

C.P. 14/20 in O.A. 58/2019 (D.B.)

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

Dated : 14/09/2020.

Shri N.R. Saboo, Id. counsel has filed Vakalatnama on behalf of the applicant.

2. Shri A.M. Ghogre, Id. P.O. submitted that he would file reply on behalf of the respondents during the course of day. He is permitted to do so. The matter be taken up on 21/9/2020.

S.O. 21/9/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 491/2020 (D.B.)

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

Dated : 14/09/2020.

Heard Shri A.R. Ingole, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the State,

2. Issue notice to the respondents returnable on **28/9/2020**. 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.

8. **S.O. 28/9/2020.**

Member (J)

Vice-Chairman

dnk.

**

O.A. No. 493/2020 (SB)

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

Dated : 14.09.2020

Heard Shri G.K. Bhusari, Id. counsel holding for Shri S.N. Gaikwad, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. Issue notice to the respondents returnable **after two 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 two weeks.

Member (J)

dnk.

O.A. No. 372/2020 **(SB)**

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

Dated : 14.09.2020

Heard Mrs. S.T. Taksande, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2 to 7.

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

Member (J)

dnk.

O.A. No. 457/2020 (SB)

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

Dated : 14.09.2020

C.A. 207/2020 -

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

2. For the reasons stated in the application, the C.A.No.207/2020 is allowed. Shri R.R. Miskin be joined as newly respondent no.3.

O.A. 457/2020 -

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

2. After amendment, issue notice to the newly added respondent returnable on **24/9/2020**. 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. 24/9/2020.

Member (J)

dnk.

O.A. No. 465/2020 **(SB)**

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

Dated : 14.09.2020

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 3. None for R-4.

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

Member (J)

dnk.

O.A. No. 492/2020 (SB)

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

Dated : 14.09.2020

Heard Shri S.M. Khan, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the State.

2. Issue notice to the respondents returnable **after three 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 three weeks.

Member (J)

dnk.

O.A. No. 494/2020 (SB)

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

Dated : 14.09.2020

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

2. It is submitted that since 2015 the applicant is working in naxalite area, she made several requests and representations for giving her posting in Pune Revenue Division, but disregarding her representations and breaching the provisions of the Government G.R., the applicant is again transferred in naxalite area. It is submitted that no one is posted on the post held by the applicant and therefore direction be given to the respondents to decide her representations and till then the applicant be permitted to work at the same place. In view of these circumstances, the respondents are directed to decide the representations made by the applicant time to time for giving her posting in Pune Revenue Division and till then the applicant be permitted to work at Gadisurla, Tq. Mul, Dist. Chandrapur.

3. Issue notice to the respondents returnable **after three weeks**. Learned 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 three weeks.

Steno copy be provided.

Member (J)

dnk.

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

Dated : 14.09.2020

Heard Shri S.K. Verma, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. The applicant retired in the year 2013. It is grievance of the applicant that the A.G. issued order in the month of September,2019. It is claimed by the A.G. that due to wrong fixation of pay, excess DCRG was paid to the applicant and excess pension was also paid and it be recovered from his pension. The learned counsel for the applicant submitted that the impugned order is passed without giving opportunity of hearing to the applicant and it is unilateral. In view of these facts, the impugned order of recovery be stayed till further orders.

3. Issue notice to the respondents returnable **after four weeks**. Learned 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.

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

Dated : 14.09.2020

Heard Shri J.R. Kidilay, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. It is submitted that before completion of the normal tenure without any reason the respondent no.2 has transferred the applicant from Seloo to Wathoda and as the applicant is not yet relieved, therefore, interim protection be given. On perusal of the impugned order Annex-A-3 it seems that it is nowhere mentioned as to what was the administrative exigency and whether provisions of Section 4 (4) & (5) of the Transfers Act were complied. In view of this, the status-quo as on today be maintained.

3. Issue notice to the respondents returnable on **24/9/2020**. Learned 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. 24/09/2020.

Put up along with O.A.500/2020.

Member (J)

dnk.

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

Dated : 14.09.2020

Heard Shri J.R. Kidilay, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. Issue notice to the respondents returnable **after three 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.

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S.O. after three weeks.

Member (J)

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