

**O.A. 499/2017 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

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

**Vice Chairman**

dnk.

**O.A. 876/2019 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

Heard Shri V. P. Marpakwar, 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. 8/7/2022.**

**Vice Chairman**

dnk.

**O.A. 503/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

Heard Rashi Deshpande, Id .counsel for the applicant, H.K. Pande, Id. P.Ol. for R-1 to 4 and Shri A. Naaz, Id. counsel for R-5.

At the request of Id. counsel for R-5, **S.O.**  
**18/7/2022.**

**Vice Chairman**

dnk.

**O.A. 973/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

Heard Shri S.N. Gaikwad, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3 and Shri A.M. Ghare, Id. counsel for R-4.

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

**Vice Chairman**

dnk.

**C.A. 20/2021 in O.A. 823/2018 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

The Id. P.O. files reply of R-2 on C.A. It is taken on record and copy is given to the applicant.

**S.O. 12/7/2022.**

**Vice Chairman**

dnk.

**O.A. 332/2019 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

The Id. P.O .files reply of R-2. It is taken on record and copy is given to the applicant.

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

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

**Vice Chairman**

dnk.

**O.A. 155/2020 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

None for the applicant. Heard Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

It appears that on the last date also none appeared for the applicant.

**S.O. 13/7/2022** for filing service affidavit / for order.

**Vice Chairman**

dnk.

O.A. 696/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

Heard Shri R.V. Shiralkar, 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.

**Vice Chairman**

dnk.



**O.A. 758/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

None for the applicant. Heard Shri A.M. Khadatkar, 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. 828/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

2. The Id. P.O. files reply of R-1 to 5. It is taken on record and copy is given to the applicant.

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

**S.O. 13/7/2022** for final hearing.

**Vice Chairman**

dnk.

**O.A. 1120/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

The applicant is directed to remove office objection today itself.

**S.O. 6/7/2022.**

**Vice Chairman**

dnk.

**O.A. 828/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

2. The Id. P.O. files reply of R-1 to 5. It is taken on record and copy is given to the applicant.

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

**S.O. 13/7/2022** for final hearing.

**Vice Chairman**

dnk.

**O.A. 1057/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

**C.A. 381/2021 -**

Heard Shri N.R. Saboo, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the State.

2. The Id. counsel for applicants has filed C.A. for permission to file Joint Application.

3. The applicant no.1 is daughter of deceased employee and applicant no.2 is widow of deceased employee. Both are legal heirs of deceased employee and they have prayed for compassionate appointment.

4. Looking to the submission, permission is granted to file Jt. O.A. The C.A. is allowed and disposed off.

**O.A. 1057/2021 -**

Heard Shri N.R. Saboo, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the State.

2. Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. Hamdast allowed.

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

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

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

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

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

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

**Vice Chairman**

dnk.



**O.A. 185/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

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

**Vice Chairman**

dnk.



**O.A. 140/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

Heard Shri N.D. Thombre, Id. counsel  
for the applicant Shri V.A. Kulkarni, 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. 334/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

There is a leave note from learned counsel for the applicant. Heard Shri A.P. Potnis, 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. 337/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

2. The learned counsel pointed out the following reliefs –

*“(i) To direct the respondent no.1 Secretary, Medical Education and Drugs Department to decide leave period of applicant of 529 days i.e. from 8/6/2012 to 18/11/2013.*

*“(ii) To direct the respondent no.1 to take decision of leave period of the applicant from 8/6/2012 to 18/11/2013 by giving time bound within 30 days from the date of passing of order by this Tribunal”.*

3. The learned counsel has pointed out documents filed on record at page no.36 & 37. As per the letter of Dean, Govt. Medical College, Nagpur dated 7/5/2021, the respondent no.1 requested to decide leave application of applicant i.e. Dr. R.B. Meshram. After this letter also, leave application of the applicant is not decided. The applicant again applied for grant of leave on 2/8/2021 which is pending.

4. Heard learned P.O. Shri V.A. Kulkarni. From the perusal of the prayer and submission, if the direction is given to the respondents to decide the application for grant of leave, then more prejudice will cause to the respondents. Hence, the following order –

**ORDER**

- (i) The O.A. is partly allowed.
- (ii) The respondent no.1 is directed to decide the representation of the applicant dated 2/8/2021 by considering the letter issued by the Dean, Govt. Medical College, Nagpur dated 7/5/2021.
- (iii) The respondent no.1 is directed to decide the application of applicant for grant of leave from 8/6/2012 to 18/11/2013 within a period of two months from the date of receipt of this order.
- (iv) No order as to costs.

**Vice Chairman**

dnk.

**O.A. 388/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

None for the applicant. Heard Shri S.A. Sainis, Id. P.O. for the respondents.

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

**Vice Chairman**

dnk.

**O.A. 592/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

Heard Shri N.R .Saboo, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for respondent no.1. Await service of R-2 to 4.

2. The Id. counsel submits that respondent nos.2&3 are served and he will file service affidavit during the course of day.

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

**Vice Chairman**

dnk.

**O.A. 146/2017 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

Heard Smt. K. Satpute, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. The learned counsel for the applicant to file detailed chart in respect of claim of the applicant.

**S.O. 12/7/2022 (PH).**

**Vice Chairman**

dnk.

**O.A. 240/2017 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

**S.O. 25/7/2022.**

**Vice Chairman**

dnk.



**O.A. 576/2017 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

**Closed for orders.**

**Vice Chairman**

dnk.

**O.A. 137/2020 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

At the request of Id. counsel, **S.O. 8/7/2022.**

**Vice Chairman**

dnk.

**O.A. 404/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

2. The Id. counsel for the applicant to file relevant citations on record.

**S.O. 11/7/2022 (PH).**

**Vice Chairman**

dnk.

**O.A. 716/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

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

**S.O. four weeks.**

**Vice Chairman**

dnk.

**O.A. 536/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

Heard Shri S.M. Khan, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The Id. P.O. files reply of R-4. It is taken on record and copy is given to the Id. counsel for applicant.

3. The matter is admitted and heard finally with the consent of learned counsel for both the parties.

4. As per the submission of learned counsel for the applicant, the applicant was appointed on 23/3/2005. He has pointed out the G.R. dated 1/12/2008. As per this G.R., the employees who are appointed before 1/11/2005 they are entitled for regular pension scheme. Those employees who are appointed after 1/11/2005 they are not entitled for regular pension scheme. This fact is not disputed by the side of respondents.

5. Heard learned P.O. He has not disputed about G.R. dated 1/12/2008. The relevant portion of G.R. dated 1/12/2008 (P-14) is as under –

“ संदर्भाधिन क.१ येथील दिनांक ३१ ऑक्टोबर २००५ च्या शासन निर्णयान्वये राज्य शासनाच्या सेवेत दिनांक १ नोव्हेंबर २००५ रोजी किंवा

त्यानंतर नियुक्त झालेल्या / होणा-या कर्मचा-यांसाठी नवीन अंशदान निवृत्तिवेतन योजना लागू करण्यात आली आहे. तथापी दिनांक १ नोव्हेंबर २००५ पुर्वी शासन सेवेत निवृत्तिवेतनाह आस्थापनेवर कार्यरत असलेल्या व दिनांक १ नोव्हेंबर २००५ रोजी किंवा त्यानंतर शासन सेवेत नवीन पदावर नियुक्ती स्विकारलेल्या तसेच संदर्भाधिन क्र.२ मध्ये नमुद केलेल्या दिनांक १२ जानेवारी २००७ च्या परिपत्रकामध्ये विहित केलेल्या सर्व अटीची पूर्तता करणा-या कर्मचा-यांना महाराष्ट्र नागरी सेवा (निवृत्तिवेतन) नियम, १९८१ व सर्वसाधारण भविष्य निर्वाह निधी योजना लागू आहे.’’

6. The appointment order of applicant is dated 23/3/2005. As per the G.R. dated 1/12/2008 the employees who are appointed after 1/11/2005 they are not entitled for regular pension scheme, but the employees who are appointed before 1/11/2005 they are entitled for regular pension scheme. The applicant was appointed on 23/03/2005 i.e. much prior to 1/11/2005 and therefore he is entitled for regular pension scheme. Hence, the following order –

**ORDER**

- (i) The O.A. is allowed.
- (ii) The respondents are directed DCPS Scheme applied to the applicant w.e.f. 23/03/2005 be converted into regular pension scheme as per G.R. dated 1/12/2008. The amount which was deducted and deposited in DCPS scheme shall be deposited in GPF scheme for getting future benefits.
- (iv) No order as to costs.

**Vice Chairman**

dnk.

**O.A. 588/2022 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated : 05/07/2022.**

Heard Shri S.N. Gaikwad, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for respondent nos. 1 to 3 and Shri G.K. Bhusari, learned counsel for R-4 (Caveator).

2. This is second round of litigation challenging the transfer order. Earlier transfer order dated 9/8/2021 was challenged in O.A. 665/2021. The stay was granted to the applicant on the ground of delivery and after 10 months after birth of child, that stay was vacated. The applicant had joined at Buldhana under protest. Now again the applicant approached to this Tribunal with a prayer to quash and set aside the transfer order dated 26/5/2022.

3. Earlier the O.A. was decided by this Tribunal on 29/4/2022 with direction to the respondent nos.1 to 3 to consider the representation of the applicant in coming general transfers of April/ May,2022.

4. The operative part of the order in O.A. 665/2021, dated 29/4/2022 is reproduced as under –

*“(i) The O.A. is disposed off with direction to the respondent nos. 1 to 3 to consider the representation of the applicant if made within one week from today.*

*(ii) The impugned transfer order shall not come in the way of respondent no.4. She is at liberty to join at the new transfer posting.*

*(iii) The respondent nos.1 to 3 are directed to consider the representation of the applicant in the coming general transfers of April/May,2022 and till then she shall not be relieved from Nagpur.*

*(v) No order as to costs.”*

5. As per para (iii), the respondent nos.1 to 3 were directed to consider the representation of the applicant in the coming general transfers of April/May,2022 and till then she shall not be relieved from Nagpur.

6. Heard Shri S.N. Gaikwad, Id. counsel for the applicant. He has pointed out G.R. dated 27/5/2022. As per this G.R., all the Government establishments were directed not to complete transfer process till 30/6/2022, whereas, the impugned transfer order is dated 26/5/2022. It appears that the respondents have not considered the grievance of the applicant in the coming general transfers of April/May,2022 as per the direction of this Tribunal.

7. Heard Shri D.M. Kakani / G.K. Bhusari, Id. counsel for respondent no.4. He has submitted that the respondent no.4 has already joined at Nagpur as per the direction of this Tribunal in the earlier O.A. and there is no post vacant at Nagpur.

8. As per para (iii) of the earlier order in O.A. 665/2021 dated 29/4/2022, the respondent nos.1 to 3 were directed to consider the grievance of the applicant in the coming general transfers of April/May,2022. The respondents have transferred the applicant on 26/5/2022. As per the submission of Id. P.O., there is no post vacant at Nagpur and therefore the O.A. is without any merit. Hence, the following order –

**ORDER**

The O.A. is dismissed. No order as to costs.

**Vice Chairman**

dnk.  
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**O.A.No.954/2018 (D.B.)**

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

**Dated : 05/07/2022.**

**C.A.No.121/2019:-**

There is a leave note of applicant. Shri S.A. Deo, the ld. C.P.O. for the respondents.

2. Ld. C.P.O. has filed reply on behalf of the respondent no. 6 on amendment application. He further submits that he will serve it to the other side.

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

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

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

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

**Dated : 05/07/2022.**

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

2. Ld. P.O. has filed reply on behalf of the  
respondent no. 2. It is taken on record. He submits  
that he will serve it to the other side. He further  
submits that the said reply is sufficient to decide the  
matter.

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

4. Ld. P.O. waives notice for the respondents.

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

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.No.300/2021 (D.B.)**

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

**Dated : 05/07/2022.**

Shri R.S.Parsodkar, ld. counsel for the applicant and Shri M.I.Khan, the ld. P.O. for the respondents.

2. The ld. 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. He further submits that it is sufficient to decide the matter.

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

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

5. **S.O. 15.07.2022 for final hearing.**

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

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.No.118/2022 (D.B.)**

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

**Dated : 05/07/2022.**

Shri R.V.Shiralkar, ld. counsel for the applicant and Shri H.K.Pande, the ld. P.O. for the respondents.

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

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.462&463/2022 (D.B.)**

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

**Dated : 05/07/2022.**

Shri S.D.Kale, ld. counsel for the applicant and Shri H.K.Pande, the ld. P.O. for the State. Await service of R-2 to 5.

2. Ld. counsel for the applicant desires time to file service affidavit. He is directed to file C.A. for amendment of application. **S.O. two weeks.**

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.No.27/2020 (D.B.)**

**Smt. S.W.ChatteVs. State of Maharashtra & 2 Ors.**  
**Coram :Shri Shree Bhagwan, Vice Chairman&**  
**Shri M.A.Lovekar, Member (J)**  
**Dated : 05/07/2022.**

HeardShri B.Kulkarni, ld. counsel for the applicant and ShriH.K.Pande, the ld. P.O. for the respondents.

2. The applicant (since deceased) retired on 30.11.2008 as Milk Procurement and Development Supervisor under the Respondents. Applicant expired on 23.05.2020 as per death certificate (page no. 25) produced by ld. counsel for the applicant which is marked Exh. 'X' for the purpose of identification. Applicant is survived by wife. Since applicant expired on 23.05.2020 (at page no. 25) marked Exh. 'X' for the purpose of identification.Ld. counsel for the applicant has brought L.R. on record by C.A. No. 27/2020 which was allowed and disposed of by order dated 04.02.2021.Accordingly, amendment has been made and legal heir has been brought on record in place of applicant. The only L.R. is wife of applicant having name Smt. SandhyaWd/o Shri WamanMarotiChatte.

3. Regarding A.C.P. after 1995 G.R. following G.Rs. have been issued:-

A. वित्तविभाग, शासननिर्णय क्रमांक-वेतन ११०९/प्र.क्र.४४/सेवा-३, दिनांक०१ एप्रिल, २०१०.

B. वित्तविभाग, शासननिर्णय क्रमांक-वेतन ११०९/प्र.क्र.४१/सेवा-३, दिनांक ०५ जुलै, २०१०.

C. वित्तविभाग, शासननिर्णय क्रमांक-वेतन ११११/प्र.क्र.८/सेवा-३, दिनांक ०१ जुलै, २०११.

D. शासन शुध्दीपत्रक क्रमांक वेतन-११११/प्र.क्र.८/सेवा-३, दिनांक ०९ डिसेंबर, २०१६.

4. The L.R. is to be paid second A.C.P. benefits which were sanctioned by Government by G.R. dated 09.12.2016. Ld. counsel for the applicant has also relied on Judgment in O.A. No. 853/2018 of this Bench. It is identical case and grievances are also identical.

5. When applicant was alive he had submitted application for second A.C.P. vide his letter dated 31.12.2018 (pg. no. 26) placed on record.

6. Now, since applicant is no more, L.R. will get benefit of G.R. dated 09.12.2016. The G.R. was only to the employee from 01.10.2006 to 31.03.2010 for second A.C.P. purpose.

7. Now applicant/L.R. is entitled for second A.C.P. as per G.R. dated 09.12.2016 and consequential benefits in all the pensionary benefits including increase in family pension. In view of the facts discussed above, following order:-

### **ORDER**

A.O.A. is partly allowed.

B. Respondents are directed to take appropriate decision on the representation dated 31.12.2018 of the applicant in view of G.R. dated 09.12.2016 and intimate the decision to the L.R.. The same should be done within 90 days from the date of this order.

C. Accordingly, **O.A. is disposed of with no order as to costs.**

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**C.A.No.150/2022inO.A.No.454/2022with**

**C.A.No.151/2022inO.A.No.455/2022with  
C.A.No.152/2022inO.A.No.456/2022with  
C.A.No.153/2022inO.A.No.457/2022with  
C.A.No.154/2022inO.A.No.458/2022with  
C.A.No.155/2022inO.A.No.459/2022with  
C.A.No.156/2022inO.A.No.460/2022with  
C.A.No.157/2022inO.A.No.461/2022 (D.B.)**

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

**Dated : 05/07/2022.**

Shri A.A.Naik, ld. counsel for the applicant and Shri S.A.Deo, the ld. C.P.O. for the respondents.

2. As per the submission made by the ld. counsel for the applicant, **all the C.As. are allowed and disposed of.**

3. The ld. C.P.O. has filed reply on behalf of the respondent nos. 1 & 2 in O.A. No. 459/2022. It is taken on record. Copy is served to the other side. He further submits that he is adopting the said reply in all the matters.

4. Ld. counsel for the applicant further submits that in O.A. No. 461/2022, Interview is scheduled on day-after-tomorrow i.e. on 07.07.2022. Hence, office is directed to keep the same matter on tomorrow. Accordingly, ld. C.P.O. is directed to take instructions that if in the interview he is allowed at the condition that it will be subject to outcome of the Original



Application. He should take necessary instructions regarding the same.

5. Hence, **S.O. 06.07.2022 for O.A. No. 461/2022.** For rest of the O.As.,**S.O. three weeks.**

6. **Steno copy is allowed.**

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.No.653/2022 (D.B.)**

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

**Dated : 05/07/2022.**

Shri D.M.Kakani, ld. counsel for the applicant  
and Shri H.K.Pande, the ld. P.O. for the respondents.

2. Ld. counsel for the applicant submits that  
notices have been served. At the request of ld. P.O.,  
**S.O. one week to file reply.**

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.405,406,407,411&391/2022 with**

**C.A. No. 169/2022 (D.B.)**

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

**Dated : 05/07/2022.**

Shri R.B.Dhore, ld. counsel for the applicant and Shri S.A.Deo, the ld. C.P.O. for the respondents.

2. The ld. C.P.O. has filed reply on behalf of the respondents. It is taken on record. Copy is served to the other side.

3. Hence, O.A.Nos. 405,406,407&411/2022 are **admitted** and kept for final hearing.

4. The ld. C.P.O. waives notice for the respondents.

5. **S.O. Friday i.e. 08.07.2022.**

6. The office is directed to keep O.A. No. 514/2022 along with all these connected O.As in the caption of hearing party matters.

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

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**Rev.Appl.No.08/22inO.A.No.206/22 (D.B.)**

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

**Dated : 05/07/2022.**

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

2. As pointed out by Id. C.P.O., matter was heard on 15.06.2022 and in para no. 3 following order was passed:-

*“3. He further submits that respondent no. 3 is the authority to decide the representation dated 28.07.2021 (pg. no. 46). Hence, respondent no. 3 is directed to decide the representation dated 28.07.2021 (pg. no. 46) within six weeks from the date of receipt of this order.”*

3. For that applicant has filed review application, **S.O. after four weeks.**

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.Nos.537,538,539&540/2015 (D.B.)**

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

**Dated : 05/07/2022.**

Shri S.A.Kalbande, ld. counsel for the applicant and ShriH.K.Pande, the ld. P.O. for the respondents.

2. Applicant has preferred appeal which has been decided by order dated 28.05.2015.

3. **Closed for orders.**

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.No.318/2015 (D.B.)**

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

**Dated : 05/07/2022.**

Shri D.S.Sawarkar, ld. counsel for the applicant and Shri H.K.Pande, the ld. P.O. for the respondents. None for the R-4.

2. At the request of ld. P.O., **S.O. 18.07.2022 as a last chance.**

3. **Put up this matter along with O.A.No.777/2016.**

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.No.777/2016 (D.B.)**

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

**Dated : 05/07/2022.**

None for the applicant. Shri A.M. Ghogre, the ld. P.O. for the respondents and Shri D.S. Sawarkar, ld. counsel for the respondent no. 4.

2. At the request of ld. P.O., **S.O. 18.07.2022 as a last chance.**

3. **Put up this matter along with O.A.No.318/2015.**

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.No.300/2018 (D.B.)**

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

**Dated : 05/07/2022.**

Smt. Saboo, ld. counsel for the applicant and  
Shri S.A.Sainis, the ld. P.O. for the respondents.

2. At the request of ld. counsel for the  
applicant, **S.O. one week.**

**Member(J)**

**Date:-05/07/2022.**

aps.

**Vice Chairman**



**O.A.No.720/2018 (D.B.)**

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

**Dated : 05/07/2022.**

Shri P.S.Verma, ld. counsel for the applicant and Shri H.K.Pande, the ld. P.O. for the respondents.

2. The applicant has applied for the post of Police Hawaldar (Wireless). In response to the advertisement dated 16.12.2015 as per the advertisement total 432 posts, 3 posts are to be filled. Applicant has filed Caste Certificate and he belongs to NT-C as per Caste Certificate on page no. 27 issued by S.D.O., SindkhedRaza. However, Caste Validity certificate has not been filed on record.

3. Ld. counsel for the applicant is directed to file the above same on record, **S.O. two weeks.**

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

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.No.448/2019 (D.B.)**

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

**Dated : 05/07/2022.**

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

2. **S.O. one week.**

**Member(J)**  
**Date:-05/07/2022.**  
aps.

**Vice Chairman**

**O.A.No.59/2021 (D.B.)**

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

**Dated : 05/07/2022.**

Shri P.V.Thakre, ld. counsel for the applicant  
and Shri H.K.Pande, the ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 08.07.2022.**

**Member(J)**

**Date:-05/07/2022.**

aps.

**Vice Chairman**