

(D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

**O.A. Nos. 822, 823,824,825,826,827 & 828 of
2019.**

Shri Vishal Anand, 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. three weeks** for filing reply.

Member (J)

Vice-Chairman

dnk.

O.A. 858 of 2019 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

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

The Id. P.O. submitted that he will filing reply during the course of day. The matter is admitted and it be kept for final hearing.

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

S.O. four weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 686 of 2020 (D.B.)

Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)

Dated : 26/11/2020.

Shri S.P. Palshikar, Id. counsel for the applicants and Shri S.A. Deo, Id. P.O. for the respondents.

At the request of Id. CPO, **S.O.**
10/12/2020 for filing reply.

Member (J)

Vice-Chairman

dnk.

C.P. 23/2020 in O.A. 860 of 2018 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

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

The Id. P.O. submitted that the order is now complied. In view of this, there is no substance in this matter. Hence, the Contempt Petition No.23/2020 stands dismissed. No order as to costs.

Member (J)

Vice-Chairman

dnk.

O.A. 900/2019 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

C.A. 40/2020 -

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

For the reasons stated in the application, the C.A.No. 40/2020 is allowed. Necessary Amendment be carried out within two weeks and amended copies be supplied to the other side.

O.A. 900/2019 –

S.O. two weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 1049/2019 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

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

The Id. P.O. submitted that he is filing reply of R-3 and it is sufficient to decide the matter. In view of this, the matter is admitted and it be kept for final hearing.

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

S.O. 04/01/2021.

Member (J)

Vice-Chairman

dnk.

O.A. 114 of 2020 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

C.As. 50& 51/2020 -

None for the applicant. Shri S.A. Sainis, Id. P.O. for R-1&2, Shri N.D. Thombre, Id. counsel holding for Shri S. Pande, Id. counsel for R-3 and Shri J.S. Wankhede, Id. counsel for Intervener.

The Id. P.O. has filed reply on behalf of R-2. It is taken on record.

After perusing both the records, it seems that page no.13 is totally different and therefore the Id. counsel for Intervener is directed to correct the mistake.

S.O. four weeks.

Member (J)

Vice-Chairman

dnk.

C.P. 42/2019 in O.A. 694 of 2017 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

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

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

Member (J)

Vice-Chairman

dnk.

O.A. 528/2019 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

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

The Id. P.O. has filed reply on behalf of R-2. It is taken on record. Copy is served on the applicant.

The matter is admitted and it be kept for final hearing.

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

S.O. 17/12/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 792/2020 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri R.M. Fating, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the State.

2. The impugned order is passed on 23/7/2020. In view of this, we think it suitable to pass any order in this matter after hearing the respondents.

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

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

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

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the

questions such as limitation and alternate remedy are kept open.

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

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

S.O. after four weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 793/2020 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri S.S. Joshi, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the State.

2. Pursued the impugned order Annex-A-6. After reading the order, it seems that it is passed without giving opportunity of hearing to the applicant, therefore, it be stayed till filing of the reply by the respondents.

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

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

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

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative

Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

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

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

S.O. after four weeks.

Member (J)

Vice-Chairman

dnk.

(D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

C.A. No. 37/20 in C.P. 42/20 in O.A. 412/20

Heard Shri R.D. Karode, Id. counsel holding for Shri P.B. Patil, Id. counsel for the applicant and shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 03/12/2020.**

Member (J)

Vice-Chairman

dnk.

O.A. 204/2019 (D.B.)

Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)

Dated : 26/11/2020.

C.A. 101/2019 -

Heard Shri A.C. Dharmadhikari, Id. counsel for the applicants and shri A.M. Ghogre, Id. P.O. for R-1 and none for other respondents.

The Id. P.O. submitted that he has to file reply to the amendment portion. At his request,

S.O. three weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 540/2019 (D.B.)

Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)

Dated : 26/11/2020.

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

Closed for orders.

Member (J)

Vice-Chairman

dnk.

O.A. 1003/2018 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

C.A. 292/2020 -

Heard Shri N.D. Thombre, Id. counsel for the applicant, Shri M.I.Khan, Id. P.O. for R-1 to 5 and Shri P.D. Meghe, Id .counsel for r-6.

The Id. counsel for the applicant is directed to collect the notice immediately and served it.

The Id. counsel for R-6 requested time for filing reply.

The Id. P.O. will represent on behalf of R-1 to 5.

S.O. four weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 235/2016 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Shri M.K. Mishra, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

The Id. counsel for the applicant has filed copy of Judgment in O.A.257/2020 passed by this Tribunal on 26/9/2019. It is taken on record and marked Exh-X for the purposes of identification. He submitted that the present matter is covered by this Judgment.

The Id. P.O. has filed separate reply to the rejoinder on behalf of R-2&4. Same are taken on record.

S.O. after three weeks for final hearing.

Member (J)

Vice-Chairman

dnk.

O.A. 697/2019 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 to 3 and none for other respondents.

The Id. counsel for the applicant submitted that learned counsel for R-5 Shri N.R. Saboo is not in the town. As per the earlier order dated 10/8/2020, the present O.A. be tagged alongwith O.A. 407/2018.

S.O. 17/12/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 68/2020 (D.B.)

Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)

Dated : 26/11/2020.

Heard Shri M.R. Khan, Id. counsel for applicant no.1, Shri R.R. Ramteke, Id. counsel for applicant no.2 and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. counsel for applicant no.2, **S.O. 04/01/2021.**

Member (J)

Vice-Chairman

dnk.

C.P. 35/2019 in O.A. 859/2012 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

C.A. No. 53/2020 -

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

2. For the reasons stated in the application, the respondent no.3 is exempted for appearance till further orders.

3. In view thereof, the C.A. stands disposed of.

C.P. 35/2019 in O.A. 859/2012 –

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

2. The Id. P.O. has filed affidavit on behalf of respondent no.2 and requested for personal exemption from appearance in person i.e. Director of Accounts and Treasury, Mumbai on health ground. However, the contention of the learned counsel for the applicant is that the applicant's pension is not as per the other officers who were promoted on 14/3/2012 though the applicant has been given deemed

date on 14/3/2012 as per this Tribunal's order dated 19/12/2018 in which it has been made clear that except back wages, all the pensionary benefits will be given to the applicant as per promotion order dated 14/3/2012.

3. The learned P.O. is directed to produce pay fixation slips of other officers who were promoted on 14/3/2012.

S.O. three weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 794/2020 (D.B.)

(V.C. Ajapuje Vs. State of Mah. & Ors.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri R.D. Karode, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. The impugned order is Annex-A-9. After perusal of the impugned order, it seems that without giving opportunity of hearing to the applicant the impugned order is passed, therefore, it be stayed till filing of the reply by the respondents.

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

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

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

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

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

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

S.O. after four weeks.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.

O.As. 795,796,797,798 & 799 of 2020 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri R.D. Karode, Id. counsel for the applicants and Shri S.A. Deo, Id. C.P.O. for the State.

2. The learned CPO submitted that the impugned orders are now executed as period of 11 months period is expired. In view of this, no interim relief can be granted. The learned counsel for the applicants to make necessary amendment in these matters within two weeks.

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

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

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

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

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

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

S.O. after four weeks.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.

O.A. 800/2020 (D.B.)

(S.M. Nikhar Vs. State of Mah. & Ors.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri R.D. Karode, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. The impugned order is Annex-A-5. After perusal of the impugned order, it seems that without giving opportunity of hearing to the applicant the impugned order is passed, therefore, it be stayed till filing of the reply by the respondents.

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

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

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

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

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

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

S.O. after four weeks.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.

O.A. 801/2020 (D.B.)

(S.Y. Paunikar Vs. State of Mah. & Ors.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri R.D. Karode, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. The impugned order is Annex-A-8. After perusal of the impugned order, it seems that without giving opportunity of hearing to the applicant the impugned order is passed, therefore, it be stayed till filing of the reply by the respondents.

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

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

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

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

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

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

S.O. after four weeks.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.

O.A. 802/2020 (D.B.)

(B.T. Sorte Vs. State of Mah. & Ors.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri R.D. Karode, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. The impugned order is Annex-A-7. After perusal of the impugned order, it seems that without giving opportunity of hearing to the applicant the impugned order is passed, therefore, it be stayed till filing of the reply by the respondents.

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

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

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

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

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

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

S.O. after four weeks.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.

O.A. 803/2020 (D.B.)

(A.N. Burde Vs. State of Mah. & Ors.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri R.D. Karode, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. The impugned order is Annex-A-4. After perusal of the impugned order, it seems that without giving opportunity of hearing to the applicant the impugned order is passed, therefore, it be stayed till filing of the reply by the respondents.

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

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

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

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

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

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

S.O. after four weeks.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.

O.A. 804/2020 (D.B.)

(Ms. S.R. Kolhe Vs. State of Mah. & Ors.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri R.D. Karode, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. The impugned order is Annex-A-3. After perusal of the impugned order, it seems that without giving opportunity of hearing to the applicant the impugned order is passed, therefore, it be stayed till filing of the reply by the respondents.

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

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

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

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

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

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

S.O. after four weeks.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.

O.A. 805/2020 (D.B.)

(D.M. Khakre Vs. State of Mah. & Ors.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri R.D. Karode, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. The impugned order is Annex-A-4. After perusal of the impugned order, it seems that without giving opportunity of hearing to the applicant the impugned order is passed, therefore, it be stayed till filing of the reply by the respondents.

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

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

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

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

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

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

S.O. after four weeks.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.

O.A. 806/2020 (D.B.)

(N.E. Pise Vs. State of Mah. & Ors.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 26/11/2020.

Heard Shri R.D. Karode, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. The impugned order is Annex-A-8. After perusal of the impugned order, it seems that without giving opportunity of hearing to the applicant the impugned order is passed, therefore, it be stayed till filing of the reply by the respondents.

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

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

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

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

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

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

S.O. after four weeks.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.

* * *

O.A. No. 922/2017 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

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. counsel for the applicant, **S.O. 4/1/2021**.

Member (J).

dnk.

O.A. No. 536/2020 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

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

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

Member (J).

dnk.

O.A. No. 532/2020 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

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

The Id. P.O. has filed reply on behalf of R-2 to 4. It is taken on record. Copy is served on the applicant.

The matter is admitted and it be kept for final hearing.

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

S.O. 7/1/2021.

Member (J).

dnk.

O.A. No. 709/2020 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

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

The learned counsel for the applicant has produced letter written by the Incharge DIG (Prisons). In this letter, it is mentioned that the request of the applicant is considered and the proposal to transfer the applicant is forwarded to the Government. The Id. P.O. has requested time to file reply.

S.O. three weeks.

Member (J).

dnk.

O.A. Nos. 466,467,468 & 469 of 2020 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

Shri S.B. Raut, Id .counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

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

Member (J).

dnk.

O.A. No. 82/2020 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

Heard Shri S.P. Palshikar, Id .counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1 and Smt. Alkari, Id .counsel for R-2.

The matter is admitted and it be kept for final hearing.

The Id. P.O. waives notice for R-1.

S.O. 21/12/2020.

Member (J).

dnk.

O.A. No. 722/2020 (SB)

(D.A. Wankhade Vs. State of Mah. & Ors.)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

C.A. 38/2020 -

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

2. It is brought to my notice that interim stay was granted vide order dated 2/11/2020 and inspite of it, the applicant is again transferred in lieu of Nagpur City to Nagpur Rural and it is violation of the stay order. Now the applicant is also intending to challenge the second order of transfer, therefore, the applicant is permitted to amend the O.A. and the impugned order dated 3/11/2020 stands stayed till filing of the reply.

3. In view thereof, the C.A. stands disposed of.

O.A. 722/2020 –

S.O. four weeks.

Steno copy be supplied.

Member (J).

dnk.

Rev. 12/20 in O.A. No. 211/20 (SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

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

2. The Id. P.O. has filed reply on behalf of R-2. It is taken on record. Copy is served on the applicant.

3. The Id. counsel for the applicant submitted that on the basis of oral instructions, he made submission before the Bench to withdraw the matter and accordingly this Bench was pleased to dispose of the matter as withdrawn. The learned counsel for the applicant submitted that now the original applicant is disputing and denied to have given such instruction to withdraw the matter and under these circumstances application to Review the order is made. The legal position is settled, there must be endeavour to decide the matter on merit. In view of this, the O.A. be restored to file.

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

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

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

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

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

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

S.O. after four weeks.

Member (J).

O.A. No. 406/2020 (SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

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

2. The applicant has amended the O.A. and now challenging the order dated 7/8/2020 by which the applicant is transferred from Malegaon Sub Division to Mangrulpir Sub Division. The learned counsel for the applicant submitted that the applicant be permitted to resume duty at Jalgaon Jamod, but the respondents are not allowing him to do so. In this regard, I would like to point out that the posting of applicant at Jalgaon Jamod was on deputation, but his official posting was on a post at Malegaon. Under these circumstances, the applicant is at liberty to join duty at Mangrulpir Sub Division without his prejudice to challenge the impugned order.

4. The Id. P.O. is permitted to file reply to meet the case of the applicant as per amendment.

S.O. two weeks.

Member (J).

dnk.

O.A. No. 789/2020 (S.B.)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

Heard Shri D.R. Rupnarayan, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the State.

2. The impugned order of recovery is passed without giving opportunity of hearing to the applicant, therefore, it be stayed till filing of the reply.

3. Issue notice to the respondents, returnable **after six weeks**. Learned P.O. waives notice for the State. Hamdast allowed.

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

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

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

7. The service may be done by Hand delivery, speed post, courier and

acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. after six weeks.

Steno copy be supplied.

Member (J).

dnk.

O.A. No. 790/2020 (S.B.)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

Heard Shri S.N. Gaikwad, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the State.

2. It is submitted that the applicant was posted at Balapur vide order dated 20/2/2019 and all of a sudden without considering the fact that the applicant was not due for transfer one D.L. Mukunde was posted as Tahsildar, Balapur on the post held by the applicant, consequently, the applicant was relieved from the post of Tahsildar, Balapur. It is grievance of the applicant that his transfer and displacement from Balapur was illegal exercise of jurisdiction as no case was made out under Section 4 (4) & (5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (In short "Transfers Act,2005"). In the transfer order Annex-A-2 it was observed that separate posting orders would be issued to give posting to the applicant and other officers. The learned counsel for the applicant has invited my attention to Annex-A-3 order dated 19/11/2020. As per this order now the applicant is posted as Tahsildar, Mahagaon, District Yavatmal. On

perusal of the order itself it seems that both the transfer orders are in violation of law, therefore, interim protection is to be given to the applicant.

3. The Id. P.O. submitted that as present the applicant is working in the Collector Office, Akola. The Id. P.O. submitted that he is not in position to produce any written order issued by the Government. In absence of any order issued by the Government, it is not suitable to accept the case that the applicant is on duty at Collector Office, Akola, but however considering the manner in which the jurisdiction is exercised, the impugned transfer order dated 19/11/2020 is hereby stayed till filing of the reply by the respondents.

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

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

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

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

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

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

S.O. after four weeks.

Member (J).

dnk.

O.A. No. 510/2020 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 26.11.2020

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

2. The learned counsel for the applicant submitted that the applicant be permitted to withdraw the O.A. and pursis is filed to this effect. The applicant is permitted to withdraw the O.A. Accordingly, it is disposed of as withdrawn. No order as to costs.

Member (J).

dnk.

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O.A.No.611/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

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

2. At the request of Id. P.O., **S.O. 24.12.2020** for reply.

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.980/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

Heard Shri S.C.Deshmukh, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. 17.12.2020 for reply.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.Nos.545,546,547,548,549,550,551,578,579

/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents. Await service of respondent nos. 2 & 3 in O.A. Nos. 578 & 579/2020.

2. The Id. counsel for the applicant relied on G.R. dated 28.02.2017 and Judgment of Hon'ble High Court Mumbai, Bench at Aurangabad in W.P. No. 8359/2013 delivered on 13.08.2015 and the Review Application order dated 17.03.2017. However, the Id. counsel for the applicant has not filed these documents on record. The Id. counsel for the applicant has only filed order of Collector, Ahmednagar. The Id. counsel for the applicant is directed to file all the above documents and inspite of that if he finds any Tribunal orders that should also be on record.

3. **S.O. four weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.266/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

C.A.No.52/2020:-

Heard Shri M.K.Mishra, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. **C.A. No. 52/2020 for documents on record is allowed.**

3. Matter is fixed for final hearing, **S.O. four weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.679/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

C.A.Nos.42 & 44/2020:-

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

2. **C.A. Nos. 42 & 44/2020 are allowed.**

3. The Id. P.O. has filed reply on behalf of the respondent nos. 2 & 3. It is taken on record. Copy is served to the other side.

4. Hence, the matter is **admitted** and kept for final hearing.

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

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

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.1031/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.**

C.A.No.45/2020:-

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

2. **C.A. No. 45/2020 is allowed.**

3. Hence, the matter is **admitted** and kept for final hearing.

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

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

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.1036/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.**

C.A.Nos.46,47,48&49/2020

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

2. **C.A. Nos. 46,47,48 & 49/2020 are allowed.**
3. Matter is **admitted** and kept for final hearing.
4. The Id. P.O. waives notices for the respondents.
5. **S.O. in due course.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.541/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

Heard Shri A.D.Tote, the Id. Counsel for the applicant and Shri A.M.Khadatar, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply of respondent no. 2. It is taken on record. Copy is supplied to the other side. He further submits that the same reply is sufficient to decide the O.A..

3. Hence, matter is **admitted** and kept for final hearing.

4. **S.O. next week.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.591/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.**

C.A.No.218/2020:-

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

2. **C.A. No.218/2020 for Jt. O.A. is allowed.**
3. The Id. P.O. is directed to file reply, **S.O. four weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.783/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

C.A.No.33/2020:-

None for the applicant. Shri S.A.Sainis, the Id.
P.O. for the State.

2. **C.A. No. 33/2020 for Jt. O.A. is allowed.**

3. Issue notice to Respondents, returnable on six 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. six weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.784/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

C.A.No.34/2020:-

Heard Shri C.V.Sawalkar, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State.

2. **C.A. No. 34/2020 for Jt. O.A. is allowed.**

3. Issue notice to Respondents, returnable on six 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. six weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

C.A.No.35/2020:-

Heard Shri S.I.Khan, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State.

2. **C.A. No. 35/2020 for Jt. O.A. is allowed.**

3. Issue notice to Respondents, returnable on six weeks. Learned C.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. six weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.787/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

C.A.No.36/2020:-

None for the applicant. Shri P.N.Warjekar,
the Id. P.O. for the State.

2. **C.A. No. 36/2020 for Jt. O.A. is allowed.**

3. Issue notice to Respondents, returnable on six 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. six weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

Rev.St.1527/2020inO.A.No.251/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

C.A.No.39/2020:-

Heard Shri P.D.Sharma, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State.

2. C.A. No. 39/2020 is allowed.

3. Issue notice to Respondents, returnable on six weeks. Learned C.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. six weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

Rev.13/2020inO.A.No.698/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.**

None for the applicant. Shri S.A.Deo, the Id.
C.P.O. for the State. Await service of respondent nos.
2 to 4.

2. **S.O. three weeks for reply.**

Vice Chairman

Date:-26/11/2020.
aps.

Rev.15/2020inO.A.No.544/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

Heard Shri S.C.Deshmukh, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent nos. 2 & 3.

2. The Id. counsel for the applicant submits that all the respondents are served. At the request of Id. C.P.O., **S.O. 04.01.2020.**

Vice Chairman

Date:-26/11/2020.

aps.
Endevor

O.A.No.785/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

Heard Shri P.D.Sharma, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. The Id. counsel for the applicant has filed O.A., aggrieved with the order of MTDC. The Id. P.O. took objection that MTDC case is not maintainable here. The Id. counsel for the applicant is directed to check out the maintainability of this case.

3. **S.O. four weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.788/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

Heard Shri R.R.Ramteke holding for Shri D.R.Rupnarayan, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State.

2. Issue notice to Respondents, returnable on six 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. six weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.702/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

None for the applicant. Shri P.N.Warjekar,
the Id. P.O. for the respondents.

2. As per the order dated 29.10.2020, today the
Id. P.O. has filed relevant documents on record. It is
taken on record. He further submits that he will
supply the documents to the other side.

3. **S.O. four weeks.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.345/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.**

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

2. At the request of Id. P.O., **S.O. 10.12.2020.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.964/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

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

2. The Id. counsel for the applicant has pointed out para no. 2 of the order dated 26.10.2020, were certain documents were to be reproduced by Id. P.O.. The Id. P.O. submits that he has already filed certain documents in this regard, but it is not available in file. The Deputy Director is directed to submit the copy of the report in the file. The Id. counsel for the applicant has further submits that there is no whisper about the evidence of drunken condition of the applicant at the same time. Since the applicant is going to retire on 30.11.2020 as V.R.S.. Hence, matter is **closed for orders.**

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.351/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

Heard Shri S.N.Gaikwad holding for Shri R.D.Wakode, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant requested time to file Vakalatnama on behalf of the applicant,
S.O. 17.12.2020.

Vice Chairman

Date:-26/11/2020.
aps.

O.A.No.611/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/11/ 2020.

Heard Shri S.C.Deshmukh, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has pointed out order dated 03.03.2020 by this Tribunal, in para no. 3 following observations has been made:-

*'In view of this situation, the respondents are directed to consider the case of the applicant for granting first A.C.P. after 12 years as per provisions of G.R. dated 01.07.2011 and provisions of its contained in point no. 5 of its appendix and file on record their decision **within three weeks.**'*

3. The Id. counsel for the applicant has filed pursis dated 02.11.2020 and along with this the decision taken by the respondents on P.B., Pg. No. 49. The main contention of the respondents is that "j{k d o fyi h d gh n k d gh i n s v j k t i f = r x v & d e / t h y v l u n k d gh i n k p s l o k i d s k f u ; e j d r l g o t c k c n k & ; k g ; k o x o x G ; k v l g r -"

4. Hence, **closed for orders.**

Vice Chairman

Date:-26/11/2020.

aps.