B.)**

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

**Dated : 29/03/ 2022.**

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

2. The Id. P.O. is directed to talk to Id. C.P.O. or Id. P.O. of Principal Bench Mumbai about this O.A. and take the copy of reply filed by Principal Bench and Judgment delivered by Principal Bench and he may download it from Internet and tomorrow he should be argued the matter.

3. **S.O. tomorrow i.e. 30.03.2022.**

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.311/2022 (D.B.)**

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

**Dated : 29/03/ 2022.**

Heard Shri A.P.Sadavarte, the Id. Counsel for the applicant and 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:-29/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.332/2022 (D.B.)**

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

**Dated : 29/03/ 2022.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri A.P.Potnis, 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:-29/03/2022.**  
aps.

**Vice Chairman**

**C.P.No.27/2022inO.A.No.853/2021 (D.B.)**

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

**Dated : 29/03/ 2022.**

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

2. As submitted by Id. counsel for the applicant the actual department is department of Soil and Water Conservation which is mentioned on page no. 17. By mistake on page no. 1 of Contempt Petition he has wrongly mentioned Health Department he desires to correct it. He is permitted to correct it forthwith.

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 A.P.Potnis, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

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

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

O.A.No.458/2021 (D.B.)

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

**Dated : 29/03/ 2022.**

Heard Shri R.M.Fating, the Id. Counsel for the applicant, Shri H.K.Pande, the Id. P.O. for the State and Shri P.B.Patil, the Id. counsel for the respondent no. 2.

2. The Id. P.O. has already filed reply on behalf of the respondent nos. 1, 3 & 4. Now, the Id. counsel for the respondent no. 2 is going to adopt the same reply.

3. The Id. counsel for respondent no. 2 has filed certain citations which are taken on record and marked Exh.-X for the purpose of identification.

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

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

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

7. *The Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

**Member(J)**  
**Date:-29/03/2022.**  
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 : 29/03/ 2022.**

Heard Shri A.C.Dharmadhikari, the Id. Counsel for the applicant, Shri A.M.Ghogre, the Id. P.O. for the State and Shri H.Dangre, the Id. counsel for the respondent nos. 1 & 2 and Shri N.S.Khubalkar, the Id. counsel for the respondent nos. 3 to 127.

2. All the counsels have already filed written notes of arguments and we have gone through it. The Id. counsel for the applicant has canvassed mainly Section 30 of Indian Council of Veterinary Rules and its provision and contested that impugned order is violating the Section 30 of Indian Council of Veterinary. He has also cited Hon'ble High Court Judgments, Hon'ble Apex Court Judgments, Indian Council of Veterinary and submitting that they have upheld the Section 30 of Indian Council of Veterinary.

3. The Id. counsel for the respondent nos. 1 & 2 have submitted certain orders and notification Rules of 2014 by which he submits that clarification drawn by Hon'ble High Court and Hon'ble Apex Court regarding Section 30 of Indian Council of Veterinary has been explained and that should be taken into account while deciding the O.A..

4. The applicant has submitted in para no. 19 on page no. 11 the staffing pattern of Grade-I dispensary in which he has said:-

A. Live Stock Development Officer, Group-A.

B. Dresser which is a Group-D

C. Attendant which is also Group-D post.

5. The Id. counsel for the respondent nos. 1 & 2 was requested to make submission on this. He submitted that they have state level Staffing Pattern and according to the requirement they do the placing but he cannot file on record specific document which can demonstrate Staffing Pattern of Grade-I dispensary. The Id. counsel for the applicant objected submission made by Respondent Nos. 3 to 127 about locus standi. However, in the interest of justice, he was also heard.

6. **Closed for orders.**

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

O.A.No.436/2020 (D.B.)

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

**Dated : 29/03/ 2022.**

Heard Shri A.Deshpande, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. Ld. counsel for the applicant wants to withdraw the O.A.. He is directed to file pursis in this regard.

3. **Office is directed to place this matter after filing pursis.**

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.930/2017withC.A.No.03/2020 (D.B.)**

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

**Dated : 29/03/ 2022.**

None for the applicant. Shri A.M.Ghogre, the  
Id. P.O. for the respondents.

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

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.300/2018 (D.B.)**

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

**Dated : 29/03/ 2022.**

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

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

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.397&398/2019 (D.B.)**

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

**Dated : 29/03/ 2022.**

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 07.04.2022.**

**Member(J)**  
**Date:-29/03/2022.**  
aps.

**Vice Chairman**

**O.A.No.345/2022 (D.B.)**

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

**Dated : 29/03/ 2022.**

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri R.R.Shetty, 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:-29/03/2022.**  
aps.

**Vice Chairman**