

O.A.No.672/2023 (S.B.)

(D.H. Parate Vs. State of Mah. & Ors.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/07/2023.

Heard Shri Bharat Kulkarni, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the respondents.

2. The impugned order is dated 2/3/2023. By this order, recovery of amount stated to have been paid in excess to the applicant is directed.

3. The order dated 31/12/2020 (marked "X") placed on record by the applicant shows that on that date the applicant stood retired. It is submitted that in view of these facts and the Judgment of the Hon'ble Supreme Court in the case of ***State of Punjab & Ors. ETC Vs. Rafiq Masih (White Washer) ETC., 2014 (14) SCALE,300***, the impugned recovery is required to be stayed. There is merit in this submission.

4. **The impugned recovery as directed by order dated 2/3/2023 is stayed till filing of reply.**

5. Issue notice to the respondents returnable **three weeks**. Learned P.O. waives notice for State. Hamdast allowed.

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

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

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

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

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

S.O. three weeks.

Steno copy is granted...

Member (J).

dnk.

O.A.No.661/2023 (S.B.)

(Dr. N.H. Deshmukh Vs. State of Mah. & Ors.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard Shri R.V. Shiralkar, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the respondents.

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

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

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

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

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

Applicant is directed to file Affidavit of compliance and notice.

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

S.O. after four weeks.

Member (J).

dnk.

O.A.No.675/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard Shri D.P. Ingle , learned counsel for the applicants and Shri A.M. Ghogre, learned P.O. for the respondents.

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

Member (J).

dnk.

O.A.No.715/2023 (S.B.)

(R.R. Lilhare Vs. State of Mah. & Ors.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/07/2023.

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

2. By the impugned order dated 13/6/2023 (Annex-A-1) the applicant is transferred from Gondia to Salekasa, District Gondia.

3. It is the grievance of the applicant that so far he has served only in difficult / Tribal area. Annex-A-12 prima facie supports this submission.

4. It is further submitted by the learned counsel for applicant that the applicant has not been relieved as yet. The applicant prays for grant of interim relief.

5. Grant of interim relief is opposed by the learned P.O. on the ground that the applicant had given three options for posting in Gondia District itself and he has been posted at Salekasa which is also situated in Gondia District.

6. The applicant is also relying on the order dated 30/6/2023 (Annex-A-13) in which by staying transfer order of one Shri Bhojraj V. Naik, he has been allowed to continue on his post at Rural Hospital, Katol.

7. Case is made out to pass interim order till the returnable date. **If the applicant is not relieved so far, he shall not be relieved till the returnable date.**

8. Issue notice to the respondents returnable **18/07/2023**. Learned P.O. waives notice for State. Hamdast allowed.

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

10. 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.

11. 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.

12. 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.

13. 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. 18/07/2023.

Steno copy is granted...

Member (J).

dnk.

O.A.No.720/2023 (S.B.)

(K.B. Rajurkar Vs. State of Mah. & Ors.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard Shri S. Jagtap , learned counsel for the applicant and Shri A.M. Khadatkhar, learned P.O. for the respondents.

2. By the impugned order, the applicant is transferred from Nagpur to Akola.

3. Annex-A-4 shows that the applicant had suffered attack of paralysis and he is taking treatment. Because of such condition, the applicant had given options to be posted on any of 10 posts mentioned on page no. 81.

4. Learned P.O. has placed on record communication which shows that the applicant has not been so far relieved and on his post no one has so far joined.

5. In view of facts of the case and contents of communication dated 5/7/2023 case is made out to stay effect and implementation of the impugned order (Annex-A-1) to the extent of the applicant till the returnable date.

6. Issue notice to the respondents returnable **28/07/2023**. Learned P.O. waives notice for State. Hamdast allowed.

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

8. 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.

9. 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.

10. 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.

11. 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. 28/07/2023.

Steno copy is granted..

Member (J).

dnk.

O.A.No.704/2023 (S.B.)

(K.P. Chandalia Vs. State of Mah. & Ors.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard Shri V.S. Chauhan , learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the respondents.

2. By the impugned order, the applicant is transferred from Akola to Balapur. It is submitted on behalf of the applicant that the applicant was deputed to work in the office at Akot and his wife along with their son who is suffering from autism, is staying at Akot.

3. It is submitted that since son of the applicant is suffering from autism the impugned transfer cannot be sustained. Interim order is sought that the impugned order be stayed in view of provisions of G.R. dated 9/4/2018.

4. In reply learned P.O. has invited attention of the Tribunal to choices given by the applicant as per Annex-A-5. One of these choices was Balapur and by the impugned order the applicant is transferred to Balapur.

5. In view of this factual ground, no case is made out to grant interim relief.

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

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

8. 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.

9. 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.

10. 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.

11. 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.No.412/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri N.D. Thombre, Id. counsel for the applicant and shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. counsel for applicant,
S.O. 17/7/2023.

Member (J).

dnk.

O.As.774 and 697 of 2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri P.S. Kadam, Id. counsel for the applicants and shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. counsel for applicants,
S.O. 14/7/2023.

Member (J).

dnk.

O.A.No.49/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri Shiralkar, Id. counsel for the applicant
and shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 17/7/2023.**

Member (J).

dnk.

O.A.No.686/2021 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri Motlag, Id. counsel holding for Shri Shiralkar, Id. counsel for the applicant and shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. counsel for applicant,
S.O. 2nd week of August, 2023.

Member (J).

dnk.

O.A.Nos.144 & 145 of 2020 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

At the request of Id. counsel for applicants,
S.O. 12/7/2023.

Member (J).

dnk.

O.A.No.221/2017 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri P.V. Thakre, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

Member (J).

dnk.

(S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

O.As. 250,251,252,253,254,255,256,257,262 &
269 of 2022 -

Shri H.M. Bobade, Id. counsel for the
applicants and Shri S.A. Sainis, Id. P.O. for R-1.

Await service of the respondents.

At the request of Id. counsel for applicants,
S.O. one week.

Member (J).

dnk.

O.A.No.260/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri B. Kulkarni, Id. counsel for the applicant and shri S.A. Sainis, Id. P.O. for the respondents.

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

Member (J).

dnk.

O.A.No.845/2019 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

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

Member (J).

dnk.

O.A.No.881/2019 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Smt. K.N. Saboo, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 to 4. Await service of R-5.

At the request of Id. counsel for applicant,
S.O. three weeks for filing service affidavit.

Member (J).

dnk.

O.A.No.139/2021 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri U.J. Deshpande, 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. 18/7/2023** for filing reply.

Member (J).

dnk.

O.A.No.398/2021 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

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

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

S.O. 1st week of August, 2023.

Member (J).

dnk.

O.A.No.657/2021 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri N.R. Saboo, Id. counsel for applicant,
Shri V.A. Kulkarni, Id. P.O. for R-1&2 and Shri
Mane, Id. counsel for R-3.

2. The Id. P.O. seeks one week time to take
instructions and make submission.

S.O. one week.

Member (J).

dnk.

O.A.No.527/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri M.R. Rajgure, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1 and Shri H.M. Bobade, Id. counsel holding for Shri Zaheer, Id. counsel for R-2 to 4.

At the request of Id. counsel for R-2 to 4,
S.O. three weeks for filing reply.

Member (J).

dnk.

O.A.No.528/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri M.R. Rajgure, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1 and Shri H.M. Bobade, Id. counsel holding for Shri Zaheer, Id. counsel for R-2 to 4.

At the request of Id. counsel for R-2 to 4,
S.O. three weeks for filing reply.

Member (J).

dnk.

O.A.No.1101/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri I.N. Choudhari, Id. counsel for applicant and Shri A.M. Ghogre, Id. P.O. for respondents.

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

Member (J).

dnk.

O.A.No.1105/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard Shri S.P. Palshikar, 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-3. It is taken on record.

3. The order dated 04/10/2022 (Annex-A-2) shows that the applicant was to retire on superannuation on 30/06/2023.

4. By order dated 14/11/2022 effect and implementation of the impugned order of transfer was stayed until further orders.

5. In the factual background nothing remains in the O.A. Hence, it is accordingly disposed off. No order as to costs.

Member (J).

dnk.

O.A.No.1167/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard Shri M.R. Rajgure, Id. counsel for applicant, Shri A.M. Ghogre, Id. P.O. for R-1 and Shri Bobade, Id. counsel holding for Shri Zaheer, Id. counsel for R-2&3.

2. Shri Bobade, Id. counsel files reply of R-2&3. It is taken on record. It is submitted by learned counsel for R-2&3 as well as Id. P.O. that this reply is sufficient.

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

S.O. 1st week of August, 2023.

Member (J).

dnk.

O.A.No.84/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

At the request of Id. P.O., **S.O. 20/7/2023** for filing reply.

Member (J).

dnk.

O.A.No.152/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri S.M. Khan, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1&2 and Shri Kolbre, Id. counsel for R-3.

At the request of Id. P.O. and Id. counsel for R-3, **S.O. three weeks** for filing reply as a last chance.

Member (J).

dnk.

O.A.No.293/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

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

Member (J).

dnk.

O.A.No.304/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

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

Member (J).

dnk.

O.A.No.352/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

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

Member (J).

dnk.

O.A.No.374/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

S.O. 19/7/2023.

Put up along with O.A. 226/2023.

Member (J).

dnk.

O.A.No.226/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

S.O. 19/7/2023.

Put up along with O.A. 374/2023.

Member (J).

dnk.

O.A.No.384/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri Wankhede, Id. counsel holding for Shri S.N. Gaikwad, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2&3.

At the request of Id. counsel for applicant,
S.O. three weeks for filing service affidavit.

Member (J).

dnk.

O.A.No.424/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

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

Member (J).

dnk.

C.A. 278/23 in O.A.No.447/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

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

Member (J).

dnk.

C.A. 305/23 in O.A.No.462/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/07/2023.

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

The applicant has not collected hamdast
for R-2&3.

S.O. four weeks for taking steps.

Member (J).

dnk.

O.As.491,492 & 493 of 2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

At the request of Id. P.O., **S.O. 27/7/2023** for filing reply as a last chance.

Member (J).

dnk.

O.A.No.519/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri R.V. Shiralkar, Id. counsel for applicant, Shri A.M. Ghogre, Id. P.O. for R-1&2 and Shri R.M. Fating, Id. counsel for R-3.

2. The Id. counsel for applicant seeks permission to correct address of respondent no.4. Permission is granted. Necessary correction be carried out forthwith.

3. After amendment, re-issue notice to respondent no.4 returnable **after three weeks.** Hamdast allowed.

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

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

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

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

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

S.O. after three weeks.

Member (J).

dnk.

O.A.No.523/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard Shri N.R. Saboo, Id. counsel for applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2.

2. The Id. counsel for applicant submits that respondent no.2 is served.

3. The Id. P.O. seeks one week time to file reply.

4. It is submitted that connected matters are kept on 10/7/2023. This O.A. also be kept **on 10/7/2023.**

Member (J).

dnk.

O.A.No.554/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri A.M. Tirukh, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1&2. Await service of R-3.

2. The Id. counsel for applicant submits that the respondents are served.

3. The Id. P.O. states that the representation of the applicant is pending for decision before respondent no.2 and time of two weeks be granted.

S.O. two weeks.

Member (J).

dnk.

O.A.No.582/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

None for applicant. Shri A.M. Ghogre, Id.
P.O. for R-1. Await service of R-2.

S.O. four weeks.

Member (J).

dnk.

O.A.No.664/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard Shri G.G. Bade, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2.

2. The Id. counsel for applicant submits that respondent no.2 is served.

2. The learned counsel for the applicant has placed on record copy of the order dated 30/6/2023. By this order, respondent no.2 is transferred from the post of Dy. Collector (Revenue), Buldhana to the post of Dy. Collector (Land acquisition), Buldhana.

3. By the impugned order respondent no.2 was transferred to the post on which the applicant was working i.e. Dy. Collector (Revenue), Buldhana.

4. The Id. P.O. shall take instructions whether any correspondence modification is made.

S.O. one weeks

Interim relief to continue till next date.

Member (J).

dnk.

MCA 26/23 in O.A.No.892/22 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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. counsel for applicant,
S.O. two weeks for filing reply.

Member (J).

dnk.

O.As.445 & 446 of 2019 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri S.P. Palshikar, Id. counsel for applicants and Shri S.A. Sainis, Id. P.O. for respondents.

2. The Id. counsel for applicants submits that grievance of the applicants is redressed.

3. In view of this submission and pursis dated 3/7/2023, the O.As. are disposed of. No order as to costs.

Member (J).

dnk.

(S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

C.A. 186/2023 in O.A. 567/2019,
C.A.187/2023 in O.A. 568/2019,
C.A. 190/2023 in O.A. 626/2019,
C.A.195/2023 in O.A. 627/2019,
C.A.183/2023 in O.A.678/2019,
C.A. 193/2023 in O.A. 679/2019,
C.A. 181/2023 in O.A.680/2019,
C.A. 192/2023 in O.A. 1031/2019,
C.A. 182/2023 in O.A. 1034/2019,
C.A. 192/2023 in O.A. 1031/2019,
C.A. 189/2023 in O.A. 1035/2019,
C.A. 188/2023 in O.A. 1036/2019,
C.A. 197/2023 in O.A. 677/2019,
O.A. 681/2019,
C.A. 191/2023 in O.A. 1028/2019,
C.A. 185/2023 in O.A. 1029/2019,
C.A. 194/2023 in O.A. 1030/2019,
C.A. 196/2023 in O.A. 1032/2019,
C.A. 184/2023 in O.A. 1033/2019,

Heard Shri N.R. Saboo, Id. counsel for applicants and Shri S.A. Sainis, Id. P.O. for respondents.

Looking to the grounds, the C.As. are allowed. Necessary amendment be carried out within two weeks from today.

O.A. 567/2019, O.A. 568/2019, O.A. 626/2019,
O.A. 627/2019, O.A.678/2019, O.A. 679/2019,
O.A.680/2019, O.A. 1031/2019, O.A. 1034/2019, O.A.
1031/2019, O.A. 1035/2019,
O.A. 1036/2019, O.A. 677/2019, O.A. 681/2019,
O.A. 1028/2019, O.A. 1029/2019,
O.A. 1030/2019, O.A. 1032/2019,
O.A. 1033/2019,

S.O. after two weeks.

Member (J).

dnk.

O.A.No.643/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri G.G. Bade, Id. counsel for applicants
and Shri S.A. Sainis, Id .P.O .for R-1.

Await service of R-2 to 6.

The Id. counsel for applicants submits that
the respondents are served.

S.O. one week.

Member (J).

dnk.

O.A.No.446/2018 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

2. The learned counsel for applicant has filed pursis for unconditional withdraw of O.A.

3. The O.A. is accordingly disposed of. No order as to costs.

Member (J).

dnk.

O.A.No.740/2018 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

Closed for orders.

Member (J).

dnk.

O.A.No.180/2019 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard Shri I.N. Choudhari, Id. counsel for applicant, Shri A.M. Ghogre, Id. P.O. for R-1 to 3 and Shri Deogade, Id. counsel for R-4.

Closed for orders.

Member (J).

dnk.

O.A.No.226/2019 with C.A.543/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

2. It is submitted that proposal to release benefits in favour of the applicant is pending for more than four years.

3. As per communication dated 9/6/2023 received from respondent no.1 (marked "X"), the proposal is forwarded to the Finance Department on 27/3/2023.

4. The O.A. be kept on 10/8/2023. On that date, responsible Officer from the establishment of respondent no.1 shall remain present in person to show the reasons for delay. If before the returnable date orders are passed on the proposal, Id. P.O. shall intimate this Tribunal.

S.O. 10/8/2023.

Steno copy is granted...

Member (J).

dnk.

O.A.No.941/2019 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

11/7/2023 (PH).

Member (J).

dnk.

O.A.No.43/2020 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

At the request of Id. counsel for applicant,
S.O. 14/7/2023.

Member (J).

dnk.

O.A.No.210/2020 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri Bade, Id. counsel for applicant, Shri A.M. Khadatkar, Id. P.O. for R-1&2 and none for other respondents.

At the request of Id. P.O., **S.O. 18/7/2023 (PH).**

Member (J).

dnk.

O.A.No.698/2020 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri G.G. Bade, Id. counsel for applicant
and Shri V.A. Kulkarni, Id. P.O. for respondents.

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

Member (J).

dnk.

O.A.No.736/2020 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

2. The issue involved in O.A. is pending before the Division Bench of M.A.T., Bench at Aurangabad.

S.O. four weeks.

Member (J).

dnk.

O.A.No.38/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

2. As per the direction of this Tribunal,
learned counsel for applicant has filed written
notes of argument.

3. The Id. P.O. seeks one week time .

S.O. one week (PH).

Member (J).

dnk.

O.A.No.81/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

Closed for orders.

Member (J).

dnk.

O.A.No.261/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard Shri Bharat Kulkarni, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. At the request of Id. counsel for applicant,
S.O. 14/7/2023.

Member (J).

dnk.

O.A.No.302/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Heard I.S. Charlewar, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for other respondents.

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

Member (J).

dnk.

O.A.No.826/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

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

Member (J).

dnk.

C.A. 317/21 in O.A.St.1938/21 (D.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/07/2023.

Shri P.A. Nemade, Id. counsel for applicants and Shri H.K. Pande, Id. P.O. for respondents.

S.O. next week.

Member (J).

dnk.

O.A.272/2023 (D.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

C.A. 219/23 -

Heard Shri D.S. Sawarkar, Id. counsel for applicants and Shri H.K. Pande, Id. P.O. for State.

Looking to the ground, the C.A. for filing Jt. O.A. is allowed.

O.A.272/2023 -

S.O. two weeks for filing reply.

Member (J).

dnk.

O.A.427/2023 (D.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri S.P. Palshikar, 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. 27/7/2023** for filing reply.

Member (J).

dnk.

O.A.539/2023 (D.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri A.S. Dhore, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2 to 4.

S.O. two weeks for filing service affidavit.

Member (J).

dnk.

C.P. 27/23 in O.A.281/19 (D.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Shri S.V. Kulkarni, Id. counsel for applicant and Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-3&4.

2. The Id. counsel for applicant submits that the respondents are served.

3. At the request of Id. P.O., **S.O. three weeks** for filing reply as a last chance.

Member (J).

dnk.

C.P. 88/22 in O.A.798/22 (D.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

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

2. With the consent of Id. counsel for both the parties, **S.O. 10/7/2023.**

Member (J).

dnk.

C.P. 52/23 in O.A.517/21 (D.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/07/2023.

Abbdul Subhan, Id. counsel for applicant
and Shri H.K. Pande, Id. P.O. for the respondents.

2. With the consent of Id. counsel for both the
parties, **S.O. three weeks.**

Member (J).

dnk.

O.A.636/2023 (D.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/07/2023.

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

2. With the consent of Id. counsel for both the
parties, **S.O. 7/7/2023.**

Member (J).

dnk.

O.A.667/2023 (D.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/07/2023.

Shri A.C. Dharmadhikari, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. With the consent of Id. counsel for both the parties, **S.O. 7/7/2023.**

Member (J).

dnk. **

O.A.No.589/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/07/2023.

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

With the consent of learned counsel for both the parties, **S.O. 11/7/2023.**

Member (J).

dnk.

O.A.No.728/2023 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 06/07/2023.

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

2. On oral request of Id. P.O., **S.O. tomorrow i.e. 07.07.2023.**

Date:-06/07/2023.
aps.

Member (J)

O.A.No.727/2023 (S.B.)

Coram:ShriM.A.Lovekar, Member (J)
Dated :06/07/2023.

Heard Shri D.N.Mudgale, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the Respondents.

2. By the impugned order dated 04.07.2023 (A-E) the applicant is transferred from Dhamangaon Railway to Chandurbazaar and respondent no. 4 is transferred from Dharni to Dhamangaon Railway.

3. It is the contention of the applicant that the impugned order is illegal. In support of this submission reliance is placed on G.R. dated 09.04.2018 as well as following paragraph of Annexure-B which states:-

"rFkkih l nHkZ dekad 5 vlo;s ifl/n dj.;kr vkyY;k cnyh ik= depk&;k;k ;knie/s /kueukw jYos ;k rky@;kr dk;Jr vlyY;k Jh dnyhi xkoms ;kpk l eos' k ukgh rlp Jh dnyhi xkoms ;kpk brj rky@;kr cnyh dj.;kckcrpk fourth vtZ nqthy vk; @rky;kl iitr >kysyukgh"

4. Ld. P.O. has pointed out that the applicant as well as respondent no. 4 both have been relieved to take charge of the post on which they have been transferred. In this background interim order cannot be passed.

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

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

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

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

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

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

11. **S.O. four weeks.**

Member (J)

Date:-06/07/2023.

aps.