Coram: Hon. Shri A.D. Karanjkar,

Member (J).

Dated: 23.11.2020

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

The ld. counsel for the applicant submitted that he has to make some submission in this matter and for that purpose he seeks further time.

S.O. 01/12/2020.

Member (J).

O.A. No. 490/2020 (SB)

Coram: Hon. Shri A.D. Karanjkar,

Member (J).

Dated: 23.11.2020

Heard Shri J.R. Kidilay, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1&2 and none for R-3.

The respondent no.2 is the Transferring Authority, no just reason is shown for not filing the reply. The matter is admitted for final hearing and it be kept upon the board on 3/12/2020. Liberty is given to the respondent no.2 to file reply.

The Id. P.O. waives notice on behalf of R-1&2.

S.O. 03/12/2020.

Member (J).

O.A. No. 736 of 2020 (SB)

Coram: Hon. Shri A.D. Karanjkar,

Member (J).

Dated: 23.11.2020

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

The impugned order Annex-A-1 is passed on 18/10/2019, whereas, the applicant stood retired from the service in the year 2008, The order is passed without giving opportunity of hearing, therefore, the impugned order shall be stayed till filing of the reply by the respondents.

### S.O. four weeks.

Member (J).

Coram: Hon. Shri A.D. Karanjkar,

Member (J).

Dated: 23.11.2020

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

2. It is contention of the applicant that order is passed by the Regional Dairy Development Officer, Amravati thereby issuing direction to recover the amount from the applicant on account of wrong fixation of pay. As the impugned order is passed without giving opportunity of hearing, therefore, I direct that this order shall be stayed till filing of the reply by the respondents.

### S.O. four weeks.

Member (J).

O.A.Nos. 440,441,442 & 443 of 2020 (SB)

Coram: Hon. Shri A.D. Karanjkar,

Member (J).

Dated: 23.11.2020

Heard Shri S.N. Gaikwad, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for R-1 to 4 and Shri G.G. Bade, Id. counsel for R-5 (Intervener).

The newly added respondent filed reply. It is taken on record.

The matters are admitted and it be kept for final hearing.

S.O. 7/12/2020.

Member (J).

### O.A. No. 508/2020 (SB)

<u>Coram</u>: Hon. Shri A.D. Karanjkar,

Member (J).

Dated: 23.11.2020

None for the applicant. Shri M.I. Khan, ld. P.O. for R-1 to 3 & 5 and none for R-4.

### S.O. 14/12/2020.

Member (J).

### O.A. No. 1017/2019 (SB)

Coram: Hon. Shri A.D. Karanjkar,

Member (J).

Dated: 23.11.2020

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

### S.O. 03/12/2020.

The matter be treated as **P.H.** 

Member (J).

### O.A. Nos. 458,459,460,499 & 500 of 2020 (SB)

<u>Coram</u>: Hon. Shri A.D. Karanjkar,

Member (J).

Dated: 23.11.2020

Heard Shri J.R. Kidilay, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the respondents.

### **Closed for orders.**

Member (J).

### O.A. No. 778/2020 (SB)

### (Shri P.S. Bedse Vs. State of Mah. & Ors.)

Coram: Hon. Shri A.D. Karanjkar,

Member (J).

Dated: 23.11.2020

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

- 2. It is submitted that as the applicant worked in naxalite area for a period more than three years, therefore, request was made by him for transfer and accordingly the applicant was transferred to Warora, District Chandrapur, as per the order dated 10/8/2020. It is submitted that lateron the Government decided to stay the transfer order and ultimately the Government issued the transfer order dated 19/11/2020 and re-transferred the applicant to Jiwati, District Chandrapur. It is submitted that till today the post at Warora, District Chandrarpur is vacant and the Civil Services Board after examining the record of the applicant recommended his transfer to Warora, District Chandrapur. It is apprehension of the applicant that if in the meantime the posting of Tahsildar, Warora, District Chandrarpur is made, then grave prejudice will cause to the applicant.
- 3. I have heard the submission of the P.O. In this situation, the respondent no.1 is

directed not to fill the post of Tahsildar, Warora, District Chandrarpur till filing of the reply. The ld. P.O. to communicate this order to the respondent no.1.

- 4. Issue notice to the respondents, returnable <u>after four weeks</u>. Learned P.O. waives notice for the 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 <a href="three days">three days</a> and if service report on affidavit is not filed <a href="three days">three days</a> 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 be supplied.

Member (J).

dnk.

\* \*

## <u>Coram</u>:Shri Shree Bhagwan, Vice Chairman Dated: 23/11/2020.

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

- 2. The Id. P.O. has filed on record letter written by Joint Director (Technical), National Health Mission, Mumbai dated 23.11.2020. It is taken on record and the same is marked Exh. "X" for the purpose of identification. In the second para of the letter the Joint Director has directed District Health Officer, Z.P., Amravati to do the payment of hardship allowances to the concerned applicants. There seems to be no reason for District Health Officer, Amravati not to comply the order of the Superior Officer.
- 3. In view of this situation, Respondent no. 3 i.e. District Health Officer, Z.P. is directed to pay the applicant hardship allowance as per the existing rules and regulations and submits the report on affidavit or personally present on the next date for not complying the order.
- 4. S.O. 21.12.2020.
- 5. Steno copy is granted.

Vice

Chairman

Date:-23/11/2020.

aps.

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

# <u>Coram</u>:Shri Shree Bhagwan, Vice Chairman <u>Dated</u>:23/11/2020.

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

2. At the request of Id. counsel for the applicant, **S.O. 21.12.2020.** 

Vice

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

# <u>Coram</u>:Shri Shree Bhagwan, Vice Chairman <u>Dated</u>:23/11/2020.

Heard Shri A.Khadatkar, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State. Await service of respondent nos. 2 to 5.

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

Vice

### O.A.No.67/2020 (S.B.)

# <u>Coram</u>: Shri Shree Bhagwan, Vice Chairman <u>Dated</u>: 23/11/2020.

Heard Shri A.B.Bambal, the Id. Counsel for the applicant, Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 to 3 and Shri S.G.Bhagat, the Id. counsel for the respondent no. 4.

- 2. The ld. counsel for the applicant is directed to supply the relevant documents to the respondent no. 4.
- 3. **S.O. 24.12.2020**.

Vice

### O.A.No.101/2020 (S.B.)

# <u>Coram</u>: Shri Shree Bhagwan, Vice Chairman <u>Dated</u>: 23/11/2020.

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

- 2. The Id. P.O. has filed reply on behalf of the respondent nos. 1 & 2. It is taken on record. Copy is served to the other side.
- 3. Hence, O.A. is **admitted** and kept for final hearing.
- 4. The Id. P.O. waives notices for the respondents.
- 5. **S.O. 24.12.2020.**

Vice

Chairman Date:-23/11/2020.

aps.

#### O.A.No.964/2018 (S.B.)

### Coram: Shri Shree Bhagwan, Vice Chairman Dated: 23/11/2020.

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

2. The ld. counsel for the applicant has pointed out that applicant has applied for V.R.S. and that has been accepted. So, he will be retiring on 30.11.2020. In view of this, matter needs to be decided before that. The Id. P.O. is directed to produce copy of the D.E. before 26.11.2020. In the last order, it was mentioned that "the Id. P.O. will bring all the Enquiry Reports and submit it in the chamber of Deputy Registrar and in the front of both the counsels it will open". Both the counsels will see D.E. papers in D.R. chamber before next date of hearing.

#### 3. S.O. 26.11.2020.

Vice

## <u>Coram</u>: Shri Shree Bhagwan, Vice Chairman Dated: 23/11/2020.

Heard Shri S.P.Palshikar, 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 pointed out that in order dated 22.11.2020 in para no. 2, it was specifically mentioned that matter will be finally heard on 20.11.2020. Matter is put up on board for today, again Id. P.O. desires time on the ground that Id. P.O., Shri A.M.Ghogre has some personal difficulty and he is not able to appear. The Id. C.P.O. was requested to avoid delay and to suggest any earlier date. As per suggestion by the Id. C.P.O.; considering the difficulty of the concerned P.O., matter will be finally decided on **10.12.2020**.

### 3. S.O. 10.12.2020, high on board.

4. If the Id. P.O. will not appear on the adjourned date than the Id. C.P.O. will precede the matter.

Vice

Chairman Date:-23/11/2020.

aps.

# <u>Coram</u>: Shri Shree Bhagwan, Vice Chairman Dated: 23/11/2020.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri P.N.Warjukar, the Id. P.O. for the respondents.

- 2. The issue involved is that applicant has submitted representation on P.B., Pg. No. 21 (Annexure-A-4) and claimed that he has worked in higher sensitive area of naxal affected area. However, he has not been paid the allowances as per Government policies and G.Rs..
- 3. The ld. counsel for the applicant has pointed that as a proof of area of duty applicant has attached his tour diary (P.B., Pg. No. 31 to 37). The applicant also invited my attention on P.B., Pg. Nos. 31 to 37, the matter is remanded back to Respondent no. 2. The respondent no. 2 is directed to examine representation along with these pages in the light of State Government Policies and G.Rs. and G.Rs. prevailed at relevant time when applicant was on duty and earlier orders of this Tribunal. The respondent no. 2 is directed to decide the representation within four weeks from the date of this order and file on record action taken report through ld. P.O..
- 4. **S.O. 11.01.2021**.
- 5. **Steno copy is granted.**

6. Matter be treated as P.H..

Vice

Chairman Date:-23/11/2020.

aps.

### O.A.No.268/2020 (S.B.)

# <u>Coram</u>:Shri Shree Bhagwan, Vice Chairman <u>Dated</u>:23/11/2020.

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

2. The Id. P.O. requested that it is a matter of Shri Ghogre and he is on leave. At the request of Id. P.O., **S.O. 10.12.2020.** 

Vice

### O.A.No.905/2019

(D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

### C.A.No.214/2020:-

Heard Shri A.P.Adhe, 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. last week** of December, **2020** for reply.

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.No.962/2019 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

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

- 2. The Id. P.O. has filed reply. It is taken on record. Copy is supplied to the other side.
- 3. The matter is **admitted** and kept for final hearing.
- 4. The Id. P.O. waives notices for the respondents.
- 5. **S.O. due course.**

Member(J) Chairman Date:-23/11/2020.

aps.

### O.A.No.282/2020 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

### C.A.No.188/2020:-

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant, Shri A.P.Potnis, the Id. P.O. for the respondent nos. 1 to 3 and Shri P.J.Mehta, the Id. counsel for the respondent no. 4.

2. At the request of Id. counsel for the applicant, **S.O. 03.12.2020.** 

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.No.993/2019 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

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

- 2. The Id. P.O. has filed reply. It is taken on record. Copy is served to the other side.
- 3. Meanwhile, the ld. counsel for the applicant is at liberty to file rejoinder, **S.O. two** weeks.

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.No.253/2020 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) <u>Dated</u>:23/11/2020.

Heard Smt. B.Motghare holding for Smt. B.M.Kakde, 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. two weeks** for reply.

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.No.775/2020 (D.B.)

### <u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

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

- 2. Issue notice to Respondents, returnable on <u>six weeks</u>. Learned C.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.

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.No.776/2020 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

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

- 2. The order dated 03.03.2020 (Annexure-A-1, P.B., Pg. No. 11) is stayed till filing of the reply.
- 3. Issue notice to Respondents, returnable on <u>six weeks</u>. Learned 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**.

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.No.777/2020 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

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

- 2. The Respondent no. 1 is directed to decide the representation made by the applicant on 19.08.2020 within six weeks from the date of this order.
- 3. Issue notice to Respondents, returnable on <u>six weeks</u>. 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.

Vice

- 9. <u>S.O. six weeks</u>.
- 10. **Steno copy is granted.**

Member(J) Chairman Date:-23/11/2020.

aps.

### O.A.No.959/2019 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) <u>Dated</u>:23/11/2020.

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant, Shri H.K.Pande, the Id. P.O. for the State and Smt.J.J.Alkari, the Id. counsel for the respondent no. 2.

### 2. Closed for orders.

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.No. 11/2020 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) <u>Dated</u>:23/11/2020.

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant, Shri H.K.Pande, the Id. P.O. for the State and Smt.J.J.Alkari, the Id. counsel for the respondent no. 2.

### 2. Closed for orders.

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.Nos.686,704&888/2018 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

Heard Shri A.M.Borkar, the Id. Counsel for the applicant, Shri S.A.Sainis, the Id. P.O. for the State, Shri H.D.Marathe, the Id. counsel for the respondent no. 2 and Shri M.M.Sudame, the Id. counsel for the respondent no.4.

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

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.No.306/2019 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

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

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

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.Nos.607/19&16/2020 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

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

- 2. **S.O. 07.12.2020**.
- 3. Put up this matter along with the O.A. Nos. 452 & 453/2020.

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.Nos. 452&453/2020 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) Dated: 23/11/2020.

Heard Shri S.P.Palshikar, 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. It is taken on record. Copy is supplied to the other side. The Id. counsel for the applicant wants to go through it.
- 3. S.O. 07.12.2020.
- 4. Put up this matter along with the O.A. Nos. 607/2019 & 16/2020.

Member(J) Chairman Date:-23/11/2020. aps.

### O.A.No.157/2019 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) <u>Dated</u>:23/11/2020.

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

2. At the request of Id. counsel for the applicant, **S.O. 07.12.2020.** 

Member(J) Chairman Date:-23/11/2020. aps.

Rev.No.11/2020inO.A.No.821/2019 (D.B.)

<u>Coram</u>:Shri Shree Bhagwan, Vice Chairman and

Shri A.D.Karanjkar, Member(J) <u>Dated</u>:23/11/2020.

Heard Shri Dr.B.K.Meshram, the applicant in person. Shri S.A.Sainis, the Id. P.O. for the respondents.

2. Closed for orders.

Member(J) Chairman Date:-23/11/2020. aps.