

O.A. 913 / 2019 (SB)

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

**Dated : 03.08.2020**

Heard Shri N.A. Jachak, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1 and Smt. J.J. Alkari, Id .counsel for R-2 to 5.

2. The learned counsel for the applicant submitted that instead of complying the order dated 16/3/2020, the respondent no.2 has served charge sheet on the applicant. The applicant has filed O.A.No. 341/2020 for challenging this action and that O.A. is fixed on 10/8/2020. This matter be kept along with the O.A.No. 341/2020 before the Division Bench. The parties to appear before the Division Bench in this matter.

**S.O. 10/08/2020.**

**Member (J)**

dnk.

O.A. Nos.1023 & 1024 of 2019 **(SB)**

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

**Dated : 03.08.2020**

Shri N.D. Thombre, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

**Member (J)**

dnk.

O.A. 82/2020 (SB)

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

**Dated : 03.08.2020**

Shri S.P. Palshikar, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 and Smt. J.J. Alkari, Id. counsel for R-2.

At the request of Id. P.O., **S.O.**  
**24/8/2020** for filing reply.

**Member (J)**

dnk.

O.A. 225/2020 (SB)

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

**Dated : 03.08.2020**

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

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

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

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

**S.O. 10/8/2020.**

**Member (J)**

dnk.

O.A. 405/2020 (SB)

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

**Dated : 03.08.2020**

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

2. The Prayer Clause no.7 (A) is to quash and set aside the Circular dated 27/7/2020 issued by R-2, therefore, propriety given that the matter be heard by the D.B. It be kept before the D.B. today itself.

**S.O. 3/8/2020**

**Member (J)**

dnk.

O.A. 407/2020 (SB)

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

**Dated : 03.08.2020**

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

2. The Prayer Clause no.7 (A) is to quash and set aside the Circular dated 27/7/2020 issued by R-2, therefore, propriety given that the matter be heard by the D.B. It be kept before the D.B. today itself.

**S.O. 3/8/2020**

**Member (J)**

dnk.

O.A. 380/2020 (SB)

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

**Dated : 03.08.2020**

Heard Shri R.M. Tiwari, Id .counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. It is grievance of the applicant that he is facing family difficulties and he is working under tribal area since 24/5/2018. It is request of the applicant that direction be issued to the respondents to transfer him at his home town. The applicant has made representation to the respondent no.1 for the transfer on 23/5/2020.

3. In view of this, the respondent no.1 is directed to decide the representation Annex-A-3 made by the applicant within a period of 60 days from the date of this order.

4. The O.A. stands disposed of. No order as to costs.

Steno copy be supplied to the CPO.

**Member (J)**

dnk.

O.A. Nos. 402,403 & 404 of 2020 **(SB)**

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

**Dated : 03.08.2020**

Heard Shri P.J. Mehta, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the State.

2. Issue notices to the respondents returnable **after four weeks**. Learned P.O. waives notice for the 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. Applicants are 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. Applicants are 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 Applications shall stand dismissed without reference to Tribunal and papers be consigned to record.

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

**Member (J)**

dnk.

O.A. 406/2020 (SB)

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

**Dated : 03.08.2020**

Heard Shri S.S. Deshpande, Id .counsel for the applicant and Shri H.K. Pande, Id. P.O. for the State.

2. Issue notice to the respondents returnable **on 6/8/2020**. Learned P.O. waives notice for the 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. 6/8/2020.**

**Member (J)**

dnk.

O.A. 752/2019 (SB)

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

**Dated : 03.08.2020**

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

The Id. P.O. files reply on behalf of R-1 to 4. It is taken on record. Copy is served on the applicant.

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

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

**S.O. 13/8/2020.**

**Member (J)**

dnk.

O.A. 211/2020 (SB)

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

**Dated : 03.08.2020**

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

2. The Id. counsel for the applicant submitted that he is withdrawing the O.A.

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

**Member (J)**

dnk.

O.A. 410/2020 (SB)

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

**Dated : 03.08.2020**

Heard Shri A.P. Tathod, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The applicant is challenging the impugned order dated 29/7/2020 transferring her from Amravati to Latur Division, Latur. The transfer is mainly attacked on the ground that the representation was made by the applicant on 8/7/2020 and it was requested that she should not be transferred because her retirement was due on 31/7/2021. I have perused the impugned order which is dated 29/7/2020.

3. The learned CPO submitted that the applicant is already relieved from the post and her successor has resumed the duty.

4. In view of this, issue notice to the respondents returnable **after two weeks**. Learned C.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 **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.**

**Member (J)**

dnk.

O.A. 411/2020 (SB)

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

**Dated : 03.08.2020**

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. It is grievance of the applicant that disregarding his representation Annex-A-5 and without considering his options, the applicant is transferred from Kanholibara, Hingna Range, Forest Division, Nagpur to Nimgaon- Paoni, wild life project, Umred. It is submitted that till today the applicant is not relieved and in the transfer order it is mentioned that the transferred officer be relieved till 7/8/2020.

3. The learned counsel for the applicant submitted that option nos.6&7 given by the applicant in Annex-A-7 were not considered by the Civil Services Board and Transferring Authority and till today option nos.6&7 are vacant.

4. In view of this matter, the respondent no.2 is directed to consider the representation of the applicant which is at Annex-A-5 together with option nos.6&7 or in any other vacant post as already option given by the



applicant in Annex-A-7 till 10/8/2020. In the meantime, status-quo as on today be maintained.

5. Issue notice to the respondents returnable 10/8/2020. Learned C.P.O. waives notice for the 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. 10/8/2020.**

Steno copy be supplied.

**Member (J)**

dnk.

O.A. 412/2020 (SB)

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

**Dated : 03.08.2020**

Heard Shri P.B. Patil, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to the respondents returnable **after two weeks.** Learned C.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 two weeks.**

**Member (J)**

dnk.

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O.A.No.226/2020  
(D.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
and  
Shri A.D.Karanjkar, Member(J)  
Dated :03/08/ 2020.**

Heard Shri D.R.Rupnarayan, 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 nos. 2 to 5. It is taken on record. Copy is served to the other side. The Id. P.O. further submits that another O.A. No. 118/2020 is similar; **keep O.A. No. 118/2020 along with the O.A. No. 226/2020.**

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

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

5. The Id. counsel for the applicant wants to go through the same reply. At his request, **S.O. four weeks.**

**Member(J)  
Chairman  
Date:-03/08/2020.  
aps.**

**Vice**

**O.A.No.345/2020 (D.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/ 2020.**

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

2. Issue notice to R-2 to 4, returnable on four weeks. **In the meantime, the respondent no. 1 shall decide the representation made by the applicant which is at Annexure-A-12&13.** 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. four weeks.**

9. *Steno copy is granted.*

**Member(J)**  
**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**

O.A.No.400/2020 (D.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/2020.**

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

2. The applicant joined the services in the year 1984 as a Junior Clerk. It is grievance of the applicant that all-of-sudden order dated 30.12.2019 came to be issued by the Assistant Superintendent Engineer, P.W.D., Yavatmal. In pursuance of G.R. dated 21.12.2019 and appoint the applicant on supernumerary post for a period of 11 months. It is contended that this unilateral order is bad in law, therefore, the order be stayed till final disposal of the O.A.. **The impugned order be stayed till filing of the reply.**

3. Issue notice to R-2 & 3, returnable on four 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. four weeks.**

**Member(J)**  
**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**

O.A.No.401/2020 (D.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/2020.**

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

2. The applicant joined the services in the year 1989 as a Teacher. It is grievance of the applicant that all-of-sudden order dated 11.03.2020 came to be issued by the Regional Joint Director, Vocational Education and Training, Amravati. In pursuance of G.R. dated 21.12.2019 and appoint the applicant on supernumerary post for a period of 11 months. It is contended that this unilateral order is bad in law, therefore, the order be stayed till final disposal of the O.A.. **The impugned order be stayed till filing of the reply.**

3. Issue notice to R-2 to 5, returnable on four 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. four weeks.**

**Member(J)**  
**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**

O.A.No.113/2020 (D.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/2020.**

Heard Shri P.P.Khaparde holding for Shri G.G.Bade, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

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

**Member(J)  
Chairman  
Date:-03/08/2020.  
aps.**

**Vice**

**C.P.No.35/2019 in O.A.No.859/2012 (D.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/ 2020.**

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

2. The Id. counsel for the applicant has filed copy of representation dated 22.07.2020 addressed to Director, Accounts and Treasury, Maharashtra State, Mumbai, who is Respondent no. 3. The respondent no. 3 is directed to decide this representation **within four weeks** from the date of this order.

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

**Member(J)**

**Chairman**

**Date:-03/08/2020.**

aps.

**Vice**

**O.A.No.408/2020 (D.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/ 2020.**

**C.A.No.194/2020:-**

Heard Shri S.M.Vaishnav, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

**2. C.A. No. 194/2020 for Jt. O.A. is allowed.**

3. Issue notice to R-2 & 3, returnable on four 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. four weeks.**

**Member(J)**  
**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**

O.A.No.409/2020 (D.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/2020.**

**C.A.No.193/2020 :-**

Heard Shri N.R.Saboo, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the State.

2. It is grievance of the applicant that giving go-by to the order passed in O.A. No. 676/2020 on 16.07.2020; the respondents are intending to fill the post of Executive Engineer disregarding Rule at Annexure-A-1. Our attention are invited to Rule 4 (2) which mandates that out of total number of vacancy there shall be reservation of 40% for the Assistant Engineer-Class-I, 25% for the Assistant Engineer-Class-II, 25% for the Sub Divisional Engineer and 10% for the post of Sub-Divisional Officers. It is submitted that the respondents are intending to fill 79 posts as per there letter dated 03.07.2020 and if all these posts are filled; great prejudice will cause to the applicant. In view of this, we direct the Respondent no. 1 to comply the order by this Bench on 16.07.2020 in O.A. No. 676/2020 and **till than the process of issuing promotion on the post of Executive Engineer be stayed.**



3. Issue notice to Respondents, returnable on four weeks. 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. four weeks.**

10. C.A.No.193/2020 allowed and disposed of.

**Member(J)**  
**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**

**O.A.No.540/2019 (D.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/2020.**

Heard Shri S.A.Nerkar, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has filed original certificate of the applicant along with the affidavit dated 13.07.2020. As per Maharashtra State Board of Secondary and Higher Secondary Education Certificate; D.O.B. of the applicant is 25.06.1962. The Id. P.O. relying on the D.O.B. written in the service book of the applicant at Annexure-A-4, P.B., Pg. No. 23 where date of birth of the applicant is wrongly written as 18.03.1961 and correction was also made as 25.06.1962.

3. However, Id. P.O. submits that respondent no. 4 has done this correction; though he was not competent authority then on what basis entry of 18.03.1961 was get corrected as 25.06.1962 on service book, that document should be place on record by Id. P.O.. The Id. P.O. desires to take instructions from the department.

4. **S.O. 17.08.2020.**

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

**Member(J)  
Chairman**

**Vice**

**Date:-03/08/2020.**  
aps.

O.A.No.125/2020 (D.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/2020.**

Heard Shri R.S.Parsodkar, 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 to rejoinder on behalf of the respondent nos. 1 & 2. It is taken on record. Copy is served to the other side.

3. **S.O. 10.08.2020.**

4. *I.R. be continued till next hearing.*

**Member(J)  
Chairman**

**Date:-03/08/2020.**

aps.

**Vice**

**O.A.Nos.970,991&992/2018**

**(D.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/ 2020.**

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

2. The Id. counsel for the applicant has explained about the proceedings, he further desires to file some documents on record.

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

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

**Member(J)  
Chairman**

**Date:-03/08/2020.**

aps.

**Vice**

**O.A.Nos.405&407/2020 (D.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
and**

**Shri A.D.Karanjkar, Member(J)**

**Dated :03/08/2020.**

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

2. Issue notice to R-2, returnable on 06.08.2020. Learned P.O. waives notice for R-1. Hamdast allowed. The Id. P.O. is at liberty to serve the notice by e-mail.

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. 06.08.2020.**

**Member(J)**

**Chairman**

**Date:-03/08/2020.**

aps.

**Vice**



O.A.No.901/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :03/08/2020.**

Heard 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 nos. 2 & 3. It is taken on record. Copy is served 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. 13.08.2020.**

**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**

O.A.No.280/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :03/08/ 2020.**

Heard Smt.Saboo, 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. 13.08.2020.**

**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**

**O.A.Nos.332 & 333/2020 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :03/08/ 2020.**

Heard Shri M.R.Khan, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

2. Specific question has been asked to the Id. P.O. that whether compliance of Government G.R. dated 09.07.2019 in para no. 1 (ii) has been done or not?

3. **S.O. 10.08.2020.**

**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**

**O.A.Nos.294,295,296,297,298,299,C.A.192/  
20**

**inO.A.300/20inO.A.301,302,303,304,311,31  
5/20 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :03/08/ 2020.**

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

**2. C.A.No.192/2020 in O.A. No. 300/2020 for Intervention is allowed and disposed of.**

The Id. counsel for the applicant is directed to carry out the amendment **within two weeks** and supply the copy of the same to the Id. P.O..

3. The Id. counsel for the applicant submits that similar matters has been already decided by the another single bench. However, Id. P.O. desires to file reply within three weeks.

**4. S.O. 27.08.2020.**

**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**

**O.A.St.Nos.641&643/2020 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :03/08/ 2020.**

**C.A.Nos.150&151/2020:-**

Heard Shri S.P.Hedao, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the Respondents.

2. The Id. P.O. submits that there is a delay of 10 years.

3. Notice on C.A. to Respondents be issued returnable in **four weeks**.

4. Shri A.M.Ghogre the learned P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. 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:-03/08/2020.**

aps.

**Rev.03/20 in O.A.No.84/2019  
(S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :03/08/2020.**

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

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

3. The Id. counsel for the applicant desires time to go through it.

4. Hence, the Review No. 03/2020 is **admitted** and kept for final hearing.

5. The Id. P.O. waives notices for the respondents.

6. **S.O. 10.08.2020.**

**Vice**

**Chairman**  
**Date:-03/08/2020.**  
aps.

**O.A.71/17 with C.A.41/17  
(S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :03/08/2020.**

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

2. At the request of Id. counsel for the applicant, **S.O. 13.08.2020.**

**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**



**O.A.No.991/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :03/08/ 2020.**

Heard Shri S.D.Borkute, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. In order dated 27.07.2020 in para no. 3 following observation has been made:-

*"3. In reply para no. 5, it is mentioned that respondent no. 3 has submitted proposal to the State Government on 22.08.2019 and State Government is competent authority to take appropriate decision, the decision is awaited. However, the Id. P.O. desires one week time to take necessary decision about progress of this proposal."*

3. However, the Id. P.O. submits that due to prevailing situation of less staff coming to the Mantralaya, he requires further time to take instructions from the respondent particularly from respondent no. 1.

4. The respondents are at liberty to decide the proposal submitted by respondent no. 4 dated 22.08.2019 before next date of hearing.

5. **S.O. 02.11.2020.**

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

7. *Steno copy be supplied.*

**Vice**

**Chairman**

**Date:-03/08/2020.**

aps.

**O.A.Nos.59&60/2017 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :03/08/ 2020.**

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondent nos. 1 to 3. None for the respondent nos. 4 & 5.

2. At the request of Id. counsel for the applicant, **S.O. 13.08.2020.**

**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**

**O.A.No.289/2020 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :03/08/ 2020.**

Heard 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. counsel for the applicant has invited my attention on relief clause 8 (1) of the O.A. which is below:-

1. *Call for the original record regarding order dated 06.03.2020 and after perusal of the same further be pleased to quash and set aside portion of order dated 06.03.2020 which reads "R; kp i ek.ks R; kpk fnukad 22-11-2019 rs; k vlnskkpk fnukadk i; Ilr fuyæu dkyko/lt t 'kkp r l sBd.; kr; s vlgS"*

3. Aggrieved with the above observation, applicant approached to this Tribunal. The Id. counsel for the applicant has relied upon circular issued by Additional D.G. (Administration), Mumbai dated 28.10.2007 (Annexure-A-7, P.B., Pg. No. 45); where it has been clearly explained that if after suspension such minor punishment like "censure" are given than it is difficult to regularize the suspension period as suspension period.

4. In view of this, this circular of A.D.G. (Administration) dated 28.10.2007; O.A. requires to be partly allowed. Hence following order:-

## **ORDER**

- A. Prayer clause no. 8 (1) is partly allowed.  
The suspension period of the applicant from 22.11.2019 to 06.03.2020 will be treated as duty period for all purposes.
- B. Applicant will be entitled for all the pensionary benefits and also other service benefits of the above said period as if he was never under suspension.
- C. Amount due to applicant for that period be paid after deducting already paid amount in the form of subsistence allowance.
- D. With these directions, **O.A. is disposed of with no order as to costs.**

**Vice**

**Chairman**

**Date:-03/08/2020.**

aps.

**O.A.No.278/2018**  
**(S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :03/08/ 2020.**

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents.

2. As per the query made by the Bench; the Id. counsel for the applicant has filed chart as Exh-X at P.B., Pg. No. 88. The detailed of G.I.S., Leave Encashment, G.P.F. and other benefits are shown. The delay has been shown in 6<sup>th</sup> Column. The applicant is entitled for delayed payment as shown in column 6 @6%.

3. Respondents are directed to pay @6% interest in all the delayed pensionary benefits as shown in Exh-X at P.B., Pg. No. 88 in column 6. The order be complied **within four months** from the date of this order.

4. In prayer clause 7 (b) at P.B., Pg. No. 8 which is below:-

*“B. Direct the respondents to refund of Rs. 76,673/- which was illegally recovered from the pension of the applicant due to wrong fixation and Rs. 41,061/- which is alleged to be excess payment made due to wrong fixation, together with interest.”*

5. The respondents are directed to revisit fixation of pay of applicant and if there is wrong calculation due to wrong fixation. Amount recovered due to that be refunded back to the applicant.

6. With the above directions, **O.A. is disposed of with no order as to costs.**

**Vice**

**Chairman**

**Date:-03/08/2020.**

aps.

**O.A.No.963/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :03/08/ 2020.**

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. counsel for the applicant has earlier filed Rejoinder. Today, the Id. P.O. has filed reply for Rejoinder. It is taken on record. Copy is served to the other side.

3. It appears that Rejoinder filed by the Id. counsel for the applicant is not in the file, office is directed to place the Rejoinder copy in the file.

4. **S.O. 20.08.2020.**

**Chairman**  
**Date:-03/08/2020.**  
aps.

**Vice**