

(S.B.)

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

Dated : 30/09/2022.

O.As. 907,908,909,910,912,913 & 914 of 2017 -

Heard Shri Barhate, Id. counsel holding
for Shri N.R. Saboo, Id. counsel for applicants
and Shri A.M .Khadatkar, Id. P.O. for
respondents.

At the request of Id. P.O., **S.O.**
12/10/2022.

Vice Chairman

dnk.

O.A. 987/2018 (S.B.)

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

Dated : 30/09/2022.

C.A. 390/2022 -

Heard Shri P.N. Warjurkar, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. Looking to the ground, the C.A. for amendment is allowed and disposed off. Necessary amendment be carried out within two weeks. The applicant is directed to file amended copy and supply to the other side.

O.A. 987/2018 –

S.O. after two weeks.

Vice Chairman

dnk.

O.A. 1158/2021 (S.B.)

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

Dated : 30/09/2022.

C.A. 390/2022 -

Heard Shri P.N. Warjurkar, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. Looking to the ground, the C.A. for amendment is allowed and disposed off. Necessary amendment be carried out within two weeks. The applicant is directed to supply amended copy to the other side.

O.A. 987/2018 –

S.O. after two weeks.

Vice Chairman

dnk.

O.A. 1158/2021 (S.B.)

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

Dated : 30/09/2022.

Heard Shri Ms. S.A. Dhawale, Id. counsel holding for Shri S.D. Chande, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for R-1.

Await service of R-2.

S.O. after four weeks.

Vice Chairman

dnk.

O.A. 201/2022 (S.B.)

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

Dated : 30/09/2022.

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

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

Vice Chairman

dnk.

O.A. 241/2022 (S.B.)

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

Dated : 30/09/2022.

None for applicant. Heard Shri H.K.
Pande, Id. P.O. for R-1.

Await service of R-2 to 4.

S.O. four weeks for filing service
affidavit.

Vice Chairman

dnk.

O.A. 368/2022 (S.B.)

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

Dated : 30/09/2022.

Heard Shri R.M. Agrawal, Id. counsel holding for Shri M.G. Sarda, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for respondents.

The applicant to remove office objection.

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

Vice Chairman

dnk.

O.A. 608/2022 (S.B.)

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

Dated : 30/09/2022.

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

The applicant to remove office objections.

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

Vice Chairman

dnk.

O.A. 818/2022 (S.B.)

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

Dated : 30/09/2022.

C.A. 391/2022 -

Heard Ms. Aarti Singh, Id. counsel for applicants and Shri H.K. Pande, Id. P.O. for the State.

2. All the applicants are working on the post of Assistant Project Officer. They were appointed temporary for a period of five years. All the applicants are claiming relief of regularisation and seeking pay scale in Grade Pay of Rs.4,800/-.

3. As the grievances of all the applicants are common, permission is granted to file joint O.A.

4. The C.A. is allowed and disposed off.

O.A. 818/2022 -

Heard Ms. Aarti Singh, Id. counsel for applicants and Shri H.K. Pande, Id. P.O. for the State.

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

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

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

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

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

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

S.O. after four weeks.

Vice Chairman

dnk.

(S.B.)

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

Dated : 30/09/2022.

C.A. 386/2022 -

Heard Shri G.G. Bade, Id. counsel for applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 4 and Shri A.V. Palshikar, Id. counsel for Intervener.

2. Looking to the ground, the C.A. for permission to intervene in the present O.A. is allowed and disposed off.

3. The applicant is directed to join intervener as respondent no.5.

O.A. 839/2022 with C.A. 387/2022 –

Interim order to continue till next date. It is made clear that on the next date, the matter will be heard and interim order will not be extended.

S.O. 7/10/2022.

Vice Chairman

dnk.

O.A. 890/2022 (S.B.)

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

Dated : 30/09/2022.

Heard Shri N.R. Saboo, Id. counsel for applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 and Shri N.S. Warulkar, Id. counsel for R-2.

2. The Id. P.O. seeks further time to file reply.

3. On 27/09/2022, specific order was passed and the status-quo was continued with specific understanding that the matter will be heard finally. But, today also the Id. P.O. seeks further time to file reply.

4. It is made clear that on the next date, the matter will be heard finally and no adjournment will be granted.

S.O. 07/10/2022.

Statuo-quo to continue till then.

Vice Chairman

dnk.

O.A. 660/2022 (S.B.)

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

Dated : 30/09/2022.

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

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

dnk.

Vice Chairman

O.As. 886 & 887 of 2022 (S.B.)

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

Dated : 30/09/2022.

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

2. As per submission of Id. counsel for applicants, both the O.As. are covered by the Judgment of this Tribunal.

3. The learned P.O. Shri A.M. Ghogre seeks time to get instructions as to whether the proposals moved by the Divisional Commissioner for deemed date of promotion to the applicants are to be complied or not.

4. At the request of Id. P.O., **S.O. 07/10/2022.**

Vice Chairman

dnk.

O.A. 742/2019 (S.B.)

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

Dated : 30/09/2022.

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

2. The applicant has amended the prayer clause on 15/3/2022. But till date reply to the amended portion is not filed by the respondents.

3. The Id. P.O. seeks time to file reply. Time is granted as a last chance. On next date, the matter will be fixed for final hearing.

S.O. 20/10/2022.

Vice Chairman

dnk.

O.A. 904/2022 (S.B.)

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

Dated : 30/09/2022.

Heard Shri S. Karmarkar, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for 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.

Vice Chairman

dnk.

O.A. 884/2020 (S.B.)

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

Dated : 30/09/2022.

Heard Shri Ms. Aarti Singh, Id. counsel holding for Shri P.D. Meghe, Id. counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

At the request of Id. counsel for applicant, **S.O. 13/10/2022.**

Vice Chairman

dnk.

O.A. 1139/2021 (S.B.)

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

Dated : 30/09/2022.

Heard Shri G.G. Bade, Id. counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

At the request of Id. counsel for applicant, **S.O. 19/10/2022.**

Vice Chairman

dnk.

O.A. 1148/2021 (S.B.)

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

Dated : 30/09/2022.

Heard Shri A.K. Waghmare, Id. counsel
for applicants and Shri H.K. Pande, Id. P.O. for
respondents.

At the request of Id. P.O., **S.O.**
07/10/2022.

Vice Chairman

dnk.

O.A. 04/2022 (S.B.)

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

Dated : 30/09/2022.

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

S.O. 18/10/2022.

Vice Chairman

dnk.

O.A. 179/2022 (S.B.)

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

Dated : 30/09/2022.

Heard Shri N.S. Warulkar, Id. counsel
for applicants and Shri A.M. Ghogre, Id. P.O. for
respondents.

At the request of Id. P.O., **S.O.**
18/10/2022.

Vice Chairman

dnk.

O.A.No.908/2019 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

C.A.No.381/2022:-

Heard Shri N.R.Saboo, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents 1 & 2. None for the respondent no. 3.

2. The proposal for releasing benefits is to be forwarded by respondent no. 3. Today no-one is present for respondent no. 3. It is not known whether the applicant has submitted necessary papers before the concerned authority so as to enable the latter to forward his proposal. Statement is made on behalf of the applicant that the applicant shall make this compliance within two weeks. Respondent no. 3 is directed to inform the applicant what papers are required to be submitted by him so that his proposal for regular pension can be forwarded.

3. **S.O. two weeks.**

Latter on :-

Ld. counsel for the respondent no.3 Shri N.C.Majethiya present.

Member(J)

Date:-30/09/2022
APS.

O.A.No.526/2020 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

Heard Ms. Madhura S. Joshi holding for Shri S.G.Joshi, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. On oral request of learned P.O., **S.O. three weeks for filing reply.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.672/2021 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

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

2. On oral request of learned P.O., **S.O. two weeks for filing reply.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.994/2021 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

Heard Shri G.K.Bhusari, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the State.

2. On oral request of learned counsel for the applicant, issue fresh notice to Respondents 2 & 3, returnable on two 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. two weeks.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.316/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

Heard Shri Vilas Dongre holding for Shri N.R.Kanungo, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the State. Await service of R-2 & 3.

2. Learned counsel for the applicant seeks time to take steps, **S.O. four weeks.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.756/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

Heard Shri G.G.Bade, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the State. Await service of R-2 to 4.

2. Ld. counsel for the applicant seeks time to take steps, **S.O. three weeks.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.847/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

Heard Shri S.V.Narspurkar, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the respondents.

2. On oral request of learned P.O., **S.O. four weeks for filing reply.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.892/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

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

2. On oral request of learned P.O., **S.O. two weeks for filing reply.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.907/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

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

2. Learned P.O. seeks time to take instructions,
S.O. 04.10.2022.

Member(J)

Date:-30/09/2022
APS.

O.A.St.No.1905/2022 (D.B.)

Coram : Hon'ble Shri M.A. Lovekar, Member (J)
Dated : 30/09/2022.

C.A.No.363/2022:-

Heard Ms.S.D.Gupta, ld. Counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the State.

2. Notice on C.A. to Respondents be issued returnable in **four weeks**.

3. Shri S.A.Deo, the learned C.P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. 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.

9. **S.O. four weeks.**

Member(J)

Date:-30/09/2022

APS.

C.P.No.47/2022 in O.A.No.852/2019 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

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

2. On oral request of learned P.O., **S.O. three weeks for filing reply.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.593/2020 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

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

2. Ld. counsel for the applicant submits that the issue is already decided by MAT, Bench at Aurangabad and the said view is upheld upto the Hon'ble Supreme Court and hence at the stage of admission the matter can be decided finally.

3. **S.O. 07.10.2022.**

Member(J)

Date:-30/09/2022

APS.

O.A.No.914/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

Heard Shri S.G.Karmarkar, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the State.

2. Issue notice to Respondents, 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:-30/09/2022

APS.

O.A.No.923/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

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

2. The ld. P.O. submits that as per order dated 20.09.2022 information is forwarded by respondent no. 3 to respondent no. 1 in the prescribed proforma. He states that he will place on record copy of the same on next date.

3. **S.O. one week.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.967/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

Heard Shri G.K.Bhusari, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the State.

2. Issue notice to Respondents, returnable on one week. 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. one week.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.979/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

Heard Shri G.G.Bade, Id. Counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the State.

2. Issue notice to Respondents, returnable on one week. 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. one week.**

Member(J)

Date:-30/09/2022

APS.

O.A.No.583/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

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

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

Member(J)

Date:-30/09/2022
APS.

O.A.No.986/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

Heard Shri V.Dongre and Shri R.V.Shiralkar,
ld. Counsel for the applicant and Shri A.M.Khadatkar,
ld. P.O. for the State.

2. It is submitted that chargesheet dated 04.04.2022 (A-1) is issued on allegation that the applicant had breached Rule 44(1)(i) of the Maharashtra Registration Rules, 1961. It is submitted that said Rule is interpreted in the following manner by the Hon'ble Bombay High Court in W.P. No. 2111/2022:-

"In our view, the impugned circular dated 12.07.2021, exercising the powers under Rule 44(1)(i) of the Rules being contrary to sections 34, 35 and 69 of the Registration Act, thus, deserves to be quashed and set aside. Rule 44(1)(i) of Rules deserves to be read down and not required to be followed by registering authority while registering the document under sections 34 r/w. Section 35 of the Registration Act.

In our view, the registering authority cannot refuse to register the document by placing reliance on Rule 44(1)(i) of the Rules or impugned circular dated 12.07.2021."

And in view of the above legal position further proceeding of the D.E. deserves to be stayed. After going through the chargesheet and the above referred Judgment dated 05.05.2022, I have come to

the conclusion that case is made out to stay the proceeding of D.E. started vide chargesheet dated 04.04.2022. **Accordingly said proceedings are stayed till returnable date.**

3. Issue notice to Respondents, returnable on two weeks. Learned P.O. waives notice for R-1. 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.

9. **S.O. two weeks.**

10. **Steno copy is granted.**

Member(J)

Date:-30/09/2022
APS.

O.A.No.987/2022 (D.B.)

Coram : Hon'ble Shri M.A.Lovekar, Member (J)
Dated : 30/09/2022.

C.A.No.399/2022:-

Heard Shri S.A.Marathe, ld. Counsel for the applicants and Shri S.A.Deo, ld. C.P.O. for the State.

2. C.A.No.399/2022 for Jt. O.A. is allowed and disposed of.

3. It is pointed out by Advocate Shri S.A.Marathe that by communication dated 29.03.2022 (A-14) proposal was sent to the Government for continuing services of the applicants and so far no action has been taken on the same.

4. It is than pointed out that by communication at A-2 it is stipulated that the applications/consent letters received after 26.09.2022 shall not be considered. This particular detail in communication is the foundation on which the applicants apprehend that serious prejudice will be caused to their prospects. So far as this detail in the communication at A-2 is concerned, ld. C.P.O. has made a statement that said date was inadvertently mentioned in the communication and a fresh communication is likely to be issued today mentioning the correct date by which applications/consent letters can be submitted. In view of this submission, presently question of grant of interim relief is not required to be considered. However, it would be open to the applicants to again pray for grant of interim relief on the returnable date if any adverse action is apprehended to be taken or taken by the respondents.

5. Issue notice to Respondents, returnable on 11.10.2022. Learned P.O. waives notice for R-1. Hamdast allowed.

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

7. 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.

8. 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.

9. 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.

10. 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.

11. **S.O. 11.10.2022.**

12. **Steno copy is granted.**

Member(J)

Date:-30/09/2022