

O.As. 653,654 & 655 of 2021 (S.B.)

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

Dated : 22/12/2021.

Heard Shri Barhate, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. and other Id. P.Os. for R-1&2. None for R-3.

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

Member (J).

dnk.

O.A. No.779/2020 (S.B.)

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

Dated : 22/12/2021.

Heard Shri M.R. Khan, 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-5&6. Same are taken on record and copies are supplied to the Id. counsel for the applicant.

3. The Id. counsel for the applicants wants to file rejoinder, if any. At his request, **S.O.**
After Vacation.

Member (J).

dnk.

O.A. No.138/2020 (S.B.)

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

Dated : 22/12/2021.

Heard Shri G.G. Mishra, Id .counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondent nos.1 to 3. Await service of R-4&5.

The applicant to remove office objections.

S.O. After Vacation.

Member (J).

dnk.

O.A. No.156/2020 (S.B.)

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

Dated : 22/12/2021.

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4&5.

At the request of Id. P.O., **S.O. After
Vacation** for filing reply.

Member (J).

dnk.

O.A. No.493/2021 (S.B.)

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

Dated : 22/12/2021.

Shri R.V. Shiralkar, Id. counsel for applicant and Shri A.P. Potnis, Id. P.O. for respondents.

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

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

S.O. 3rd week of January, 2022.

Member (J).

dnk.

O.A. No.555/2021 (S.B.)

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

Dated : 22/12/2021.

Heard Shri M.R. Patil, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1&4 and Shri T.M. Zaheer, Id. counsel for R-2&3.

2. Shri Zaheer, Id. counsel seeks time to file reply of R-2&3.

3. The learned counsel for the applicant submits that the applicant is not getting pensionary benefits though the pension case is sanctioned by the A.G. Office.

4. At the request of counsel for respondent nos.2&3, **S.O. 1st week of January, 2022** for filing reply as a last chance.

Put up along with similar matters.

Member (J).

dnk.

O.A. No.634/2021 (S.B.)

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

Dated : 22/12/2021.

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

2. At the request of Id. P.O., **S.O. 1st week of January, 2022** for filing reply.

Put up along with similar matters.

Member (J).

dnk.

O.A. No.734/2021 (S.B.)

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

Dated : 22/12/2021.

Heard Shri M.R. Patil, 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-3. It is taken on record. 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. 1st week of January, 2022.

Member (J).

dnk.

O.A. No.657/2021 (S.B.)

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

Dated : 22/12/2021.

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

S.O. After Vacation for filing reply.

Member (J).

dnk.

O.A. No.782/2021 (S.B.)

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

Dated : 22/12/2021.

**C.A. Nos. 413/2021 & 372/2021 in
O.A.782/2021-**

Heard Shri R.M. Fating, Id. counsel for applicant, Shri V.A. Kulkarni, Id. P.O. for R-1&3, Shri N.D. Thombre, Id. counsel for R-4 and none for other respondents.

2. Shri Thombre, Id. counsel files reply of R-4. It is taken on record. Copies are served to the other sides.

S.O. After Vacation.

Member (J).

dnk.

O.A. No.687/2021 (S.B.)

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

Dated : 22/12/2021.

Heard Shri Barhate, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicant, Shri A.M. Khadatkhar, Id. P.O. for R-1&2 and none for R-3.

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

3. The matter is admitted and kept for final hearing. The Id. P.O. waives notice for R-1&2.

S.O. After Vacation.

Member (J).

dnk.

O.A. No.691/2021 (S.B.)

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

Dated : 22/12/2021.

Heard Shri Barhate, Id. counsel holding
for Shri N.R. Saboo, Id. counsel for the
applicant, Shri A.M. Khadatkar, Id. P.O. for
R-1&2 and none for R-3.

S.O. After Vacation for filing reply.

Member (J).

dnk.

O.A. No.692/2021 (S.B.)

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

Dated : 22/12/2021.

Heard Shri Barhate, Id. counsel holding
for Shri N.R. Saboo, Id. counsel for the
applicant, Shri A.M. Khadatkar, Id. P.O. for
R-1&2 and none for R-3.

S.O. After Vacation for filing reply.

Member (J).

dnk.

O.A. No.694/2021 (S.B.)

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

Dated : 22/12/2021.

Heard Shri Barhate, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1&2 and none for R-3.

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

3. The matter is admitted and kept for final hearing. The Id. P.O. waives notice for R-1&2.

S.O. After Vacation.

Interim relief to continue till then.

Member (J).

dnk.

O.A. No.418/2021 (S.B.)

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

Dated : 22/12/2021.

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

2. The reply is already filed.

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

S.O. 12/1/2022.

Member (J).

dnk.

O.A. No.697/2021 (S.B.)

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

Dated : 22/12/2021.

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&2. None for R-3.

2. The learned counsel for applicant has filed Pursis dated 22/12/2021 stating that the applicant has joined at the place of transfer and he wants to withdraw the O.A. Now there is no cause to continue the O.A. Hence, the O.A. is disposed off as withdrawn. No order as to costs.

Member (J).

dnk.

O.A. No.229/2016 (S.B.)

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

Dated : 22/12/2021.

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

At the request of Id. P.O., **S.O. 1st week of January, 2022.**

Member (J).

dnk.

O.A. No.24/2018 (S.B.)

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

Dated : 22/12/2021.

Heard Ms. Pathan, Id. counsel holding for Mrs. R.S. Sirpurkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

S.O. 24/12/2021 (PH).

Member (J).

dnk.

O.A. No.469/2021 (S.B.)

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

Dated : 22/12/2021.

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

At the request of Id. P.O., **S.O.**
23/12/2021 to get instructions.

The matter be treated as **P.H.**

Member (J).

dnk.

O.A. No.756/2021 (S.B.)

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

Dated : 22/12/2021.

C.A. 273/2021 in O.A. 756/2021 -

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

2. This Tribunal has observed on 22/11/2021 that the respondents are not allowing the applicant to join at Nagpur.

3. The respondents are directed to comply the orders dated 1/9/2021 and 22/9/2021. The Id. P.O. is directed to get instructions in respect of compliance of the above orders.

S.O. After Vacation.

Member (J).

dnk.

O.A. No.559/2021 (S.B.)

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

Dated : 22/12/2021.

C.A. No. 394/2021 in O.A. 559/2021 -

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

S.O. After Vacation for filing affidavit by Id. counsel for applicant.

Member (J).

dnk.

O.A. Nos.484 & 486 of 2020 (S.B.)

(D.B. Dhage (O.A.484/20) N.A. Kokane
(O.A.486/2020) Vs. State of Mah. & Ors.)

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

Dated : 22/12/2021.

Heard Shri G.K. Bhusari, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. and other Id. P.Os. for the respondents.

2. Both the applicants are working in the office of Deputy Superintendent of Land Records, Amravati. Both the applicants have prayed that they are not posted as per their choices given before the impugned transfer order in view of the G.R. dated 9/4/2018. The applicants have prayed as follows –

“(i) To quash and set aside the order dated 10/8/2020 of the applicants issued by respondent no.3.

(ii) Direct the respondents to modify the order dated 10/8/2020 and give posting to the applicants as per their choices where the posts are still vacant.

(iii) Direct the respondent no.2 to consider the representations of the applicants and give posting as per the options given by the applicants.”

3. Both the O.As. are strongly opposed by the respondents' side. Now the general transfer orders are already issued and the applicants are transferred and they have joined at their respective place of postings. No any stay was granted by this Tribunal.

4. Heard learned P.O. The Id. P.O. submits that the representations of applicants can be considered at the time of next general transfer orders. In that view of matters, the following order –

ORDER

- (i) The O.As. are partly allowed.
- (ii) The respondents are directed to consider the representations of the applicants as per their choice postings in the general transfers of the Year,2022.
- (iii) No order as to costs.

Member (J).

dnk.

O.A. No.1046/2021 (S.B.)

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

Dated : 22/12/2021.

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

2. The learned counsel for the applicant pointed out the order passed by the Division Bench of this Tribunal in Contempt Petition. In the contempt petition, the respondents have filed one letter of appointment of applicant. Therefore, the contempt petition was disposed off with liberty to file another O.A. if the order is not complied in respect of seniority and other monetary benefits.

3. As per the submission of learned counsel for the applicant, the applicant is not posted, therefore, the question of seniority and monetary is also not given. It appears that the respondents have not followed the order of this Tribunal.

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

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

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

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

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

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

10. The learned P.O. is directed to file reply. The matter will be disposed off at the stage of admission itself.

S.O. After four weeks.

Member (J).

dnk.*

O.A.No.128/2021 (D.B.)

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

Dated : 22/12/2021.

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicants and Shri A.P.Potnis, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

2. The Id. counsel for the applicant has filed pursis dated 1012.2021 and desires to withdraw the O.A.. **The O.A. is disposed of as withdrawn** according to the pursis. However, the Id. counsel for the applicant is at liberty to file separate O.A. if he aggrieved with the subsequent order.

Member (J)
Date:-22/12/2021.
aps.

Vice Chairman

O.A.No.861/2021 (D.B.)

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

Dated : 22/12/2021.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The matter pertains to Departmental Inquiry. The Id. P.O. desires time to file reply along with the detail progress report of the D.E. till date of hearing.

3. **S.O. 11.01.2022.**

Member (J)
Date:-22/12/2021.
aps.

Vice Chairman

O.A.No.1100/2021 (D.B.)

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

Dated : 22/12/ 2021.

C.A.No.414/2021:-

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State. None for the caveator. Await service of respondent nos. 2 to 4 in O.A..

2. Since none for the caveator, **S.O.**
24.12.2021.

Member (J)
Date:-22/12/2021.
aps.

Vice Chairman

Rev.No.20/2021 in O.A.No.37/2020 (D.B.)

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

Dated : 22/12/2021.

Heard Shri A.M.Ghogre, the Id. P.O. for the applicants (original respondents) and Shri S.P.Palshikar, the Id. counsel for the respondent (original applicant).

2. The Id. P.O. has filed progress of matter before the Hon'ble Apex Court and according to this document it is mentioned that matter is likely to be listed on 07.01.2022 before Hon'ble Apex Court.

3. In view of this, **S.O. 28.01.2022.**

Member (J)
Date:-22/12/2021.
aps.

Vice Chairman

C.P.No.57/2021 in O.A.No.37/2020 (D.B.)

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

Dated : 22/12/2021.

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

2. **S.O. 28.01.2022.**

Member (J)
Date:-22/12/2021.
aps.

Vice Chairman

O.A.No.945/2019 (D.B.)

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

Dated : 22/12/ 2021.

Heard Shri M.R.Khan, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents. None for the R-4.

2. At the request of Id. counsel for the applicant, **S.O. 06.01.2022.**

Member (J)
Date:-22/12/2021.
aps.

Vice Chairman

O.A.No.500/2015 (D.B.)

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

Dated : 22/12/ 2021.

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

2. As pointed out by Id. counsel for the applicant, order was passed on 22.01.2019 and in para no. 3 following observation has been made:-

*"3. Divisional Commissioner, Nagpur is directed to take the decision on the said letter sent by the Divisional Animal Husbandry, Joint Director, Nagpur **within four weeks** from the date of this order, looking into all the vacancies and other conditions of services."*

3. However, the Id. P.O. submits that matter may be taken after vacation till that time he may get necessary instructions from the department.

4. **S.O. 11.01.2022.**

Member (J)
Date:-22/12/2021.
aps.

Vice Chairman

O.A.No.334/2017 (D.B.)

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

Dated : 22/12/2021.

Heard Shri S.N.Gaikwad, 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 submits that he desires to place on record document which shows that applicant was exonerated from the Criminal case. He will place it along with the pursis.

3. **S.O. 14.01.2022.**

Member (J)
Date:-22/12/2021.
aps.

Vice Chairman

O.A.No.715/2017 (D.B.)

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

Dated : 22/12/ 2021.

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

2. The Id. counsel for the applicant has filed pursis dated 21.12.2021 and he desires to withdraw the O.A. with liberty to file it before Principal Bench of M.A.T., Mumbai. **Hence, the O.A. is disposed of as withdrawn.**

3. The Id. counsel for the applicant is at liberty to file it before Principal Bench of M.A.T., Mumbai.

Member (J)
Date:-22/12/2021.
aps.

Vice Chairman

O.A.No.485/2021 (D.B.)

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

Dated : 22/12/ 2021.

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

2. By affidavit in reply on behalf of the respondents at pg. no. 108 (clause iii) which is below:-

“(iii) Complainant case was already resolved and transit pass was also issued to him on 05.09.2014.”

3. The Id. P.O. is directed to take necessary instructions from the respondents on the following points:-

(i) What is the date of when trap was laid by A.C.B.?

(ii) The case for which alleged bribe was to be paid whether that area was under the jurisdiction of applicant or not?

4. The Id. P.O. is directed to take instructions on the above two points, **S.O. 06.01.2022.**

5. Matter be treated as P.H.

6. Steno copy is granted.

Member (J)

Vice Chairman

Date:-22/12/2021.

aps.

O.A.No.302/2018 with C.A.204/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :22/12/ 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. C.A. No. 204/2020 has been filed by respondent i.e. State of Maharashtra and others for recalling of order dated 24.02.2020 pertaining to Single Bench. The O.A. No. 302/2018 was heard in the Single Bench and order was passed on 24.02.2020. The Interim order was passed on 24.02.2020 in the O.A. No. 302/2018 and now C.A. No. 204/2020 has been filed to recall the order. Since regular single bench is available in this Bench, so it will be proper to put up the O.A. for final hearing regular Single Bench and if O.A. is finally heard and decided, then interim order will get automatically decided.

3. Put up the matter along with O.A. No. 744/2019.

Vice Chairman

Date:-22/12/2021.
aps.

O.A.744/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :22/12/ 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. Put up the matter before regular Single Bench.

3. Put up the matter along with O.A. No. 302/2018.

Vice Chairman

Date:-22/12/2021.
aps.