

O.A. No. 189/2010.

(D.B.)

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

Dated : 24th July 2019.

M.C.A. No.33/2018.

Heard Shri D.R. Bhojar, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents 1 and 2. Shri Bharat Kulkarni, Adv. for R.3.

It is submitted that the applicant has complied the order and deposited the cost. Therefore, the respondents are directed to submit their reply to MCA No. 33/2018 within two weeks.

S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 502/2019.

(D.B.)

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

Dated : 24th July 2019.

Heard Shri P.V. Thakre, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents 1 and 2.

Await service to R.3.

Ld. P.O. has filed reply on behalf of R.2, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. Ld. P.O. further submits that this reply is covered for all the respondents.

Ld. counsel for the applicant desires two weeks time.

S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 601/2018.

(D.B.)

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

Dated : 24th July 2019.

Heard Shri T.U. Tathod, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 704/2015.

(D.B.)

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

Dated : 24th July 2019.

Heard Shri S.C. Deshmukh, the Ld. counsel for the applicants and Shri P.N. Warjekar, the learned P.O. for the respondents 1and 2. None for R. 3 to 5.

At the request of the Ld. counsel for the applicant, S.O. **29.7.2019.**

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 584/2007.

(D.B.)

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

Dated : 24th July 2019.

Heard Shri V.G. Wankhede, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

Matter is partly heard. On the request of the Ld. counsel for the applicant, two days' time is granted for further query.

S.O. **26.7.2019.**

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 571/2019.

(D.B.)

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

Dated : 24th July 2019.

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

Ld. counsel for the applicant is permitted to file Page No.44 which are part of Annexure A-9.

2. Issue notice to respondent Nos. 2 and 3 returnable in two weeks.
3. Shri S.A. Deo, the learned C.P.O. waives notice for the respondent No.1. Hamdast granted.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

9. S.O. two weeks.

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. Nos.490,491,492 & 493 of 2019.

(D.B.)

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

Dated : 24th July 2019.

Heard Shri S.M. Vaishnav, the Ld. counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondents.

Ld. CPO has submitted that he has received letter dated 20th July 2019 from Under Secretary, Govt. of Maharashtra, Rural Development Department and in para 2 of letter, it is submitted that the proposal is forwarded for filling 71 posts and it will take 2 to3 months time to seek approval. It is also mentioned in para 2 that 4 posts be kept for the applicant till decision of controversy. In this situation, Ld. CPO is requesting four weeks time to file reply. In view of this undertaking, in para 2, four weeks time is granted to file reply.

S.O. **four weeks.**

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 932/2017.

(D.B.)

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

Dated : 24th July 2019.

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

On the request of the Ld. counsel for the applicant, S.O. **7.8.2019.**

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 133/2013.

(D.B.)

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

Dated : 24th July 2019.

Heard Shri M.R. Khan, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

Closed for orders. (after re-hearing).

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 197/2015. (D.B.)
(Sou. Shalini D.Chavan V/s State and two)

Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)
Dated : 24th July 2019.

Heard Shri A.P. Tathod, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

2. It is grievance of the applicant that she is possessing qualification since 1994 and she requested that she be promoted as Tutor. The applicant submitted her representation, but it is not considered by the department. We have gone through the reply submitted by the respondents. In para No. 7, it is contended by the respondents that the applicant is qualified, but it does not mean that she is entitled for promotion. There would be process to grant promotion and it will be as per seniority and suitability. In these circumstances, we think it suitable to direct the respondents to decide the representation submitted by the applicant on 27.11.2014 (A.9) within stipulated period. Hence, the following order:-

ORDER

- (i) O.A. is partly allowed.

- (ii) The respondents are directed to decide representation dated 17.11.2014 submitted by the applicant within a period of three months from the date of this order.
- (iii) No order as to costs.

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 370/2016.

(D.B.)

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

Dated : 24th July 2019.

Heard Shri A.P. Tathod, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents 1 to 4. None for R.5.

It is submitted that he could not pursue the matter to comply the directions dated 12.3.2019 and requested one week's time.

S.O. **one week** as a last chance.

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 217/2018.

(D.B.)

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

Dated : 24th July 2019.

Heard Miss Avriel Francis, Adv. holding for Shri N.C. Phadnis, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

At the request of both parties, S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 390/2018.

(D.B.)

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

Dated : 24th July 2019.

Heard Shri S.M. Khan, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

Ld. P.O. is directed to produce the rules framed by the Government in March 2017 relating to promotion.

S.O. two weeks.

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 270/2018.

(D.B.)

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

Dated : 24th July 2019.

Heard Shri S.U. Bhuyar, Adv. holding for Shri A.S. Deshpande, the Ld. counsel for the applicant and Shri M.I.Khan, the learned P.O. for the respondents.

S.O. two weeks.

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. Nos. 507,508,509 and 510 of 2019.
(D.B.)

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

Dated : 24th July 2019.

C.A. Nos.292,293,294 & 295 of 2019.

Heard Shri M.J. Kulkarni, the Ld. counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondents.

S.O. 25th July 2019 for orders.

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. Nos. 530,531,532 and 533 of 2019.
(D.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)
Dated : 24th July 2019.

Heard Shri D.A. Wadpaliwar, the Ld. counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondent No.1. Shri A.M. Kukday, Adv. for R.2 and Shri P.S. Chavan, Adv. for R. 3 to 10.

S.O. **25th July 2019 for orders.**

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No.482/2019.

(D.B.)

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

Dated : 24th July 2019.

Heard Shri R.B. Dhore, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1. Shri A.M. Kukday, Adv. for R.2. Shri N.S. Warulkar, Adv. for the Intervener.

S.O. 25th July 2019 for orders.

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No.516/2018.

(D.B.)

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

Dated : 24th July 2019.

Mrs. S.P. Giratkar, the Ld. counsel for the applicant and Shri P.N. Warjukar, the learned P.O. for the respondents.

S.O. 26th July 2019 for orders.

Member (J)

Vice-Chairman

Dt. 24.7.2019.

pdg.

O.A. No. 698/2017 **(SB)**

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

Dated : 24.07.2019

Shri S.C. Deshmukh, 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. 9/8/2019.**

Member (J)

dnk.

O.A. No. 826/2015 **(SB)**

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

Dated : 24.07.2019

Ms. M. Dodoni, Id. counsel holding for
Shri R. Joshi, 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. 7/8/2019.**

Member (J)

dnk.

O.A. No. 83/2019 (SB)

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

Dated : 24.07.2019

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

At the request of Id. P.O., **S.O.**
7/8/2019 for filing reply.

Member (J)

dnk.

O.A. No. 462/2019 **(SB)**

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

Dated : 24.07.2019

None for the applicant. Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2&3.

The learned P.O. submitted that two days time is required to make positive submission.

S.O. 26/7/2019.

Member (J)

dnk.

O.A. No. 179/2016 **(SB)**

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

Dated : 24.07.2019

MCA 48/2019 -

Heard Shri P.N. Warjurkar, Id. counsel for the applicants (original respondents) and Shri G.K. Bhusari, Id. counsel for the respondent (original applicant).

2. It appears that the applicants (original respondents) are intending to seek extension of time for execution of order dated 30/10/2018. In fact period of about 9 months is expired, but the order is not complied for one reason or the other.

3. In the interest of justice, 15 days time is granted as a last chance. In view of this, the MCA stands disposed of.

Member (J)

dnk.

O.A. No. 180/2016 **(SB)**

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

Dated : 24.07.2019

MCA 49/2019 -

Heard Shri P.N. Warjurkar, Id. counsel for the applicants (original respondents) and Shri G.K. Bhusari, Id. counsel for the respondent (original applicant).

2. It appears that the applicants (original respondents) are intending to seek extension of time for execution of order dated 30/10/2018. In fact period of about 9 months is expired, but the order is not complied for one reason or the other.

3. In the interest of justice, 15 days time is granted as a last chance. In view of this, the MCA stands disposed of.

Member (J)

dnk.

O.A. No. 401/2019 with C.A.240/19 **(SB)**

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

Dated : 24.07.2019

Shri R.V. Shiralkar, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3 and Shri S.N. Gaikwad, Id. counsel for R-4 (Intervener).

The learned P.O. files reply on behalf of R-3. It is taken on record. He requested to file reply on behalf of R-2.

S.O. 1/8/2019.

Member (J)

dnk.

O.A. No. 501/2019 **(SB)**

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

Dated : 24.07.2019

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

Member (J)

dnk.

O.A. No. 559/2019 **(SB)**

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

Dated : 24.07.2019

Heard Shri M.R. Khan, Id. counsel holding for Shri S.P. Palshikar, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2 & 3, returnable in **three 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.

S.O. three weeks.

Member (J)

dnk.

O.A. No. 574/2019 (SB)

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

Dated : 24.07.2019

Heard N.R. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1 (Caveator).

2. It seems that the first transfer order was issued on 31/5/2019 in which the applicant as well as the respondent no.4 were not transferred. Thereafter, the order dated 31/5/2019 was stayed by the Government. The respondent no.1 thereafter passed the impugned order dated 4/7/2019 and transferred the applicant to Panchayat Samiti, Mahagaon, District Yavatmal. In the transfer order it is mentioned that the applicant was transferred on a post which will become vacant on transfer of Dr. Pramod V. Patankar. It is pertinent to note that name of the applicant is Dr. Pramod V. Patankar. It is brought to notice that the second order was issued on 4/7/2019 and the respondent no.4 came to be transferred where the applicant is posted. Considering this fact, the serious question arises as to what was the propriety in

issuing separate transfer orders on one day, when the Transferring Authority was the same. Considering this nature, the impugned order of transfer so far as the applicant and the respondent no.4 are concerned, be stayed till filing of the reply by the respondents.

3. Issue notice to R-2 to 4, returnable in **three 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.

S.O. three weeks.

Member (J)

dnk.

O.A. No. 701/2015 **(SB)**

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

Dated : 24.07.2019

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

The learned P.O. submitted that the instructions are received to submit the TA bill of the applicant to the Treasury and he will produce letter from the Authority.

S.O. 25/7/2019.

Member (J)

dnk.

O.A. No. 649/2017 **(SB)**

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

Dated : 24.07.2019

Shri S.P. Palshikar, Id .counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. It is submitted that the respondents have filed the additional affidavit, but it is not on record. The affidavit be collected from the Registry. Today, the learned P.O. has filed the copies of the seniority lists as on 1/1/2007, 1/1/2008, 1/1/2009 and the subsequent seniority lists for the respective years till 1/1/2013.

3. The matter be listed for hearing **on 26/7/2019.**

Member (J)

dnk.

O.A. No. 467/2019 **(SB)**

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

Dated : 24.07.2019

The applicant is present. Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2 to 4.

2. It is submitted that the applicant is intending to withdraw the O.A. Hence, the O.A. stands disposed of as withdrawn. No order as to costs.

Member (J)

dnk.

O.A. No. 343/2015 **(SB)**

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

Dated : 24.07.2019

Shri N.R. Saboo, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1 to 3. None for R-4.

It came to the notice that title clause of the O.A.343/2015, there is a spelling mistake in writing of surname of the applicant. The learned counsel for the applicant is directed to rectify the mistake.

Member (J)

dnk.

O.A. No. 560/2019 **(SB)**

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

Dated : 24.07.2019

The applicant is present. Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2 to 4.

2. It is submitted that the representation of the applicant is under consideration, consequently she is intending to withdraw the O.A. Hence, the O.A. stands disposed of as withdrawn. No order as to costs.

Member (J)

dnk.

O.A. No. 577/2019 **(SB)**

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

Dated : 24.07.2019

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

2. I have perused the order dated 19/7/2019. After reading this order it seems that initially the Medical Officers were transferred vide order dated 31/5/2019, but the said transfer order was cancelled and the Medical Officers are transferred vide order dated 19/7/2019 on their own requests. It is grievance of the applicant that she had made request for transfer to Primary Health Center, Vyahad, District Nagpur, but instead of transferring her to that place, she is transferred to Vyahad, Tq. Sawali, District Chandrapur.

3. It is submitted that as this transfer is not as per the request of the applicant, therefore, as the applicant was not due for transfer from Weltur the present transfer is illegal. It is submitted that the applicant is not yet relieved from her post.

4. In view of this, the respondents are directed not to relieve the applicant from Primary Health Center, Weltur till further orders.

5. Issue notice to R-2 & 3, returnable **after two weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

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

S.O. after two weeks.

Steno copy is granted.

Member (J)

dnk.

O.A.No.271/2017 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 24th July 2019.

C.A.No.03/2019:-

Heard Shri R.G.Vaidya, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has filed C.A. No. 03/2019 for filing certain documents in relief clause in the original application no. 271/2017. Hence, **C.A. No. 03/2019 is allowed.** The Id. counsel for the applicant is directed to carry out the amendment within one week time.

3. **S.O. three weeks.**

Vice Chairman

Date:-24/07/2019.

aps.

O.A.No.685/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 24th July 2019.

Heard Shri S.Katkar holding for Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

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

Vice Chairman

Date:-24/07/2019.
aps.

O.A.No.128/2019 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 24th July 2019.

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

2. The Id. P.O. filed the affidavit-in-reply on behalf of the respondent nos. 1 to 3. It is taken on record. Copy is served to the other side.

3. As requested by Id. P.O., matter is **admitted** and kept for final hearing.

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

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

Vice Chairman

Date:-24/07/2019.

aps.

O.A.No.187/2019 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 24th July 2019.

Heard Shri S.Katkar holding for Shri N.R.Saboo, 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. one week to file reply.**

Vice Chairman

Date:-24/07/2019.
aps.

O.A.No.363/2019 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated: 24th July 2019.

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

2. The matter was circulated by Id.
counsel. However, none appeared today.

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

Vice Chairman

Date:-24/07/2019.
aps.

O.A.No.605/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 24th July 2019.

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

2. The Id. counsel for the applicant desires time to file Rejoinder. **S.O. two weeks.**

Vice Chairman

Date:-24/07/2019.

aps.

O.A.No.572/2019 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated: 24th July 2019.

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

2. As submitted by Id. counsel for the applicant, applicant was suspended vide order dated 08/01/2019 (Annexure-A-1, P.B., Pg. No. 13). However, as submitted by Id. counsel for the applicant, in his O.A. at P.B., Pg. No. 06 in Para (iv), the Id. counsel for the applicant also relied on the Government G.R. No. 'kkl u fu.k dkd fuiM&11118@izd:11@11v] frukd 09-07-2019, which is at P.B., Pg. No. 29 (Annexure-A-4). After the policy decision taken by Government in G.R. dated 09.07.2019 in which reference no. 3 is below:-

"Office Memorandum F.No. 11012/04/2016-Estt. (A) Government of India Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training Establishment A-III Desk Dated August 23, 2016."

3. The Government decision is at P.B., Pg. No. 30 of the same G.R. in which Sr. No. 1 (ii), which is below:-

“(ii) fuyicr ‘kkI dh; I o d k R; k T; k i d j . k h 3 e f g U; k p k d k y k o / k h r f o H k k x h; p k S d ‘ k h I q d: u n k S k j k i i = c t k .; k r v k y s u k g h] v ‘ k k i d j . k h e k- I o k P U; k; k y; k p s v k n s k i k g r k] f u y a u I e k r d j .; k f ‘ k o k; v U; i; k z; j k g r u k g h- R; k e G s f u y i c r ‘ k k I d h; I o d k e c r f o H k k x h; p k S d ‘ k p h d k; b k g h I q d: u n k S k j k i i = c t k o .; k p h d k; b k g h f u y a u k i k l u 9 0 f n o l k R; k v k r d k V d l g i . k s d s y h t k b z y ; k p h n { k r k @ [k c j n k j h ? k s ; k r ; k o h - “

4. In view of the above facts, Respondents are directed to take decision regarding the applicant about his revocation of suspension **within two weeks** from the date of this order.

5. Issue notice to R-2 & 3, returnable on 07.08.2019. Learned P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

11. **S.O. 07-08-2019.**

Vice Chairman

Date:-24/07/2019.
aps.

O.A.No.592/2017 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 24th July 2019.

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

2. At the request of Id. P.O., **S.O. Friday i.e. 26.07.2019.**

Vice Chairman

Date:-24/07/2019.
aps.

O.A.No.71/2017 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 24th July 2019.

C.A.Nos. 41/2017 & 288/2019:-

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

2. The Id. counsel for the applicant filed C.A. No. 288/2019 for early hearing. **The C.A. No. 288/2019 is allowed and disposed of.** The matter is kept for final hearing.

3. **S.O. 01.08.2019.**

Vice Chairman

Date:-24/07/2019.
aps.

O.A.No.292/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 24th July 2019.

Heard Shri S.P.Palshikar, 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.**
26.07.2019.

Vice Chairman

Date:-24/07/2019.
aps.

O.A.No.840/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 24th July 2019.

C.A.No. 291/2019:-

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

2. The Id. counsel for the applicant filed C.A. No. 291/2019 and desires to make certain amendment in O.A. No. 840/2018 in para no. 6 on Pg. No. 21 and 22, after para no. 6.4, he desires to add para no. 6.5. He is permitted to amend the O.A. accordingly.

3. The Id. counsel for the applicant is directed to carry out the amendment within one week time. **C.A. No. 291/2019 is allowed.**

4. **S.O. two weeks.**

Vice Chairman

Date:-24/07/2019.

aps.

O.A.No.110/2019 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated: 24th July 2019.

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

2. The Id. counsel for the applicant submits that he desires to withdraw the O.A.. He is permitted to withdraw the same.

3. Hence, **the O.A. is disposed of as withdrawn with no order as to costs.**

4. *Steno copy is granted.*

Vice Chairman

Date:-24/07/2019.

aps.