

O.A. 636/2019 (S.B.)

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

Dated : 16/07/2021.

C.A. 184/2021 -

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

2. The Id. counsel has filed C.A. No.184/2021 and on page no.5 the prayer clause is reproduced as below –

“ It is therefore prayed that this Hon’ble Tribunal may kindly be pleased to direct the respondent nos. 1 to 4, particularly the respondent no.1 the Principal Secretary or any other authority who is competent in the present matter to transfer/adjust/post the applicant on clear, sanctioned, vacant post of Laboratory Technician (Laboratory Scientific Officer) in the office of Additional Director of Health Services (Malaria), Mata Kacheri, Nagpur which is created on account of retirement of Smt. Kadukar on 31/3/2021, by a suitable and appropriate directions, in the interest of justice and to subserve the ends of just and kindly allow the application.”

3. In view of above situation, the respondents are directed to consider the prayer clause on C.A. and take suitable action.

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

Vice-Chairman

dnk.

O.A. 557/2021 (S.B.)

(Jyotsna Sukhdeorao Dubale Vs. State of Mah.)

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

Dated : 16/07/2021.

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. The learned counsel for the applicant is challenging the suspension order dated 13/7/2021 (A-1,P-13). However in the interest of justice, the respondents should be heard before passing any order on suspension order dated 13/7/2021 (A-1,P-13).

3. In view of above, **the respondents are directed to maintain status-quo as on 13/7/2021 till filing of reply.**

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

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

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

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

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

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

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

S.O. after four weeks.

Steno copy is granted.

Vice-Chairman

dnk.

O.A. 558/2021 (S.B.)

(Naresh J. Wate Vs. State of Mah.)

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

Dated : 16/07/2021.

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. The learned counsel for the applicant is challenging the suspension order dated 14/7/2021 (A-1,P-9). However in the interest of justice, the respondents should be heard before passing any order on suspension order dated 14/7/2021 (A-1,P-9).

3. In view of above, **the respondents are directed to maintain status-quo as on 14/7/2021 till filing of reply.**

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

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

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

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

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

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

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

S.O. after four weeks.

Steno copy is granted.

Vice-Chairman

dnk.

O.A. 534/2021 (S.B.)

(Shravan N. Saosakade Vs. State of Mah. & ors.)

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

Dated : 16/07/2021.

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

2. It is submitted that the impugned recovery order is passed without giving any opportunity of hearing. Hence, the **impugned order of recovery dated 2/6/2021 (A-1,P-10) is stayed** till filing of reply.

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

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

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

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the

questions such as limitation and alternate remedy are kept open.

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

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

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. 535/2021 (S.B.)

(Mannan Khan Pathan Vs. State of Mah.& Ors.)

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

Dated : 16/07/2021.

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

2. It is submitted that the impugned recovery order is passed without giving any opportunity of hearing. Hence, the **impugned order of recovery dated 6/7/2020 (A-1,P-10) is stayed** till filing of reply.

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

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

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

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the

questions such as limitation and alternate remedy are kept open.

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

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

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. 536/2021 (S.B.)

(Uddhav P. Patil Vs. State of Mah.& Ors.)

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

Dated : 16/07/2021.

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

2. It is submitted that the impugned recovery order is passed without giving any opportunity of hearing. Hence, the **impugned order of recovery dated 1/1/2021 (A-1,P-10) is stayed** till filing of reply.

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

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

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

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the

questions such as limitation and alternate remedy are kept open.

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

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

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. 544/2021 (S.B.)

(Shamrao D. Shiwarkar Vs. State of Mah.& Ors.)

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

Dated : 16/07/2021.

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

2. It is submitted that the impugned recovery order is passed without giving any opportunity of hearing. Hence, the **impugned order of recovery dated 12/5/2021 (A-1,P-10) is stayed** till filing of reply.

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

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

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

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the

questions such as limitation and alternate remedy are kept open.

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

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

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. 636/2019 (S.B.)

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

Dated : 16/07/2021.

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

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

Vice-Chairman

dnk.

O.A. 924/2018 (S.B.)

(Bhaurao Balaji Mamulkar Vs. State of Mah.& Ors.)

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

Dated : 16/07/2021.

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

2. As submission made by the learned counsel, the Medical College and Hospital, Nagpur published seniority list of employees at A-2,P-9 though the date is not mentioned on the list, but as submitted by the Id. Counsel, this list was published on 21/9/2001. In this list, the applicant was placed at Sr.No.170 Shri Bhaurao Mamulkar and in the next column his date of appointment was mentioned as 1/3/1992. Again in the next column his date of birth is mentioned as 12/8/1961. Then age is shown as 30 years. In the same list at page no.11, another employee name Shri Manoj Kamble is at Sr.No.111, his appointment date is mentioned as 2/7/1985 and date of birth is mentioned as 20/11/1966 and age is mentioned 18 years and another employee Shri Vikas Dhoke is at Sr.No.112, his appointment date is shown as 2/7/1985 and date of birth is shown as 5/6/1967 and age is shown as 18 years. The applicant made representation dated 27/9/2001 (A-12,P-70) in which he has taken objection on the list published on 21/9/2001 and pointed out that his date of appointment was 2/4/1985. In view of his objection, as per correspondence dated 5/8/2004 (A-13,P-71) the applicant along with Shri Ashok S. Lokhande were called for hearing on 12/8/2004. As pointed out by Id. Counsel, document at page no.15 (typed copy) is minutes of the meeting dated 12/8/2004 and second para the committee has observed that seniority list published dated 21/9/2001 needs modification, the applicant's should not have been shown at Sr.No.170, he should be shown at Sr.No.95A or 96. In the first para, it is mentioned that the date of birth of applicant is 12/8/1961. Immediately after the meeting dated 12/8/2004 the other candidate Shri A.S. Lokhande was issued appointment letter vide letter dated 4/5/2005 by the respondent no.2, i.e. the Dean, GMC, Nagpur (A-14,P-72). But the applicant was not given due seniority. The Id. P.O. has relied G.R. dated 17/8/2004 (AnnexR-1,P-31) and submitted that as per this G.R. the applicant was overaged on 2005. However, if it is calculated age of Shri Manoj Kamble, Shri Vikas Dhoke and the applicant, then as per date of birth on page no.11, the Manoj Kamble will be 39 years, Shri V. Dhoke will be 38 years and the applicant will be 44 years when list was published on 21/9/2001. Since all these three persons were above 35 years or 38 years, so G.R. dated 17/8/2004 (AnnexR-1,P-31) relied upon by the Id. P.O. is

irrelevant in this case. All three persons were above 38 years. After Committee decision, the Dean, GMC, Nagpur made a correspondence to the Director, Medical Education & Research, Mumbai vide letter dated 5/7/2019 (P-44) had asked guidance in para-7 and also proposed to award deemed date of seniority to the applicant as on 29/5/2005. In response to this letter, the Director, Medical Education & Research, Mumbai wrote letter to the Dean, GMC, Nagpur (P-49&50) and as per remarks on page no. 50 it was mentioned that for Class-IV, the Dean is the Competent Authority to decide this issue. However, the Dean, GMC, Nagpur vide letter dated 11/2/2020 (P-47&48) rejected the claim of the applicant to grant deemed date as on 29/5/2005 whereas he himself had recommended in para-7 of his letter dated 5/7/2019 (P-44) to the Director, Medical Education & Research, Mumbai and the reason mentioned in the order is that since the applicant was appointed on 5/1/2016 he is not eligible for deemed date.

3. As per seniority list published on 21/9/2001 the candidates were taken in Class-IV post vide letter dated 20/9/2005 (A-6,P-21) in which name of Shri Manoj Kamble and Shri Vikas Dhoke appear at Sr.Nos.1&2 whereas the applicant name was not at all taken, whereas, after the meeting dated 12/8/2004 the applicant's seniority was to be 95A or 96 in the list dated 21/9/2001 and these two persons i.e. Shri Manoj Kamble and Shri Vikas Dhoke were at Sr.No.111 and 112.

4. In view of discussion in above paras, if the order dated 11/2/2020 of the Dean, GMC, Nagpur is not quashed and set aside and the applicant is not granted deemed date of 29/5/2005 it would be great injustice to the applicant. Hence, the following order –

ORDER

(i) The order dated 11/2/2020 (A-10,P-25F) is quashed and set aside.

(ii) The applicant is granted seniority dated 20/9/2005 when his juniors Shri Manoj Kamble and Shri Vikas Dhoke were taken in Class-IV post.

(iii) Since the respondent no.2 the competent authority as per the Director of Medical Education and Research, Mumbai letter dated 4/2/2020 (A-9,P-25D), the respondent no.2 i.e. the Dean, Government Medical College and Hospital, Nagpur is directed to issue suitable order granting applicant seniority before his juniors and also pay him all consequential benefits.

(iv) The whole process should be completed within 60 days from the date of receipt of this order.

(iv) The O.A. stands disposed off. No order as to costs.

Vice-Chairman

dnk.

O.A. 1014/2019 (S.B.)

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

Dated : 16/07/2021.

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

2. The Id. P.O. files reply of R-3. It is taken on record.
3. The matter is admitted and kept for final hearing.
4. The Id. P.O. waives notice for the respondents.

S.O. four weeks.

Vice-Chairman

dnk.

O.A. 96/2020 (S.B.)

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

Dated : 16/07/2021.

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

2. The Id. P.O. files reply of R-2. It is taken on record.

3. The matter is admitted and kept for final hearing.

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

S.O. four weeks.

Vice-Chairman

dnk.

O.A. 98/2020 (S.B.)

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

Dated : 16/07/2021.

C.A. No. 201/2020 -

Shri N.S. Warulkar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

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

Vice-Chairman

dnk.

O.A. 630/2020 (S.B.)

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

Dated : 16/07/2021.

Shri S. Shukla, Id. counsel holding for Sri Y.B. Sharma, 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. 2/8/2021** for filing reply.

Vice-Chairman

dnk.

O.A. 158/2021 (S.B.)

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

Dated : 16/07/2021.

Shri R.D. Karode, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

Vice-Chairman

dnk.

O.A. 183/2021 (S.B.)

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

Dated : 16/07/2021.

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

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

3. The matter is admitted and kept for final hearing.

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

S.O. two weeks.

Vice-Chairman

dnk.

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

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

Dated : 16/07/2021.

C.A. No. 190/2021 -

Heard Shri R.M. Fating, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

For the reasons stated in the application, the C.A.No. 190/2021 for amendment is allowed and disposed of. Necessary amendment be carried out within four weeks and amended copy be supplied to the other side.

O.A. 406/2021 -

Heard Shri R.M. Fating, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

S.O. four weeks for filing reply.

Vice-Chairman

dnk.

O.A. 463/2021 (S.B.)

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

Dated : 16/07/2021.

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

S.O. four weeks for filing reply.

Vice-Chairman

dnk.

O.A. 800/2020 (S.B.)

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

Dated : 16/07/2021.

C.A. No. 178/2020 -

Shri N.S. Warulkar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

The Id. P.O. files reply of R-4 in C.A. I is taken on record. Copy is served on the applicant.

S.O. four weeks.

Vice-Chairman

dnk.

O.A. 399/2021 (S.B.)

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

Dated : 16/07/2021.

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

2. The Id. P.O. files reply of R-3. It is taken on record. Copy is served on the applicant.
3. The matter is admitted and kept for final hearing.
4. The Id. P.O. waives notice for the respondents.

S.O. 30/7/2021..

Vice-Chairman

dnk.

O.A. 401/2021 (S.B.)

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

Dated : 16/07/2021.

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

2. The Id. P.O. files reply of R-3. It is taken on record. Copy is served on the applicant.
3. The matter is admitted and kept for final hearing.
4. The Id. P.O. waives notice for the respondents.

S.O. 30/7/2021..

Vice-Chairman

dnk.

O.A. 402/2021 (S.B.)

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

Dated : 16/07/2021.

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

2. The Id. P.O. files reply of R-3. It is taken on record. Copy is served on the applicant.
3. The matter is admitted and kept for final hearing.
4. The Id. P.O. waives notice for the respondents.

S.O. 30/7/2021..

Vice-Chairman

dnk.

O.A. 403/2021 (S.B.)

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

Dated : 16/07/2021.

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

2. The Id. P.O. files reply of R-3. It is taken on record. Copy is served on the applicant.
3. The matter is admitted and kept for final hearing.
4. The Id. P.O. waives notice for the respondents.

S.O. 30/7/2021..

Vice-Chairman

dnk.

O.A. 400/2021 (S.B.)

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

Dated : 16/07/2021.

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

2. The Id. P.O. files reply of R-3. It is taken on record. Copy is served on the applicant.
3. The matter is admitted and kept for final hearing.
4. The Id. P.O. waives notice for the respondents.

S.O. 30/7/2021..

Vice-Chairman

dnk.

O.A. 445/2021 (S.B.)

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

Dated : 16/07/2021.

Shri S.P. Palshikar, 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. 23/7/2021** for filing reply.

Vice-Chairman

dnk.

O.A. 469/2021 (S.B.)

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

Dated : 16/07/2021.

Shri R.L. Kadu, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

S.O. four weeks for filing service affidavit.

Vice-Chairman

dnk.

O.A. 221/2019 (S.B.)

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

Dated : 16/07/2021.

Shri B. Kulkarni, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of Id .counsel, **S.O.**
6/8/2021.

Vice-Chairman

dnk.

O.A. 280/2020 (S.B.)

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

Dated : 16/07/2021.

Shri N.R. Saboo, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

At the request of Id .counsel, **S.O.**
23/7/2021.

Vice-Chairman

dnk.

O.A. 545/2021 (S.B.)

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

Dated : 16/07/2021.

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

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.

Vice-Chairman

dnk.

O.A. 547/2021 (S.B.)

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

Dated : 16/07/2021.

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

2. Issue notice to the respondents returnable on **28/7/2021**. 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. 28/7/2021.

Vice-Chairman

dnk.

O.A. 657/2015 (S.B.)

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

Dated : 16/07/2021.

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

At the request of Id .counsel, **S.O.**
28/7/2021.

Vice-Chairman

dnk.

O.A. 180/2019 (S.B.)

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

Dated : 16/07/2021.

Shri I.N. Choudhari, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 3 and Shri K.C. Deogade, Id. counsel for R-4.

At the request of Id. counsel for the applicant, **S.O. 11/8/2021.**

Vice-Chairman

dnk.

O.A. 178/2018 (S.B.)

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

Dated : 16/07/2021.

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

At the request of Id .counsel, **S.O.**
2/8/2021 (PH).

Vice-Chairman

dnk.

O.A. 302/2018 with C.A. 204/2020(S.B.)

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

Dated : 16/07/2021.

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

At the request of Id .counsel, **S.O. 9/8/2021 (PH) along with other connected matters.**

Vice-Chairman

dnk.

O.A. 253/2019 (S.B.)

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

Dated : 16/07/2021.

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

At the request of Id .counsel, **S.O. 9/8/2021 (PH) along with other connected matters.**

Vice-Chairman

dnk.

O.A. 744/2019 (S.B.)

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

Dated : 16/07/2021.

Heard Shri R.V. Shiralkar, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id .counsel, **S.O. 9/8/2021 (PH) along with other connected matters.**

Vice-Chairman

dnk.

O.A. 331/2020 (S.B.)

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

Dated : 16/07/2021.

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

At the request of Id .counsel, **S.O. 9/8/2021 (PH) along with other connected matters.**

Vice-Chairman

dnk.

O.A. 262/2018 (S.B.)

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

Dated : 16/07/2021.

Shri M.R. Khan, 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.**
30/7/2021.

Vice-Chairman

dnk.

O.A. 992/2019 (S.B.)

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

Dated : 16/07/2021.

None for the applicant. Shri M.I. Khan,
Id. P.O. for the respondents.

S.O. four weeks.

Vice-Chairman

dnk.

O.A. 97/2020 (S.B.)

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

Dated : 16/07/2021.

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

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

Vice-Chairman

dnk.

O.A. 376/2020 (S.B.)

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

Dated : 16/07/2021.

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 9/8/2021.**

Vice-Chairman

dnk.

O.A. 377/2020 (S.B.)

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

Dated : 16/07/2021.

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

At the request of Id. counsel for the applicant, **S.O. 11/8/2021.**

Vice-Chairman

dnk.

O.A. 415/2020 (S.B.)

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

Dated : 16/07/2021.

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

At the request of Id. counsel for the applicant, **S.O. 2/8/2021.**

Vice-Chairman

dnk.

O.A. 204/2021 (S.B.)

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

Dated : 16/07/2021.

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. counsel for the applicant, **S.O. two weeks.**

Vice-Chairman

dnk.

O.A. 472/2021 (S.B.)

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

Dated : 16/07/2021.

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

2. As pointed out by the learned P.O., in the O.A. para- (F) (1) on page no.5 it is mentioned that the applicant is the father of the deceased Manoj Atmaram Binzade. As the applicant is father of deceased employee, he cannot claim the benefit of deceased employee, therefore, the O.A. is not tenable.

3. Since the learned counsel for the applicant is absent, the matter be kept on the next date.

S.O. next week.

Vice-Chairman

dnk.

O.A. 1013/2019 (S.B.)

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

Dated : 16/07/2021.

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

2. The applicant was working under the respondent no.2 i.e. the Deputy Director, Geology and Mining, Govt. of Maharashtra, Nagpur. The applicant was terminated and therefore he is challenging his termination order to the Labour Court where he has lost the case. Then, the applicant has challenged the Labour Court's order before the Hon'ble High Court, Bench at Nagpur by filing Writ Petition No.1188/2004 in which the Hon'ble High Court passed the order on 26/11/2015 (A-1,P-23) and in para-10 the operative order (P-27&28) is reproduced below –

“(i) The award passed by the Labour Court is set aside.

(ii) It is held that the petitioner is entitled for reinstatement in the post which he was holding with continuity of service.

(iii) It is held that the petitioner is entitled for 60% of the back wages. The respondent nos.2&3 shall pay the amount of back wages to the

petitioner within three months, failing which they will be liable to pay interest @ 9% per annum, calculating the interest from 16th May, 1995 till the amount is paid to the petitioner.”

3. The respondents went to the Hon'ble Supreme Court by filing SLP No. 8356/2016 and the Hon'ble Supreme Court passed the order on 11/4/2016 and confirmed the order passed by the Hon'ble High Court except modification in the order that the Hon'ble High Court has granted 60% back wages and the Hon'ble Supreme Court has granted 25% back wages. Only this partial order is modified and rest of the things remain the same.

4. The applicant has preferred the Contempt Petition No.242/2016 in W.P. No. 1188/2004 before the Hon'ble High Court, Bench at Nagpur and the order was passed on 19/7/2017 in which both the counsels agreed that the order is already complied, therefore, the Contempt Petition stands disposed of. The order is reproduced below –

“ Shri Almelkar, learned counsel for petitioner does not dispute this and submits that a small amount has remained to be recovered by petitioner, but petitioner is giving up the said claim.

In view of the above, no purpose would be served in proceeding further.

Contempt Petition No.242/2016 stands disposed of. No costs.”

5. Now today, the learned counsel is agitating that the order of Hon'ble High Court has not fully complied, he is not given continuity of service as per order passed by the Hon'ble High Court and as per the order of Hon'ble Supreme Court. I feel that the learned counsel should approach before the Hon'ble High Court for his grievances, but since he approached to this Tribunal, the respondents are directed to comply the order passed by the Hon'ble High Court on 26/11/2015 and as per modification made by the Hon'ble Supreme Court in order dated 11/4/2016.

6. In view of above, the O.A. stands disposed off. No order as to costs.

7. If the learned counsel or the applicant has any further grievances, they should approach before the Hon'ble High Court.

Vice-Chairman

dnk.**

O.A.No.684/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

Heard Shri N.R.Saboo, the Id. Counsel for the applicant and Shri , the Id. P.O. for the respondents. None for the respondent no. 3.

2. At the request of Id. P.O., **S.O. 09.08.2021 to file reply.** However, as submitted by Id. counsel for the applicant, applicant's representation dated 20.08.2019 (Annexure-A-9, P.B., Pg. No. 27); Respondents are at liberty to decide the same representation before filing reply.

Vice Chairman

Date:-16/07/2021.

aps.

O.A.No.263/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

C.A.Nos.223/2020 & 149/2021:-

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

2. The Id. P.O. has filed reply of respondent nos. 1 to 3. It is taken on record. Copy is served to the other side. Along with the reply, the Id. P.O. has filed Judgment of Hon'ble Supreme Court in Civil Appeal No. 370/2017 it was listed on 05.07.2021 and again it has been kept on 10.08.2021. It will be appropriate to hear the matter once the matter is decided or disposed of by Hon'ble Apex Court on 10.08.2021.

3. **S.O. 13.08.2021.**

Vice Chairman

Date:-16/07/2021.

aps.

O.A.No.53/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

2. At the request of Id. P.O., **S.O. 06.08.2021 to file reply.**

Vice Chairman

Date:-16/07/2021.
aps.

O.A.No.160/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

2. At the request of Id. P.O., **S.O. 06.08.2021 to file reply.**

Vice Chairman

Date:-16/07/2021.
aps.

O.A.No.211/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

2. The Id. P.O. submits that he has received parawise reply. He further requested time to file it on record. **S.O. 04.08.2021 to file reply.**

Vice Chairman

Date:-16/07/2021.
aps.

O.A.No.414/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

Heard Shri P.S.Wathore, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

2. At the request of Id. counsel for the applicant, S.O. one week to file service affidavit. However, Id. P.O. seeks three weeks time to file reply.

3. **S.O. four weeks.**

Vice Chairman

Date:-16/07/2021.
aps.

O.A.No.454/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

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

Vice Chairman

Date:-16/07/2021.
aps.

O.A.No.906/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

Heard Shri V.B.Gawali holding for Shri P.V.Thakre, 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.**

Vice Chairman

Date:-16/07/2021.
aps.

O.A.No.20/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

Heard Shri V.B.Gawali, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

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

3. *Put up the matter along with O.A. No. 185/2021.*

Vice Chairman

Date:-16/07/2021.

aps.

O.A.No.185/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

Heard Shri V.B.Gawali, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. There was a specific direction to the Id. counsel for the applicant in order dated 02.03.2021 that he should file C.A. for condonation of delay; which is yet to be filed on record.

3. At the request of Id. counsel for the applicant, **S.O. four weeks to file C.A. for condonation of delay.**

4. *Put up the matter along with O.A. No. 185/2021.*

Vice Chairman

Date:-16/07/2021.
aps.

O.A.No.891/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

C.A.No.168/2021:-

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

2. The Id. P.O. has filed reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side.

3. Since the respondents have not filed the reply in order dated 12.07.2021 in para no. 5; respondents were directed not to proceed with the enquiry till filing of the reply. **Now, since they have filed the reply, the respondents may proceed with the enquiry.**

4. The Id. counsel for the applicant is at liberty to file Rejoinder before next date of hearing.

5. At this stage C.A. No. 168/2021 is not considered.

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

7. **Steno copy is granted.**

Vice Chairman

Date:-16/07/2021.

aps.

O.A.No.187/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

2. It appears that the O.A. is not within Jurisdiction of this Bench. However, the Id. counsel for the applicant submits that he will take instructions from client on Friday.

3. **S.O. 23.07.2021.**

Vice Chairman

Date:-16/07/2021.
aps.

O.A.No.188/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

2. It is contention of the applicant that he is in service since long and thereafter G.R. dated 21.12.2019 is issued by the Government and in pursuance of the G.R., the respondent no. 1 has passed the order dated 05.01.2011 giving appointment to the applicant only for a period of 11 months. The said order has been passed without giving an opportunity of hearing to the applicant. It is submitted that in similar matters interim relief is granted to the applicants. In view of the facts on the ground of parity the interim stay is granted to the order dated 05.01.2011 till filing of the reply.

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

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

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

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

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

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

9. **S.O. six weeks.**

10. *Put up the matter along with O.A. Nos. 189 & 456/2021.*

Vice Chairman

Date:-16/07/2021.
aps.

O.A.No.189/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

2. It is contention of the applicant that he is in service since long and thereafter G.R. dated 21.12.2019 is issued by the Government and in pursuance of the G.R., the respondent no. 1 has passed the order dated 26.10.2020 giving appointment to the applicant only for a period of 11 months. The said order has been passed without giving an opportunity of hearing to the applicant. It is submitted that in similar matters interim relief is granted to the applicants. In view of the facts on the ground of parity the interim stay is granted to the order dated 26.10.2020 till filing of the reply.

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

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

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

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

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

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

9. **S.O. six weeks.**

10. *Put up the matter along with O.A. Nos. 188 & 456/2021.*

Vice Chairman

Date:-16/07/2021.
aps.

O.A.No.456/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

2. It is contention of the applicant that he is in service since long and thereafter G.R. dated 21.12.2019 is issued by the Government and in pursuance of the G.R., the respondent no. 1 has passed the order dated 26.03.2021 giving appointment to the applicant only for a period of 11 months (However, date is not legible. As per submission of the Id. counsel for the applicant, the order is dated 26.03.2021). The said order has been passed without giving an opportunity of hearing to the applicant. It is submitted that in similar matters interim relief is granted to the applicants. In view of the facts on the ground of parity the interim stay is granted to the order dated 26.03.2021 till filing of the reply.

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

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with

complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

9. **S.O. six weeks.**

10. *Put up the matter along with O.A. Nos. 188 & 189/2021.*

Vice Chairman

Date:-16/07/2021.

aps.

O.A.No.507/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

2. It is contention of the applicant that he is in service since long and thereafter G.R. dated 21.12.2019 is issued by the Government and in pursuance of the G.R., the respondent no. 1 has passed the order dated 26.11.2020 giving appointment to the applicant only for a period of 11 months. The said order has been passed without giving an opportunity of hearing to the applicant. It is submitted that in similar matters interim relief is granted to the applicants. In view of the facts on the ground of parity the interim stay is granted to the order dated 26.11.2020 till filing of the reply.

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

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

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

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

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

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

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

9. **S.O. six weeks.**

10. *Put up the matter along with O.A. No. 509/2021.*

Vice Chairman

Date:-16/07/2021.

aps.

O.A.No.508/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

2. It is contention of the applicant that he is in service since long and thereafter G.R. dated 21.12.2019 is issued by the Government and in pursuance of the G.R., the respondent no. 1 has passed the order dated 10.06.2020 giving appointment to the applicant only for a period of 11 months. However that order has been completed on 10.05.2021. The Id. counsel for the applicant submits that still he is in service. On what basis he is still in service that document should be filed on record.

3. **S.O. two weeks.**

Vice Chairman

Date:-16/07/2021.

aps.

O.A.No.509/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 16/07/ 2021.

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

2. It is contention of the applicant that he is in service since long and thereafter G.R. dated 21.12.2019 is issued by the Government and in pursuance of the G.R., the respondent no. 1 has passed the order dated 18.06.2021 giving appointment to the applicant only for a period of 11 months (However, date is not legible. As per submission of the Id. counsel for the applicant, the order is dated 18.06.2021). The said order has been passed without giving an opportunity of hearing to the applicant. It is submitted that in similar matters interim relief is granted to the applicants. In view of the facts on the ground of parity the interim stay is granted to the order dated 18.06.2021 till filing of the reply.

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

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of

hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

9. **S.O. six weeks.**

10. *Put up the matter along with O.A. No. 507/2021.*

Vice Chairman

Date:-16/07/2021.

aps.