

O.A. No. 199/2018 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

Shri S.A. Marathe, Id. counsel for
the applicant and shri P.N. Warjurkar, Id.
P.O. for the respondents.

At the request of Id. P.O., **S.O.**
25/06/2019 for filing reply.

Vice-Chairman.

dnk.

O.A. No. 158/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

C.A. 80/2019 -

None for the applicants. Heard Shri M.I. Khan, Id. P.O. for the State.

By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants' paying requisite Court fees, if not already paid. C.A. is disposed of accordingly

O.A. 158/2019 –

None for the applicants. Heard Shri M.I. Khan, Id. P.O. for the State.

2. Issue notice to R-2 to 4, returnable in **due course**. 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. Applicants are 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. Applicants are 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. in due course.**

Vice-Chairman.

dnk.

O.A. No. 353/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

Shri S.M. Khan, 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.**
10/07/2019 for filing reply.

Vice-Chairman.

dnk.

O.A. No. 354/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

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

At the request of Id .P.O., **S.O.**
10/07/2019 for filing reply.

Vice-Chairman.

dnk.

O.A. No. 388/2019 **(SB)**

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

Shri S.A. Pathak, Id. counsel for
the applicant and Shri S.A. Sainis, Id.
P.O. for the respondents.

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

Vice-Chairman.

dnk.

O.A. No. 705/2017 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

C.A. 469/2017 -

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

2. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants' paying requisite Court fees, if not already paid. C.A. is disposed of accordingly.

C.A. 74/2018 –

In this C.A. the learned P.O. desires to file reply. He is permitted to do so.

C.A. 28/2019 –

In this C.A. the Id. counsel for the applicants desires to amend the O.A. As agreed by the learned P.O., C.A. for amendment is allowed. Necessary amendment be carried out forthwith.

O.A. 705/2017 –

S.O. three weeks.

Vice-Chairman.

dnk.

O.A. No. 958/2018 **(SB)**

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

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

The matter is related to regularization / absorption and it pertains to a policy matter.

In view of this, **four weeks** time is granted to the learned P.O. for filing reply.

Vice-Chairman.

dnk.

O.A. No. 959/2018 **(SB)**

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

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

The matter is related to regularization / absorption and it pertains to a policy matter.

In view of this, **four weeks** time is granted to the learned P.O. for filing reply.

Vice-Chairman.

dnk.

O.A. No. 21/2019 **(SB)**

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

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

The Id. P.O. files reply on behalf of R-2&3. It taken on record. The learned P.O. to supply copy of the same to the learned counsel for the applicant.

Heard. Admit.

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

S.O. in due course.

Vice-Chairman.

dnk.

O.A. No. 94/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

Shri S.G. Jagtap, Id .counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 and shri Sachin Ukey, Id. counsel holding for Shri A.M. Kukade, Id. counsel for R-2 to 6.

At the request of learned counsel for R-2 to 6, **S.O. two weeks** for filing reply.

Vice-Chairman.

dnk.

O.A. No. 451/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

Heard Shri G.K. Bhusari, Id. counsel for the applicant and shri M.I. Khan, Id. P.O. for the State.

2. The learned counsel for the applicant is directed to remove office objection today itself.

3. The learned counsel for the applicant has submitted representation dated 03/06/2019 (A-2,P-13). The respondents are directed to consider the said representation of the applicant within four weeks from the date of this order as per existing rules and regulations.

4. With this direction, the O.A. stands disposed of. No order as to costs.

Vice-Chairman.

dnk.

O.A. No. 456/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

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

2. The applicant has been transferred from Buldhana Regional Office to the Divisional Office. The applicant has been transferred to Buldhana from one office to other office. He is not to put any hardship.

3. In view of this, I do not find any reason to interfere in the order and hence the O.A. stands dismissed with no order as to costs.

Vice-Chairman.

dnk.

O.A. No. 457/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

Heard Shri G.G. Bade, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The learned counsel for the applicant submits that he will remove the objections raised by the office during the course of day.

3. The respondents are directed to take necessary action to decide the applicant's representation dated 15/02/2018 (P-32&33) as early as possible.

4. In the meantime, the learned counsel for the applicant is at liberty to add Accountant General as party in the list of respondents.

5. Issue notice to R-2 to 4, returnable in **four 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. Applicants are 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. Applicants are 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. four weeks.

Steno copy is granted.

Vice-Chairman.

dnk.

O.A. No. 297/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

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

2. The learned counsel for the applicant pleads the case which is related to Social Welfare Department, however, he has mentioned respondent no.5 as “The **Scheduled Tribes** and Scheduled Caste Government Girls Residential School” which seems to be incorrect since the matter is for Social Welfare Department and not for the Tribal Department. The learned counsel for the applicant is directed to make necessary correction in the post of respondent no.5.

3. The learned counsel for the applicant has pointed out letter dated 30/03/2019 (A-13,P-48) in which the Assistant Commissioner of Social Welfare Department, Amravati has permitted the applicant to join on certain conditions. The respondents are directed to permit

the applicant to join and the conditions mentioned in the letter dated 30/03/2019 is kept open till final hearing of the O.A.

4. If the final outcome of the O.A. becomes against the applicant's grievances, then the applicant should be made clear that those conditions will be imposed on the applicant.

5. The learned P.O. seeks two weeks time to file reply. Time is granted.

S.O. two weeks.

Steno copy is granted.

Vice-Chairman.

dnk.

O.A. No. 360/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

Heard Shri G.G. Bade, Id. counsel for the applicant, Shri A.M. Khadtkar, Id. P.O. for the respondents and Shri S.G. Jagtap, Id. counsel for Intervener.

2. The learned P.O. submits that he has received parawise comments and he will file reply within one week.

3. The applicant was first transferred from Nagpur to Usmanabad vide order dated 08/05/2018 (A-3,P-15) and on page no.18 the applicant's name appeared at sr.no.71 and for that O.A.No. 338/2018 was filed.

4. Again during the pendency of the O.A. the applicant was transferred from Usmanabad to Akot, Dist. Akola vide order dated 28/09/2018. The applicant has submitted representation dated 30/04/2019 (A-1,P-9) whereby he has requested to post at Nagpur C-2 by extending his tenure on that post. The O.A.No.338/2018 is disposed of on

29/11/2018. In the present O.A. in relief clause the applicant wants to decide representation dated 30/04/2019 within stipulated time which is yet to be decided. The matter will be heard after filing reply by the P.O.

5. Interim relief granted on 17/06/2019 in para-2 which was earlier granted on 07/06/2019 in para-2 will continue till next date of hearing.

S.O. 28/06/2019.

Put up along with O.A. 101/2019.

Vice-Chairman.

dnk.

O.A. No. 101/2019 **(SB)**

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

Shri S.G. Jagtap, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 8 and Shri G.G. Bade, Id. counsel for R-9.

The learned P.O. submits that he will file reply within one week. He is permitted to do so.

S.O. 28/06/2019

Put up along with O.A., 360/2019.

Vice-Chairman.

dnk.

O.A. No. 134/2018 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

MCA 51/2019

Heard Shri N.W. Almelkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. The matter pertains to the issue that the applicant retired on 30/06/2014 and his next increment was not given on 01/07/2014. The O.A. was decided on 05/01/2019 and the O.A. was allowed and the applicant become entitled to get due increment. However, on the last date the learned P.O. stated that he will take instructions from the Finance Department. Today also the learned P.O. seeks time. Time is granted till 31/08/2019 by way of last chance to get instructions from the Department.

3. In view thereof, the MCA stands disposed of. No order as to costs.

Vice-Chairman.

dnk.

O.A. No. 458/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

Heard Shri G.G. Bade, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The learned counsel for the applicant has filed order copy of O.A. 1008/2018 passed on 26/12/2018. The same is taken on record and marked Exh-X for the purposes of identification.

3. It is submitted by the learned counsel for the applicant that on page no.2 at para 6.1 in the O.A., it has been mentioned as follows –

“(6.1) The applicant came to be appointed on 22/09/2004 on the post of Forest Guard and was posted at East Melghat, Chikhaldara, then to Ghatang, Range Bihari Naka, then to Makhali, then Amona and now applicant is working at Range Wan, Beat Kahupani, since from the date of appointment the applicant's entire service record is unblemished and no sort of Departmental Enquiry ever came to be

initiated against the applicant, nor any sort of show cause notice came to be issued against the applicant by the Department at any point of time.”

4. It appears that the applicant has served in tribal areas only and he was entitled for following benefits.

“The policy of the Government is vide G.R. No. Vhvkj, Q&2005@i@d63@05@12] fnukd 07-01-2006] G.R., Government circular no. d: Vhvkj, Q&2000 @, e@8@i@d3@12] dated 11/07/2000 and Government G.R. No. d: Vhvkj, Q&2000@i@d3@12] dated 06/08/2002 is mentioned as reference no. 2. “

5. If once the applicant was posted in those places, the recovery order 26/11/2018 (A-2,P-9) does not appear to be correct.

6. In view of this, the respondents are directed to maintain status-quo regarding recovery from the applicant till filing of the reply.

7. Issue notice to R-2 to 4, returnable after **four weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

S.O. four weeks..

Steno copy is granted.

Vice-Chairman.

dnk.

O.A. No. 459/2019 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 21.06.2019

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

2. First of all the learned CPO has pointed out the issue of maintainability of this O.A. in view of the Judgment delivered by the Hon'ble Chairman of MAT, Mumbai on 07/02/2019 in O.A. 522/2018. In para nos. 8 to 18 of the said Judgment it has been explained that employees similar to the applicant are not covered by the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "Transfer Act,2005").

3. The learned CPO has also pointed out that the Chapter-1 para-1 (3) of the Transfers Act,2005 which reads like Chapter II shall not apply..... employees

under the Administration Control of Judiciary.

4. The learned CPO has filed letter dated 19/06/2019 from which it appears that the applicant has been relieved on 19/06/2019. It is taken on record and marked Ext-X for identification. Relying on the Judgment in O.A.522/2018 of the Principal Bench MAT Mumbai delivered on 7/9/2019.

5. The pleadings made by the learned CPO is very much appreciated.

Hence, the following order –

ORDER

The O.A. is dismissed. No order as to costs.

Vice-Chairman.

dnk.

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O.A. No.327/2019.

(D.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman
Dated : 21st June 2019.

Heard Shri A.P. Sadavarte, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 3. None for R.4 to 6.

Matter has been listed for the first time.

At the request of Ld. P.O., S.O. **four weeks** for filling reply.

Vice-
Chairman

Dt. 21.6.2019.
Pdg

O.A. No.97/2019.

(D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman
Dated : 21st June 2019.**

Heard Shri G.N. Khanzode, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondent Nos. 1 to 3.

The Ld. counsel for the applicant submits that all the respondents are served.

Ld. P.O. submits that he will file reply of R.4 within two weeks.

The Ld. P.O. submits that reply of respondent No.4 will suffice the issue.

Ld. P.O. waives notice for R. 1 to 3.

S.O. **two weeks.**

Vice-
Chairman

Dt. 21.6.2019.
Pdg

**O.A. (St.) No.1441/2016.
(D.B.)**

**Coram:Shri Shree Bhagwan,
Vice-Chairman
Dated : 21st June 2019.
C.A. 368/2016.**

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri V.A. Kulkarnli, the learned P.O. for the respondents.

2. The Ld. counsel for the applicant has pointed out that the applicant submitted representation dated 5.9.2013 (A-4,P.14) and subsequently also he has submitted another representation on 7.5.2014. The applicant has submitted 3rd representation dated 28.4.2017 (P.21). The Ld. P.O. has opposed the application for condonation of delay. However, in the interest of justice and equity, the application for condonation of delay is allowed and the respondents are directed to decide the representation of the applicant dated 5.9.2013 as

per relief clause 7 (i). With this direction, C.A. No. 368/2016 is disposed of.

3. Representation of the applicant should be decided within a period of three months from the date of this order.

4. With the above directions, O.A. is also disposed of.

Vice-Chairman

Dt. 21.6.2019.
Pdg

O.A. No.141/2019.

(D.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman

Dated : 21st June 2019.

Heard Shri R.V. Shiralkar, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

2. The Ld. P.O. has filed reply of R.3, it is taken on record and a copy thereof is supplied to the Ld. counsel for the

applicant. He also submits that said reply is covered for other respondents also.

3. **ADMIT.**

4. Shri H.K. Pande, the learned P.O. waives notice for the respondents.

5. Put up before the regular D.B. after **four weeks.**

6. Meanwhile, the Ld. counsel for the applicant is at liberty to file rejoinder, if he desires.

Vice-
Chairman

Dt. 21.6.2019.
Pdg

O.A. No.142/2019.

(D.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman

Dated : 21st June 2019.

Heard Shri A.D. Girdekar, the Ld. counsel for the applicants and Shri A.M. Khadatkar, the learned P.O. for the respondents.

2. The Ld. P.O. has filed reply of R.3, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. The Ld. counsel for the applicant submits that the O.A. No.175/2015 has been decided by this Tribunal and that order was passed on 2.5.2016. Present O.A. is identical to O.A. No.175/2015. Since reply has been filed, matter is admitted and kept for final hearing on 3.7.2019.

3. Shri A.M. Khadatkar, the learned P.O. waives notice for the respondents.

4. S.O. 3rd July 2019 before regular D.B.

5. Meanwhile, the Ld. counsel for the applicant is at liberty to file rejoinder, if he desires.

Vice-Chairman

Dt. 21.6.2019.

Pdg

O.A. No.913/2018.

(D.B.)

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

Dated : 21st June 2019.

Heard Shri N.R. Saboo, the Ld. counsel for the applicants and Shri H.K. Pande, the learned P.O. for the respondents.

The Ld. P.O. has submitted reply of R.2. It is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. He submits that reply of R.2 is covered for other respondents also.

Matter is admitted and kept for final hearing before the regular D.B. in due course.

Shri H.K. Pande, the learned P.O. waives notice for the respondents.

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

Vice-Chairman

Dt. 21.6.2019.
Pdg

O.A. No.914/2018.

(D.B.)

Coram:Shri Shree Bhagwan,

Vice-Chairman
Dated : 21st June 2019.

Heard Shri N.R. Saboo, the Ld. counsel for the applicants and Shri H.K. Pande, the learned P.O. for the respondents.

The Ld. P.O. has submitted reply of R. 1 to 3. It is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. Matter is admitted and kept for final hearing before the regular D.B. in due course.

Shri H.K. Pande, the learned P.O. waives notice for the respondents.

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

Vice-Chairman

Dt. 21.6.2019.
Pdg

O.A. No.530/2018.

(D.B.)

Coram:Shri Shree Bhagwan,

Vice-Chairman

Dated : 21st June 2019.

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

The Ld. P.O. has submitted reply of respondents. It is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. Matter is admitted and kept for final hearing before the regular D.B. in due course.

Shri S.A. Sainis, the learned P.O. waives notice for the respondents.

S.O. **10th July 2019** before regular D.B.

Meanwhile, the Ld. counsel for the applicant is at liberty to file rejoinder, if he desires.

Vice-
Chairman

Dt. 21.6.2019.
Pdg

O.A. No.791/2018.

(D.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman
Dated : 21st June 2019.

Heard Shri C.A. Joshi, the Ld. counsel for the applicants and Shri M.I. Khan, the learned P.O. for the respondent Nos. 1 to 3. None for R. 4 and 5.

The Ld. counsel for the applicant is directed to remove objection which is mentioned at page Nos. 15, 27, 29 & 32.

The Ld. P.O. has submitted reply of respondents 1 to 3. It is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

Matter is admitted and kept for final hearing before the regular D.B. on 8th July 2019.

Shri M.I. Khan, the learned P.O. waives notice for the respondents 1 to 3.

S.O. 8th July 2019 before regular D.B.

Vice-
Chairman

Dt. 21.6.2019.
Pdg

O.A. No.382/2019.

(S.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman
Dated : 21st June 2019.

C.A. No. 226/2019.

Heard Shri G.R. Sadar, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents.

2. In the order dated 4.6.2019 in para 3, clear direction has been given that, "*respondents are directed not to relieve the applicant from his posting Amravati till further orders.*" However, in C.A. No. 226/2019, the Ld. counsel for the applicant has shown despatching the orders on 6.6.2019. In the order dated 4.6.2019 itself, the respondents were

restrained from relieving the applicant till further orders. It is directed that the respondents shall not try to circumvent the order of this Tribunal and harass the applicant.

3. The respondents are directed to act according to the order dated 4.6.2019. Prayer clause 9 (a) of the C.A. is allowed and the respondents are directed to act according to prayer clause 9 (a) of the C.A. No. 226/2019. C.A. No. 226/2019 is allowed and disposed of.

O.A. 382/2019.

S.O. **27th June 2019.**

Steno copies be provided to both the parties.

Vice-
Chairman

Dt. 21.6.2019.
Pdg

O.A. No.455/2019.

(S.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman
Dated : 21st June 2019.

Heard Shri S.S. Dhengale, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondent No.1.

2. The Ld. P.O. has pointed out the transfer order dated 31.5.2019 (A-1, P.16). In the transfer order itself, it is mentioned that the applicant was relieved in the afternoon of 7th June 2019. Ld. P.O. submits that the applicant was relieved on 17th June 2019 by

the Head Master. In view of this, interim relief cannot be granted at this stage. However, the Ld. counsel for the applicant is directed to produce applicant's application for place of choice posting as per G.R. dated 9.4.2018.

3. Issue notice to respondent Nos. 2 to 7 returnable after **three weeks**.

4. Shri M.I. Khan, the learned P.O. waives notice for the respondent No.1. 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 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. S.O. **three weeks.**

Vice-Chairman

Dt. 21.6.2019.

Pdg