

O.A. 702/2016 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

Shri N.R. Saboo, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. counsel for the applicants, **S.O. one week.**

**Vice-Chairman**

dnk.

O.A. 682/2017 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

Shri D.R. Karnik, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. in the 1<sup>st</sup> week of January,2020.**

**Vice-Chairman**

dnk.

O.A. 791/2017 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1. None for R-2 to 4.

At the request of Id. counsel for the applicant, **S.O. in the 1<sup>st</sup> week of January,2020.**

**Vice-Chairman**

dnk.

O.A. 189/2019 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

None for the applicant. Shri M.I. Khan, Id. P.O. for R-1&2 and Shri N.R. Saboo, Id. counsel holding for Shri H.D. Marathe, Id. counsel for R-3 to 7.

At the request of Id. counsel for R-3 to 7,  
**S.O. in the 1<sup>st</sup> week of January,2020.**

**Vice-Chairman**

dnk.

O.A. 116/2018 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

Shri S.M. Khan, Id .counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1 and Shri N.R. Saboo, Id. counsel holding for Shri H.D. Marathe, Id. counsel for R-2&3..

At the request of Id. counsel for R-2&3,  
**S.O. in the 1<sup>st</sup> week of January,2020.**

**Vice-Chairman**

dnk.

**O.A. 849/2018 (S.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

Heard Shri M.R .Joharapurkar, 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 the respondents. It is taken on record. Copy is served on the applicant.

**Heard. Admit.**

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

In the meantime, the applicant is at liberty to file rejoinder, if any.

**S.O. 7/1/2020.**

**Vice-Chairman**

dnk.

O.A. 941/2018 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

None for the applicant. Shri M.I. Khan, Id.  
P.O. for the respondents.

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

**Vice-Chairman**

dnk.

O.A. 68/2019 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

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

At the request of Id. P.O., **S.O. 10/1/2020** for filing reply.

**Vice-Chairman**

dnk.



O.A. 347/2019 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

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

The Id. P.O. files reply on behalf of R-3.  
It is taken on record.

**Heard. Admit.**

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

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

**Vice-Chairman**

dnk.

O.A. 595/2019 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

None for the applicant. Shri M.I. Khan, Id.  
P.O. for the respondents.

The learned P.O. submitted that as per  
the order dated 18/11/2019 the pursis copy  
dated 28/12/2017 has not been given by the Id.  
counsel for the applicant till today.

The learned P.O. files reply on behalf of  
R-3. It is taken on record. He submits that reply  
of R-3 is sufficient to decide the matter.

**Heard. Admit.**

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

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

**Vice-Chairman**

dnk.

O.A. 603/2019 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

Shri S. Wahane, Id .counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O.**  
**16/12/2019** for filing reply.

**Vice-Chairman**

dnk.

O.A. 809/2019 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

Shri S. Pande, Id. counsel for the applicant. Shri M.I. Khan, Id. P.O. for the respondents.

The learned P.O. files reply on behalf of the respondents. It is taken on record. Copy is served on the applicant.

**Heard. Admit.**

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

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

**Vice-Chairman**

dnk.

**O.A. 815/2019 (S.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

Heard Shri N.D. Thombre, Id .counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1&2. None for R-3.

2. The applicant was suspended vide order dated 19/09/2016 (A-1,P-15) and after the MAT, Nagpur Bench Judgment in O.A.716/2016 decided on 19/7/2018, the applicant was reinstated as per the order dated 15/9/2018 (A-3,P-22), however, the applicant's suspension period is yet to be decided. The suspension period appears to be quite long and in the interest of justice the respondents must decide the applicant's representation dated 15/04/2019 within one month (10/01/2020) from the date of this order. If the respondents fail to decide the application within four weeks, the applicant's suspension period will be treated as duty period.

3. With this direction, the O.A. stands disposed of. No order as to costs.

**Vice-Chairman**

dnk.

(S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

**Rev.A. 26/19 in O.A. 1004/18, Rev.A. 27/19 in  
O.A.1005/18 & Rev.A.28/19 in O.A.1006/18 -**

Shri N. Majethia, Id .counsel for the  
applicants and Shri S.A. Sainis, Id .P.O. for  
R-1,4&5. Await service of R-2&3.

**S.O. 8/1/2020.**

**Vice-Chairman**

dnk.

O.As. 126/2015 & 189/2015 (S.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

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

At the request of Id. P.O., **S.O. After  
Vacation.**

**Vice-Chairman**

dnk.

**O.A. 176/2018 (S.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

Shri R.V. Shiralkar, Id .counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned P.O. pointed out that along with this O.A., there is one other similar O.A. No.302/2018.

3. The Registry is directed to keep this matter along with the O.A. No.302/2018 on the next date of hearing.

**S.O. 8/1/2020.**

**Vice-Chairman**

dnk.



**O.A. 973/2019 (S.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman.**

**Dated : 10/12/2019.**

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

2. As submitted by the learned counsel for the applicant that the applicant retired on 30/06/2014 on superannuation and the impugned order dated 16/10/2019 (P-134) is issued by the Government of Maharashtra, Public Health Department by which the punishment has been awarded to the applicant which is at page no.138 in para-7.

3. Being aggrieved with this punishment, the applicant has approached to this Tribunal. The learned CPO pointed out that in para-7 at Page no.138 in the punishment the appeal has been provided, however, I feel that this appeal may not be very effective to give justice to the applicant. The learned counsel for the applicant has pointed out that the Inquiry Officer has given final report at page no.109, in which it appears that there were three delinquents one of them was the applicant also and there were 4 charges against the applicant, The Inquiry Officer has

made remarks that all the 4 charges are not proved.

4. The Id. CPO has pointed out the observations in para nos.4,5& 6 at page no.137 of the Government order dated 16/10/2019, it appears that the respondents authorities have recorded the reasons of disagreement with the report of the Inquiry Officer as per Clause 9 (2) at page no.59 of the Maharashtra Civil Services (Discipline & Appeal) Rules,1979. In para-5 it appears that regarding other two members the GAD of Government of Maharashtra had submitted the proposal to the MPSC since they were Class-I Officers and as per modification suggested by the MPSC, the modified orders of punishment has been awarded to the delinquent nos.1&2. The reasons of the disagreement have been recorded in point nos. 1 to 4 at page nos.135 & 136 of the Government order.

5. In view of the procedure followed by the disciplinary authority regarding disagreement with the Inquiry Officer in para nos.3,4&5 (page nos.135&136) it is not appropriate to grant any interim relief.

6. Issue notice to R-2 & 3, returnable on **10/01/2020**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

8. 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.

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 be consigned to record.

**S.O. 10/01/2020..**

**Vice-Chairman**

dnk.  
\*\*\*\*

O.A.No.126/2017 (SB)

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

**Dated : 10.12.2019**

1. None appears for the applicant. Shri V.A.Kulkarni Id. P.O. for the respondent nos.1 & 4, and Shri N. Majithia Id. Advocate for respondent no.2 and 3.

2. None is present for the applicant. The matter was on board on 09-10-2012. On request of learned Advocate for the applicant as per her convenience, the matter was kept for hearing today.

3. Today, applicant and his counsel are absent. There appears no reason to adjourn the matter. Hence the case is dismissed in default. No order as to costs.

**Member (J)**

**LATER ON**

4. Shri I.S.Charlewar Id. Advocate for the applicant appeared. Shri V.A.Kulkarni Id. P.O. for the respondent nos.1 & 4, and Shri N. Majithia Id. Advocate for respondent no.2 and 3 are also present.

5. Ld. Advocate for the applicant prays for setting aside the order of dismissal passed in

the morning session as he was unable to attend the Tribunal. In view of his submission order dated 10-12-2019 dismissing the O.A. is set aside and O.A. is restored to file.

6. Ld. Advocate for the applicant submitted that his claim is based on G.R. dated 20-07-2004. After reading this G.R. it seems that this G.R. is made applicable to the private schools, secondary schools in the State of Maharashtra.

7. Further, it appears that, by virtue of G.R. dated 03-06-2000, pay scale is awarded to the applicant. It seems that the applicant was promoted in the year 2008 as Bock Education Officer, Panchayat Samiti Nandgaon Khandeshwar and he was brought in Class-II cadre.

8. In these circumstances, the applicant is directed to produce G.R. by virtue of it he is entitled to claim the Selection Grade.

9. Matter be treated as part heard.

10. S.O. to 10-01-2020.

**Member (J)**

yuk

O.A.596/2017 WITH O.A.597/2017 **(SB)**

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

**Dated : 10.12.2019**

Shir Kelele Id. Advocate holding for Shri  
P.C.Marpakwar Id. Advocate for the applicant  
and Shri A.M.Ghogre & A.M.Khadatkar, Id.  
P.Os. for the respondents.

At the request of Id. Advocate for the  
applicant, S.O. 08-01-2020.

**Member (J)**

yuk

M.C.A.65/2019 IN O.A.783/2017 **(SB)**

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

**Dated : 10.12.2019**

Shri P.S.Patil learned Advocate for the applicant and Shri S.A.Sanis, Id. P.O. for the respondents.

M.C.A.No.65/2019 is allowed.  
O.A.No.783/2017 be restored to file. It be taken up for hearing on 10-01-2020.

**Member (J)**

yuk

O.A.No.421/2016 (SB)

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

**Dated : 10.12.2019**

Shri R.V.Shiralkar learned Advocate for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

At the request of Id. P.O. for filing reply, S.O. 08-01-2020.

**Member (J)**

yuk



O.A.No.715/2018 (SB)

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

**Dated : 10.12.2019**

Shri P.V.Thakre learned Advocate for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

Learned P.O. has filed affidavit in reply on behalf of respondent nos.1 to 5. O.A. is admitted. It be kept for final hearing on 13-01-2020.

Applicant is at liberty to file rejoinder, if necessary.

S.O. 13-01-2020.

**Member (J)**

yuk

O.A.No.574/2019 (SB)

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

**Dated : 10.12.2019**

Shri N.R.Saboo learned Advocate for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

Ld. Advocate for the applicant submitted that respondent nos.3 and 4 are served and he would file their acknowledgment tomorrow.

Two weeks' time is granted to the applicant to produce acknowledgment.

S.O. two weeks.

**Member (J)**

yuk

O.A.No.588/2019 (SB)

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

**Dated : 10.12.2019**

Shri P.S.Patil learned Advocate for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents.

Ld. P.O. requested time for filing reply.  
Time is granted.

S.O. to 10-01-2020.

**Member (J)**

yuk

O.A.No.731/2019 (SB)

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

**Dated : 10.12.2019**

Shri N.D.Thombre learned Advocate for the applicant and Shri H.K.Pande, Id. P.O. for the respondent nos.1 to 3. None appears for respondent no.4.

Ld. P.O. requested time for filing reply. Time is granted.

S.O. to two weeks.

Objection is not removed.

**Member (J)**

yuk

O.A.No.764/2019 (SB)

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

**Dated : 10.12.2019**

Shri P.S.Patil learned Advocate for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

Ld. P.O. requested time for filing reply.  
Time is granted.

S.O. to 10-01-2020.

**Member (J)**

yuk

O.A.No.816/2019 (SB)

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

**Dated : 10.12.2019**

None appears for the applicant. Shri  
P.N.Warjurkar, Id. P.O. for the respondents.

Ld. P.O. states that he has received  
parawise remarks of respondent no.2 and he  
requested 2 weeks' time to file reply.

Office objection is not removed.

S.O. 2 weeks.

**Member (J)**

yuk

O.A.No.932/2019 (SB)

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

**Dated : 10.12.2019**

Shri A.P.Sadavarte learned Advocate for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

Ld. P.O. requested time for filing reply. Time is granted.

S.O. 4 weeks.

**Member (J)**

yuk

O.A.No.445/15, 446/15 & 447/15 (SB)

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

**Dated : 10.12.2019**

None appears for the applicants in all the O.As. Shri A.M.Ghogre, A.P.Potnis & Shri H.K.Pande, Id. P.Os. for the respondent nos.1 to 3 & 5 in respective cases.

Since none is present for the applicant,  
S.O. 14-01-2020.

**Member (J)**

yuk



O.A.No.421/2016 (SB)

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

**Dated : 10.12.2019**

1. Shri R.V.Shiralkar learned Advocate for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.
2. At the request of Id. P.O., S.O. to 08-01-2020.

**Member (J)**

yuk

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

**Dated : 10.12.2019**

1. Shri A.B.Mirza learned Advocate for the applicant and Shri V.A.Kulkarni, Id. P.O. for the respondents.
2. Vide order dated 30-12-2010, punishment was awarded to the applicant that amount of Rs.500/- per month be recovered every month from the pension of the applicant. This punishment was awarded to the applicant alleging that while performing duty as Naib Tahsildar, he committed misconduct during the election of Gram Panchayat of Village Shari, Tahsil Arni, Dist. Yavatmal. Accordingly, appellate authority allowed the appeal by order dated 30-10-2013 and quashed the order dated 30-12-2010. It is submission of the applicant that inspite of this order passed by the Appellate Authority till today pension and other dues of the applicant are not released.
3. Learned P.O. submitted that the order passed by the Disciplinary Authority is quashed by the Appellate Authority and now the applicant is exonerated from all the charges.
4. In this situation, O.A. is allowed. Applicant is directed to co-operate to the

respondents for complying the order. O.A.  
stands disposed of with no order as to costs.

**Member (J)**

yuk

O.A.No.432/17 (SB)

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

**Dated : 10.12.2019**

Shri A.M.Ghogre Id. P.O. for the applicants (Original Respondents) and Shri N.D.Thombre learned Counsel for the respondent (Original Applicant).

Learned Counsel for the applicant submitted that the connected matter which is pending before the Hon'ble Supreme Court is not yet listed, therefore, he prayed to adjourn the O.A.

Hence, S.O. to 28-01-2020.

**Member (J)**

yuk

O.A.No.498/17 (SB)

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

**Dated : 10.12.2019**

Shri A.P.Potnis Id. P.O. for the applicants (Original Respondents) and Shri N.D.Thombre learned Counsel for the respondent (Original Applicant).

Learned Counsel for the applicant submitted that the connected matter which is pending before the Hon'ble Supreme Court is not yet listed, therefore, he prayed to adjourn the O.A.

Hence, S.O. to 28-01-2020.

**Member (J)**

yuk

O.A.No.799/17 (SB)

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

**Dated : 10.12.2019**

Shri N.D.Thombre learned Counsel for the Applicant and Shri M.I.Khan Id. P.O. for the Respondents.

Learned Counsel for the applicant submitted that the connected matter which is pending before the Hon'ble Supreme Court is not yet listed, therefore, he prayed to adjourn the O.A.

Hence, S.O. to 28-01-2020.

**Member (J)**

yuk

O.A.No.986/18 **(SB)**

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

**Dated : 10.12.2019**

Shri N.D.Thombre learned Counsel for the Applicant and Shri V.A.Kulkarni Id. P.O. for the Respondents.

Learned Counsel for the applicant submitted that the connected matter which is pending before the Hon'ble Supreme Court is not yet listed, therefore, he prayed to adjourn the O.A.

Hence, S.O. to 28-01-2020.

**Member (J)**

yuk

O.A.345/2017 (D.B.)

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

**Dated : 10/12/2019.**

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

At the request of Id. counsel for the applicant, **S.O. 13-01-2020.**

**Member (J)**

**Vice-Chairman**

yuk.



O.A.830/2011 (D.B.)

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

**Dated : 10/12/2019.**

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

At the request of Id. counsel for the applicant, **S.O. after vacation.**

**Member (J)**

**Vice-Chairman**

yuk.

**C.A.280/2018 IN O.A.ST.1688/2018 (D.B.)**

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

**Dated : 10/12/2019.**

None appears for the applicant.  
Shri M.I.Khan, Id. P.O. for the respondents.

None is present for the applicant.  
Nobody appeared for the applicant on 05-11-  
2019 and 19-11-2019. Today also nobody has  
appeared for the applicant. Hence, the C.A. is  
dismissed in default.

**Member (J)**

**Vice-Chairman**

yuk.

O.A.786/2018 (D.B.)

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

**Dated : 10/12/2019.**

Shri N.R.Saboo, Id. counsel for the applicant and Shri S.A.Sanis, Id. P.O. for the respondents.

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

**Member (J)**

**Vice-Chairman**

yuk.

**C.A.129/2019 IN O.A.16/2019 (D.B.)**

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

**Dated : 10/12/2019.**

Shri A.D.Dangore, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

Learned P.O. files affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Copy served on the other side.

Learned P.O. requested time for filing reply of respondent no.3. Time is granted.

**S.O. 3 weeks.**

**Member (J)**

**Vice-Chairman**

yuk.

O.A.219/2019 (D.B.)

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

**Dated :** 10/12/2019.

Shri B.G.Kulkarni, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

Learned P.O. seeks time to file reply.  
Time is granted as a last chance.

**S.O. 2 weeks.**

**Member (J)**

**Vice-Chairman**

yuk.

**O.A.589/2019 (D.B.)**

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

**Dated : 10/12/2019.**

Shri V.D.Awchat, Id .counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

Respondent nos.2 and 3 have filed their affidavit in reply. Learned P.O. has submitted that it is not necessary to file reply of respondent no.1.

O.A. is admitted. Matter be kept for final hearing on 16-12-2019.

**S.O. 16-12-2019.**

**Member (J)**

**Vice-Chairman**

yuk.

O.A.607/2019 (D.B.)

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

**Dated :** 10/12/2019.

Shri D.S.Sawarkar, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

Learned P.O. seeks time to file reply.  
Time is granted. **S.O. one week.**

**Member (J)**

**Vice-Chairman**

yuk.

**O.A.697/2019 (D.B.)**

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

**Dated : 10/12/2019.**

Shri S.P.Palshikar, Id. counsel for the applicant, Shri H.K.Pande, Id. P.O. for the respondent nos.1 to 3 and Shri S.G.Jagtap and Shri N.R.Saboo learned Advocate for respondent nos.4 and 5 respectively.

Learned P.O. and Counsel appearing for respondent no.4 submitted that they would file reply in the course of the day.

**S.O. 08-01-2020.**

**Member (J)**

**Vice-Chairman**

yuk.



O.A.766/2019 (D.B.)

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

**Dated : 10/12/2019.**

Shri J.S.Wankhede, Id. counsel for the applicant and Shri Shrikant Dev, Id. C.P.O. for the respondents.

Learned CPO has submitted that he has received parawise comments and one week's time is required to file reply.

**S.O. 17-12-2019.**

**Member (J)**

**Vice-Chairman**

yuk.

O.A.785/2019 (D.B.)

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

**Dated : 10/12/2019.**

None is present for the applicant.  
Shri S.A.Sanis, Id. P.O. for the respondents.

Learned P.O. seeks 2 weeks' time to file  
reply. Time granted. , **S.O. 2 weeks.**

**Member (J)**

**Vice-Chairman**

yuk.

O.A.856/2019 (D.B.)

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

**Dated : 10/12/2019.**

Shri S.P.Palshikar, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

Learned P.O. desires to file reply and he requires 2 weeks' time. **S.O. 03-01-2020.**

**Member (J)**

**Vice-Chairman**

yuk.

**C.A.451/2019 IN O.A.971/2019 (D.B.)**

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

**Dated : 10/12/2019.**

1. Shri V.G.Palshikar, Id. counsel for the applicant and Shri Shrikant Dev, Id. P.O. for the respondents.
2. The matter pertains to recruitment of the year 2017 and horizontal reservation. The issue of horizontal reservation is governed by G.R. dated 13-08-2014. C.A. is filed for permission to file joint O.A. Permission granted. C.A. is allowed and disposed of.
3. Issue notice to the respondents returnable in 4 weeks.
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. 4 weeks.**

10. Steno copy and hamdust granted.

**Member (J)**

**Vice-Chairman**

yuk.

O.A.507/2018 (D.B.)

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

**Dated : 10/12/2019.**

Ld. Advocate N.R.Kanungo holding for Shri A.B.Bambal Id. Advocate for the applicant and Shri V.A.Khadatkar, Id. P.O. for the respondents.

Ld. P.O. seeks 2 weeks' time to file reply. Time is granted. **S.O. 2 weeks as a last chance.**

**Member (J)**

**Vice-Chairman**

yuk.

O.A.239/2019 (D.B.)

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

**Dated : 10/12/2019.**

1. Heard Shri P.S.Wathore, Id. counsel for the applicant and Shri S.A.Sanis, Id. P.O. for the respondents and Shri B.J.Lonare Id. Advocate for respondent no.5.
2. Learned P.O. files reply of respondent no.2.
3. Learned Counsel for the applicant submits that respondent no.2 be called upon to give clarification regarding their contention in paragraph 24 and 27. It is contention of the applicant that one SC candidate did not join the post and that post is vacant.
4. Learned P.O. is directed to make submission on this point.
5. Learned Counsel for the respondent nos.3, 5 and 7 submitted that he would file his reply on the next date. The matter is admitted for final hearing. It be kept on 07-01-2020.
6. In the meantime, respondent nos.3, 5 and 7 may file their reply.
7. S.O. to 07-01-2020.

**Member (J)**

**Vice-Chairman**

yuk.

**O.A.970/2019 (D.B.)**

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

**Dated : 10/12/2019.**

1. Shri A.A.Dhawas, Id. counsel for the applicant and Shri Shrikant Dev, Id. P.O. for the respondents.
2. Issue notice to the respondents returnable in 3 weeks.
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. 3 weeks.**

9. Steno copy and hamdust granted.

**Member (J)**

**Vice-Chairman**

yuk.

O.A.707/2015 (D.B.)

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

**Dated : 10/12/2019.**

1. Shri Bharat Kulkarni Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.
2. Learned P.O. is directed to take necessary instructions from the respondents whether common seniority list of Forest Guards of Chandrapur District and Gadchiroli District has been finalized by order dated 14-06-2017 (Annexure A-2, Page 17) and as mentioned in the said letter that 497 posts have been utilized or not.
3. Learned P.O. should take instructions and make submissions only on these two points on the next date.
4. S.O. to 17-12-2019.

**Member (J)**

**Vice-Chairman**

yuk.

**O.A.464/2018 (D.B.)**

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

**Dated : 10/12/2019.**

Shri T. Parmar, Id. counsel for the applicant, Shri V.A.Kulkarni, Id. P.O. for the respondents and Shri R.Joshi learned Counsel for respondent no.3.

Learned P.O. submitted that he is intending to file the record and 2 weeks' time is required for it.

**S.O. to 08-01-2020.**

**Member (J)**

**Vice-Chairman**

yuk.

O.A.806/2015 (D.B.)

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

**Dated : 10/12/2019.**

1. Shri S.P.Palshikar, Id .counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

2. Ld. P.O. has filed letter dated 10-10-2019 received from the Deputy Commissioner of Police, Nagpur City. In this letter, it is mentioned that preliminary enquiry was ordered and during the preliminary enquiry no co-operation was given by the applicant and he refused to make any statement before the officer who was conducting preliminary enquiry. In this circumstances, the said Enquiry Officer reported the matter to the disciplinary authority and recommended to award punishment to the applicant. In the letter, it is mentioned that it was not possible in law to award punishment and therefore, the preliminary enquiry proceedings was filed.

3. In view of this, we direct the Id. P.O. to make positive statement as to what decision is taken by the disciplinary authority, whether the authority is willing to initiate departmental enquiry or not. This information be given within 3 weeks.

4. S.O. 06-01-2020. Steno copy be supplied to learned P.O. at his request.

**Member (J)**

**Vice-Chairman**

yuk.

**O.A.370/2016 (D.B.)**

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

**Dated : 10/12/2019.**

Shri A.P.Tathod, Id. Senior Counsel for the applicant, Shri V.A.Khadatkar, Id. P.O. for the respondents and Shri D.B.Walthore learned Advocate for respondent no.5.

Learned P.O. submitted letter dated 17-11-2019 received from Section Officer, Public Health Department. In the letter, it is mentioned that 2 months time is required to comply the formalities.

In the interest of justice, matter be taken up for hearing on 27-01-2020.

**Member (J)**

**Vice-Chairman**

yuk.

