

O.A. No. 63/2019 (SB)

**Coram : Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 05.01.2021.**

Shri P.P. Khaparde, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

Shri Khaparde, Id. counsel submitted that Shri G.G. Bade, Id. counsel for the applicant is not available today, therefore, further time may be granted.

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

**Member (J)**

dnk.

O.A. No.575/2020 (SB)

**Coram : Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 05.01.2021.**

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

The Id. P.O. files reply on behalf of the respondents. It is taken on record.

The matter is admitted and it be kept for final hearing.

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

**S.O. 14/01/2021.**

**Member (J)**

dnk.

O.A. No. 406/2020 (SB)

**Coram : Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 05.01.2021.**

Heard Shri S.S. Deshpande, 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.**  
**14/1/2021.**

**Member (J)**

dnk.

O.A. No. 930/2020 (SB)

**Coram : Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 05.01.2021.**

Heard Shri G.K. Bhusari, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The applicant is admittedly working in naxalite area since 2016. The applicant made request for posting at Nagpur due to her family difficulties. The Commissioner, Nagpur Division recommended to consider request of the applicant and give her posting at Nagpur District. It is grievance of the applicant that again she is transferred in naxalite area and it is in violation of the Government G.R. dated 6/8/2002. In view of this, the respondents are directed to give choice posting to the applicant either in Nagpur District or in Bhandara District in the general transfers of the year 2021.

3. In view thereof, the O.A. stands disposed of. No order as to costs.

**Member (J)**

dnk.

O.A. No. 180/2019 (SB)

**Coram : Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 05.01.2021.**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4.

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

**Member (J)**

dnk.

O.A. No. 411/2020 (SB)

**Coram : Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 05.01.2021.**

Ms. Neha V. Vaidya, Id .counsel holding for Shri N.R. Saboo, Id. counsel fort he applicant and Shri A.P. Potnis, Id. P.O. for R-1 to 3. None for R-4.

At the request of Id. P.O., **S.O.**  
**8/1/2021.**

**Member (J)**

dnk.

O.A. No. 225/2020 (SB)

**Coram : Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 05.01.2021.**

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

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 417/2019 (SB)

**Coram : Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 05.01.2021.**

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. It is submitted that the order dated 6/1/2020 is not complied within 30 days and therefore Contempt Petition is filed by the applicant. As criminal case is pending against the applicant, therefore, the Department has not released the regular pension. The learned counsel for the applicant submitted that he is not pressing prayer clause nos. 10 (i), (ii) & (v). The Id. P.O. has produced letter dated 23/12/2019 written by the Principal, Land Records, Training Academy, Aurangabad. In this letter, it is mentioned that the case is forwarded to the Aurangabad Treasury for releasing provisional pension and bill is also forwarded to pay amount Rs. 78,050/- the amount of GIS.

3. The learned counsel for the applicant submitted that he has received provisional pension and GIS amount, therefore, nothing remains in this matter. Hence, the O.A. stands disposed of. No order as to costs.

**Member (J)**

dnk.\*\*

**O.A.No.870/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :05/01/ 2021.**

**C.A.No.287/2020:-**

Heard Shri D.M.Surjuse, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has filed C.A. No. 287/2020 to add Collector, Washim as party. **C.A. No. 287/2020 is allowed and disposed of.** Amendment copy be supplied to the other side. Issue notice to the newly added respondents.

3. The Id. P.O. has filed reply on behalf of the respondent nos. 2 & 3. It is taken on record. Copies are served to the other side.

4. **S.O. two weeks.**

**Chairman**  
**Date:-05/01/2021.**  
aps.

**Vice**

O.A.No.269/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :05/01/ 2021.**

Heard Shri P.P.Khaparde holding for Shri G.G.Bade, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. The Id. P.O. desires three weeks time to file reply, **S.O. four weeks.**

**Chairman**  
**Date:-05/01/2021.**  
aps.

**Vice**

O.A.No.763/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :05/01/ 2021.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. The Id. P.O. desires four weeks time to file reply, **S.O. 27.01.2021.**

**Chairman**  
**Date:-05/01/2021.**  
aps.

**Vice**

O.A.No.74/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :05/01/ 2021.**

Heard Shri S.Pande, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. The Id. P.O. desires four weeks time to file reply, **S.O. four weeks.**

**Chairman**  
**Date:-05/01/2021.**  
aps.

**Vice**

O.A.No.744/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :05/01/ 2021.**

Heard Shri A.S.Dhore, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. The Id. P.O. desires three weeks time to file reply, **S.O. four weeks.**

**Chairman**  
**Date:-05/01/2021.**  
aps.

**Vice**

O.A.No.535/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :05/01/ 2021.**

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

2. The Id. P.O. desires two weeks time to file reply, **S.O. 19.01.2021.**

**Chairman**  
**Date:-05/01/2021.**  
aps.

**Vice**

O.A.No.351/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :05/01/ 2021.**

Heard Shri S.N.Gaikwad holding for Shri R.D.Wakode, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. **Closed for orders.**

**Chairman**  
**Date:-05/01/2021.**  
aps.

**Vice**

O.A.No.895/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :05/01/ 2021.**

Heard Shri A.R.Sharma, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State.

2. Issue notice to Respondents, returnable on six 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. six weeks.**

**Vice**

**Chairman**

**Date:-05/01/2021.**

aps.

O.A.No.139/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :05/01/ 2021.**

Heard Shri D.B.Walthare, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. The Id. P.O. is directed to supply the copy of the reply to the Id. counsel for the applicant before next date of hearing.

3. The Id. P.O. desires two weeks time to file reply. **S.O. three weeks.**

**Chairman**  
**Date:-05/01/2021.**  
aps.

**Vice**

O.A.No.743/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :05/01/ 2021.**

Heard Smt. S.W.Deshpande, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. No relevant orders from competent authority regarding relieving of the applicant from G.M.C., Chandrapur or joining of the applicant is not there on record. The Id. counsel for the applicant has relied on the documents at P.B., Nos. 10, 11, 12 and 13. All these documents are just correspondence by the various Government Officers.

3. Pg. No. 10 is copy of order between Director, Medical Education and Research, Mumbai to Secretary, Government Education and Drug Department, Mumbai, Government of Maharashtra. Pg. No. 12 is letter of relieving of applicant by Dean, Government Medical College, Chandrapur. Pg. No. 14 is copy of letter written by Dean, Indira Gandhi Government Medical College, Nagpur to Director, Medical Education and Research, Mumbai.

4. I have gone through all the above documents, nowhere it seems that there are Government orders. It is pertinent to note that who is running the department? Whether Dean is

running the department? Whether Director is running the department? Whether State Government is running the department? It needs to be clarified by Id. P.O. in reply who are competent authority for issuing there orders.

5. The Id. P.O. is directed to place on record all the relevant documents. **S.O. three weeks.**

**Vice**

**Chairman**

**Date:-05/01/2021.**

aps.

O.A.No.324/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :05/01/ 2021.**

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

2. The Id. counsel for the applicant submits that applicant was first appointed on 23.06.1982 and he got first benefits of A.C.P. on 01.10.1994 and second benefits on 01.10.2016 as per office order dated 20.11.2019 (Annexure-A-11, P.B., Pg. No. 54 and 55). Applicant has no grievance against this; further applicant is aggrieved with last para of this correspondence of P.B., Pg. No. 80, which is marked as Exh. X for the purpose of identification.

3. The Id. P.O. has relied upon the Judgment of this Tribunal in O.A. No. 88/2010; in this Judgment on internal page no. 10, the promotional hierarchy including non-promotional functional post has been given in a chart format. The following chart is marked as Exh.-X-1 for the purpose of identification.

4. The Id. counsel for the applicant has place reliance on High Court Judgment in W.P. No. 2605/2017 and submits that in para no. 42 following observations have been made at P.B.,

Pg. Nos. 134 and 135 which are in favour of the applicant:-

*"In this view of the matter, the denial of the second benefit under the MACP scheme, with reference to an exercise of cadre restructuring and the revision in pay scale, in the year 1984, appears to be legally unsustainable. We are, thus, inclined to answer the aforesaid question in the negative. We hold and declare that the upgradation under GR dated 16<sup>th</sup> April, 1984 does not constitute grant of non-functional pay scale and cannot be treated as the first benefit within the meaning of Clause 2(b)(3) of the GR dated 1<sup>st</sup> April, 2010. We are, thus, inclined to allow the petition."*

5. The Id. counsel for the applicant is directed to file on record the applicant's career chart in hierarchy form as in O.A. No. 88/2012 on P.B., Pg. No. 10 before next date of hearing and supply the copy to the Id. P.O. in advance. The Id. counsel for the applicant has also submits that subsequent to Hon'ble High Court Judgment in W.P. No. 2605/2017 delivered on 06.02.2019; whether that Judgment was challenged before the Hon'ble High Court. Subsequent to that Judgment, Finance Department has issued G.R. dated 01.08.2019 (Annexure-A-8, P.B. Pg. No. 136).

6. **S.O. three weeks.**

7. **Matter be treated as P.H.**

**Chairman**  
**Date:-05/01/2021.**  
aps.

**Vice**

**C.A. 349/2020 in O.A. 1011 of 2018 (D.B.)**

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

Heard Shri S.N. Gaikwad, learned Advocate holding for Shri R.V. Shiralkar, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for the respondents and Shri Bharat Kulkarni, learned Advocate for intervenor.

2. We have perused the letter dated 22.12.2020 received from the Deputy Secretary, Home Department, Government of Maharashtra.

3. We have perused the Annexure A-I annexed with the Civil Application No. 349/2020, it seems that admittedly the intervenor was senior to the applicant. Intervenor is at Sr. No. 28, whereas the applicant is at Sr. No. 40. After perusing the minutes of meeting, it seems that the selection committee came to the conclusion that the applicant was unfit for the promotion. In view of this, as direction to keep one post vacant will cause severe prejudice to the intervenor, who is admittedly senior to the applicant. In view of this, the order dated 03.12.2020 passed by this Bench stands vacated and the respondent Nos. 1 and 2 are

directed to fill one post, which is vacant as per the selection list of the year 2018-19.

4. In view of this, C.A. No. 349/2020 stands disposed of with no order as to costs.

5. Steno copy allowed.

**O.A. 1011 of 2018**

Heard Shri S.N. Gaikwad, learned Advocate holding for Shri R.V. Shiralkar, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for the respondents and Shri Bharat Kulkarni, learned Advocate for intervenor.

2. Issue notice to the newly added 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

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questions such as limitation and alternate remedy are kept open.

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

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

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

**Member (J)**  
**Chairman**  
kpb.

**Vice-**

**C.A. 276/2020 in O.A. 713 of 2020 (D.B.)**

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

**C.A. 276/2020**

Heard Shri P.V. Thakre, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

2. Leave granted to file joint application.  
C.A. No. 276/2020 allowed.

3. Accordingly, C.A. No. 276/2020 stands disposed of with no order as to costs.

**O.A. No. 713/2020**

Heard Shri P.V. Thakre, Id. counsel for the applicant and Shri S.A. Deo, Id. C.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.

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

**Member (J)**  
**Chairman**

**Vice-**

kpb

**C.A. 389/2020 in O.A. 749 of 2013 (D.B.)**

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

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

2. C.A. No. 389/2020 is allowed. Amendment be carried out within a period of three weeks and copy of the amended O.A. be supplied to the respondents.

3. Accordingly, C.A. No. 389/2020 is disposed of with no order as to costs.

**O.A. No. 749/2013**

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

**Member (J)  
Chairman  
kpb**

**Vice-**

**C.P. 20/2020 in O.A. 696 of 2013 (D.B.)**

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

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

2. It seems that the order dated 22.10.2020 is not complied by the respondent No. 1. The respondent No. 1 is again directed to give time limit to the Pay Verification Unit to comply with the order within a period of two weeks and in the event, direction is not complied with, then the respondent No. 1 shall take disciplinary action against the Pay Verification Unit.

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

4. Steno copy allowed.

**Member (J)**  
**Chairman**  
kpb

**Vice-**

O.A. 461 of 2020 (D.B.)

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

Heard Shri D.M. Kakani, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for the respondent Nos. 1 & 2, Shri S.G. Jagtap, learned Advocate for respondent Nos. 3 to 7 and Shri R.M. Vaidhya, learned Advocate for respondent No. 8.

2. Respondent No. 2 has filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. O.A. is admitted and it be kept for final hearing **after three weeks.**

**Member (J)  
Chairman**  
kpb

**Vice-**

**O.A. 940 of 2020 (D.B.)**

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

Heard Shri J.M. Shamkuwar, Id. counsel for the applicant and Shri S.A. Deo, Id. C.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.

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

**Member (J)**  
**Chairman**  
kpb

**Vice-**

**C.P. 35/2019 in O.A. 859 of 2012 (D.B.)**

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

Heard Shri B.D. Pandi, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. Today affidavit in reply is filed on behalf of respondents. Same is taken on record. In para No. 2 of the affidavit in reply it is mentioned that the applicant cannot compare his case with the other employees who were promoted on 14.03.2012, as they have regularly promoted and the applicant has been given deemed date of promotion as per the order passed by this Bench. The respondents have also placed reliance on the Government Resolution dated 06.11.1984 and it is submitted that it was mandatory on the part of the regularly promoted employee to give their option voluntarily within a period of one month from the date of promotion. It is contention that the applicant's pay is fixed as per the Rule 11 (1) of the Maharashtra Civil Services Pay Rules, 2009 to give one notional increment as per the promotion order dated 14.03.2012.

3. Learned Advocate for the applicant is invited our attention to the letter dated

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28.08.2020 written by the Under Secretary, Finance Department, Government of Maharashtra to the Director, Accounts and Treasury, Mumbai. In this letter it is mentioned that the provisions of Rule 13 (b) of the Maharashtra Civil Services (Revised Pay) Rules, 2009 are not applicable to the case of the applicant and consequently, the applicant's representation to give him option as per Rule 13 (b) was rejected.

4. We have perused the Rule 13 (b) of the Maharashtra Civil Services (Revised Pay) Rules, 2009. In this rule, it is nowhere mentioned that the Government servant who was promoted by the order of the Court and deemed date is given, he shall not have right to exercise options. In view of this, we are of the firm view that the entire approach of the respondents was contrary to the law. So far as the G.R. dated 06.11.1984 is concerned after reading the same, it seems that in the G.R. it is no where mentioned that the Government servant who is given deemed date of promotion shall not have right to exercise option. In view of this we do not see any reason in contention raised by the respondents. Hence, the respondents are

directed to fix the salary of the applicant as per the Rule 13 (b) of the Maharashtra Civil Services (Revised Pay) Rules, 2009 w.e.f. 14.03.2012. The respondents are

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also directed to treat the application dated 22.07.2020 as option submitted by the applicant. The respondents shall comply this order within a period of three weeks.

5. **S.O. after four weeks.**
6. Steno copy allowed.

**Member (J)**  
**Chairman**  
kpb

**Vice-**

O.A. 133 of 2015 (D.B.)

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

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

2. The present O.A. is closed for orders.

**Member (J)  
Chairman**  
kpb

**Vice-**

**O.A. 264 of 2020 (D.B.)**

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

Heard Shri P.K. Mishra, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. Our attention is invited to Annexure A-8 dated 03.05.2019 written by the C.E.O., Z.P., Nagpur to the Principal Secretary, Public Health Services, Government of Maharashtra, Mumbai. It seems that the proposal was forwarded by the C.E.O., Z.P. Nagpur to treat the absence of the applicant from 01.06.2018 to 10.09.2018 as compulsory waiting period and for treating the same as continuity of service for all the purposes. We are not aware about the decision is taken by the Principal Secretary, of the Public Health Services, Mumbai.

3. In view of this, the Principal Secretary, Public Health Services, Mumbai is directed to take decision on the Annexure A-8 dated 03.05.2019 within a period of three weeks from the date of this order.

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

5. Steno copy allowed.

**Member (J)**  
**Chairman**

kpb

**O.A. 686 of 2020 (D.B.)**

**Vice-**

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

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

2. We have perused the charge sheet, in the article of charges, it is nowhere made clear the names of the persons to whom excess amounts are paid and the respective dates of payment. In this situation, the learned Presenting Officer is directed to produce relevant documents to show that any amount was paid by the applicant after 14.08.2019 till the date of his retirement.

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

4. Matter be treated as part heard.

**Member (J)**  
**Chairman**

kpb

**Vice-**

O.A. 257 of 2018 with  
O.A. 949/2017 with C.A. 38/2018 with  
O.A. 950/2017 with C.A. 39/2018 with  
O.A. 913/2018 with O.A. 914/2018 (D.B.)

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

Heard Shri N.R. Saboo, Id. counsel for the applicants in all these matters and S/shri P.N. Warjurkar, S.A. Sainis, A.P. Potnis, H.K. Pande and A.M. Khadatkar, Id. P.O. for the respective respondents in respective matters.

2. At the request of learned Advocate for the applicants, **S.O. to 07.01.2021.**

**Member (J)**  
**Chairman**  
kpb

**Vice-**

**O.A. 1011/2019 with O.A. 1012/2019 with  
O.A. 18/2020 with O.A. 127/2020 (D.B.)**

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

Heard Shri Bharat Kulkarni, Id. counsel for the applicants in all these O.As. and S/shri M.I. Khan, P.N. Warjurkar, A.M. Kulkarni, A. P. Potnis, Id. P.O. for the respective respondents in respective O.As

2. Learned P.O. invited our attention to the order dated 31.01.2020 passed in O.A. No. 1235/2019 by the Principal Seat of this Tribunal at Mumbai in which the direction was given to the Registrar that as the similar applications were pending at Nagpur Bench and Principal Seat at Mumbai, therefore, the matters be placed before the Hon'ble Chairman for tagging of the matters. Learned P.O. submits that yet he has not received any information about what decision was taken by the Hon'ble Chairman.

3. The respondents are at liberty to file affidavit in reply in the matters.

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

**Member (J)  
Chairman**

**Vice-**

kpb

O.A. 161 of 2020 (D.B.)

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

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

2. At the request of learned P.O., **S.O.**  
**after three weeks** for filing reply.

**Member (J)**  
**Chairman**  
kpb

**Vice-**

O.A. 19 of 2020 (D.B.)

**Coram : Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 05/01/2021.**

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

2. At the request of learned P.O., **S.O. after three weeks** for filing reply.

**Member (J)  
Chairman**  
kpb

**Vice-**