

O.A. No. 797/2016 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

Heard Shri S. Pande, Id. counsel holding
for Shri S.N. Gaikwad, 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. Next week.**

Member (J)

Vice-Chairman

dnk.

O.A. No. 73/2017 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

C.A. 430/2021 -

Heard Shri Potnis, Id .counsel holding for Shri M.M. Sudame, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 to 4, Shri A.P. Sadavarte, Id. counsel for R-5.

The Id. counsel for the applicant has filed C.A. for amendment. For the reasons stated in the application, the C.A. for amendment is allowed and disposed off. Necessary amendment be carried out within one week and supply amended copies to the other sides.

O.A. No. 73/2017 –

S.O. four weeks.

Member (J)

Vice-Chairman

dnk.

O.A. No. 620/2018 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

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

Await service of R-2&3.

S.O. four weeks for filing service
affidavit.

Member (J)

Vice-Chairman

dnk.

O.A. No. 488/2020 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

Heard Shri S.U. Ghude, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1&3 and A.M. Kolhe, Id. counsel for R-2&4.

The Id. counsel for R-2&4 submits that he has already filed reply of R-2&4 in the office. It appears that the said reply is not filed on record.

The office is directed to file reply of R-2&4 on record.

S.O. Next week.

Member (J)

Vice-Chairman

dnk.

O.A. No. 502/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

Heard Shri Potnis, Id. counsel holding for Shri M.M. Sudame, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

The learned P.O. files reply of R-1&2. It is taken on record. Copy is given to the applicant.

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

S.O. last week of April,2022.

Member (J)

Vice-Chairman

dnk.

O.A. No. 622/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

Heard Shri A.C. Dharmadhikari, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4.

The learned P.O. files reply of R-1. It is taken on record. Copy is given to the applicant.

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

S.O. Next week.

Member (J)

Vice-Chairman

dnk.

O.A. Nos. 628 & 629 of 2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

Heard Shri G.G. Bade, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondents.

2. The Id. P.O. submits that he will file reply during the course of day. After filing of reply by the P.O., the matter is admitted and kept for final hearing.

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

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

Member (J)

Vice-Chairman

dnk.

O.A. No. 1028/2021 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

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

The Id. P.O. submits that he has received parawise reply and he will file reply before the next date.

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

Member (J)

Vice-Chairman

dnk.

O.A. No. 1073/2021 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

Heard Shri S.M. Khan, Id. counsel holding for Shri B. Kulkarni, Id. counsel for the applicant and Shri A.M .Khadatkar, Id .P.O. for the respondents.

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

Member (J)

Vice-Chairman

dnk.

O.A. No. 1140/2021 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

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

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

Member (J)

Vice-Chairman

dnk.

O.A. No. 50/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

None for the applicant. Shri A.M .Khadatkar, Id .P.O. for R-1 to 4, Smt. Saboo, Id. counsel for R-6. None for R-5.

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

Member (J)

Vice-Chairman

dnk.

O.A. No. 61/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

Heard Smt. Saboo, Id. counsel for the
applicant and Shri A.M .Khadatkar, Id .P.O. for
R-1&2. None for R-3.

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

Member (J)

Vice-Chairman

dnk.

O.A. No. 112/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

Heard Shri A. Sambre, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

As pointed out by the Id. CPO, similarly situated matters are kept on 18/4/2022.

In view of above, put up this matter **on**
18/4/2022.

Member (J)

Vice-Chairman

dnk.

O.A. 19/2022 with C.A. 128/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

Heard Shri R.V. Shiralkar, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1 to 4 and Shri P.V. Thakre, Id. counsel for Intervener.

With the consent of both the learned counsel for parties, **S.O. two weeks.**

Member (J)

Vice-Chairman

dnk.

O.A. No. 316/2019 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

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

The pleadings are complete in the O.A. The matter is admitted and kept for final hearing. The Id. P.O. waives notice for the respondents.

S.O. 7/6/2022.

Member (J)

Vice-Chairman

dnk.

O.A. No. 339/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

Heard Shri P.V. Thakre, Id. counsel for the applicant 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)

Vice-Chairman

dnk.

O.A. No. 791/2013 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

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. one
week.**

Member (J)

Vice-Chairman

dnk.

O.A. No. 345/2017 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

Heard Ms. R.V. Kukde, Id. counsel for
the applicants and Shri M.I. Khan, Id. P.O. for
the respondents.

Closed for orders.

Member (J)

Vice-Chairman

dnk.

O.A. No. 948/2017 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

Heard Shri Potnis, Id. counsel holding
for Shri M.M. Sudame, Id. counsel for the
applicant and Shri M.I. Khan, Id. P.O. for the
respondents.

At the request of Id. counsel for the
applicant, **S.O. one week.**

Member (J)

Vice-Chairman

dnk.

O.A. No. 1011/2018 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

Heard Shri R.V. Shiralkar, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1&2 and Shri B. Kulkarni, Id. counsel for R-3&4.

At the request of Id. P.O., **S.O. 8/4/2022.**

Member (J)

Vice-Chairman

dnk.

O.A. No. 774/2019 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

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

S.O. 06/04/2022.

Member (J)

Vice-Chairman

dnk.

(D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

MCA 10/2022 in O.A. 977/2021 -

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

2. The learned counsel for the applicant has filed MCA for speaking to minutes. He has pointed out the order of this Tribunal dated 23/3/2022 in O.A. 977/2021 and submits that in para no. (iii) and (iv) of the operative part of the Judgment, the word "Assistant" may be deleted.

3. It appears that the mistake has been committed by the learned counsel for the applicant in the relief clause of the O.A.

4. In view of above, in para no. (iii) and (iv) of the operative part of the Judgment dated 23/3/2022 in O.A. 977/2021, the word "Assistant" is deleted. The MCA is allowed and disposed off.

Member (J)

Vice-Chairman

dnk.

O.A. No. 709/2018 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

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

2. The learned counsel for the applicant pointed out the correspondence dated 23/2/2022 issued by the Jr. Administrative Officer (Establishment) in the office of Deputy Director of Education, Nagpur Division, Nagpur (P-173).

3. In the last para of the said correspondence, it is clearly mentioned that all the dues related to the pensionary benefits have been paid to the applicant. The learned counsel for the applicant also agreed with the same.

4. In view of above, nothing survives in the O.A. and therefore it is disposed off. No order as to costs.

Member (J)

Vice-Chairman

dnk.

O.A. Nos. 686/2019, 704/2018 & 888/2018 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

Heard Shri A.M. Borkar, Id. counsel for the applicants, Shri A.M. Ghogre, Id. P.O. for R-1&3, Shri H.D. Marathe, Id .counsel for R-2 and Shri Potnis, Id. counsel holding for Shri M.M. Sudame, Id. counsel for R-4.

Closed for orders.

Member (J)

Vice-Chairman

dnk.

O.A. No. 330/2020 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)**

Dated : 05/04/2022.

Heard Shri S.I. Ghatte, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The learned P.O. has filed document dated 1/4/2022 issued by Medical Officer, Sub District Hospital, Ramtek. Along with that, he has filed six other relevant documents. Same are taken on record and marked Exh-X for identification. At Sr.No.5, the correspondence is written by the Medical Superintendent, Rural Hospital, Narkhed to the Dy. Director of Health Services, Nagpur Division, Nagpur wherein in the last two lines it is mentioned that "In the year 2022&2023 ; k vki fkd o"kr mi yC/k >ky ; k vupkukru vnk dj. ; kr ; by-**"

3. Now commitment has been given that final payment would be done after receipt of grant for the financial year 2022-2023.

4. At document no.6, the correspondence dated 31/3/2021 is written by the Medical Superintendent, Rural Hospital, Katol to the Dy.

Director of Health Services, Nagpur Division, Nagpur, in which in the last para it is mentioned that arrears for contractual period will be paid after receipt of the grants.

5. The Medical Superintendent, Rural Hospital, Katol is directed to make all these payments on priority after receipt of grants in this financial year and relevant document file on record through Id. P.O. and also supply copy to the learned counsel for the applicants.

6. The learned counsel for the applicants submitted that reply is yet not filed. The Id. P.O. is directed to file reply along with compliance report before the next date.

S.O. 1st week of June, 2022.

Steno copy is granted...

Member (J)

Vice-Chairman

dnk.

O.A. No. 384/2022 (D.B.)

(S.G. Thakre Vs. State of Mah. & Ors.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Member(J)

Dated : 05/04/2022.

Heard Shri R.M. Fating, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. By record, it appears that in previous round of litigation in O.A.Nos.121 to 124 of 2018 order was passed by this Tribunal on 1/3/2018. The learned counsel for the applicant has relied the said order and submitted that the said order is not final order. In para-12, three weeks time was granted. However, learned counsel for the applicant relied on observations in para-3 of the said order which is reproduced as below –

“(3) The learned counsel for the applicant submits that the recommendations of the Committee are arbitrary, illegal and the said recommendation has been passed without any evidence, with bias and therefore the same is required to be stayed. Considering the allegations against the applicant, I am of the view that the recommendation no.1 as regards transfer of the applicant out of region, cannot be stayed, since it will also be an harassment to the applicant to continue to work at the place where there are complaints against him and therefore recommendation no.1 cannot be stayed. So far as recommendation no.2 regarding stoppage of increments permanently and payment of cost of Rs.50,000/- is concerned, the same is stayed in the interest of justice till reply by the respondents is filed.”

3. After completion of age of 58 years of the applicant, the Divisional Deputy Commissioner, Woman & Child Development, Nagpur Division, Nagpur has passed the order dated 26/4/2020 (A-10,P-59) in which in the last para it is mentioned as below –

^ foHkxh; pKd' kP; k vf/ku jkgw fu; r o; kekukuq kj fnukad 30@04@2020 jksth e/; kUgkRj 'kkI dh; I orw
I skfuorR djhr vkgr-**

4. The applicant was allowed to retire on superannuation subject to the pending departmental enquiry. Subsequently, the respondent no.1 has served charge sheet to the applicant vide order dated 28/9/2020.

5. The learned counsel for the applicant submits that as per the record, the applicant has made representation dated 12/11/2020 (A-12,P-70) which is pending. The applicant is getting provisional pension. However, the applicant aggrieved with the communication dated 31/1/2022 about refusing gratuity and other retiral benefits.

6. In the meantime, issue notice to the respondents returnable **after four weeks.** Learned C.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.

Member (J)

Vice-Chairman

dnk.**

O.A.No.514/2018 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

C.A.No.512/2019:-

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

2. Ld. counsel for the applicant seeks time to file Rejoinder, **S.O. two weeks to file rejoinder.**

Member (J)

Date:-05/04/2022.
aps.

O.A.No.57/2019 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

C.A.No.157/2020:-

Heard Shri N.R.Saboo, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. It is clearly clarified that C.A. No. 157/2020 shall be heard along with original application. **S.O. two weeks for final hearing.**

Member (J)

Date:-05/04/2022.
aps.

O.A.No.329/2019 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

None for the applicant. Shri V.A.Kulkarni, the Id. P.O. for the Respondent nos. 1 to 4 and Shri S.C.Deshmukh, the Id. counsel for the R-5.

2. On oral request of Id. P.O., **S.O. four weeks to file reply of R-1 to 4.**

Member (J)

Date:-05/04/2022.

aps.

O.A.No.751/2019 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

None for the applicant. Shri A.P.Potnis, the
Id. P.O. for the Respondents. None for the R-4 & 5.

2. Reply of R-2 filed by Id. P.O. is taken on
record. It is further submitted that this reply is
sufficient to decide the matter finally. Matter is
admitted.

3. Ld. P.O. waives notices for the respondents.

4. **S.O. four weeks** for final hearing.

Member (J)

Date:-05/04/2022.
aps.

O.A.No.247/2020 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

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

2. Ld. P.O. seeks time of three weeks to file reply of R-1 to 3. **S.O. three weeks as a last chance.**

Member (J)

Date:-05/04/2022.
aps.

O.A.No.786/2020 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

None for the applicant. Shri A.P.Potnis, the
Id. P.O. for the respondent nos. 1 to 3 and Shri
H.D.Marathe, the Id. counsel for the respondent no. 5.

2. **S.O. four weeks.**

Member (J)

Date:-05/04/2022.
aps.

O.A.No.10/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

C.A.No.102/2022:-

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

2. Perused application C.A. No. 102/2022. By the proposed amendment subsequent development are sought to be brought on record and on the basis of additional pleadings to be added by this amendment a prayer is also sought to be added in the original application. The proposed amendment deserves to be allowed. **Application is accordingly allowed.** The amendment shall be carry out within two weeks.

3. Reply of respondent no. 2 to the original application filed by Id. P.O. is taken on record. This is said to be sufficient to decide the matter finally. Hence, matter is **admitted** and kept for final hearing.

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

5. **S.O. three weeks.**

Member (J)

Date:-05/04/2022.
aps.

O.A.No.218/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri S.M.Pande, the Id. counsel for the applicant, Shri A.P.Potnis, the Id. P.O. for the respondents and Shri M.Patil, the Id. counsel for the respondent no. 3.

2. Reply of respondent nos. 2 & 3 filed by Id. counsel for the applicant is taken on record. Copy is supplied to the applicant. Ld. P.O. seeks time to file reply of R-1 & 2, **S.O. four weeks.**

Member (J)

Date:-05/04/2022.
aps.

O.A.No.294/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri P.P.Khaparde, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the Respondents.

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

Member (J)

Date:-05/04/2022.
aps.

O.A.No.826/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri A.Motlog holding for Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State. Await service of R-2 & 3.

2. The Id. counsel for the applicant states that he will file service affidavit in the office within one week, **S.O. two weeks.**

Date:-05/04/2022.
aps.

Member (J)

O.A.No.1062/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri S.D.Kale, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the Respondents.

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

Member (J)

Date:-05/04/2022.
aps.

O.A.No.127/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri M.Anis, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the Respondents. Await service of R-3.

2. The Id. counsel for the applicant states that he will file service affidavit in the office within one week. On oral request of Id. P.O., **S.O. four weeks to file reply.**

Date:-05/04/2022.
aps.

Member (J)

O.A.No.169/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri A.R.Kalele, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the Respondents.

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

Member (J)

Date:-05/04/2022.
aps.

O.A.No.227/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri S.M.Pande, 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.**

Member (J)

Date:-05/04/2022.
aps.

O.A.St.No.66/2020 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.**

C.A.No.137/2020:-

Heard Shri S.D.Shukla, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents. Await service of R-2 & 3 in C.A..

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

Member (J)

Date:-05/04/2022.
aps.

O.A.St.No.1942/2020 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

C.A.No.386/2020:-

Heard Shri S.G.Zinjarde, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the Respondents.

2. On oral request of Id. counsel for the applicant, **S.O. two weeks.**

Member (J)

Date:-05/04/2022.
aps.

O.A.No.142/2020 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri R.L.Kadu holding for Shri S.R. Bhatkhore, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

2. The Id. counsel for the applicant states that he has recently accepted the brief of the case. He seeks time to go through it. He further submits that Advocate Shri Dhoble who was earlier representing the applicant has joined Judiciary as District Judge.

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

Member (J)

Date:-05/04/2022.
aps.

O.A.No.66/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri K.K.Pathak, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

2. It is submitted by Id. P.O. that pleadings are already filed. Hence, matter is **admitted** and kept for final hearing.

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

4. **S.O. 08.04.2022.**

5. **Interim order to be continued till next date.**

Member (J)

Date:-05/04/2022.
aps.

O.A.No.25/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri A.D.Girdekar, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. 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:-05/04/2022.

aps.

O.A.No.334/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri S.U.Nemade, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. 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:-05/04/2022.

aps.

O.A.No.350/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri N.D.Thombre, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. 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:-05/04/2022.

aps.

O.A.No.222/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri N.R.Shiralkar, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. Reply of respondent no. 2 filed by Id. P.O. is taken on record. Ld. P.O. states that reply of respondent no. 2 is sufficient to decide the matter is finally. Hence, matter is **admitted** and kept for final hearing.

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

4. **S.O. 08.04.2022.**

Member (J)

Date:-05/04/2022.
aps.

O.A.No.566/2019 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri A.P.Sadavarte, the Id. counsel for the applicant, Shri A.M.Khadatkar, the Id. P.O. for the Respondents and Shri M.Sheikh, the Id. counsel for the R-4 & 5.

2. **Closed for orders.**

Member (J)

Date:-05/04/2022.

aps.

O.A.No.122/2020 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri N.D.Thombre, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. **Closed for orders.**

Date:-05/04/2022.
aps.

Member (J)

O.A.No.343/2020 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri V.B.Bhise, the Id. counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the Respondents.

2. **Closed for orders.**

Date:-05/04/2022.
aps.

Member (J)

O.A.No.209/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri P.P.Khaparde, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

2. On oral request of Id. counsel for the applicant, **S.O. four weeks.**

Member (J)

Date:-05/04/2022.
aps.

O.A.No.570/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri A.S.Khedkar, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

2. On oral request of Id. counsel for the applicant, **S.O. 18.04.2022.**

Member (J)

Date:-05/04/2022.

aps.

O.A.Nos.980 & 981/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri G.N.Shinde, 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 desires to place on record copies of some orders in support of prayer made in the application, **S.O. one week.**

3. Matter be treated as P.H..

Date:-05/04/2022.
aps.

Member (J)

O.A.No.1069/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

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

2. Ld. P.O. has placed on record communication dated 29.03.2022 (mark exh. 'x' for the purpose of identification) which shows that the suspension of the applicant is revoked and he is reinstated. In view of this development, prayer (ii) can be said to have been redressed. Prayer (iii) is that period of suspension of the applicant be treated as duty period. It would necessary to hear the parties so far as prayer (iii) is concerned.

3. **Matter is treated as P.H..**

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

Date:-05/04/2022.
aps.

Member (J)

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

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. Perused contents of C.A. No. 204/2020. By this application the respondent state seeks recall of order dated 24.02.2020. It is submitted by Shri Shiralkar, the Id. counsel for the applicant that the relief claimed in the application is analogous to relief of review and hence the matter should be placed before the Hon'ble Vice Chairman who had passed the order dated 24.02.2020. There is merit in this submission. Matter be accordingly placed before Hon'ble Vice Chairman.

Member (J)

Date:-05/04/2022.
aps.

O.A.No.214/2020 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated :05/04/ 2022.

Heard Dr. P.S.Khatwani, the Id. counsel for the applicant in person and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. It is submitted by Id. P.O. that the grievance raised by the applicant in para no. 9 of the application can be said to have been fully redressed. This is seriously disputed by the applicant. Prayer (ii) in the application is as follows:-

" (ii) By suitable order/ direction, this Hon'ble Tribunal may be pleased to direct the respondent to pay me salary from the date 23.06.2017 when I was not allowed to join the duty and was forced to return home."

3. The Id. P.O. has relied on A-R-2 which is letter dated 11.12.2020. This is a show cause notice. As per this notice, according to the respondent department the applicant was absent unauthorizedly and an opportunity was given to him to give reply. The applicant states that he has already given reply to this show cause notice. It is his contention that he was informed not to attend the office and he was infact directed in writing not to join duty by communication which is at Exh. 'J'.

4. It is apparent that grievance of the applicant made in para no. 9 (ii) of the application very much survives. **The application be treated as P.H.**

5. **S.O. four weeks.**

6. **Steno copy is granted.**

Date:-05/04/2022.
aps.

Member (J)