

O.A. 279/2018 (S.B.)

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

Dated : 16/11/2021.

None for the applicant, Shri H.K. Pande,
Id. P.O. for R-1 to 3 and Shri B.N. Jaipurkar, Id.
counsel for R-4.

At the request of Id. counsel for R-4, **S.O.**
two weeks for filing reply.

Member (J).

dnk.

O.A. 321/2019 (S.B.)

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

Dated : 16/11/2021.

Heard Shri A.D. Girdekar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The Id. P.O. files reply of R-2&3. It is taken on record and copy is given to the Id. counsel for the applicant.

3. The Id. P.O. submits that the reply of R-2&3 is sufficient to decide the O.A.

4. The matter is admitted and kept for final hearing.

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

S.O. in due course.

Member (J).

dnk.

O.A. 322/2019 (S.B.)

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

Dated : 16/11/2021.

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

2. The Id. P.O. submits that the parawise reply is received and he will file reply within two weeks.

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

Member (J).

dnk.

O.A. 323/2019 (S.B.)

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

Dated : 16/11/2021.

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

2. The Id. P.O. files reply of R-2&3. It is taken on record and copy is given to the Id. counsel for the applicant.

3. The Id. P.O. submits that the reply of R-2&3 is sufficient to decide the O.A.

4. The matter is admitted and kept for final hearing.

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

S.O. in due course.

Member (J).

dnk.

O.A. 194/2020 (S.B.)

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

Dated : 16/11/2021.

Heard Shri A.B. Moon, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. The Id. P.O. files reply of R-1 to 4. It is taken on record and copy is given to the Id. counsel for the applicant.

3. The matter is admitted and kept for final hearing.

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

S.O. in due course.

Member (J).

dnk.

O.As. 325,326 & 327 of 2020 (S.B.)

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

Dated : 16/11/2021.

Heard Shri P.P. Khaparde, Id. counsel
for the applicants and Shri M.I. Khan, Id. P.O.
and other Id. P.Os. for the respondents.

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

Member (J).

dnk.

O.A. 968/2020 (S.B.)

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

Dated : 16/11/2021.

C.A. No. 387/2020 -

Heard Shri N.R. Saboo, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. For the reasons stated in the application, the C.A. for filing Jt. O.A. is allowed and disposed off.

O.A. 968/2020 -

Heard Shri N.R. Saboo, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

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

Member (J).

dnk.

O.A. 857/2020 (S.B.)

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

Dated : 16/11/2021.

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

2. It is submitted that reply is already filed.
3. The matter is admitted and kept for final hearing.
4. The Id. P.O. waives notice for the respondents.

S.O. in due course.

Member (J).

dnk.

O.A. 39/2021 (S.B.)

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

Dated : 16/11/2021.

Heard Shri G.N. Khanzode, Id. counsel
for the applicant and Shri A.M. Ghogre, Id. P.O.
for R-1. Await service of R-2&3.

Service affidavit of R-2&3 is not filed.
Office objections are not removed.

S.O. four weeks.

Member (J).

dnk.

O.A. 142/2021 (S.B.)

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

Dated : 16/11/2021.

Heard Shri P.V. Thakre, 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. four weeks** for filing reply.

Member (J).

dnk.

O.A. 154/2021 (S.B.)

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

Dated : 16/11/2021.

Heard Shri M.R. Khan, 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. one week** for filing reply.

Member (J).

dnk.

O.A. 163/2021 (S.B.)

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

Dated : 16/11/2021.

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-3. It is taken on record and copy is given to the Id. counsel for the applicant.

3. The matter is admitted and kept for final hearing.

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

5. The Id. counsel for the applicant wants to file rejoinder. He is at liberty to file rejoinder.

S.O. in due course.

Member (J).

dnk.

O.A. 176/2021 (S.B.)

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

Dated : 16/11/2021.

Heard Dr. R.S. Sundaram, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

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

Member (J).

dnk.

O.A. 207/2021 (S.B.)

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

Dated : 16/11/2021.

Heard Shri R.L. Kadu, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

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

3. The Id. P.O. submits that the reply of R-1&2 is sufficient to decide the O.A.

4. The matter is admitted and kept for final hearing.

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

S.O. in due course.

Member (J).

dnk.

O.A. 223/2021 (S.B.)

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

Dated : 16/11/2021.

None for the applicant, Shri A.P. Potnis,
Id. P.O. for R-1 to 3 and none for R-4.

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

Member (J).

dnk.

O.A. 554/2021 (S.B.)

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

Dated : 16/11/2021.

Heard Shri R.D. Karode, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

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

Member (J).

dnk.

O.A. 561/2021 (S.B.)

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

Dated : 16/11/2021.

None for the applicant. Shri S.A. Deo, Id.
CPO for the respondents.

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

Member (J).

dnk.

O.A. 593/2021 (S.B.)

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

Dated : 16/11/2021.

Heard Shri R.V. Shiralkar, Id. counsel for the applicants and Shri M.I. Khan, 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. 790/2021 (S.B.)

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

Dated : 16/11/2021.

Heard Shri S.P. Palshikar, 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. three weeks** for filing reply.

Member (J).

dnk.

O.A. St. 3098/2017 (S.B.)

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

Dated : 16/11/2021.

C.A. No. 575/2017 -

Heard Shri V.K. Paliwal, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. After perusing the C.A. application for condonation of delay, it appears that in the prayer clause the specific period of delay is not mentioned.

S.O. after four weeks.

Member (J).

dnk.

O.A. St. 1872/2019 (S.B.)

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

Dated : 16/11/2021.

C.A. No. 357/2019 -

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

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

Member (J).

dnk.

O.A. 508/2020 (S.B.)

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

Dated : 16/11/2021.

Heard Mrs. R.S. Sirpurkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. This matter is remanded back by the Hon'ble High Court with a direction to decide the matter within eight weeks from the date of the order. The period of eight weeks is already lapsed.

3. Today the learned counsel for the applicant is ready to argue the matter. The learned P.O. seeks further time on the ground that he is not having the relevant papers in respect of allegations of the applicant. Looking to the submission from the Id. P.O., the matter be kept on the next date. It is made clear that on the next date the matter will not be adjourned on any ground. If any party remained absent on next date or will not ready to argue the matter, then also the matter will be heard and decided on merit.

S.O. 23/11/2021.

Member (J).

dnk.

O.A. 1012/2018 (S.B.)

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

Dated : 16/11/2021.

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

2. Shri P.P. Khaparde, Id. counsel submits that Shri G.G. Bade, Id. counsel is not available to argue the matter, therefore, he seeks further time.

3. At the request of Shri Khaparde, counsel for the applicant, **S.O. 25/11/2021.**

Member (J).

dnk.

O.A. 801/2019 (S.B.)

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

Dated : 16/11/2021.

Heard Ms. A. Tripathi, 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 two weeks.**

Member (J).

dnk.

O.A. 890/2019 (S.B.)

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

Dated : 16/11/2021.

Heard Shri G.N. Khanzode, 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.**

Member (J).

dnk.

O.A. 904/2019 (S.B.)

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

Dated : 16/11/2021.

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

2. Shri Khanzode, Id. counsel submits that he has withdrawn the power in this matter. It appears that there is no Vakalatnama from other counsel, therefore, the matter be kept **after two weeks.**

Member (J).

dnk.

O.A. 992/2019 (S.B.)

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

Dated : 16/11/2021.

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

Office objections are not removed.

S.O. four weeks.

Member (J).

dnk.

O.A. 642/2020 (S.B.)

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

Dated : 16/11/2021.

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

At the request of learned counsel for the
applicant, **S.O. one week (PH).**

Member (J).

dnk.

O.A. 817/2019 (S.B.)

(Mukteshwar N. Rahahte Vs. State of Mah.)

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

Dated : 16/11/2021.

Heard Shri A. Upasani, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1 & 3 and Shri T.M. Zaheer, Id. counsel for R-2.

2. Shri T.M. Zaheer, Id. counsel has filed reply on behalf of R-2. It is taken on record. Copies are given to the other sides.

3. The matter is heard finally with the consent of respective parties.

4. The applicant was working as Executive Engineer. He was retired on 31/05/2002. The departmental enquiry was initiated against the applicant vide charge sheet dated 28/5/2002. It is submitted that the departmental enquiry and criminal case was pending at the time of his retirement and was not concluded. It is further submitted that in Land Acquisition Case, the enquiry was finalized by order dated 15/12/2015. Whereas, another enquiry was finalized by order dated 15/7/2011 and third enquiry was finalized by order dated 17/9/2009.

5. It is contention of the applicant that even after acquittal by the Criminal Court in Criminal Case No.148/2007 decided by the CJM, Bhandara on 28/11/2004, the respondents authority have not granted gratuity.

6. The applicant approached to this Tribunal and prayed for direction to grant gratuity along with the interest.

7. There is no dispute that during pendency of this O.A., the respondents have granted gratuity. On 5/2/2021 payment of gratuity was paid to the applicant.

8. Now only dispute is regarding interest of payment on the amount of gratuity paid by the respondents to the applicant.

9. The learned counsel for the applicant submitted that the respondents authority were bound to pay gratuity along with the interest from the date of acquittal of the applicant. In support of his

submissions, learned counsel for the applicant pointed out the Judgment of Full Bench of Hon'ble High Court in case of **Vinodkumar Narayan Dixit Vs. State of Maharashtra, 2018 (6) Mh.L.J.** and the Judgment of this Tribunal in O.A. 430/2018.

10. The learned P.O. submitted that the respondent no.1 was not at fault. Three departmental enquiries were pending and therefore gratuity amount was withheld and it is done as per the rules and there is no contravention of the rules by the respondent no.1.

11. The learned counsel for respondent no.2 submits that the applicant is not entitled for any interest because of the pendency of the departmental enquiries against him. As soon as the departmental enquiries were completed, the proposal was moved and gratuity amount was paid on 5/2/2021 and therefore he is not entitled for any interest.

12. In case of **Vinodkumar Narayan Dixit Vs. State of Maharashtra, 2018 (6) Mh.L.J.**, the Full Bench of Hon'ble High Court has held in para nos.33&34 which are reproduced as below –

“ (33) The provisions in Rule 129A of the MCS (Pension) Rules, 1982 make reference to administrative lapses on the part of the government leading to delay in the payment of gratuity to an employee. The GR dated 6th May, 1991 explains this position by reference to delay in the payment of gratuity due to administrative lapse for no fault of the retiring government servant. In fact, clause 3 of the G.R. dated 6th May, 1991 provides that as far as retirement on superannuation is concerned, the existing procedure for grant of interest if the payment of gratuity is delayed due to administrative reason or lapse for no fault of the retiring government servant will continue to be applicable. In other words, interest will be allowed for the period of delay beyond three months from the date of retirement.

(34) As has been held by the Hon'ble Supreme Court in Y. K. Singla (supra), consequent upon the acquittal of an employee, it would be erroneous to conclude that the gratuity payable to such employee on attaining the age of superannuation was withheld on account of some fault of the employee himself. In the present case, it is not as if the petitioner, was ultimately convicted in criminal prosecution launched against him, in which case, the petitioner, could have been held to be at fault. Therefore, applying the principle explained by the Hon'ble Supreme Court in Y.K. Singla (Supra), we hold that the delay in payment of gratuity to the petitioner beyond three months from the date of retirement was for no fault of the petitioner. In terms of Rule 129A of the MCS (Pension) Rules, 1982, read with clause 3 of the GR dated 6th May, 1991, therefore, the petitioner is entitled to

be paid interest for the period of delay beyond three months from the date of first retirement i.e. with effect from 1st July, 1997.”

13. This Tribunal in O.A. 430/2018 has held that the employee is entitled for interest for the amount of gratuity @ 12% p.a. As submitted by the learned counsel for the applicant, the facts in the O.A.No. 430/2018 and in the present application are same. There is no dispute that the applicant was employee of the respondents and he was working as Executive Engineer. Three departmental enquiries were pending against him. The last departmental enquiry was concluded on 15/12/2015. The Full Bench of Hon'ble Bombay High Court in the case of **Vinodkumar Narayan Dixit Vs. State of Maharashtra (cited above)** has held that in terms of Rule 129A of the MCS (Pension) Rules, 1982, read with clause 3 of the GR dated 6th May, 1991, the petitioner is entitled to be paid interest for the period of delay beyond three months from the date of first retirement.

14. In the present case, the last departmental enquiry was concluded on 15/12/2015. Even thereafter the Department has not moved the proposal for payment of gratuity till 21/9/2017. After the proposal on 21/9/2017, the gratuity amount was paid on 5/2/2021. In view of the Judgment of Hon'ble High Court in case of **Vinodkumar Narayan Dixit Vs. State of Maharashtra (cited above)** the applicant is entitled for interest after three months from the date of completion of the last enquiry on 15/12/2015, therefore, it is cleared that the applicant is entitled for interest of non-payment of gratuity from 1/4/2016 till 5/2/2021 @ 10% p.a. The prayer in respect of non-payment of gratuity does not survive in view of the payment during pendency of this O.A. In view of above, the following order –

ORDER

- (i) The O.A. is partly allowed.
- (ii) The applicant is entitled for interest @ 10% p.a. from 1/4/2016 to 5/2/2021 i.e. actual date of payment of gratuity amount and respondents are directed to pay the same.
- (iii) No order as to costs.

Member (J).

dnk.

O.A. 366/2018 (S.B.)

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

Dated : 16/11/2021.

Heard Shri D.M. Surjuse, Id. counsel for the applicants, Shri M.I. Khan, Id. P.O. for R-1&2 and Shri U.K. Bisen, Id. counsel for R-3.

2. The learned counsel for the applicant submits that he wants to produce some citations and for that purpose he seeks further time.

3. At the request of Id. counsel for the applicant, **S.O. 2/12/2021.**

Member (J).

**dnk.

O.A.No.396/2018 (D.B.)

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

Dated : 16/11/2021.

C.A.No.514/2019:-

Heard Shri N.D.Thombre, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. Today, the Id. counsel for the applicant has filed representation of applicant i.e. Shri A.M.Rahate to Medical Superintendent, Sub District Hospital, Ramtek on 15.11.2021. It is marked Exh. X-1 for the purpose of identification. In this document applicant has mentioned about the mistake in his service book about his salary and allowances. Tribunal is directed to Respondent No. 5 and also to Respondent No. 3 to decide the applicant's today's representation along with this previous representations also at earliest.

3. Now, since this representation dated 15.11.2021 is with respondent no. 5. Respondent no. 5 is directed to decide his application within 10 days from the date of receipt of this order and file the compliance report on affidavit.

4. If it will not decide by the respondent no. 5 than he should present before Tribunal and explain that why it is not decided.

5. **S.O. 26.11.2021.**

6. **Steno copy is granted.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.756/2019 (D.B.)

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

Dated : 16/11/2021.

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

2. The Id. counsel for the applicant has filed rejoinder to the affidavit in reply on behalf of the respondent nos. 2, 3 & 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. 06.12.2021.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.848/2019 (D.B.)

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

Dated : 16/11/2021.

C.A.No.240/2021:-

Heard Smt. R.S.Sirpurkar, the Id. Counsel for the applicant, Shri A.M.Ghogre, the Id. P.O. for the respondents and Shri M.M.Sudame, the Id. counsel for the respondent no. 3.

2. The Id. P.O. has filed reply on behalf of the respondent no. 2 who is maintaining seniority list of applicant. It is taken on record. Copy is served to the other side.

3. Since, reply of respondent no. 2 has filed on record. Matter is **admitted** and kept for final hearing.

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

5. As agreed by Id. counsel for the respondent no. 3; he is directed to file reply before next date of hearing and supply the copy of the same to the Id. counsel for the applicant and Id. P.O. too.

6. Hence, the Interim order dated 20.08.2021 on C.A. No. 240/2020 will be continued till next date of hearing.

7. **S.O. three weeks.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.Nos.998&999/2019 (D.B.)

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

Dated : 16/11/2021.

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

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

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.792/2020 (D.B.)

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

Dated : 16/11/2021.

C.A.No.229/2021:-

Heard Shri R.M.Fating, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents. None for the respondent no. 5.

2. As submitted by Id. P.O. and the Id. counsel for the applicant; applicant has already joined at Gadchiroli and as further submitted by Id. counsel for the applicant he is not interested in prosecuting the matter.

3. In view of the above, **the O.A. along with C.A. are disposed of for want of prosecution.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.876/2020 (D.B.)

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

Dated : 16/11/2021.

Heard Shri N.Tham holding for Shri P.D.Meghe, 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. four weeks.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.885/2020 (D.B.)

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

Dated : 16/11/2021.

Heard Shri G.K.Bhusari, the Id. Counsel for the applicant, Shri A.M.Ghogre, the Id. P.O. for the respondents and Shri A.D.Girdekar, the Id. counsel for the respondent nos. 3 to 10.

2. At the request of Id. P.O. along with Id. counsel for the respondent nos. 3 to 10, **S.O. four weeks to file reply.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.67/2021 (D.B.)

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

Dated : 16/11/2021.

None for the applicant. Shri A.M.Ghogre, the
Id. P.O. for the respondents.

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

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.414/2021 (D.B.)

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

Dated : 16/11/2021.

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

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

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.424/2021 (D.B.)

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

Dated : 16/11/2021.

Heard Shri Barahate holding for Shri N.R.Saboo, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents. None for the respondent no. 3.

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

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.549/2021 (D.B.)

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

Dated : 16/11/2021.

Heard Shri N.R.Shiralkar holding for Shri A.C.Dharmadhikari, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

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

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.616/2021 (D.B.)

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

Dated : 16/11/2021.

Heard Shri A.P.Chaware, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

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

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.742/2021 (D.B.)

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

Dated : 16/11/2021.

Heard Shri S.C.Deshmukh, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply on behalf of the respondent no. 2. It is taken on record. Copy is served to the other side. He further submits that is it sufficient to decide the O.A..

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

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

5. **S.O. 03.12.2021.**

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

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.999/2021 (D.B.)

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

Dated : 16/11/2021.

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

2. As submitted by Id. counsel for the applicant, applicant is serving on contract basis till 30.11.2021. In the order dated 03.11.2021; S.O. four weeks was given; that time Id. counsel for the applicant was not pointed out the above said facts.

3. However, in the interest of justice, the matter will be kept on 29.11.2021. Till that time, the Id. P.O. is directed to take instructions from the department.

4. **S.O. 29.11.2021.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.795/2009 (D.B.)

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

Dated : 16/11/2021.

Heard Shri P.V.Thakre, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has filed pursis dated 15.11.2021 as per the directions of the Tribunal order dated 15.11.2021.

3. In view of this, **O.A. is disposed of as withdrawn with no order as to costs.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.123/2021 (D.B.)

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

Dated : 16/11/2021.

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

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

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

C.P.No.23/2021 in O.A.No.278/2018 (D.B.)

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

Dated : 16/11/2021.

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

2. The Id. P.O. has filed letter dated 15.10.2021 by department and along with this letter they have attached other documents also including calculation on each item of pensionary benefits. Order dated 17.09.2021 is also attached along with this letter. The Id. P.O.s' document is marked Exh. X-1 for the purpose of identification. It is taken on record. Copy is served to the other side.

3. It appears from the said letter that almost all the payments have been done. As per letter Rs. 1,83,763/- have been already paid and bill for compliance amount of Rs. 80,060/- is pending with District Treasury Office, Nagpur. The Id. counsel for the applicant is directed to verify these calculations and confirm the payments report before next date of hearing.

4. Meanwhile, the Id. P.O. is also directed to take the instructions about remaining payments on the part of Treasury office till next date of hearing.

5. S.O. 26.11.2021.

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

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

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

Dated : 16/11/2021.

Heard Shri P.S.Sahare, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents. None the respondent no. 3.

2. The Id. counsel for the applicant submitted that the same matter is pending before Hon'ble High Court and which is going to be listed before Hon'ble High Court in the next week. At his request, **S.O. 31.11.2021.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.85/2018 (D.B.)

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

Dated : 16/11/2021.

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

2. At the request of Id. P.O., **S.O. 22.11.2021.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

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

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

Dated : 16/11/2021.

Heard Shri Barahate holding for Shri N.R.Saboo, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 22.11.2021.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.No.255/2012 (D.B.)

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

Dated : 16/11/2021.

Heard Shri G.N.Khazode, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. 22.11.2021.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman

O.A.Nos.537/2019&261/2021 (D.B.)

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

Dated : 16/11/2021.

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

2. At the request of Id. counsel for the applicant, **S.O. 18.11.2021.**

Member (J)
Date:-16/11/2021.
aps.

Vice Chairman