

O.A. 865/2018 (S.B.)

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

**Dated : 23/08/2021.**

None for the applicnat. Shri V.A.  
Kulkarni, Id. P.O. for R-1. Await service of  
R-2 to 4.

Put up before Division Bench.

**Vice-Chairman**

dnk.

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

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

**Dated : 23/08/2021.**

Heard Shri H.D. Futane, 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. Copy is served on the applicant.

The matter is admitted and kept for final hearing.

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

**S.O. two weeks.**

**Vice-Chairman**

dnk.

**O.A. 912/2019 (S.B.)**

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

**Dated : 23/08/2021.**

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

The Id. P.O. files reply of R-1 to 3. It is taken on record. Copy is served on the applicant.

The matter is admitted and kept for final hearing.

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

**S.O. four weeks.**

**Vice-Chairman**

dnk.

O.A. 95/2020 (S.B.)

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

**Dated : 23/08/2021.**

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

The learned P.O. submits that the file is not traceable, therefore, he seeks further time.

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

**Vice-Chairman**

dnk.

O.A. 682/2020 (S.B.)

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

**Dated : 23/08/2021.**

Shri P.S. Raut, Id .counsel holding for  
Shri V.A. Kothale, Id. counsel for the applicant,  
Shri V.A. Kulkarni, Id. P.O. for R-1 and Shri S.G.  
Jagtap, Id. counsel for R-2&3.

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

**Vice-Chairman**

dnk.

O.A. 177/2021 (S.B.)

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

**Dated : 23/08/2021.**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

**S.O. four weeks.**

**Vice-Chairman**

dnk.

O.A. 493/2021 (S.B.)

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

**Dated : 23/08/2021.**

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. P.O., **S.O. four weeks** for filing reply.

**Vice-Chairman**

dnk.

O.A. 541/2021 (S.B.)

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

**Dated : 23/08/2021.**

Shri S.I. Khan, 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. two weeks** for filing reply.

**Vice-Chairman**

dnk.

O.A. 555/2021 (S.B.)

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

**Dated : 23/08/2021.**

Shri R. Patil, 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.

**Vice-Chairman**

dnk.

O.A. 164/2020 (S.B.)

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

**Dated : 23/08/2021.**

Shri P.S. Raut, Id. counsel holding for Shri V.A. Kothale, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

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

**Vice-Chairman**

dnk.

O.A. 797/2019 (S.B.)

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

**Dated : 23/08/2021.**

Shri Nimgade, Id. counsel holding for  
Shri B.B. Pantawane, 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. two weeks.**

**Vice-Chairman**

dnk.

O.A. 299/2018 (S.B.)

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

**Dated : 23/08/2021.**

Shri R.V. Shiralkar, 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. 6/9/2021.**

**Vice-Chairman**

dnk.

O.A. 326/2019 (S.B.)

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

**Dated : 23/08/2021.**

Shri G.G. Bade, 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. 6/9/2021.**

**Vice-Chairman**

dnk.

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

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

**Dated : 23/08/2021.**

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 for the applicant, **S.O. 27/8/2021.**

**Vice-Chairman**

dnk.

O.A. 619/2018 (S.B.)

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

**Dated : 23/08/2021.**

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

At the request of Id. counsel for the applicant, **S.O. 30/8/2021.**

**Vice-Chairman**

dnk.

O.A. 733/2018 (S.B.)

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

**Dated : 23/08/2021.**

Shri P.S. Raut, Id. counsel holding for  
Shri V.A. Kothale, Id. counsel for the applicant  
and Shri H.K. Pande, Id. P.O. for the  
respondents.

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

**Vice-Chairman**

dnk.

O.A. 1019/2018 (S.B.)

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

**Dated : 23/08/2021.**

Shri P.S. Raut, Id. counsel holding for Shri V.A. Kothale, 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. three weeks.**

**Vice-Chairman**

dnk.

O.As. 910 & 911 of 2019 (S.B.)

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

**Dated : 23/08/2021.**

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

At the request of Id. counsel for the applicants, **S.O. 6/9/2021.**

**Vice-Chairman**

dnk.

O.A. 970/2020 (S.B.)

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

**Dated : 23/08/2021.**

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

At the request of Id .counsel, **S.O.**  
**27/8/2021.**

**Vice-Chairman**

dnk.

O.A. 620/2020 (S.B.)

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

**Dated : 23/08/2021.**

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

At the request of Id .P.O., **S.O. 6/9/2021.**

**Vice-Chairman**

dnk.

O.A. 884/2020 (S.B.)

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

**Dated : 23/08/2021.**

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

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

**Vice-Chairman**

dnk.

**O.A. 467/2021 (S.B.)**

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

**Dated : 23/08/2021.**

Heard Shri N.S. Bhelkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the State.

2. The learned P.O. submits that in the present matter local office is not made necessary party. The learned counsel wants to make local office as respondent party. He is permitted to do so. The learned counsel is also directed to remove office objections.

3. After amendment, issue notice to the newly added respondent returnable on **20/09/2021** 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. 20/09/2021.**

**Vice-Chairman**

dnk.

**O.A. 715/2021 (S.B.)**

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

**Dated : 23/08/2021.**

Heard Shri M.V. Bute, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. The learned counsel for the applicant is directed to remove office objections.

3. In the meantime, issue notice to the respondents returnable **after six 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 six weeks.**

**Vice-Chairman**

dnk.

**O.A. 690/2021 (S.B.)**

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

**Dated : 23/08/2021.**

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

2. The learned counsel for the applicant has filed Pursis dated 23/8/2021 mentioning that the applicant wants to withdraw the present O.A. The learned counsel also submits that the applicant is present personally today.

3. In view of pursis dated 23/8/2021, the O.A. stands disposed of as withdrawn. No order as to costs.

Steno copy is granted...

**Vice-Chairman**

dnk.

O.A. 216/2017 (S.B.)

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

**Dated : 23/08/2021.**

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

**S.O. four weeks.**

**Vice-Chairman**

dnk.

O.A. 268/2019 (S.B.)

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

**Dated : 23/08/2021.**

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

2. The Id. P.O. has filed documents which is taken on record and marked Exh-X for identification.

3. Since the present matter pertains to the Division Bench, it be kept before the Division Bench.

**Vice-Chairman**

dnk.

**O.A. 581/2019 with C.A. 150/2021 (S.B.)**

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

**Dated : 23/08/2021.**

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

2. As submitted by the Id. P.O. the reply filed on record is faulty and all the facts are not covered in the reply, therefore, he desires to file detailed reply and for that he wants two weeks time.

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

**Vice-Chairman**

dnk.

**O.A. 697/2021 (S.B.)**

(Ku. M.P. Patle Vs. State of Mah. & Ors. )

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

**Dated : 23/08/2021.**

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

2. The Id. P.O. submits that on the last occasion also the applicant was given choice posting, however, the matter was heard on 18/8/2021 by the Hon'ble Chairperson and in Para (f) of the order following observation was made by the Hon'ble Chairperson –

*“ (f) The learned counsel submits that the post at Fulchar Naka is vacant at present. Further he submits that she has made representations dated 15/7/2021 and 10/8/2021 to Deputy Conservator of Forest about the modification in the order of the transfer and it is to be made as per request”.*

3. Today, the learned counsel has filed affidavit and he has pointed out that in the transfer order dated 9/8/2021 at Sr.No.107 one Shri S.M. Yadao has been transferred from Fulchur Naka to Kanahgaon- 3 beat, Forest Range Deori, Gondia Forest Division. It appears that nobody has been posted against Shri S.M. Yadao in the said order. The learned counsel further pointed out in the affidavit in para-4 that in view of promotion of one Shri S.W. Tirpude, Forest Guard at C.F. Office Gondia, Wild Life, said post is also became vacant recently. Since the applicant's husband is working as Forest Guard at Gondia office, the Bench does not find any reason that why the respondent no.2 should not accommodate the applicant either at Fulchur Naka or at Gondia office so that policy of placing husband and wife together can be followed and grievance of the applicant can be also solved. The respondent no.2 is directed to call the applicant and husband together and as per G.R. dated 9/4/2018 after counselling, issue suitable posting order. That action should be done within 10 days from the date of receipt of this order.

4. The applicant is also directed to appear before the respondent no.2 along with husband as and when asked by the respondent no.2. The learned counsel has filed document on record at page no.65&66 in which it appears that the applicant has not given 10 options for posting. Prima facie it appears that the respondent no.2 is required to act as head of the family and as a Guardian of

family, he should take decision for posting of applicant and her husband together as a family members and solve their problems amicably without going into further litigation. If the respondent no.2 finds any problem regarding posting of applicant, he should personally appear before the Tribunal and explain why this problem cannot be solved during next date of hearing.

5. Issue notice to the respondents returnable **06/09/2021**. 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. 06/09/2021**

Steno copy is granted...

**Vice-Chairman**

dnk.

**O.A. 700/2021 (S.B.)**

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

**Dated : 23/08/2021.**

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

2. As submitted by Id. P.O., the applicant has been working for more than 7 years at Government Hostel, Amravati so exceeding further one year period cannot be considered. However in order dated 18/8/2021 in para (a) which is reproduced as follows –

*“(a) The order dated 13/8/2021 discloses the remark as transfer as on request of the applicant which is false.”*

3. Now the learned P.O. is directed to clarify who made false statement and that responsibility must be shown. Further the learned P.O. submits that if the matter is kept on Friday, he will file detailed affidavit on record and supply copy also to the learned counsel.

4. The learned P.O. has filed document on record in which 10 choices are shown which is not authenticated. The learned P.O. is directed to file relevant document along with affidavit. As requested by the learned counsel, the matter be kept on 30/8/2021.

5. In the meantime, interim relief to continue till further orders.

**S.O. 30/08/2021.**

**Vice-Chairman**

dnk.

**O.A. 703/2021 (S.B.)**

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

**Dated : 23/08/2021.**

Heard Shri S.C. Chande, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. The applicant has been transferred from Govt. Ashram School, Sibla to Govt. Ashram School, Ranigaon vide transfer order dated 9/8/2021 (A-1,P-22) and in remark column it is written on request transfer. The applicant has submitted choice place of posting as per document at page no.66. After going through the choice place of posting it appears that the applicant has not been transferred as per the choice posting as per document at page no.66. The respondent no.1 to produce the document before this Tribunal showing that the applicant has given choice posting for Ranigaon.

3. In the impugned transfer order dated 9/8/2021 (A-1,P-22) it is mentioned that the applicant is relieved on 13/8/2021 afternoon which is also seen to be arbitrary and not as per the rules and regulations.

4. The learned P.O. submits that the applicant has completed more than 5 years and due for transfer. The learned counsel submits that the applicant has worked in tribal area more than 10 years. However, it is made clear that the applicant has been appointed in the Tribal Department and he must work in the tribal area, therefore, this argument cannot be accepted.

5. **The respondents are directed not to relieve the applicant till filing of reply.**

6. In the meantime, issue notice to the respondents returnable **after two 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 two weeks.**

**Vice-Chairman**

dnk.

**O.A. 716/2021 (S.B.)**

(Dr. S.P. Khandate Vs. State of Mah. & Ors.)

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

**Dated : 23/08/2021.**

Heard Shri S.G. Karmarkar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the State.

2. The applicant was working at Tq. Kurkheda since 20/10/2015. The applicant has completed more than 5 years and as per the G.R. dated 6/8/2002 he is entitled for choice posting. He has also given choice posting which is taken on record and marked Exh-X and copy is supplied to the learned P.O. also. The respondents are directed to consider the applicant's choice posting as per the G.R. dated 6/8/2002 and if that is not possible, then as per procedure laid down in the Govt. G.R. dated 9/4/2018 and after counselling, issue necessary posting order.

3. The learned counsel submitted that the applicant is not relieved till now. **The respondents are directed not to relieve the applicant till further orders.**

4. In the meantime, issue notice to the respondents returnable **after two 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 two weeks.**

Steno copy is granted.

**Vice-Chairman**

dnk.

**O.A. 717/2021 (S.B.)**

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

**Dated : 23/08/2021.**

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

2. The applicant has been transferred from Narkhed to Warora, Dist. Chandrapur vide transfer order dated 9/8/2021 (A-6,P-56). As submitted by learned P.O. and learned counsel, the applicant has completed normal tenure at Narkhed. The learned P.O. submitted that the applicant has given choice posting as per page no.24 and he has given four choice posting from Nagpur District only and one choice from Aurangabad District.

3. The learned counsel is directed to ask the applicant to give 10 choice posting to the respondents and the respondents should consider it as per rules and regulations within two weeks after receipt of 10 choice posting from the applicant.

4. In the meantime, 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.**

**Vice-Chairman**

dnk.

**O.A. 718/2021 (S.B.)**

(Dr. R.V. Udapure Vs. State of Mah. & Ors.)

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

**Dated : 23/08/2021.**

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

2. The applicant has been transferred from Bhandara to Tumsar, Dist. Bhandara vide transfer order dated 6/8/2021 (A-3,P-30) and aggrieved with this order the applicant has approached to this Tribunal. As submitted by the learned counsel, the respondents have published list of officers who were due for transfer and they has been called for counselling on 29/7/2021 and 30/7/2021 as per G.R. dated 9/4/2018. But the applicant was not called for counselling. Though the applicant's name is not in the list and he was not called for counselling, the applicant has been transferred from Bhandara to Tumsar, Dist. Bhandara vide transfer order dated 6/8/2021 (A-3,P-30) The learned counsel has also produced letter dated 20/8/2021 issued by the respondent no.3 in which it appears that the applicant has not been relieved.

3. In view of this situation, **the transfer order dated 6/8/2021 (A-3,P-30) is stayed till further orders.**

4. In the meantime, 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. 724/2021 (S.B.)**

(M.M. Akole Vs. State of Mah. & Ors. )

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

**Dated : 23/08/2021.**

Heard Shri P.S. Patil, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the State.

2. The applicant has been transferred from Chandrapur to Awasari (District not mentioned) vide transfer order dated 9/8/2021 (A-13,P-67 to 72). The Id. P.O. submits that the applicant has been working at the present post since 2008 at Chandrapur and he was due for transfer.

3. The learned counsel has also produced correspondence dated 23/8/2021 by which it appears that the applicant has been relieved on 23/8/2021 afternoon. In view of this situation, **the transfer order dated 9/8/2021 (A-13,P-67 to 72) is stayed to the extent of applicant till further orders.** The respondents are directed not to relieve the applicant and retain on the said post till further orders. The learned counsel is directed that he should ask the applicant to give 10 choice posting. The respondents should consider it within two weeks after receipt of choice posting from the applicant.

4. In the meantime, issue notice to the respondents returnable **after three weeks.**

Learned P.O. waives notice for State. Hamdast allowed.

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

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

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

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

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

**S.O. after three weeks.**

Steno copy is granted...

**Vice-Chairman**

dnk.

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**O.A.No.694/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Heard Shri N.R.Shiralkar 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. four weeks to file reply.**

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.907/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

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

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

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.Nos.72 & 73/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Heard Shri G.K.Bhusari, 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.**

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.330/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Heard Shri D.R.Rupnarayan, the ld. Counsel for the applicant and Shri H.K.Pande, the ld. P.O. for the respondents.

2. The ld. counsel for the applicant has made three respondents and all the three respondents are not correct, he is directed to correct it within one week.  
**S.O. 30.08.2021.**

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.94/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

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

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

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.937/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Shri G.K.Bhusari, the ld. counsel for the applicant and Shri S.A.Sainis, the ld. P.O. for the respondents.

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

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.563/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Shri B.Kulkarni, the ld. counsel for the applicant and Shri A.P.Potnis, the ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. four weeks.**

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.553/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Shri B.Kulkarni holding for Shri N.D.Thombre,  
the ld. counsel for the applicant and Shri M.I.Khan, the  
ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. four weeks.**

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.546/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

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

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

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.538/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Shri R.Chandurkar, the ld. counsel for the applicant and Shri A.M.Khadatkar, the ld. P.O. for the respondents.

2. The ld. counsel for the applicant submits that he desires to file certain documents, **S.O. 30.08.2021.**

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.537/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Shri N.R.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. four weeks.**

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

O.A.Nos.707&708/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Shri M.R.Khan, the ld. counsel for the applicant and Shri V.A.Kulkarni, the ld. P.O. for the State.

2. The ld. counsel for the applicant has filed documents dated 10.08.2021 (A-A-4, Pg. No. 34) in O.A. No. 707/2021 and dated 29.10.2020 (A-A-4, Pg. No. 30) in O.A. No. 708/2021 by which it appears that department is intending to promote some officers and as submitted by the ld. counsel for the there are some juniors in the list.

3. In view of this, **respondents are directed to make it clear that if promotions are made that will be subject to outcome of the O.A..**

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

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

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

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

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

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

10. **S.O. four weeks.**

**Vice Chairman**

**Date:-23/08/2021.**

aps.

O.A.No.704/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Shri A.B.Chalak, the ld. counsel for the applicant and Shri M.I.Khan, the ld. 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.**

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.630/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Shri N.R.Shiralkar, the ld. counsel for the applicant and Shri P.N.Warjekar, the ld. 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.**

**Vice Chairman**

**Date:-23/08/2021.**

aps.

**C.P.No.14/2021inO.A.No.893/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the respondents. None for the respondent no. 3.

2. The Id. P.O. has filed reply on behalf of the respondents. It is taken on record. He further submits that he will serve the copy to the other side.

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

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.38/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Shri R.Chandurkar, the ld. counsel for the applicant and Shri A.M.Khadatkar, the ld. P.O. for the respondents.

2. As submitted by ld. counsel for the applicant, there are certain developments and he desires to file the same on record. At the request of ld. counsel for the applicant, **S.O. 30.08.2021.**

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.172/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

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

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

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

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

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

**C.A.No.143/2021:-**

Shri M.R.Patil, the ld. counsel for the applicant and Shri A.M.Khadatkar, the ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. four weeks.**

**Vice Chairman**

**Date:-23/08/2021.**  
aps.

**O.A.No.193/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 23/08/2021.**

Shri S.P.Palshikar, 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 on behalf of the respondent no. 1. It is taken on record. Copy is served to the other side.

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

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

**Vice Chairman**

**Date:-23/08/2021.**  
aps.