

O.A. 418/2018 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

Shri S.N. Gaikwad, 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. two weeks** for filing reply.

**Member (J).**

dnk.

O.A. 751/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

None for the applicant. Shri S.A. Sainis,  
Id. P.O. for R-1 to 3. None for other  
respondents.

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

**Member (J).**

dnk.

O.A. 142/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

None for the applicant. Shri H.K. Pande, Id. P.O. for the respondents.

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

**Member (J).**

dnk.

O.A. 159/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

Shri G.G. Bade, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

**Member (J).**

dnk.

O.A. 234/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

None for the applicants. Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2&3.

**S.O. three weeks** for filing service affidavit.

**Member (J).**

dnk.

O.A. 142/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

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

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

**Member (J).**

dnk.

O.A. 1024/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

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

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

**Member (J).**

dnk.

O.A. 1062/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

Shri G.N. Shinde, 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. four weeks** for filing reply.

**Member (J).**

dnk.



(S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

**C.A. 31/2022 in O.A. 07/2022 -**

Heard Shri S.N. Gaikwad, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 3, Shri G.K. Bhusari, Id. counsel for R-4 and Shri D.M. Kale, Id. counsel for Intervener. The C.A. is allowed.

**S.O. 02/02/2022.**

**Lateron -**

Shri A.M. Khadatkar, Id. P.O. for R-1 to 3 appears and requested for one week for filing reply. He further submits that he will inform to the other Id. counsel for parties.

At the request of Id. P.O., **S.O. 8/2/2022.**

Put up along with O.A. 08/2022.

**Member (J).**

dnk.

O.A. 08/2022 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

Heard Shri N.R. Saboo, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1&2 and none for other respondents.

At the request of Id. P.O., **S.O.**  
**08/02/2022** for filing reply.

Put up along with O.A. 07/2022.

**Member (J).**

dnk.

**O.A. 1001/2018 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

None for the applicant. Heard Shri M.I. Khan, Id. P.O. for R-1 to 9. Await service of R-10.

2. As per the submission of Id. P.O., reply of R-1 to 9 is already filed on record and it is sufficient for other respondents.

3. Await service of R-10.

**S.O. four weeks.**

**Member (J).**

dnk.

O.A. 942/2018 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

Heard Mrs. P.R. Arbat, Id. counsel for applicant, Shri A.M. Ghogre, Id. P.O. for R-1&2 and none for R-3.

The reply of R-2 is already filed on record.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for R-1&2.

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

**Member (J).**

dnk.

O.A. 913/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

Heard S.K. Hatwar, Id. counsel for applicant, Shri V.A. Kulkarni, Id. P.O. for R-1 and Smt. J.J. Alkari, Id. counsel for R-2 to 5.

With the consent of Id. counsel for both the parties, **S.O. after two weeks.**

**Member (J).**

dnk.

O.A. 09/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

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

With the consent of Id. counsel for both the parties, **S.O. 08/02/2022.**

**Member (J).**

dnk.

**O.A. 968/2020 (S.B.)**

( Dr. A.V. Kadu & ors. Vs. State of Mah. & ors.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

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

2. The learned counsel for the applicants pointed out the Judgment of this Tribunal in O.A. 976/2019 & Other connected O.As., delivered on 28/09/2020 and prayed in the present O.A. as follows –

*“9 (i) To direct the respondents to release annual increments of applicant nos.1 to 3 due on 1/7/2020 and annual increments of applicant nos.4&5 due on 1/7/2019.*

*(ii) To allow O.A. and further be pleased to direct the respondents to refix their pension & other consequential benefits in computing retiral benefits based on their last drawn salary.*

*(iii) To grant any other remedy if this Tribunal deems fits.”*

3. The learned P.O. submitted that the representations of applicants are pending before the respondents. Hence, the respondents are directed to decide the representations of applicants within two weeks according to the

Judgment passed by this Tribunal on 28/9/2020  
in O.A. 976/2019 and other connected O.As..

**S.O. 17/02/2022.**

Steno copy is granted...

**Member (J).**

dnk.



**O.A. 950/2021 (S.B.)**

( R.C. Katre Vs. State of Mah. & Ors. )

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

Heard Mrs. Charlewar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned counsel for applicant pointed out the letter dated 27/10/2020 (Annex-A-2,P-16) issued by the Tahsildar, Goregaon to the A.G.- II, Nagpur.

3. The A.G.-II, Nagpur is directed to decide the pension case of the applicant within a period of one month.

4. In that view of the matter, the O.A. is disposed off. No order as to costs.

5. The applicant is at liberty to file fresh O.A., if he is aggrieved by the order of A.G., Nagpur.

**Member (J).**

dnk.

**O.A. 1026/2021 (S.B.)**

( Dr. G. H. Tiwari Vs. State of Mah. & Ors.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 01/02/2022.**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1&2 and Anshu Deshpande, Id. counsel for R-3.

2. On earlier date following order was passed –

*“(2) Learned CPO has placed on record communication dated 17/1/2022 to contend that the applicant was not State Government employee and hence the application will not be maintainable.*

*(3) Learned counsel for the applicant seeks time to take instructions.*

*(4) On behalf of respondent no.3 also, time is sought. S.O. one week.”*

3. Heard learned counsel for the applicant. As per his submission, the applicant is a retired employee of Private College. The Private College was having Government grants, therefore, he is a Government employee.

4. On the other hand, the Id. CPO has submitted that the applicant is not a Government employee. He is a retired employee of Private

College and for that separate forum is provided for the dispute arising out of the Private Colleges, i.e., the Hon'ble High Court and therefore this Tribunal has no jurisdiction.

5. There is no dispute that the applicant was employee of Private College aided by the Government by providing grants. Only because the Government has provided the grants that does not mean that the applicant is a employee of State Government. Therefore the applicant cannot approach to this Tribunal. Hence, the O.A. is disposed off. No order as to costs.

6. However, the applicant is at liberty to approach to the proper forum. He is also at liberty to make representation as deems fit.

**Member (J).**

\*\*dnk.

O.A.No.265/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

Heard Shri N.R.Shiralkar holding for Shri V.G.Wankhede, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State. Await service of R-2 to 5.

2. At the request of Id. counsel for the applicant, **S.O. one week to file service affidavit.**

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

O.A.No.165/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

None for the applicant. Shri A.P.Potnis, the  
Id. P.O. for the Respondents.

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

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

O.A.No.228/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

Heard Shri S.Wahane, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State. Await service of R-2 to 6.

2. The Id. counsel for the applicant submits that service affidavit has been already filed on 17.12.2021. However, Id. P.O. desires two weeks time to file reply, **S.O. two weeks.**

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

**O.A.No.731/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

Heard Smt. M.D.Awachat, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents. None for R-4.

2. The Id. P.O. further seeks three weeks time to file reply, **S.O. three weeks.**

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

O.A.Nos.971&972/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

None for the applicant. Shri V.A.Kulkarni, the  
Id. P.O. for the Respondents.

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

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**



O.A.Nos.168,169&170/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

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

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

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

O.A.No.495/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

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

2. As submitted by Id. counsel for the applicant, provisional pension has been already started to the applicant. At the request of Id. P.O., **S.O. four weeks to file reply.**

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

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

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

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

2. The Id. P.O. has filed reply of respondent no. 4. It is taken on record. Copy is served to the other side.

3. He further seeks time to file reply of respondent nos. 2 & 3. However, it is directed to take instructions that whether respondent nos. 2 & 3 are going to adopt reply of R-4.

4. **S.O. four weeks.**

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

O.A.No.1082/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

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

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

O.A.No.1138/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

There is a leave note of Id. Counsel for the applicant. Shri A.M.Ghogre, the Id. P.O. for the Respondents.

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

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

**C.A.66/21inC.P.38/19inO.A.434/15 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

Heard Shri N.R.Saboo, the Id. Counsel for the applicant, Shri V.A.Kulkarni, the Id. P.O. for the Respondents and Shri Laxman Manak Patil, Divisional Forest Officer, Washim personally present.

2. During last hearing on 18.01.2022; they have filed the correspondence and submitted that as per order dated 07.03.2019, they are in the process of complying the order. Today, D.F.O., Washim submits that all the formalities have been completed and proposal has been pending with Hon'ble Chief Minister Office from 25.01.2022.

3. Respondents are directed that considering the detailed order passed in this case on 26.02.2021 and 18.01.2022 order be complied within 10 days time.

4. **S.O. 14.02.2022.**

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

**O.A.No.978/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/2022.**

**C.A.No.21/2022:-**

Heard Shri S.P.Palshikar, 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 has filed C.A. No. 21/2022 and as submitted by Id. counsel for the applicant, prayer clause III on C.A. has been allowed, for other prayer C.A. is kept pending. The Id. counsel for the applicant is directed to add Additional Treasury Officer, Nagpur within one week time and office is directed to issue notice on C.A. as well as on O.A. both to the newly added respondent.

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

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

**O.A.No. 109/2022 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

**C.A.No. 34/2022:-**

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

**2. C.A.No.34/2022 for Jt. O.A. is allowed and disposed of.**

**3. The Id. P.O. is further directed to take necessary instructions within one week.**

**4. S.O. Monday i.e. 07.02.2022.**

**Member(J)  
Date:-01/02/2022.  
aps.**

**Vice Chairman**



**O.A.No.709/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/2022.**

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 correspondence dated 31.01.2022 by Deputy Director Education, Nagpur which is marked exh. "X" for the purpose of identification.

3. In the last para of the said letter on page no. 1 it has mentioned that "i fdz k pkyw/kg". However, this letter has been written by respondent no. 3 only, but it appears that concrete steps have not been taken.

4. In view of this, respondent no. 3 is directed to depute any 'Special Person' to follow with the 'Treasury Office, Bhandara' and get the process completed within two weeks time.

5. **S.O. 16.02.2022.**

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

**C.P.No.37/2021inO.A.No.959/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant, Shri H.K.Pande, the Id. P.O. for the Respondents and Mrs. U.A.Patil, the Id. counsel for the R-3.

2. The Id. counsel for the respondent no. 3 submits that they have preferred appeal before Hon'ble High Court against the order of M.A.T. which was mentioned in the order dated 20.12.2021 and Id. counsel for the respondent no. 3 was directed to submit the progress of the Writ Petition.

3. Today, the Id. P.O. submits the copy of Writ Petition and on perusal of which it appears that Writ Petition was filed on 24.09.2021 but till now it is not come for admission also. Subsequent to that Id. counsel for the respondent no. 3 submits that she has tried twice to circulate the matter but it was not listed due to only urgent matter is going on in Hon'ble High Court due to Covid guidelines. The Id. counsel for Respondent no. 3 i.e. V.I.D.C. has not submitted the copy of the said Writ Petition. The Id. counsel for respondent no. 3 is directed to file the copy of the said Writ Petition.

4. The Id. P.O. as well as Id. counsel for the respondent no. 3 are directed to ensure that matter

should be listed on board, if it is not listed, then matter will heard on merit.

5. **S.O. 17.02.2022.**

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**

O.A.No.112/2022 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 01/02/ 2022.**

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

2. The Id. C.P.O. relied on Judgment in O.A. No. 1029/2021 delivered on 22.11.2021 of this Bench only. The main issue involved is that advertisement is dated 30.11.2019 for the post of Police Constable (Driver), the issue is regarding interpretation of para no. 11.10 of the said advertisement which is reproduced below:-

"menokjl ¼1½ftYgk i syhl nykrty i syhl vk; Ør@i syhl v/kh{kcd ; kb; k vLFlki usjhy i syhl f'ki kbZ pkyd] ¼2½ ylgelxZ i syhl nykrty i syhl f'ki kbZ pkyd o ¼3½ jkT; i syhl cykrty I 'kL= i syhl f'ki kbZ i nkl kBh , d v'kk , dmk i nkl kBh rhu vkonsu vtZ I knj djrk ; rhy- efgyk menokjauk jkT; jk[kho i syhl cykrty I 'kL= i syhl f'ki kbZ i nkl kBh vkonsu vtZ I knj djrk ; skj ukgh-

, dlp i syhl ?kVdkrty , dlp i nkl kBh , dki §kk tkLr vtZ I knj djrk ; skj ukghr¼mnkj .kkFK& i syhl vk; Ør] cgllæpbZ ; kb; k vLFlki usjhy i syhl f'ki kbZ pkyd i nkl kBh , dki §kk tkLr vtZ Hkjrk ; skj ukghr fdæk jkT; jk[kho i syhl cykrty , dlp xVkr I 'kL= i syhl f'ki kbZ i nkl kBh , dki §kk tkLr vtZ Hkjrk ; skj ukghr½ tj , dk menokjus , dlp i syhl ?kVdkrty , dlp i nkl kBh , dki §kk vf/kd vtZ dsysys vlgv vI s vk<Guu vkysrj v'kk menokj kph menokjh jna dsh tkbÿ."

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

10. Since the matter pertains to recruitment, Id. C.P.O. is directed to file the reply positively.

**Member(J)**  
**Date:-01/02/2022.**  
aps.

**Vice Chairman**