

O.A. No.683/2020 (S.B.)

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

Dated : 13/07/2023.

Shri V.G. Gawali, Id. Counsel for applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. At the request of Id. Counsel for applicant, **S.O. 20/07/2023.**

Vice Chairman

dnk.

O.A. No.466/2021 (S.B.)

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

Dated : 13/07/2023.

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

2. At the request of Id. Counsel for applicant, **S.O. 26/07/2023.**

Vice Chairman

dnk.

O.A. No.551/2021 (S.B.)

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

Dated : 13/07/2023.

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

2. At the request of Id. Counsel for applicant, **S.O. 26/07/2023.**

Vice Chairman

dnk.

O.A. No.84/2021 (S.B.)

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

Dated : 13/07/2023.

C.A. 477/2022 -

Smt. Saboo, Id. Counsel for applicant,
Shri A.M. Ghogre, Id. P.O. for R-1, Shri S. Majid,
Id. Counsel for R-2 and Shri R.V. Shiralkar, Id.
Counsel for R-3.

At the request of Id. Counsel for R-2,
S.O. four weeks.

Vice Chairman

dnk.

O.A. No.1132/2022 (S.B.)

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

Dated : 13/07/2023.

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

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

Vice Chairman

dnk.

O.A. No.220/2023 (S.B.)

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

Dated : 13/07/2023.

Shri Bawankar, Id. Counsel holding for
Shri S.M. Khan, Id. Counsel for applicant, Shri
A.M. Khadatkar, Id. P.O. for R-1&2 and Shri S.P.
Makkad, Id. Counsel holding for Shri Bhangde,
Id. Counsel for R-3.

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

Vice Chairman

dnk.

O.A. No.235/2023 (S.B.)

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

Dated : 13/07/2023.

Shri P.P. Khaparde, Id. Counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No.301/2023 (S.B.)

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

Dated : 13/07/2023.

Smt. Saboo, Id. Counsel for applicant
and Shri A.M. Khadatkhar, Id. P.O. for the
respondents.

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

Vice Chairman

dnk.

O.A. No.363/2023 (S.B.)

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

Dated : 13/07/2023.

Shri S. Pande, Id. Counsel for applicant
and Shri A.M. Khadatkhar, Id. P.O. for the
respondents.

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

Vice Chairman

dnk.

O.A. No.348/2023 (S.B.)

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

Dated : 13/07/2023.

Smt. Saboo, Id. Counsel for applicant
and Shri A.M. Khadatkhar, Id. P.O. for the
respondents.

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

Vice Chairman

dnk.

O.A. No.388/2023 (S.B.)

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

Dated : 13/07/2023.

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

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

Vice Chairman

dnk.

O.A. No.463/2023 (S.B.)

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

Dated : 13/07/2023.

Shri Mishra, Id. Counsel for applicant and
Shri A.M. Ghogre, Id. P.O. for respondents.

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

S.O. 20/7/2023.

Vice Chairman

dnk.

O.A. No.4482023 (S.B.)

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

Dated : 13/07/2023.

Shri T. Deshpande, Id. Counsel for applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2&3.

2. As per submission of learned counsel for applicant, the respondent nos.2 and 3 are served.

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

Vice Chairman

dnk.

O.A. No.217/2023 (S.B.)

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

Dated : 13/07/2023.

C.A. 248/2023 in O.A. No.217/2023 -

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

2. It appears that the delay is of 1528 days.
3. Notice on civil application be issued returnable **after four weeks**.
4. The learned P.O. waives notice for State. Hamdast granted.
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 the O.A.
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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.283/2023 (S.B.)

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

Dated : 13/07/2023.

C.A. No.135/2023 -

None for the applicants. Heard Shri S.A. Deo, Id. CPO for the State.

The grievances of applicants are common. Looking to the ground, the C.A. is allowed and disposed of.

O.A. No.283/2023 -

None for the applicants. Heard Shri S.A. Deo, Id. CPO for the State.

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

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

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

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

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

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

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

S.O. after four weeks.

Vice Chairman

dnk.

O.As. 762,763 & 764 of 2023 (S.B.)

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

Dated : 13/07/2023.

Heard Shri S.N. Gaikwad, Id. Counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. All the applicants are terminated by the respondents on the ground that the roster was not correctly framed and therefore their appointments were not legal and proper. All the applicants are terminated by the respondents. Hence, the interim relief cannot be granted.

3. Issue notice to the respondents returnable **after two weeks**. Learned C.P.O. waives notice for 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.

9. The matters will be decided expeditiously on the next date.

10. The CPO to file reply positively on the next date.

S.O. after two weeks.

Vice Chairman

dnk.

O.A. No.792/2016 (S.B.)

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

Dated : 13/07/2023.

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

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

Vice Chairman

dnk.

O.A. No.833/2019 (S.B.)

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

Dated : 13/07/2023.

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

S.O. two weeks.

Vice Chairman

dnk.

O.As. 1043 & 1044 of 2019 (S.B.)

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

Dated : 13/07/2023.

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

2. At the request of Id. Counsel for
applicants, **S.O. 14/07/2023.**

Vice Chairman

dnk.

O.A. No.381/2020 (S.B.)

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

Dated : 13/07/2023.

None for applicant. Shri M.I. Khan, Id.
P.O. for the respondents.

S.O. after two weeks.

Vice Chairman

dnk.

O.A. No.183/2021 (S.B.)

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

Dated : 13/07/2023.

Smt. Saboo, Id. Counsel holding for Shri
N.R. Saboo, Id. Counsel for applicant and Shri
S.A. Sainis, Id. P.O. for the respondents.

2. At the request of Id. Counsel for the
applicant, **S.O. 27/07/2023.**

Vice Chairman

dnk.

O.A. No.481/2021 (S.B.)

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

Dated : 13/07/2023.

C.A. No. 328/2023 -

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

2. During the pendency of this O.A., representation of the applicant is rejected on the ground that he is not exonerated in the departmental inquiry. He is punished in the departmental inquiry. One increment is stopped for one year.

3. Looking to the further development, the C.A. for amendment is allowed and disposed of. Necessary amendment be carried out within two weeks.

O.A. No.481/2021 -

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

S.O. after two weeks.

Vice Chairman

dnk.

O.A. No.1141/2021(S.B.)

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

Dated : 13/07/2023.

Shri R.M. Fating, Id. Counsel holding for
Shri N.S. Warulkar, Id. Counsel for applicant and
Shri S.A. Sainis, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No.375/2022 (S.B.)

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

Dated : 13/07/2023.

Shri Bharat Kulkarni, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. 27/07/2023.**

Vice Chairman

dnk.

O.A. No.635/2022 (S.B.)

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

Dated : 13/07/2023.

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

2. At the request of Id. P.O., **S.O.**
27/07/2023.

Vice Chairman

dnk.

O.A. No.721/2021 (S.B.)

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

Dated : 13/07/2023.

Herd Shri J.S. Wankhede, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for respondents.

2. As per submission of learned counsel for applicant, the applicant was suspended as per order dated 29/08/2008. The applicant came to be retired on 31/7/2013. Till the date of retirement no any departmental inquiry was initiated.

3. As per the Rule 27 of the Maharashtra Civil Services (Pension) Rules,1982, pension and pensionary benefits cannot be denied, if the departmental inquiry is not initiated within a period of four years from the date of incident. It appears that the incident is of the year 2008 and the applicant came to be retired on 31/7/2013. Nothing is placed on record by the respondents to show that any departmental inquiry is initiated.

4. The learned P.O. submits that he will get instructions in respect of departmental inquiry.

S.O. 17/7/2023.

Vice Chairman

dnk.

O.A. No.748/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Shri R.S. Kalangiwale, Id. Counsel for applicant and Shri S.A. Deo, Id. CPO for State.

2. As per submission of learned counsel for applicant, the applicant is seeking transfer, but he is not transferred.

3. Heard learned CPO Shri S.A. Deo. There is no urgency in the matter to grant any interim relief.

4. Issue notice to the respondents returnable **after two weeks**. Learned C.P.O. waives notice for 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.

10. The learned CPO is requested to get instructions.

S.O. after two weeks.

Vice Chairman

dnk.

O.A. No.767/2019 (D.B.)

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

Dated : 13/07/2023.

Heard Sakshi Agrawal, Id. Counsel holding for Shri S.V. Bhutada, Id. Counsel for applicant and Shri A.M. Ghogre, Id. P.O. for respondents.

2. The Id. P.O. files reply of R-2. It is taken on record. The Id. P.O. submits that said reply is sufficient to decide the matter.

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

S.O. in due course.

Vice Chairman

dnk.

O.A. No.51/2023 (D.B.)

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

Dated : 13/07/2023.

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

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

Vice Chairman

dnk.

C.P. 72/2022 in O.A. No.181/2022 (D.B.)

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

Dated : 13/07/2023.

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

2. On 15/6/2023 the learned P.O. had filed letter dated 24/3/2023. As per this letter, sealed envelope was opened and promotion was not given to the applicant.

3. The learned counsel for applicant on instruction submits that promotion was not granted to the applicant only on the ground that criminal case is pending. That cannot be a ground to deny the promotion.

4. The learned P.O. is directed to get instructions about compliance of the order of this Tribunal dated 29/6/2022.

S.O. 2/8/2023 for final hearing.

Steno copy is granted...

Vice Chairman

dnk.

C.A. 51/2023 in O.A. St.257/2023 (D.B.)

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

Dated : 13/07/2023.

S. Thakur, Id. Counsel holding for Shri
A.C. Dharmadhikari, Id. Counsel for applicant
and Shri S.A. Sainis, Id. P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.573/2023 (D.B.)

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

Dated : 13/07/2023.

Heard S.P. Palshikar, Id. Counsel for applicant and Shri S.A. Deo, Id. CPO for R-1&2 and Shri P.R. Puri, Id. Counsel for R-3.

2. The learned CPO files reply of R-1&2. It is taken on record.

3. The learned counsel for respondent no.3 seeks time to file reply. Time is granted.

S.O. 2/8/2023.

Vice Chairman

dnk.

O.A. No.1255/2022 (D.B.)

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

Dated : 13/07/2023.

Shri B. Kulkarni, Id. Counsel for applicants and Shri S.A. Deo, Id. CPO for respondents.

At the request of Id. CPO, **S.O. 3/8/2023** for filing reply.

Vice Chairman

dnk.

O.A. No.735/2023 (D.B.)

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

Dated : 13/07/2023.

C.A. No.323/2023 -

Heard K.N. Jain, Id. Counsel holding for Shri S.S. Dhengale, Id. Counsel for applicants and Shri S.A. Deo, Id. CPO for respondents.

2. Looking to the ground, the C.A. is allowed and disposed of.

O.A. No.735/2023 -

Heard K.N. Jain, Id. Counsel holding for Shri S.S. Dhengale, Id. Counsel for applicants and Shri S.A. Deo, Id. CPO for respondents.

2. The matter was listed yesterday. The learned counsel for applicant prayed for direction to the respondents to allow the applicant to appear in the personal interview. The learned CPO had filed communication dated 11/07/2023. The said communication shows that the applicant Shri Panchal has secured 114 marks. The cut off marks is 150.

3. The learned CPO was requested to get instructions in respect of applicant Shri Rathod.

4. Today, Id. CPO has filed communication dated 12/7/2023. It is taken on record and marked Exh-X for identification. As per this communication, the applicant Rathod also not

secured cut off marks. He has only secured 106 marks. Therefore, both the applicants cannot claim that they should be allowed for interview. Both the applicants not secured 150 marks i.e. cut off marks for personal interview. Hence, nothing survives in this O.A. and therefore the O.A. is disposed of. No order as to costs.

Vice Chairman

dnk.

O.A. No.733/2023 (D.B.)

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

Dated : 13/07/2023.

C.A. 317/2023 -

Heard Shri G.K. Bhusari, learned counsel for the applicants and Shri S.A. Deo, learned CPO for the State.

2. Both the applicants seeking same relief. Their grievances are common. Looking to the ground, the C.A. for filing Jt. O.A. is allowed and disposed of.

O.A. No.733/2023 –

Heard Shri G.K. Bhusari, learned counsel for the applicants and Shri S.A. Deo, learned CPO for the State.

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

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is

put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

S.O. after four weeks.

Vice Chairman

dnk.

C.P. 74/22 in O.A. No.406/21 (D.B.)

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

Dated : 13/07/2023.

Shri R.M. Fating, Id. Counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. Next week.**

Vice Chairman

dnk.

C.P. 12/2023 in O.A. No.656/2010 (D.B.)

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

Dated : 13/07/2023.

Heard Shri Bharat Kulkarni, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for the respondents.

2. This Tribunal as per the order dated 08/10/2012 relying on the Judgment of this Tribunal in O.A. Nos. 443 to 447 of 2011, decided on 28/03/2012 directed the respondents to count the past service of the applicant for the purpose of seniority, rendered by him in Government Milk Scheme, after his absorption in Social Justice and Special Assistance Department.

3. As per the direction of this Tribunal, the respondents have issued corrigendum dated 27/02/2023. As per this corrigendum, the past service of the applicant is counted from 10/03/1981. The applicant is at Sr.No.1 in the seniority list of the year 2008.

4. The learned counsel for applicant has filed counter affidavit. It is taken on record. As per submission of learned counsel for applicant, no any monetary benefit is given to the applicant. There is no such order of this Tribunal to grant any monetary benefit. Seniority of

applicant as per the direction of this Tribunal is granted by the respondents. The order is fully complied. The applicant is at liberty to file appropriate proceeding for claiming monetary benefits, if any.

5. In view of above, the Contempt Petition is disposed of. No order as to costs.

Vice Chairman

dnk.

O.A. No.744/2023 (D.B.)

(J.D. Ugemuge Vs. State of Mah. & Ors.)

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

Dated : 13/07/2023.

Heard Shri R.V. Shiralkar, learned counsel for the applicant and Shri S.A. Deo, learned CPO for the State.

2. As per submission of learned counsel for applicant, the applicant is senior to respondent no.4. The respondent no.3 issued communication dated 1/6/2023 by which name of respondent no.4 is shown for promotion. The respondent no.4 is junior to the applicant. The applicant has made representation dated 5/6/2023.

3. The respondents are directed to decide the representation of applicant dated 5/6/2023 before the returnable date.

4. Issue notice to the respondents returnable **after three weeks**. Learned C.P.O. waives notice for 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.

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 three weeks.

Steno copy is granted...

Vice Chairman

dnk.

O.A. No.759/2023 (D.B.)

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

Dated : 13/07/2023.

Heard Shri S.N. Gaikwad, learned counsel for the applicant and Shri S.A. Deo, learned CPO for the State.

2. As per submission of learned counsel for applicant, the applicant has secured more than cut off marks, but her name is not shown in the list of eligible candidates, because, she has not produced non-creamy layer certificate.

3. Now the State Government has relaxed that condition, therefore, she is eligible for interview.

4. The learned CPO has submitted that the process is going on and date of interview is not declared.

5. Issue notice to the respondents returnable **after two weeks**. Learned C.P.O. waives notice for State. 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. In the meanwhile, issue in respect of interim relief is kept open.

S.O. after two weeks.

Vice Chairman

dnk.

O.A. No.579/2017 (D.B.)

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

Dated : 13/07/2023.

Heard Shri S.P. Palshikar, learned counsel for applicant and Shri S.A. Sainis, learned P.O. for respondents.

2. This matter was finally heard by this Tribunal on 10/3/2023, but because of retirement of administrative Judge, this matter was listed for hearing.

3. The learned P.O. is requested to argue the matter.

S.O. 3/8/2023.

Steno copy is granted..

Vice Chairman

dnk.

O.A. No.702/2020 (D.B.)

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

Dated : 13/07/2023.

Ms. S. Thakur, learned counsel for applicant and Shri S.A. Sainis, learned P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.414/21 with C.A.382/22 (D.B.)

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

Dated : 13/07/2023.

Shri Gajbhiye, learned counsel holding for Shri Wathore, learned counsel for applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 4. None for other respondents.

Shri Gajbhiye, learned counsel submits that his senior Adv. Wathore is busy before the Hon'ble High Court, therefore, seeks further time. At his request, **S.O. 4/8/2023.**

Vice Chairman

dnk.

O.A. No.665/2022 (D.B.)

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

Dated : 13/07/2023.

C.A. 232/2023 -

Heard Shri S.N. Gaikwad, learned counsel for applicant and Shri A.M. Ghogre, learned P.O. for respondents.

2. As per submission of learned counsel for applicant, direction be given to the respondents to consider the case of applicant for promotion in the DPC.

3. As per submission of learned P.O., the applicant will be considered in the coming DPC for promotion (as per the instructions received by him).

4. Hence, the C.A. is allowed. The respondents are directed to consider the case of applicant for promotion in the coming DPC.

5. In view of above, C.A.No.246/2022 now becomes infructuous.

O.A. No.665/2022 –

S.O. three weeks.

Vice Chairman

dnk.

O.A. No.717/2022 (D.B.)

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

Dated : 13/07/2023.

Shri G.K.Bhusari, learned counsel for applicant and Shri S.A. Sainis, learned P.O. for respondents.

S.O. after three weeks.

Vice Chairman

dnk.

O.A. No.997/2022 (D.B.)

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

Dated : 13/07/2023.

The applicant in person. Shri S.A. Sainis, Id. P.O. for R-1 to 5. None for other respondents.

S.O. 10/8/2023.

Vice Chairman

dnk.

C.P. 50/2023 in O.A. No.1126/22 (D.B.)

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

Dated : 13/07/2023.

Heard R.M. Fating, learned counsel for applicant and Shri A.M. Ghogre, learned P.O. for respondents.

In view of order in O.A. 1126/2022, the Contempt Petition No. 50/2023 does not survive. Hence, Contempt Petition is disposed of. No order as to costs.

Vice Chairman

dnk.

O.A. No.766/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Ms. Sakshi Agrawal, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for the State.

2. As per the submission of learned counsel for applicant, the applicant had given the options for transfer posting, but his options were not considered. One Shri Raibole was posted at Waigaon. The applicant is transferred as per the order dated 27/06/2023.

3. From the perusal of the transfer order, it appears that all the transferred employees were directed to hand over immediate charge and join at the transferred place.

4. The learned counsel for applicant has submitted that the applicant is not relieved to join at the transferred place. There is nothing on record to show that the applicant is not relieved. The applicant is relieved as per order dated 27/6/2023. Moreover, One Shri Raibole was posted at Waigaon, as per the scheme of Government to post husband and wife together at the same place. It appears that there is nothing wrong on the part of respondents.

5. Hence, issue notice to the respondents returnable **after two weeks**. Learned P.O. waives notice for State. 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.

Vice Chairman

dnk.***

O.A.No.568/2018 (S.B.)

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

Dated : 13/07/2023.

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

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

Member (J).

rsm.

O.A.No.204/2021 (S.B.)

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

Dated : 13/07/2023.

Heard Shri R.M.Fating, 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. two weeks for filing reply.**

Member (J).

rsm.

O.A.No.657/2021 (S.B.)

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

Dated : 13/07/2023.

C.A.No.297/2023

Heard Mrs.K.N.Saboo, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents 1 & 2. None for the respondent no.3.

2. In the O.A. order dated 06.08.2021 (Annexure A-4) transferring the applicant from Daryapur, District Amravati to Central Prison, Amravati is impugned. By order dated 11.08.2021 effect and implementation of the impugned order was stayed till filing of reply. So far reply is not filed and thus, stay is operating.

3. In the C.A. the applicant has made the following prayer-

It is therefore prayed that this Hon'ble Tribunal be pleased to direct Respondents to continue him at present place till completion of age 58 years posting.

4. To the C.A. the applicant has attached copy of online application wherein exemption from transfer is prayed for.

5. The applicant prays that by issuing necessary directions to respondents 1 and 2 to consider his representation in accordance with Rules, the O.A. be disposed of.

6. Respondents 1 and 2 shall consider representation/online application submitted by the applicant on its own merits and in accordance with Rules and take a decision within one month from today. The decision shall be communicated to the applicant forthwith. **With these directions the O.A. and C.A. are disposed of.**

7. **Steno copy is granted.**

Member (J).

rsm.

O.A.No.250/2022 with O.A.No.251/2022 with
O.A.No.252/2022 with O.A.No.253/2022 with
O.A.No.254/2022 with O.A.No.255/2022 with
O.A.No.256/2022 with O.A.No.257/2022 with
O.A.No.262/2022 with O.A.No.269/2022
(S.B.)

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

Dated : 13/07/2023.

None for the applicant. Shri A.M.Khadatkar, ld.
P.O. for the respondents. None for the respondent no.4.
Await service.

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

Member (J).

rsm.

O.A.No.393/2022 (S.B.)

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

Dated : 13/07/2023.

Heard Mrs.K.N.Saboo, 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 for filing reply.**

Member (J).

rsm.

O.A.No.799/2022 (S.B.)

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

Dated : 13/07/2023.

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

2. **S.O. four weeks for steps.**

Member (J).

rsm.

O.A.No.59/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Adv.S.Thakur, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

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

Member (J).

rsm.

O.A.No.408/2023 (S.B.)

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

Dated : 13/07/2023.

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

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

Member (J).

rsm.

O.A.No.511/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Mrs.K.N.Saboo, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. It is submitted by learned counsel for the applicant that connected O.As. are kept on 24.07.2023.

3. **S.O. 24.07.2023 for filing reply.**

Member (J).

rsm.

O.A.No.516/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Shri A.Sambre, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondent no.1 and Shri M.I.Dhatrak, ld. counsel for the respondent no.2.

2. Learned P.O. seeks time to file reply. He makes a statement that process in respect of transfer of the applicant is on going.

3. It is pointed out that on previous two dates last chance was given to the respondents to file reply.

4. **S.O. 20.07.2023.**

5. **Steno copy is granted.**

Member (J).

rsm.

O.A.No.567/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Mrs.K.N.Saboo, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. Learned counsel for the applicant states that the respondents are served and service affidavit is filed.

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

Member (J).

rsm.

O.A.No.586/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Shri A.A.Choube, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. Learned counsel for the applicant states that respondents 2 and 4 are served and he will file service affidavit within one week.

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

Member (J).

rsm.

O.A.No.624/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Shri A.Deshmukh, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. Learned counsel for the applicant states that all respondents are served and service affidavit is filed.

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

Member (J).

rsm.

O.A.No.643/2023 (S.B.)

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

Dated : 13/07/2023.

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

2. **Closed for Orders.**

Member (J).

rsm.

O.A.No.664/2023 (S.B.)

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

Dated : 13/07/2023.

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

2. Learned counsel for the applicant states that the respondents are served and he will file service affidavit today itself.
3. Learned P.O. seeks time to file reply.
4. **S.O. three weeks for filing reply.**
5. **Interim relief to continue till filing of reply.**

Member (J).

rsm.

O.A.No.251/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Mrs.K.N.Saboo, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. Learned P.O. seeks time of two weeks to file reply.

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

4. **Interim order to continue till next date.**

Member (J).

rsm.

O.A.No.254/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Shri N.D.Thombre, 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. 19.07.2023.**

Member (J).

rsm.

O.A.No.278/2016 (S.B.)

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

Dated : 13/07/2023.

Heard Shri A.D.Girdekar, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the respondents and Shri S.N.Gaikwad, ld. counsel for the respondent no.3.

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

Member (J).

rsm.

O.A.No.962/2017 (S.B.)

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

Dated : 13/07/2023.

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

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

Member (J).

rsm.

O.A.No.742/2019 (S.B.)

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

Dated : 13/07/2023.

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

2. On oral request of ld. P.O., **S.O. 27.07.2023.**

Member (J).

rsm.

O.A.No.54/2020 (S.B.)

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

Dated : 13/07/2023.

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

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

Member (J).

rsm.

O.A.No.284/2020 (S.B.)

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

Dated : 13/07/2023.

Heard Adv.Bhutada, holding for Shri S.V.Bhutada, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. On oral request of ld. counsel for the applicant,
S.O. one week.

Member (J).

rsm.

O.A.No.695/2020 (S.B.)

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

Dated : 13/07/2023.

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

2. **S.O. three weeks.**

Member (J).

rsm.

O.A.No.796/2021 (S.B.)

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

Dated : 13/07/2023.

Heard Mrs.K.N.Saboo, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. On oral request of ld. counsel for the applicant,
S.O. 26.07.2023.

Member (J).

rsm.

**O.A.No.801/2021 with C.A.No.321/2021
(S.B.)**

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

Dated : 13/07/2023.

Heard Shri S.P.Palshikar, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. two weeks.**

Member (J).

rsm.

O.A.No.802/2021 (S.B.)

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

Dated : 13/07/2023.

Heard Shri S.P.Palshikar, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. two weeks.**

Member (J).

rsm.

O.A.No.20/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Shri R.V.Shiralkar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. **S.O. 20.07.2023.**

Member (J).

rsm.

O.A.No.99/2023 (S.B.)

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

Dated : 13/07/2023.

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

2. **S.O. two weeks.**

Member (J).

rsm.

O.A.No.188/2023 (S.B.)

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

Dated : 13/07/2023.

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

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

Member (J).

rsm.

O.A.No.224/2023 (S.B.)

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

Dated : 13/07/2023.

Heard Shri R.V.Shiralkar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. **S.O. 20.07.2023.**

Member (J).

rsm.

O.A.No.278/2023 (S.B.)

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

Dated : 13/07/2023.

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

2. **Closed for Orders.**

Member (J).

rsm.

O.A.No.279/2023 (S.B.)

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

Dated : 13/07/2023.

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

2. **Closed for Orders.**

Member (J).

rsm.