

O.A.No.471/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

Heard Shri J.S.Wankhede, holding for Shri A.Joshi, ld. counsel for the applicant, Shri V.A.Kulkarni, ld. P.O. for the respondents 1 & 2 and Shri S.N.Gaikwad, ld. counsel for respondent no.3.

2. Learned P.O. has placed on record communication dated 30.06.2003 whereby order of transfer of the applicant has been modified, by cancelling the impugned order extension of one year is granted to her. **In view of this development nothing survives in the O.A. The O.A. is accordingly disposed of. No order as to costs.**

Member (J).

rsm.

O.A.No.544/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

Heard Shri P.A.Kadu, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. It is submitted on behalf of the applicant that grievance of the applicant has been redressed and nothing survives in the O.A.. **In view of this submission the O.A. is disposed of. No order as to costs.**

Member (J).

rsm.

O.A.No.644/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

Heard Shri S.N.Gaikwad, holding for Shri G.K.Bhusari, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. Learned counsel for the applicant seeks time of one week to make compliance.

3. **S.O. one week.**

Member (J).

rsm.

O.A.No.680/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

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

2. It is submitted that the respondents are served.
3. Learned P.O. seeks time of three weeks to file reply.
4. **S.O. three weeks.**
5. Interim order to continue till filing of reply.

Member (J).

rsm.

O.A.No.681/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

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

2. It is submitted that the respondents are served.
3. Learned P.O. seeks time of three weeks to file reply.
4. **S.O. three weeks.**
5. Interim order to continue till filing of reply.

Member (J).

rsm.

O.A.No.718/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

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

2. It is submitted that the respondents are served.
3. Learned P.O. seeks time of three weeks to file reply.
4. **S.O. three weeks.**
5. Interim order to continue till filing of reply.

Member (J).

rsm.

O.A.No.719/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

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

2. It is submitted that the respondents are served.
3. Learned P.O. seeks time of three weeks to file reply.
4. **S.O. three weeks.**
5. Interim order to continue till filing of reply.

Member (J).

rsm.

C.A.No.334/2023 in O.A.No.682/2023 with C.A.No.335/2023 in O.A.No.683/2023 with
C.A.No.336/2023 in O.A.No.684/2023 with C.A.No.337/2023 in O.A.No.685/2023 with
C.A.No.338/2023 in O.A.No.687/2023 with C.A.No.339/2023 in O.A.No.688/2023 with
C.A.No.340/2023 in O.A.No.690/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

COMMON ORDER

Heard Shri N.R.Saboo, ld. counsel for the applicants and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. In this batch of Original Applications, on 03.07.2023 following interim order was passed-

5. It is not disputed that these applicants were due for transfer but the fact remains that no options appear to have been called from them and Civil Services Board does not appear to have been constituted for the purpose. In this factual background case is made out to stay the effect and implementation of the impugned order dated 30.06.2023 to the extent of these four applicants till the returnable dated i.e. 17.07.2023. It is accordingly stayed.

3. All these matters were made returnable on 17.07.2023. Thereafter, the applicants filed Civil Applications in these matters seeking directions to the respondents to permit them to discharge their duties on their existing post.

4. The basis for seeking direction as above is common order dated 11.07.2023 passed in a batch of Original Applications by this Bench.

5. It is the contention of the respondents that before the interim order dated 03.07.2023 could be communicated to the respondents all the applicants in this batch of Original Applications were already relieved.

6. It is submitted by learned Advocate for the applicants that so far no person has been posted on the post presently held by any of the applicants.

7. In view of facts of these Original Applications interim order like the one passed in a batch of Original Applications on 11.07.2023 deserves to be passed. Hence, the order.

ORDER

1. Till the returnable date i.e. 25.07.2023 the respondents shall permit the applicants to discharge their duties on their existing post.
2. It is clarified that if appointment or transfer has been made in place of any applicant and said person has been relieved from his earlier post prior to passing of this order, the said applicant would be liable to be relieved from his existing post.
3. All C.As. are disposed of.

**O.A.No.682/2023 with O.A.No.683/2023 with O.A.No.684/2023 with O.A.No.685/2023
with O.A.No.687/2023 with O.A.No.688/2023 with O.A.No.690/2023**

8. **S.O. 25.07.2023.**

9. **Steno copy is granted.**

Member (I).

rsm.

O.A.No.682/2020 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

Heard Shri D.P.Dapurkar, holding for Shri V.A.Kothale, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondent no.1. None for the respondent no.3.

2. **S.O. 24.07.2023.**

Member (J).

rsm.

O.A.No.38/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

Heard Shri R.A.Bagde, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Learned P.O. seeks time to file written notes of arguments.

3. **S.O. 24.07.2023.**

Member (J).

rsm.

O.A.No.707/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 14/07/2023.

Heard Shri D.P.Dapurkar, ld. counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

S.O. 24.07.2023.

Member (J).

rsm.

O.A.No.751/2023 (D.B.)

Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.

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

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

Vice Chairman

Date:-14/07/2023.
aps.

O.A.No.564/2022 (D.B.)

Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.

Heard Shri S.N.Gaikwad holding for Shri M.L.Vairagade, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. three weeks to file reply.**

Vice Chairman

Date:-14/07/2023.
aps.

O.A.No.768/2022 (D.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

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

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

Vice Chairman

Date:-14/07/2023.
aps.

O.A.No.290/2023 (D.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

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

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

Vice Chairman

Date:-14/07/2023.
aps.

O.A.No.442/2023 (D.B.)

Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.

Heard Shri N.Lade, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the State.

2. Issue fresh notice to Respondents 2 & 3, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

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

Vice Chairman

Date:-14/07/2023.

aps.

O.A.No.566/2023 (D.B.)

Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.

Heard Shri I.A.Fidvi, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. Ld. C.P.O. pointed out order dated 26.09.2014. On the same day resignation of applicant was accepted. Ld. C.P.O. submits that O.A. is barred by limitation.

3. Applicant is directed to point out as to how O.A. is within limitation, **S.O. 04.08.2023.**

Vice Chairman

Date:-14/07/2023.
aps.

O.A.No.370/2020 (D.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 20.07.2023.**

Vice Chairman

Date:-14/07/2023.
aps.

O.A.Nos.767&768/2023 (S.B.)

Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.

Heard Shri N.R.Saboo, ld. counsel for the applicants and Shri S.A.Deo, ld. C.P.O. for the State.

2. He has pointed out order passed by this Tribunal in O.A. No. 692/2023 with connected matters order dated 11.07.2023 and order passed by M.A.T. Aurangabad Bench in O.A. No. 550/2023 & Ors. order dated 06.07.2023.

3. These O.As. be tagged along with O.A. No. 692/2023 with connected matters which are fixed on 25.07.2023.

4 Issue notice to the respondents returnable on 25.07.2023. Till the returnable date the respondents shall permit the applicants to discharge their duties on their existing posts.

5 It is clarified that if appointment or transfer has been made in place of any applicant and said person has been relieved from his earlier post prior to passing of this order, the said applicant would be liable to be relieved from his existing post.

6 Learned C.P.O. waives notice for State.

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

8 The 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. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

12 **S.O. 25.07.2023.**

13 **Steno copy and Hamdast is allowed.**

Vice Chairman

Date:-14/07/2023.

aps.

O.A.No.142/2020 (S.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

Heard Shri D.G.Dhoble, ld. counsel for the applicants and Shri S.A.Deo, ld. C.P.O. for the State.

2. S.O. 17.07.2023.

Vice Chairman

Date:-14/07/2023.
aps.

O.A.No.491/2021 (S.B.)

Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.

Heard Shri P.R.Ramteke holding for Shri M.R.Khan, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the Respondents. Await service of R-2 & 3.

2. As per the submission of Id. Counsel for the applicant, respondents are served.

3. **S.O. after four weeks to file reply.**

Vice Chairman

Date:-14/07/2023.

aps.

O.A.No.527/2021 (S.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

Heard Shri P.R.Ramteke, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. **S.O. one week to file reply as a last chance.**

Vice Chairman

Date:-14/07/2023.
aps.

O.A.Nos.161&162/2023 (S.B.)

Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.

Heard Smt. N.S.Pathan, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents. Shri T.M.Zaheer, ld. Counsel for the R-2 & 3 in O.A. No. 161/2023.

2. **S.O. 28.07.2023 to file reply.**

Vice Chairman

Date:-14/07/2023.
aps.

O.A.No.514/2023 (S.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

Heard Shri D.P.Dapurkar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. **S.O. 21.07.2023 to file reply as a last chance.**

Date:-14/07/2023.
aps.

Vice Chairman

O.A.No.627/2017 (S.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. **S.O. 27.07.2023.**

Vice Chairman

Date:-14/07/2023.
aps.

O.A.Nos.1043&1044/2019 (S.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. **S.O. 18.07.2023.**

Vice Chairman

Date:-14/07/2023.
aps.

O.A.No.390/2021 (S.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

Heard Shri S.U.Ambagade, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. **S.O. 26.07.2023.**

Vice Chairman

Date:-14/07/2023.
aps.

O.A.Nos.50&317/2023 (S.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. **S.O. 19.07.2023.**

Vice Chairman

Date:-14/07/2023.
aps.

O.A.No.104/2023 (S.B.)

**Coram:ShriJustice M.G.Giratkar,Vice Chairman
Dated :14/07/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. **S.O. 19.07.2023.**

Vice Chairman

Date:-14/07/2023.
aps.