

O.A. 81/2020 (S.B.)

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

Dated : 19/07/2022.

C.A.No.41/2020

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

2. Learned counsel for the applicant has filed pursis on 18.07.2022. As per this pursis the name of the applicant is included in the seniority list of appointment on compassionate ground. Therefore, nothing survives in this O.A. Hence, O.A.st. is disposed off and C.A. is also disposed off.

Vice Chairman

rsm.

O.A. 641/2020 (S.B.)

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

Dated : 19/07/2022.

C.A.No.150/2020

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

S.O. after four weeks.

Vice Chairman

rsm.

O.A. 643/2020 (S.B.)

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

Dated : 19/07/2022.

C.A.No.151/2020

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

S.O. after four weeks.

Vice Chairman

rsm.

O.A. 247/2018 (S.B.)

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

Dated : 19/07/2022.

Heard Shri P.P.Khaparde, Id. counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondent nos.1 & 2. None for the respondent no.3.

2. At the request of Id. P.O. seeks three weeks time is granted to file reply.

S.O. after three weeks.

Vice Chairman

rsm.

O.A. 943/2020 (S.B.)

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

Dated : 19/07/2022.

Heard Smt. U.B. Manohar, holding for Id. counsel for the applicant Shri S.S.Deshpande, and Shri H.K.Pande, Id. P.O. for the respondents. Await service to respondent no.2.

2. Office objection not removed till today.
3. Issue notice to the respondent no.2 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.

Vice Chairman

rsm.

O.A. 80/2021 (S.B.)

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

Dated : 19/07/2022.

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

2. At the request of Id. P.O. two weeks time is granted to file reply of respondent no.2 and 3 as a last chance.

S.O. after two weeks.

Vice Chairman

rsm.

O.A. 229/2021 (S.B.)

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

Dated : 19/07/2022.

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

2. Learned P.O. has filed reply of respondent no.2 & 3. Hence, this matter is **admitted** for final hearing.

3. Learned P.O. waives notices for respondents.

4. **In due course.**

Put up this matter along with other connected matters.

Vice Chairman

rsm.

O.A. 576/2021 (S.B.)

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

Dated : 19/07/2022.

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

2. At the request of Id. P.O., two weeks time is granted to file reply of respondent nos.1, 2 and 3.

S.O. after two weeks.

Vice Chairman

rsm.

O.A. 586/2022 (S.B.)

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

Dated : 19/07/2022.

None for the applicant and Shri
A.P.Potnis, Id. P.O. for the respondents.

2. At the request of Id. P.O., two weeks
time is granted to file reply.

S.O. after two weeks.

Vice Chairman

rsm.

O.A. 816/2021 (S.B.)

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

Dated : 19/07/2022.

Heard Shri A.Barahate, holding for Shri N.R.Saboo, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondent nos.1 and 2. Shri M.V.Bute for respondent no.3. None for the respondent no.4 and 5.

2. At the request of Id. P.O., two weeks time is granted to file.

S.O. after two weeks.

Vice Chairman

rsm.

O.A. 1016/2021 (S.B.)

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

Dated : 19/07/2022.

Heard Shri A.P.Khadatkar, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents. Smt. A.A.Pande for R-4.

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

Vice Chairman

rsm.

O.A. 1106/2021 (S.B.)

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

Dated : 19/07/2022.

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

2. At the request of Id. P.O., three weeks
time is granted to file.

S.O. after three weeks.

Vice Chairman

rsm.

O.A. 189/2022 (S.B.)

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

Dated : 19/07/2022.

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

S.O. after three weeks.

Vice Chairman

rsm.

O.A. 190/2022 (S.B.)

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

Dated : 19/07/2022.

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

S.O. after three weeks.

Vice Chairman

rsm.

O.A. 413/2022 (S.B.)

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

Dated : 19/07/2022.

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

2. Learned P.O. has filed reply of respondent nos.2, 3 and 4. It is sufficient for respondent no.1. Hence, this matter is **admitted** for final hearing.

S.O.25.08.2022.

Vice Chairman

rsm.

O.A. 472/2022 (S.B.)

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

Dated : 19/07/2022.

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

2. At the request of Id. P.O., **S.O. 17.08.2022 for filing reply.**

Vice Chairman

rsm.

O.A. 533/2022 (S.B.)

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

Dated : 19/07/2022.

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

2. Learned P.O. has filed reply of respondent no.3. Hence, this matter is **admitted** for final hearing.

3. Learned P.O. waives notices for respondents.

4. **In due course.**

Vice Chairman

rsm.

O.A. 597/2022 (S.B.)

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

Dated : 19/07/2022.

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

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

S.O. after three weeks.

Vice Chairman

rsm.

C.A.No.270/2022 in O.A.No. 726/2022

C.A.No.269/2022 in O.A.No. 727/2022

C.A.No.268/2022 in O.A.No. 728/2022

C.A.No.267/2022 in O.A.No. 729/2022

(S.B.)

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

Dated : 19/07/2022.

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

2. All applicants were working with the respondents. All applicants are claiming increment which falls due on 1st July. All applicants are retired on 30th June. Hence, filing of joint C.A. is allowed.

**O.A.No. 726/2022, O.A.No. 727/2022,
O.A.No. 728/2022, O.A.No. 729/2022**

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.

Vice Chairman

O.A. 715/2022 and 716/2022 (S.B.)

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

Dated : 19/07/2022.

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

2. In the meantime office is directed to put up the record of O.A.Nos.276/2021 and 277/2021 along with this matter.

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.

Vice Chairman

rsm

O.A. 716/2022 (S.B.)

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

Dated : 19/07/2022.

Heard Shri G.K.Bhusari, Id. counsel for the applicant and Shri , Id. P.O. for the respondents.

At the request of Id. Counsel for the applicant, **S.O. 3/8/2022.**

Vice Chairman

rsm.

O.A. 741/2022 (S.B.)

(Jagan s/o Ramji Rathod Vs. State of Maharashtra & Ors.)

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

Dated : 19/07/2022.

2. Heard Shri N.R.Saboo, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the State.
3. Learned counsel for the applicant has submitted that applicant is working at Pandharkawda, District Yawatmal. The applicant is due for transfer. He has pointed out that as per the Government G.R. of 2002, the employee / officer in Group-A and B who has worked in Naxalite/Tribal Area, they are given choice posting after completion of two years of service in the year. The applicant has completed 3 years, 9 months and 15 days at Pandharkawada, therefore, he was due for transfer. The applicant has given choices for posting as per the request letter dated 15.05.2022. It appears that the applicant has given only one choice, i.e., Hinganghat, District Wardha. Though the choices nos.1 & 2 have been given at Yawatmal and Darwha respectively, it cannot be considered because the applicant was working in the Yawatmal District itself. As per the Govt. G.R. the applicant has given three choices.
4. The learned P.O. has submitted that the applicant is transferred to Bhandara. It is not a Naxalite / Tribal Area. He is posted for the project of "बाळासाहेत ठाकरे कृषि व्यवसाय व ग्रामीण परिवर्तन (स्मार्ट)". As per his submission, the applicant is relieved on 18th July,2022.

5. Learned Advocate Shri N.R.Saboo submitted that it is served to the applicant on whatsapp. Relieving order is not served to the applicant because he was on leave. He is transferred and he is relieved and therefore stay cannot be granted to the transfer order.
6. Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. Hamdast allowed.
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
8. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
9. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
11. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. after four weeks.

Vice Chairman

rsm.

O.A. 751/2019 (S.B.)

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

Dated : 19/07/2022.

Heard Shri A.Z.Jibhkate, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondent nos.1 to 3. Shri P.P.Khaparde holding for Shri A.Y.Kapgate, Id. counsel for the respondent no.4 & 5.

At the request of Id. Counsel for the applicant, **S.O. 4/8/2022.**

Vice Chairman

rsm.

O.A. 74/2017 (S.B.)

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

Dated : 19/07/2022.

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

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

Vice Chairman

rsm.

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

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

Dated : 19/07/2022.

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

2. As per the submission of learned counsel for the applicant, this matter pertains to the jurisdiction of Division Bench because the applicant prayed for time bound promotion. In view of submission put up this matter before Division Bench.

Vice Chairman

rsm.

O.A. 501/2017 (S.B.)

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

Dated : 19/07/2022.

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

At the request of Id. Counsel for the applicant, **S.O. 27/7/2022.**

Vice Chairman

rsm.

O.A. 351/2018 (S.B.)

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

Dated : 19/07/2022.

Heard Shri S.Sheikh, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents. Shri A.S.Fale Id. counsel for the R-4.

At the request of Id. Counsel for the applicant, **S.O. after three weeks.**

Vice Chairman

rsm.

O.A. 904/2019 & 10/2021(S.B.)

(Shri Ashok S/o Gopinath Harde & one another Vs. State of Maharashtra & Ors.)

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

Dated : 19/07/2022.

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

3. As per the submission of learned counsel for the applicants, both the applicants were working as a Mustering Assistant. As per the chart given below-

(i) O.A. No. 904/2019 -

Sr. No.	O.A.No.	Name of employee	Entry in service under EGS as Muster Assistant	Regular Pay scale as on (Rs.750-940)	Order of Termination from service	Order of labour court	Date of absorption	Date of retirement
1.	904/2019	Ashok Harde	24/1/84	1/10/88	31/01/93	Labour Court, Chandrapur, Order dated 15/1/1998 ULP Complaint No.36/93	7/2/2018	30/11/2021

(i) O.A. No. 10/2021 -

Sr. No.	O.A.No.	Name of employee	Entry in service under EGS as Muster Assistant	Regular Pay scale as on (Rs.750-940)	Order of Tahsildar	Date of absorption	Date of retirement
1	10/2021	Harischandra Donode	30/05/1993	30/05/1993	Page-35 period from 9/10/95 to 30/09/13 be treated as qualifying service as per order in WP No.2236/1997	30/09/2003	30/09/2013

4. Learned counsel has submitted that the applicants are now retired. They are not getting pension because of not completing qualifying services. Learned counsel has pointed out the judgment of this Tribunal in O.A.No.545/2020 with connected matters and submitted that initial services of the Mustering Assistants shall be taken into consideration for the purpose of pensionary benefits.

5. As per the submission of learned P.O., the applicants were not in regular service. They were absorbed in regular service in the year 2018 & 1993 respectively and therefore, they are not entitled for pensionary benefit, as they have not completed qualifying service for the purpose of pensionary benefits.

6. The same issue was decided by the Hon'ble Bombay High Court, Bench at Aurangabad in Writ Petition No.8468/2015. The Hon'ble Bombay High Court has held in the case of **Ramchandra Kondiba Mahajan vs. State of Maharashtra & Others** that the Mustering Assistant who were regular in service at the time of retirement, they are entitled for pensionary benefits considering their services from the date of their initial appointment as a Mustering Assistant. The said judgment was challenged before the Supreme Court in SLP No.23504/2016. The said SLP was dismissed on 23.02.2017.

7. In view of Rule 30 of Maharashtra Civil Services (Pension) Rules,1982 the temporary service shall be counted for the purpose of pensionary benefits provided that he/she shall be permanent at the time of retirement. Both the applicants were permanent at the time of retirement and therefore, their temporary services on the post of Mustering Assistant from their initial date of appointment shall be taken into consideration. Rule 30 of the MCS (Pension) Rules support the contention of the applicants. Hence, the following order.

ORDER

- 1) Both the O.As. are allowed.
- 2) The respondents are directed to consider the service of the applicant Ashok Gopinath Harde from the date of his initial appointment on the post of Mustering Assistant from 24.01.1984 till the date of retirement as continued service for the purpose of pensionary benefits only.
- 3) The respondents are directed to consider the service of Harishchandra D. Donode from the date of his initial appointment on the post of Mustering Assistant from 30/05/1993 till the date of retirement as continued service for the purpose of pensionary benefits only.
- 4) No order as to costs.

Vice Chairman

rsm.

O.A. 1079/2019 (S.B.)

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

Dated : 19/07/2022.

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

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

Vice Chairman

rsm.

O.A. 977/2020 (S.B.)

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

Dated : 19/07/2022.

Heard Shri V.G.Wankhede, Id. counsel
for the applicant and Shri A.M.Ghogre, Id. P.O.
for the respondents.

2. At the request of Id. P.O. **S.O.27.07.2022**
for final hearing.

Vice Chairman

rsm.

O.A. 10/2021 (S.B.)

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

Dated : 19/07/2022.

Heard Shri _____, Id. counsel for the
applicant and Shri _____, Id. P.O. for the
respondents.

At the request of Id. Counsel for the
applicant, **S.O. 3/8/2022.**

Vice Chairman

rsm.

O.A. 476/2021 (S.B.)

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

Dated : 19/07/2022.

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

2. Learned counsel for the applicant has filed rejoinder.

S.O. after two weeks.

Vice Chairman

rsm.

O.A. 559/2021 (S.B.)

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

Dated : 19/07/2022.

C.A.No.394/2021

Heard Shri A.Y.Humne, holding for Id. counsel for the applicant Shri Y.Y. Humne, and Shri A.M.Ghogre, Id. P.O. for the respondents.

At the request of Id. Counsel for the applicant, **S.O.28/7/2022 for final hearing.**

Vice Chairman

rsm.

O.A. 555/2021 with 634/2021 with
734/2021 (S.B.)

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

Dated : 19/07/2022.

Heard Shri M.R.Patil, Id. counsel for the
applicant and Shri A.P.Potnis, Id. P.O. for the
respondents.

2. P.H.

S.O.04.08.2022.

Vice Chairman

rsm.

O.A. 595/2022 (S.B.)

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

Dated : 19/07/2022.

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

2. P.H.

S.O.20.07.2022.

Vice Chairman

rsm.

O.A.No.109/2018 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 19/07/2022.

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

2. On oral request of Id. P.O., **S.O. three weeks to file reply.**

Date:-19/07/2022.
aps.

Member (J)

O.A.No.177/2019 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 19/07/2022.

Heard Shri R.V.Shiralkar, the ld. Counsel for the applicant and Shri V.A.Kulkarni, the ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply as a last chance.**

Date:-19/07/2022.
aps.

Member (J)

O.A.No.271/2020 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 19/07/2022.

C.A.No.374/2021:-

Heard Smt. Saboo, the ld. Counsel for the applicant and Shri M.I.Khan, the ld. P.O. for the respondents. None for R-6 to 9.

2. On oral request of ld. counsel for the applicant, **S.O. 26.07.2022.**

3. **Office is directed to keep this matter in the Hearing Matter Caption.**

Member (J)

Date:-19/07/2022.
aps.

O.A.No.226/2021 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 19/07/2022.

Heard Ms. M.Kadav, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents. None for R-3 & 4.

2. Ld. counsel for the applicant states that respondent no. 5 is served and she will file service affidavit today itself. On oral request of Id. P.O., **S.O. four weeks to file reply.**

Date:-19/07/2022.
aps.

Member (J)

O.A.No.796/2021 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 19/07/2022.

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State.

2. Issue fresh notice to Respondent nos. 2 & 4, returnable on four weeks. Learned 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:-19/07/2022.

aps.

O.A.No.809/2021 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 19/07/2022.

Heard Shri S.M.Pande, the ld. Counsel for the applicant and Shri V.A.Kulkarni, the ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. two weeks to file reply.**

Date:-19/07/2022.
aps.

Member (J)

O.A.No.203/2022 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 19/07/2022.

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

2. On oral request of ld. P.O., **S.O. three weeks to file reply as a last chance.**

Date:-19/07/2022.
aps.

Member (J)

O.A.No.373/2022 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 19/07/2022.

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

2. On oral request of Id. P.O., **S.O. three weeks to file reply.**

Date:-19/07/2022.
aps.

Member (J)

O.A.No.486/2022 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)

Dated : 19/07/2022.

Heard Shri R.V.Shiralkar, the ld. Counsel for the applicant and Shri V.A.Kulkarni, the ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. two weeks to file reply.**

Member (J)

Date:-19/07/2022.

aps.

O.A.No.645/2022 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 19/07/2022.

Heard Shri S.N.Gaikwad holding for Shri P.S.Kshirsagar, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents. Await service of R-2 to 4.

2. On oral request of Id. counsel for the applicant, **S.O. one week to file service affidavit.**

Member (J)

Date:-19/07/2022.
aps.

O.A.No.651/2022 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)

Dated : 19/07/2022.

Heard Shri D.M.Kakani, the ld. Counsel for the applicant and Shri V.A.Kulkarni, the ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. four weeks to file reply.**

3. **Interim relief is to be continued until further order.**

Member (J)

Date:-19/07/2022.
aps.

C.P.No.18/2022inO.A.No.220/2019 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)
Dated : 19/07/2022.

Heard Shri R.V.Shiralkar, the ld. Counsel for the applicant and Shri M.I.Khan, the ld. P.O. for the respondents.

2. It is submitted by Shri R.V.Shiralkar, ld. counsel for the applicant that by order dated 24.12.2020 passed in O.A. No. 220/2019 termination order dated 17.01.2019 was quashed and the respondents were directed to reinstate the applicant in service and for compliance time of two months was granted. It is further submitted that after the time which was initially granted expired the respondents sought extension and on as many as four occasions extension has been granted.

3. Ld. P.O. states that today a communication has been received from the Government that some more time still will be required to comply with the order passed by the Tribunal.

4. It does not appear that there were really compelling circumstances not to comply with the order passed by the Tribunal even within the extended time frame. **Respondent no. 4 shall remain present in person before this Tribunal on 10.08.2022 to explain what has prevented the respondents from complying with the order of the Tribunal.**

5. **Steno copy is granted.**

6. **S.O. 10.08.2022.**

7. Liberty is granted to the ld. counsel for the applicant to correct the name of respondent no. 3 in title clause of contempt petition.

Date:-19/07/2022.
aps.

Member (J)

C.P.No.49/2021inO.A.No.28/2019 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)

Dated : 19/07/2022.

Heard Shri G.G.Bade, the ld. Counsel for the applicant and Shri M.I.khan, the ld. P.O. for the respondents.

2. On oral request of ld. counsel for the applicant, **S.O. 21.07.2022.**

Member (J)

Date:-19/07/2022.
aps.

C.P.No.47/2022inO.A.No.852/2019 With

**C.P.No.52/2022inO.A.No.910/2021 With
C.P.No.53/2022inO.A.No.867/2019 With
C.P.No.54/2022inO.A.No.791/2021 With
C.P.No.55/2022inO.A.No.911/2019 (D.B.)**

Coram : Shri M.A.Lovekar, Member (J)

Dated : 19/07/2022.

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri M.I.khan, the Id. P.O. for the State.

2. Issue Notice to the respondents returnable in **four weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. Shri M.I.Khan, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

4. **S.O.four weeks.**

Member (J)

Date:-19/07/2022.

aps.

C.P.No.50/2022inO.A.No.675/2021 With

C.P.No.51/2022inO.A.No.676/2021 (D.B.)

Coram : Shri M.A.Lovekar, Member (J)

Dated : 19/07/2022.

Heard Smt. Wathore, the ld. Counsel for the applicant and Shri M.I.khan, the ld. P.O. for the State.

2. Issue Notice to the respondents returnable in **four weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. Shri M.I.Khan, the learned P.O. waives notice for respondent No. 1. Hamdast granted.

4. **S.O.four weeks.**

Member (J)

Date:-19/07/2022.

aps.