

O.A. 159/2013 (D.B.)

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

**Dated :** 12/01/2022.

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

2. At the request of Id. counsel for the applicant, **S.O. 18/01/2022.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 526/2018 (D.B.)

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

**Dated :** 12/01/2022.

Heard Shri D. Dafle, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1. None for R-2.

2. The Id. counsel for the applicant submits that he has been informed by Shri B.J. Lonare, Id. counsel for R-2 that he is tested Covid positive. Therefore, Id. counsel for the applicant seeks further time. At his request, **S.O.**  
**25/1/2022.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 830/2011 (D.B.)

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

**Dated :** 12/01/2022.

Shri Barhate, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. Shri Barhate, Id. counsel submits that Shri N.R. Saboo, Id. counsel is tested covid positive and therefore requested further time.

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

**Member (J)**

**Vice-Chairman**

dnk.

O.As. 194 & 195 of 2016 (D.B.)

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

**Dated :** 12/01/2022.

Heard Shri D.T. Shinde, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondents.

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

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 1007/2018 with C.A.36/2021 (D.B.)**

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

**Dated : 12/01/2022.**

Heard Shri S.C. Deshmukh, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for respondent nos.1 to 3, none for the respondent nos. 5, 6, 8 to 12, 14 to 17, Shri G.K.Bhusari, the Id. counsel for the respondent nos. 19 to 21, 23, 24, 25, 28, 29, 31, 32, 35, 36, 41, 51, 52, 54, 55, 57, 66 to 69, 71 to 73, 75 to 84, 86 to 88, 90, 91, 94, 96 to 100, 104, 108 to 110, 113, 115 to 118, 123, 125, 128, 129, 132, 133, 135 to 137, 139, 140, 143 to 145, 147 to 152, 154, 155, 158, 160, 164 to 166, 170, 173, 174, 178, 181 & 183 to 185 and none for other respondents.

2. The Id. P.O. submits that as per the Tribunal's order dated 15/12/2021 instructions from the GAD are still awaited and therefore he seeks further time.

3. At the request of Id. P.O., **S.O. 25/1/2022** for necessary instructions.

Put up the matter at Hearing Party board along with C.A.

**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 : 12/01/2022.**

**C.A. 72/2020 in O.A. 429/2017 -**

None for the applicant. Heard Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The Id. P.O. submits that the applicant was dismissed from service in the year 2010 only. Now the applicant is again seeking protection under the G.R. dated 21/12/2019. However, as per the record it seems that the applicant and his counsel were absent on 7/1/2020, 3/3/2020, 19/1/2021 and 4/1/2022. Today also none appeared for the applicant. In view of this situation, to afford one more opportunity, the matter is kept in next week. It is made clear that if none appeared for the applicant on the next date, the matter will be dismissed in default.

**S.O. one week.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 830/2017 (D.B.)

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

**Dated :** 12/01/2022.

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

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

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 309/2019 (D.B.)

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

**Dated :** 12/01/2022.

None for the applicant. Shri S.A. Deo, Id.  
CPO for R-1 to 3. Await service of R-4.

2. The Id. CPO files reply on behalf of R-2.  
It is taken on record. The Id. CPO is directed to  
supply copy of reply of R-2 to the other side.

**S.O. four weeks.**

**Member (J)**

**Vice-Chairman**

dnk.



**O.A. 687/2019 (D.B.)**

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

**Dated : 12/01/2022.**

Herd Shri H.S. Rahangdale, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The Id. PO files reply on behalf of R-1 to 7. It is taken on record. Copy is given to the learned counsel for the applicant.

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

**S.O. in due course.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 501/2020 (D.B.)

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

**Dated :** 12/01/2022.

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

At the request of Id. P.O., **S.O. 25/1/2022** for filing reply.

**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 :** 12/01/2022.

**C.A. 376/2021 in O.A. 838/2021 -**

Heard Shri A.P. Khadatkar, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 4 & 11 and Ms. S.V. Kulkarni, Id. counsel for R-5 to 10.

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

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 1130/2021 (D.B.)

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

**Dated :** 12/01/2022.

Heard Shri V.M. Moon, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

2. The departmental enquiry was initiated on 5/6/2018 as per correspondence dated 20/03/2020 (A-1,P-18). However, present applicant was in Jail in another case and therefore the enquiry could not be started and now the enquiry has been finally started on 3/2/2020.

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

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 396/2018 (D.B.)

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

**Dated :** 12/01/2022.

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

The Id. P.O. desires further two weeks time for compliance of Tribunal's order dated 4/1/2022.

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

**Member (J)**

**Vice-Chairman**

dnk.

**C.P. 31/2019 in O.A. 35/2018 (D.B.)**

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

**Dated : 12/01/2022.**

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

2. As per Tribunal's order dated 16/2/2021 the decision has been taken by the respondents as per the letter dated 16/2/2015 (A-R-1,P-18). In this situation, the contempt petition does not survive. However, the Id. counsel for the applicant desires time to go through the same.

**S.O. one week.**

**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 :** 12/01/2022.

**O.A. 556/95 with C.As. 43/16,52/16,53/16,  
428/16,101/17,246/17, 247/17 with MCA 40/17 in  
C.As.75/18,379/18 & 345/2021**

None for the applicant. Heard Shri A.M. Ghogre, Id. P.O. for R-1 to 3. None for other respondents.

2. The Id. P.O. submits that as per the earlier order dated 23/12/2021 the Id. counsel has submitted that he will not press other C.As. Therefore the Id. counsel was directed to file pursis in that regard. He was also directed to amend the original relief to claim in the O.A. which is claiming in the C.A.

3. Today none appeared for the applicant. The matter be kept after one week. It is made clear that if none appeared for the applicant on the next date, the matter will be dismissed in default.

**S.O. after one week.**

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 508/2018 with C.A. 213/2019 (D.B.)**

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

**Dated : 12/01/2022.**

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

**S.O. four weeks.**

**Member (J)**

**Vice-Chairman**

dnk.



O.A. 264/2020 (D.B.)

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

**Dated :** 12/01/2022.

Heard Shri P.K. Mishra, Id. counsel for  
the applicant, Shri A.M. Ghogre, Id. P.O. for R-1  
to 3 and Shri Majid Shaik, Id. counsel for R-4.

**Closed for orders.**

**Member (J)**

dnk.

**Vice-Chairman**

O.A. 609/2020 (D.B.)

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

**Dated :** 12/01/2022.

Heard Shri V.B. Gawali, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3 and Supriya Kole, Id. counsel holding for Shri M.A. Vaishnav, Id. counsel for R-4 to 14.

2. Supriya Kole, Id. counsel submits that Shri M.A. Vaishnav, Id. counsel for R-4 to 14 is not feeling well and therefore seeks one week time.

3. At the request of Id. counsel for R-4 to 14, **S.O. after one week.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 1070/2021 (D.B.)

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

**Dated :** 12/01/2022.

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

With the consent of both the Id. counsel  
for parties, **S.O. four weeks.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 150/2018 (D.B.)

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

**Dated :** 12/01/2022.

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

2. The learned counsel for the applicant has filed Govt. G.R. dated 27<sup>th</sup> September, 2021. Copy is supplied to the Id. P.O. It is taken on record and marked Exh-X. for identification. In the said G.R. in clause (B) following guideline has been given -

*^%c% dksOMP; k i k' oHkehoj I nj ; kst upk yHk gk fnukad  
1 tkupkjh 2020 i kl w vuk\$ dj.; kr ; r vkg\$\*\**

3. As per this G.R., the benefit has been made effective from 1/1/2020. In the present matter, the applicant's father expired on 14/10/2017 i.e. prior to 1/1/2020. Hence, benefit of this G.R. cannot be extended to the applicant.

4. The matter was heard on 13/3/2020 and Id. P.O. was directed in para-2 as follows -

*“ (2) The Id. P.O. is directed to seek information and then to make submission when post of PSI was brought in cadre of Group-B by the Government and as per the staffing pattern what*

*was the status of the post in the Police Department ?”*

5. Today, the Id. P.O. submits that he is yet to be received necessary instructions and therefore he seeks further one week time to submit necessary instructions in this regard.

**S.O. one week.**

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 926/2019 (D.B.)**

( S.P. Palaskar Vs. State of Mah. & Ors. )

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

**Dated : 12/01/2022.**

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

2. The learned counsel has filed G.R. dated 25/5/2001. It is taken on record and marked Exh-X for identification.

3. As submitted by the learned counsel for the applicant, in the letter dated 21/7/2017 (A-1,P-13) it is mentioned that advertisement was published for one post for open female and examination etc. was conducted and the applicant appeared and she was selected also. By this letter, the respondents have admitted this fact, but they have submitted only one reason that there is no vacancy for open female post and there is no chance for occurring any vacancy in future also and, therefore, the applicant cannot be given appointment.

4. The learned P.O. is directed to take instructions from the department that, if in future no vacancy will occur, then why the advertisement was published for the said post, since the applicant has wasted lot of energy in the process of selection.

**S.O. 19/1/2022 (PH).**

Steno copy is granted.

**Member (J)**

**Vice-Chairman**

dnk

**O.A. 1067/2021 (D.B.)**

**( D.S. Rathod Vs. State of Mah. & Ors. )**

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

**Dated : 12/01/2022.**

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

2. The O.A. is filed for the following reliefs –

*“ (a) Quash and set aside the enquiry report dated 11/2/2020 submitted by the respondent no.3 Enquiry Officer and consequential communication dated 21/10/2021 issued by the respondent no.2, Charity Commissioner, Mumbai.*

*(b) Grant any other relief deemed fit and proper in the circumstances of the case in favour of the applicant.”*

3. The learned counsel for the applicant submitted that the impugned show cause notice issued by the Charity Commissioner, Mumbai is illegal as the criminal case is still pending before the Special Court.

4. The learned P.O. has pointed out that departmental enquiry is complete and final show cause notice is issued, therefore, this Tribunal cannot interfere in the decision taken by the Disciplinary Authority.

5. The learned counsel relied on the Judgment of MAT, Bench at Aurangabad in O.A. 36/2015 and submitted that this Tribunal has allowed the O.A. by directing the respondents not to take any final action in furtherance of show cause notice dated 4.9/10.2014 till the decision of criminal case no.853/2012 pending against the applicant before the court of C.J.M., Nanded. Copy of the said Judgment is taken on record and marked Exh-X for identification.

6. From perusal of the inquiry report, it appears that the applicant had demanded bribe of Rs.400/- from the complainant. The applicant was caught red-handed by the ACB team at the time

demanding and accepting the bribe. The applicant is charge sheeted for the offence punishable under Sections 7,12, 13 (1) (d) with 13 (2) of the Prevention of Corruption Act,1988. The said criminal case is pending in the Special Court, Akola.

7. During pendency of the criminal case, the departmental enquiry was conducted and statement of witnesses were recorded. The Enquiry Officer has submitted his report stating the charge of corruption is proved against the applicant. The Disciplinary Authority, i.e., the Charity Commissioner has issued show cause notice as to why the applicant should not be dismissed from service. This Tribunal cannot sit on as appellate court on the action taken by the Disciplinary Authority.

8. At this stage, it is clear that charge in respect of demanding and accepting the bribe from the complainant is proved. The said cited decision is on different footing. Moreover, it is not binding on this Tribunal. It is a Judgment of the Single Bench.

9. The applicant is at liberty to take necessary action after the acquittal in the criminal case.

10. In that view of the matter, the O.A. is dismissed. No order as to costs.

**Member (J)**

**Vice-Chairman**

\*dnk.



O.A. No. 1022/2021

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri Abhijit Barahate, Adv. holding for Shri N.R. Saboo, Ld. counsel for the applicant and Shri S.A. Deo, Ld. C.P.O. for the respondents.
2. On oral request of Ld. counsel for the applicant, S.O. **two weeks.**

Member (J)

pdg

**O.A. No. 42/2022. (Vaishali Gajbhiye V/s State and others)**

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri S.A. Marathe, Ld. counsel for the applicant and Shri S.A. Deo, Ld. C.P.O. for the respondent No.1.

2. Husband of the applicant died in the year 2015. She was desirous of getting an appointment on compassionate ground. She made representation to the authorities. She was directed to submit succession certificate. She submitted succession certificate (Annexure A-4) in the year 2018. Thereafter she made representations to include her name in the wait list of candidates eligible to get appointment as Group-C or Group-D employee on compassionate ground. No communication has been received by her in this behalf from the respondents.

3. According to the applicant, the respondent department is now proposing to give appointment to eligible candidates on compassionate ground as reflected in letter dated 21.12.2021 (Annexure A-20) issued by respondent No.2. To this letter, list of candidates who are found to be eligible is attached. It is pointed out by Advocate Shri Marathe that in this list, name of the applicant does not feature. According to him, in the year

2015 or at any rate in the year 2018, after she submitted succession certificate; her name ought to have been included in the wait list and ultimately recommended for giving appointment because she fulfills necessary criteria.

4. In reply, it is submitted by Ld. CPO that there is nothing on record to show that name of the applicant was included in the wait list and if her name was not included in the wait list, question of short-listing her for the purpose of giving an appointment, would not arise.

5. It is further submitted by Ld. CPO that Annexure A-5 at page No.37 i.e. representation made by the applicant to give her appointment on compassionate ground is dated 4.9.2018 and there is nothing to show that before filing this representation, she had made other representations soon after the death of her husband on 16.2.2015.

6. On considering rival submissions and record, I have come to the conclusion that the applicant is required to be protected by an interim order. Order making appointments which may be given subject to the outcome of this O.A. shall adequately protect the applicant. Appointments which may be made pursuant to communication (Annexure A-2) at page 72 shall be subject to outcome of this O.A.

7. Issue notice to R-2 to 5 returnable after four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

9. 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.

10. 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.

11. 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.

12. 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.

13. S.O. **four weeks.**

14. Steno copies be provided to both sides.

Member (J)

**O.A. No. 81/2018**

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri M.P. Kariya, Ld. counsel for the applicant and Shri S.A. Sainis, Ld. P.O. for the respondents.
2. On oral request of Ld. counsel for the applicant, S.O. Monday i.e. **17.1.2022.**

Member (J)

pdg

O.A. No. 723/2020

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri G.K. Bhusari, Adv. holding for Shri S.N. Gaikwad, Ld. counsel for the applicant and Shri H.K. Pande, Ld. P.O. for the respondents.
2. Reply of R.4 is taken on record.
3. On oral request of Ld. counsel for the applicant, S.O. **one week**.

Member (J)

pdg

O.A. No. 801/2021.

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

**Dated : 12<sup>th</sup> January 2022.**

**C.A. No.321/2021.**

1. Heard Shri S.P. Palshikar, Ld. counsel for the applicant and Shri H.K. Pande, Ld. P.O. for the respondents.
2. On oral request of Ld. counsel for the applicant, S.O. **two weeks.**

Member (J)

pdg

O.A. No. 802/2021.

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri S.P. Palshikar, Ld. counsel for the applicant and Shri H.K. Pande, Ld. P.O. for the respondents.
2. On oral request of Ld. counsel for the applicant, S.O. **two weeks.**

Member (J)

pdg



**O.A. No. 302/2018.**

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

**Dated : 12<sup>th</sup> January 2022.**

**C.A. No.240/2020.**

1. Heard Shri R.V. Shiralkar, Ld. counsel for the applicant and Shri A.M. Ghogre, Ld. P.O. for the respondents.

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

Member (J)

pdg

O.A. No. 744/2019.

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri R.V. Shiralkar, Ld. counsel for the applicant and Shri A.M. Ghogre, Ld. P.O. for the respondents.
2. On oral request of Ld. counsel for the applicant, S.O. **four weeks.**

Member (J)

pdg

O.A. No. 553/2018.

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri A.P. Sadavarte, Ld. counsel for the applicant and Shri A.M. Khadatkar, Ld. P.O. for the respondents.
2. On oral request of Ld. P.O., S.O. **four weeks** to file reply of remaining respondents.
3. Matter be placed before the Division Bench.

Member (J)

pdg

O.A. No. 355/2019.

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri Abhijit Barahate, Adv. holding for Shri N.R. Saboo, Ld. counsel for the applicant and Shri V.A. Kulkarni, Ld. P.O. for the respondents.
2. On oral request of Ld. P.O., S.O. **three weeks** to file reply.

Member (J)

pdg

O.A. No. 95/2020.

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri S.M. Khan, Ld. counsel for the applicant and Shri S.A. Sainis, Ld. P.O. for the respondents.
2. On oral request of Ld. P.O., S.O. **four weeks** to file reply.

Member (J)

pdg

O.A. No. 785/2020.

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri D.H. Sharma, Ld. counsel for the applicant and Shri V.A. Kulkarni, Ld. P.O. for the respondents.
2. S.O. **two weeks** as a last chance.

Member (J)

pdg

**O.A. No. 947/2020.**

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

**Dated : 12<sup>th</sup> January 2022.**

**C.A. 383/2020.**

1. Heard Shri V.B. Manwatkar, Ld. counsel for the applicant and Shri A.M. Khadatkhar, Ld. P.O. for the respondents.
2. Perused the application. Application is allowed.

**O.A. No. 947/2020.**

S.O. **18.1.2022** for filing reply.

Member (J)

pdg

**O.A. No. 982/2018**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri P.D. Meghe, Ld. counsel for the applicant and Shri A.M. Khadatkhar, Ld. P.O. for the respondents.

Ld. P.O. filed reply of R.4, it is taken on record.

2. Closed for orders.

Member (J)

pdg



**O.A. No. 163/2018**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri R.R. Dauda, Ld. counsel for the applicant and Shri H.K. Pande, Ld. P.O. for the respondent No.1. Shri B.N. Jaipurkar, Adv. for R. 1.
2. Closed for orders.

Member (J)

pdg

**O.A. No. 853/2021.**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri S.P. Palshikar, Ld. counsel for the applicant and Shri S.A. Sainis, Ld. P.O. for the respondent No.1. Shri G.K. Bhusari, Adv. holding for Shri S.N. Gaikwad, Adv. for R.2.
2. Closed for orders.

Member (J)

pdg

**O.A. No.979/2019**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri M.V. Bute, Ld. counsel for the applicant and Shri M.I. Khan, Ld. P.O. for the respondents.
2. S.O. 25.1.2022.
3. To be treated as part heard.

Member (J)

pdg

**O.A. No.1011/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Miss Sneha Dhote, Ld. counsel for the applicant and Shri A.M. Khadatkar, Ld. P.O. for the respondents 1 and 2. Mrs. M.P. Munshi, Adv. for R.3.
2. Ld. P.O. seeks time to file reply of R. 1 and 2.
3. S.O. **four weeks.**

Member (J)

pdg

**O.A. No.788/2020**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri D.R. Rupnarayan, Ld. counsel for the applicant and Shri S.A. Sainis, Ld. P.O. for the respondents.
2. Closed for orders.

Member (J)

pdg

**O.A. No.34/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri M.R. Rajgure, Ld. counsel for the applicant and Shri M.I. Khan, Ld. P.O. for the respondent No.1. Shri T.M. Jaheer, Adv. for R.2 to 4.
2. Ld. counsel for the applicant submits that proposal is sent and sanction is awaited.
3. At his request, S.O. two weeks.

Member (J)

pdg

**O.A. No.418/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Shri S.P. Palshikar, Ld. counsel for the applicant and Shri M.I. Khan, Ld. P.O. for the respondent.
2. S.O. one week.

Member (J)

pdg

**O.A. No.501/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri D.R. Rupnarayan, Ld. counsel for the applicant and Shri M.I. Khan, Ld. P.O. for the respondents.
2. It is pointed out that identical issue is pending before the Hon'ble High Court.
3. S.O. **eight weeks.**

Member (J)

pdg



**O.A. No.1036/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri G.G. Bade, Ld. counsel for the applicant and Shri A.P. Potnis, Ld. P.O. for the respondents 1 and 2. Shri Kiran Malokar, Adv. for R.3 and 4.

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

Member (J)

pdg

**O.A. No.1037/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri G.G. Bade, Ld. counsel for the applicant and Shri A.M. Khadatkar, Ld. P.O. for the respondents 1 and 2. Shri Kiran Malokar, Adv. for R.3 and 4.
2. S.O. **four weeks** for filing reply by Ld. P.O.

Member (J)

pdg

O.A. No.1040/2021

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Miss Aparna Telange, Adv. holding for Shri A.P. Tathod, Ld. counsel for the applicant and Shri A.P. Potnis. P.O. for the respondents.
2. Ld. counsel for the applicant submits that makes a statement that the respondents are served and she will file service affidavit in the office.
3. S.O. **four weeks.**

Member (J)

pdg

**O.A. No.1055/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri S.M. Khan, Adv. holding for Shri Bharat Kulkarni, Ld. counsel for the applicant and Shri S.A. Sainis, Ld. P.O. for the respondents.
2. S.O. **four weeks.**

Member (J)

pdg

**O.A. No. 1078/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri D.M. Surjuse, Ld. counsel for the applicant and Shri M.I. Khan, Ld. P.O. for the respondents.
2. On oral request of Ld. P.O., time of four weeks is granted to file reply.
3. It is pointed out that representation filed by the applicant is pending before respondent No.2. Respondent No.2 is directed to decide the representation within four weeks from today.
4. Steno copy be provided to Ld. P.O.
5. S.O. **four weeks.**

Member (J)

pdg

**O.A. No. 695/2020**

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

**Dated : 12<sup>th</sup> January 2022**

**C.A.318/2020.**

1. Heard Shri M.P. Kariya, Ld. counsel for the applicant and Shri A.M. Khadatkar, Ld. P.O. for the respondents.
2. Perused the application. C.A. is allowed.

**O.A. No. 695/2020**

1. Matter is admitted.
2. Ld. P.O. waives notice for R.1.
3. Reply of respondent No.3 is taken on record.
4. S.O. **4.2.2022** for final hearing.

Member (J)

pdg

**O.A. No. 736/2020**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri S.M. Khan, Ld. counsel for the applicant and Shri A.P. Potnis Ld. P.O. for the respondents.
2. Matter is admitted.
3. Ld. P.O. waives notice for R.1.
4. S.O. **4.2.2022** for final hearing.

Member (J)

pdg

**O.A. No. 891/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Miss Aparna Telange, Adv. holding for Shri R.V. Shiralkar, Ld. counsel for the applicant and Shri A.M. Khadatkar, Ld. P.O. for the respondent No.1. Miss H. Kaul, Adv. holding for Miss. P.D. Rane, Adv. for R. 2 and 3.
2. S.O. 24.1.2022.

Member (J)

pdg



**O.A. No. 1004/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri G.K. Bhusari, Ld. counsel for the applicant and Shri A.M. Khadatkar, Ld. P.O. for the respondents.
2. Matter is admitted.
3. Ld. P.O. waives notice for R.1.
4. Reply of R.2 is taken on record.
5. S.O. **two weeks.**

Member (J)

pdg

**O.A. No. 1165/2021**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri Abhijit Barahate, Adv. holding for Shri N.R. Saboo, Ld. counsel for the applicant and Shri S.A. Deo, Ld. C.P.O. for the respondent No.1.
2. Issue notice to remaining respondents returnable after four weeks. Learned C.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)

**O.A. No. 24/2022**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri V.R. Borkar, Ld. counsel for the applicant and Shri S.A. Deo, Ld. C.P.O. for the respondent Nos. 1 and 2.
2. The applicant retired in the year 2013. He has received communication (A-1) proposing recovery. This communication is dated 30.12.2021. This order is impugned in the application.
3. Effect and implementation of the order (A-1) (Page 12) is stayed till filing of reply of the respondents.
4. Issue notice to R. 3 to 5 returnable after four weeks.
5. Ld. CPO waives notice for R. 1 and 2. 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. **four weeks.**

Member (J)

pdg

**O.A. No. 30/2022.**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri Abhijit Barahate, Adv. holding for Shri N.R. Saboo, Ld. counsel for the applicant and Shri S.A. Deo, Ld. C.P.O. for the respondent No.1.
2. Issue notice to remaining respondents returnable after four weeks. Learned C.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)

**O.A. No. 522/2021**

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri J.H. Aloni, Ld. counsel for the applicant and Shri M.I. Khan, Ld. P.O. for the respondent No.1. None for R. 2 and 3.
2. Matter is part heard. Advocate Shri Almelkar for R. 2 and 3 is not present today.
3. S.O. **18.1.2022** for filing reply of R. 2 and 3.
4. If on that date reply is not given, matter will be closed for judgment.

Member (J)

pdg

**O.A. No. 701/2021**

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

**Dated : 12<sup>th</sup> January 2022.**

1. Heard Shri G.K. Bhusari, Ld. counsel for the applicant and Shri S.A. Sainis, Ld. P.O. for the respondent.
2. It is submitted by Shri G.K. Bhusari, Ld. counsel for the applicant that as per notification dated 14.7.2021, case of the applicant for transfer deserves to be considered. According to the Ld. P.O., applicant cannot be transferred to any other division because of departmental enquiry which is pending. Shri Bhusari has placed on record order dated 21.4.2014. It is submitted that by this order, one Sunil Borde was transferred to another division during the pendency of departmental enquiry. Ld. P.O. shall take instructions and make a statement on the next date about present status of departmental enquiry.
3. S.O. **two weeks** as a last chance.
4. To be treated as part heard.

Member (J)

**O.A. No. 125/2017**

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

**Dated : 12<sup>th</sup> January 2022**

1. Heard Shri S.M. Khan, Ld. counsel for the applicant and Shri M.I. Khan, Ld. P.O. for the respondents.
2. Closed for orders.

Member (J)

pdg