

**O.A. 591/2015 (S.B.)**

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

**Dated : 01/12/2021.**

**C.A. No. 25/2020 -**

Heard Shri D.B. Walthare, Id. counsel for the applicants and Shri A.P. Potnis, Id. P.O. for R-1.

2. At the request of Id. counsel for the applicants, issue fresh notice on C.A. to the respondents returnable **after four weeks.**

3. The learned P.O. waives notice for respondent no.1. Hamdast granted.

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 the C.A.

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 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.

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

**Member (J).**

dnk.

O.A. 216/2019 (S.B.)

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

**Dated : 01/12/2021.**

Shri D.M. Surjuse, 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. one week** for filing rejoinder.

**Member (J).**

dnk.

O.A. 964/2020 (S.B.)

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

**Dated : 01/12/2021.**

None for the applicant. Shri S.A. Sainis,  
Id. P.O. for R-1. Await service of R-2 to 4.

The Id. counsel for the applicant has not  
collected the hamdast for R-2 to 4.

**S.O. After Vacation.**

**Member (J).**

dnk.

O.As. 144,145 & 146 of 2021 (S.B.)

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

**Dated : 01/12/2021.**

None for the applicants. Shri S.A. Sainis, Id. P.O. and other Id. P.Os. for the respondents.

At the request of Id. P.Os., **S.O. one week** for filing reply.

**Member (J).**

dnk.

O.A. 230/2021 (S.B.)

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

**Dated : 01/12/2021.**

None for the applicant. Shri A.P. Potnis,  
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. 443/2021 (S.B.)**

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

**Dated : 01/12/2021.**

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

The Id. P.O. files reply of R-2&3. It is taken on record. Copy is given to the applicant. The Id. P.O. submits that it is sufficient to decide the matter.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for the respondents.

The Id. counsel for the applicant is at liberty to file rejoinder, if any.

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

**Member (J).**

dnk.

**O.A. 471/2021 (S.B.)**

**( Shrikant M. Ingole Vs. State of Mah. )**

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

**Dated : 01/12/2021.**

**ORDER**

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

2. The Id. P.O. files reply of R-3. It is taken on record. Copy is supplied to the Id. counsel for the applicants. The Id. P.O. submits that the reply of R-3 is sufficient to other respondents also.

3. The matter is admitted and kept for final hearing. The Id. P.O. waives notice for the respondents.

4. With the consent of both the parties, the matter is heard and decided finally.

5. The applicants and one Shri Sanjay Khandade are suspended as per the order dated 15/03/2020 at Annex-A-6.

6. In this case, one Isarael Kha Majid Kha lodged a report on 19/5/2018 against Maulana Sheikh Madar Sheikh Chand for the offences punishable under Sections 420,468 & 471 of IPC in the Police Station, Umarchhed. On 13/7/2018, the supply Inspector, Umarchhed also lodged the report under Sections 3&7 of Essential Commodities Act,1955 against the Secretary of Alkarimoddin Education Society, Darul Ulum, Sukali with the Police Station, Umarchhed.

7. On 15/3/2020, the accused in the above crime lodge the report with Police Inspector, Anti- Corruption Bureau alleging that one Shri Totawar, SDPO, Umarchhed and the applicants demanded the bribe from him for non submission of charge sheet and filling of "B" Summary report in the Court. On 15/3/2020, the offence under Sections

7&12 of the Prevention of Corruption Act have been registered against one Shri Vikas S. Totawar and the applicants. On the same day, the respondent no.3 issued the suspension order against the applicants on the ground that under Anti-Corruption Act, the offence has been registered against them.

8. On 17/6/2020, in case of Shri Vikas Totawar who was working as SDPO, the suspension order was issued by the respondent no.1. The respondent no.1 did not issue the charge sheet nor initiate the departmental enquiry against Shri Totawar, however, in case of the applicants the charge sheet was issued on 20/7/2020 and the departmental enquiry was initiated. On 22/10/2020, this Tribunal allowed the O.A. filed by Shri Vikas S. Totawar who is working as SDPO at relevant point of time and one of the accused in complaint filed by the complainant. This suspension order was revoked as per the order of this Tribunal and he was reinstated by respondent no.1.

9. It is further submitted that one of the delinquent Shri Sanjay E. Khandade who was Police Inspector, preferred the O.A.No. 367/2020 before this Tribunal. This Tribunal directed the respondents to revoke the suspension order dated 15/3/2020.

10. The O.A. is strongly opposed by the respondents. It is submitted that the applicants are getting subsistence allowance and after the result of departmental enquiry, they may get salary, if they are released from the charges levelled against them.

11. Heard learned counsel for the applicants. He has pointed out the orders passed by this Tribunal in O.A.No. 367/2020 and in O.A. No. 570/2020. This Tribunal has observed that the suspension of the delinquent was for more than 90 days. As per the G.R. dated 9/7/2019, the suspension cannot be continued more than 90 days if the charge sheet in departmental enquiry is not served to the delinquent employee. The Para-1 (i) of the G.R. dated 9/7/2017 is as under-

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12. The learned P.O. strongly opposed the prayer of the applicants. He submitted that the offence is registered against the applicants. The applicants may get their respective dues after completion of the enquiry and/ or if they are released from the charges.

13. From perusal of the order passed by this Tribunal in O.A.No. 367/2020 and in O.A. No. 570/2020, it is clear that the suspension cannot be continued for more than 90 days in view of the G.R. dated 9/7/2019. All the applicants are prosecuted along with one Vikas Totawar, SDPO, Umarkhed (applicant in O.A.No. 570/2020) and Shri Sanjay Khandade, P.I. (applicant in O.A. 367/2020). All the applicants are delinquents along with Shri Sanjay Khandade, P.I. and Shri Vikas Totawar, SDPO. The suspension of Shri Vikas Totawar, SDPO and Shri Sanjay Khandade, P.I. are revoked as per the direction of this Tribunal . The applicants are also entitled for the same relief. Hence, the following order –

### **ORDER**

- (i) The O.A. is allowed.
- (ii) The respondents are directed to revoke the suspension order dated 15/3/2020 of the applicants within three weeks from the date of receipt of this order.
- (iii) The respondents are at liberty to continue D.E. as per existing rules and regulations.
- (iv) No order as to costs.

**Member (J).**

dnk.

O.A. 517/2021 (S.B.)

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

**Dated : 01/12/2021.**

None for the applicants. Shri S.A. Sainis,  
Id. P.O. for R-1.

2. The Id. counsel for the applicant has not  
collected notice of R-2&3.

3. This O.A. is filed by two applicants. The  
Id. counsel for the applicants has not filed C.A.  
for permission to file Jt. O.A.

4. The Id. P.O. submits that in this matter  
the delay application is not filed.

5. Today none appeared for the applicant.

**S.O. after one week.**

**Member (J).**

dnk.

O.A. 556/2021 (S.B.)

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

**Dated :** 01/12/2021.

None for the applicant. Shri V.A.  
Kulkarni, 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. 599/2021 (S.B.)

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

**Dated : 01/12/2021.**

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

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

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

**Member (J).**

dnk.

**O.A. 670/2021 (S.B.)**

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

**Dated : 01/12/2021.**

Shri S.N. Gaikwad, Id. counsel holding for Shri N.D. Thombre, Id. counsel for the applicant, Shri A.M. Khadatkhar, Id. P.O. for R-1 and Shri R.D. Tajne, Id. counsel for R-2.

At the request of Id. P.O. as well as Id. counsel for R-2, **S.O. four weeks** for filing reply.

**Member (J).**

dnk.

O.A. 710/2021 (S.B.)

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

**Dated : 01/12/2021.**

Shri S.N. Gaikwad, Id. counsel for the  
applicant and Shri H.K. Pande, Id. P.O. for R-1.

Await service of R-2&3.

**S.O. one week for filing service  
affidavit.**

**Member (J).**

dnk.

O.A. 865/2021 (S.B.)

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

**Dated : 01/12/2021.**

Shri Barhate, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicants and Shri S.A. Sainis, 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. 935/2021 (S.B.)

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

**Dated : 01/12/2021.**

Shri G.N. Khanzode, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondent no.1. Await service R-2 to 4.

The applicant to remove office objections.

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

**Member (J).**

dnk.

O.A. 936/2021 (S.B.)

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

**Dated : 01/12/2021.**

Shri G.N. Khanzode, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the respondent no.1. Await service R-2 to 4.

The applicant to remove office objections.

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

**Member (J).**

dnk.

O.A. 956/2021 (S.B.)

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

**Dated : 01/12/2021.**

Shri S. Waldekar, Id. counsel for the applicant and Shri A.M. Khadatkhar, 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. 973/2021 (S.B.)

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

**Dated : 01/12/2021.**

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2 to 4.

The applicant to file service affidavit.

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

**Member (J).**

dnk.

O.A. 991/2021 (S.B.)

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

**Dated : 01/12/2021.**

Shri H. Dhumale, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2 to 7.

Office objections are not removed.

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

**Member (J).**

dnk.

O.A. 779/2020 (S.B.)

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

**Dated : 01/12/2021.**

Shri Fating, Id. counsel holding for Shri M.R. Khan, 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. three weeks .**

**Member (J).**

dnk.

O.A. 567/2021 (S.B.)

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

**Dated : 01/12/2021.**

Heard Shri P.P. Khaparde, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. After Vacation.**

**Member (J).**

dnk.

**O.A. 1069/2021 (S.B.)**

**( A.R. Dongre Vs. State of Mah. & Ors. )**

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

**Dated : 01/12/2021.**

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

2. The learned counsel for the applicant submitted that the suspension order is illegal. The Id. CPO submitted that the matter is before the Enquiry Officer as to whether the applicant or the respondent no.4 has committed any misconduct. At this stage, it cannot be said that the applicant has not committed any misconduct.

3. Issue notice to the respondents returnable **after four weeks.** Learned C.P.O. waives notice for State. 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.

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

**Member (J).**

dnk.

**O.A. 1071/2021 (S.B.)**

**( S.C. Yadav Vs. State of Mah. & Ors. )**

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

**Dated : 01/12/2021.**

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

2. The learned counsel for the applicant prayed to quash and set aside the impugned orders dated 26/10/2021 at Annex-A-3 and dated 3/11/2021 at Annex-A-5.
3. The learned CPO strongly objected to grant any stay.
4. Vide order dated 30/10/2020 the applicant was transferred from Police Control Room, Akola to Police Station, Murtizapur City. Thereafter, vide transfer order dated 26/10/2021 he was transferred from Police Station, Murtizapur City to Police Control Room, Akola and again vide transfer order dated 3/11/2021 the applicant is transferred from Police Control Room, Akola to the establishment of Police Superintendent, Washim.
5. The learned counsel for the applicant submitted that the respondents have not followed the Section 22N of proviso of the Maharashtra Police Act, which is as under –  
*“ Provided that, the State Government may transfer any Police Personnel prior to the completion of his normal tenure, if –*  
*(a) disciplinary proceedings are instituted or contemplated against the Police Personnel; or*  
*(b) the Police Personnel is convicted by a court or law ; or*  
*(c) there are allegations of corruption against the Police Personnel ; or*  
*(d) the Police Personnel is otherwise incapacitated from discharging his responsibility ; or*  
*(e) the Police Personnel is guilty of dereliction of duty. ”*
6. The learned counsel for the applicant has submitted that there is no any disciplinary proceeding against the applicant, he is not convicted by any court of law, there is no allegation of corruption against him, he is not incapacitated from discharging his responsibility and he is not guilty of dereliction of duty.

7. The learned counsel for the applicant has submitted that as per the Section 22N of proviso of the Maharashtra Police Act, there is nothing in the transfer orders about the administrative exigency. Therefore, the impugned transfer orders are liable to be stayed.
8. The learned CPO has submitted that the mid-term transfer can be made by the Transferring Authority.
9. In view of the proviso of Section 22N of the Maharashtra Police Act, there is nothing in the impugned transfer orders to show that the mid-term transfer was necessary. Hence, the impugned transfer orders dated 26/10/2021 at Annex-A-3 and dated 3/11/2021 at Annex-A-5, are hereby stayed till filing of reply.
10. Issue notice to the respondents returnable **after four weeks.** Learned C.P.O. waives notice for State. Hamdast allowed.
11. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
12. 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.
13. 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.
14. 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.
15. 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 four weeks.**

Steno copy is granted...

**Member (J).**

dnk.

O.A. 228/2016 (S.B.)

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

**Dated : 01/12/2021.**

Heard Shri Barhate, Id .counsel holding  
for Shri N.R. Saboo, Id. counsel for the  
applicant, Shri S.A. Sainis, Id. P.O. for R-1&2.  
None for R-3.

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

**Member (J).**

dnk.

**O.A. 930/2017 with C.A. 03/2020 (S.B.)**

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

**Dated : 01/12/2021.**

Heard Shri N.S. Warulkar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

The matter is related to the time bound promotion. Hence, it be placed before Division Bench.

**S.O. after one week.**

**Member (J).**

dnk.

O.A. 552/2018 (S.B.)

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

**Dated : 01/12/2021.**

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

**Member (J).**

dnk.

O.A. 209/2021 (S.B.)

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

**Dated : 01/12/2021.**

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

With the consent of both the parties, **S.O.**  
**3/12/2021 (PH).**

**Member (J).**

dnk.

**O.A. 641/2021 (S.B.)**

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

**Dated : 01/12/2021.**

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

At the request of Id. counsel for the applicant, **S.O. 6/12/2021 (PH).**

**Member (J).**

\*\*dnk.

**O.A.No.627/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

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. submits that he will file reply during the course of the day today. He further submits that he will supply the copy to the other side. Meanwhile the Id. counsel for the applicant is at liberty to file Rejoinder, if any.

3. **S.O. 15.12.2021.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.763/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

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

2. At the request of Id. counsel for the applicant, Issue fresh 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.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.764/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

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

2. At the request of Id. counsel for the applicant, Issue fresh 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.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.573/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

Heard Shri N.S.Autkar, 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. four weeks.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.468/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

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

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

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.537/2018 (D.B.)**

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

**Dated : 01/12/ 2021.**

**C.A.No.72/2021:-**

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

2. As submitted by Id. counsel for the applicant, applicant is getting provisional pension. However, other relevant benefits are yet to be enchased. The Id. C.P.O. submitted that reply has already been filed and now matter should be heard for final hearing.

3. **S.O. 1<sup>st</sup> Week of January, 2022.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.772/2019 (D.B.)**

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

**Dated : 01/12/ 2021.**

Heard Shri S.G.Lancharwar, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. In the last hearing on 28.07.2021 in the last line the Id. P.O. was directed to produce original selection list as per merit list. Today, he submits that he has not received the original copy of the above same, he has just received the attested one. He further seeks time to produce the original documents on record.

3. **S.O. 14.12.2021.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.612/2017 (D.B.)**

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

**Dated : 01/12/ 2021.**

None for the applicant. Shri S.A.Deo, the Id.  
C.P.O. for the respondents. None for the respondent  
no. 3.

2. Since as submitted by Id. counsel for the  
applicant, matter is pending before Hon'ble High  
Court. At his request, matter was kept today and he  
is now absent. **S.O. four weeks.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.749/2013 (D.B.)**

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

**Dated : 01/12/2021.**

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

2. **S.O. four weeks.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.159/2013 (D.B.)**

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

**Dated : 01/12/ 2021.**

Heard Shri S.P.Palshikar, 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. 10.12.2021.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

O.A.No.830/2011 (D.B.)

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

**Dated : 01/12/ 2021.**

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

2. The Id. P.O. requested that as Shri A.M.Ghogre is appearing in this matter. Hence, at his request, **S.O. one week.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

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

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

**Dated : 01/12/ 2021.**

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 30.11.2021 by Deputy Director Education, Nagpur Office. It is taken on record, marked Exh. 'X' for the purpose of identification and supply it to the other side.

3. As per this letter, pension papers have been received by Treasury Office, Nagpur on 29.11.2021. Now, Deputy Director Education, Nagpur requires three – four more weeks time as per their own admission in last line of 2<sup>nd</sup> para of previous order to comply the complete order.

4. Considering the contention relied above, the matter be kept before winter vacation i.e. on 21.12.2021 to get the progress of the issue. The Id. P.O. should take instructions from the department file it on record that what is the progress of the above same and supply the above same in advance to the other side.

5. **S.O. 21.12.2021.**

**Member (J)**  
**Date:-01/12/2021.**

**Vice Chairman**

**O.A.No.1048/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

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

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

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

O.A.No.1000/2021 (D.B.)

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

**Dated : 01/12/ 2021.**

Heard Shri V.B.Gawali, 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. three weeks.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.931/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

Heard Shri V.B.Gawali, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. In para no. 4 of order dated 20.10.2021, it was directed that O.A. No. 375/2020 should be put along with this O.A. before D.B.. However, that has not been done today. Office is directed to take note of it. The Id. P.O. was directed to take instructions about D.E. since Inquiry is pending from 18.04.2015 (the date at which chartsheet served).

3. Today, the Id. P.O. submits that he requires two weeks time to take necessary instructions, **S.O. 15.12.2021.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

O.A.No.897/2021 (D.B.)

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

**Dated : 01/12/ 2021.**

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

2. At the request of Id. C.P.O., **S.O. four weeks.**
3. *The Id. counsel for the applicant is directed to remove office objections immediately.*

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

O.A.No.908/2021 (D.B.)

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

**Dated : 01/12/2021.**

Heard Shri J.R.Kidilay, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. The matter was circulated today by Id. counsel for the applicant and he is absent. If at next hearing he will not appear in the matter then the matter will be **Dismissed In Default.**

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

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.918/2021 (D.B.)**

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

**Dated : 01/12/2021.**

None for the applicant. Shri S.A.Deo, the Id.  
C.P.O. for the respondents.

2. **S.O. three weeks.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.806/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

None for the applicant. Shri S.A.Deo, the Id.  
C.P.O. for the respondents.

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

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.803/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

Heard Shri R.M.Fating, the Id. Counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the State and Shri H.D.Marathe, the Id. counsel for the applicant is going to file vakalatnama on behalf of the respondent nos. 2 to 4.

2. At the request of Id. counsel for the respondent nos. 2 to 4, **S.O. four weeks.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.764/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

Heard Shri V.B.Gawali, 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. three weeks.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.93/2020 (D.B.)**

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

**Dated : 01/12/ 2021.**

Heard Shri C.V.Jagdale, 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 nos. 1 to 3. It is taken on record. Copy is served to the other side.

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. 01<sup>st</sup> week of January, 2022.**

6. *Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

O.A.No.1048/2019 (D.B.)

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

**Dated : 01/12/ 2021.**

Heard Shri A.P.Sadavarte, 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 & 4. It is taken on record. Copy is served to the other side.

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. 02<sup>nd</sup> week of January, 2022.**

6. *Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.728/2020 (D.B.)**

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

**Dated : 01/12/ 2021.**

Heard Ms. P.Mane holding for Shri S.D.Chande, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 14.12.2021.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

O.A.No.216/2020 (D.B.)

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

**Dated : 01/12/2021.**

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

2. **S.O. four weeks.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.469/2018 (D.B.)**

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

**Dated : 01/12/2021.**

None for the applicant. Shri M.I.Khan, the Id. P.O. for the respondents and Shri S.M.Bhagde, the Id. counsel for the respondent no. 5.

2. The Id. P.O. pointed out that as per relief clause on pg. no. 7 that applicant has been selected under S.T. Category. He is challenging the selection of Respondent no. 5 by impugned order dated 04.11.2011 as per relief clause I (ii).

3. At the request of Id. counsel for the respondent no. 5, **S.O. 13.12.2021.**

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

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.114/2018 (D.B.)**

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

**Dated : 01/12/ 2021.**

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

2. As per Tribunal order, original record from the department has been received by the Id. P.O. and it is with the Id. P.O.. The Id. P.O. desires to go through the entire record. The Id. counsel for the applicant is directed to co-operate to the Id. P.O..

3. The Id. P.O. submits that he has taken permission from the department that record can be seen by the Id. counsel for the applicant.

4. **S.O. 13.12.2021.**

**Member (J)**  
**Date:-01/12/2021.**

aps.

**Vice Chairman**

**O.A.No.1054/2021 (D.B.)**

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

**Dated : 01/12/ 2021.**

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

2. The Id. counsel for the applicant submits that he will remove office objection immediately.

3. As submitted by Id. counsel for the applicant, applicant has been relieved on 30.11.2021 on attaining the age of 58 years.

4. Issue notice to Respondents, returnable on three weeks. Learned C.P.O. waives notice for R-1. 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.

10. **S.O. three weeks.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**

**C.P.No.22/2020 in O.A.No.541/2016 (D.B.)**

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

**Dated : 01/12/ 2021.**

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 no. 1. It is taken on record. Copy is served to the other side.

3. The Id. counsel for the applicant wants to go through it, **S.O. 10.12.2021.**

**Member (J)**  
**Date:-01/12/2021.**  
aps.

**Vice Chairman**