

O.A. No. 420/19 (SB)

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

**Dated : 09.09.2019**

Shri M. Mende, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

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

**Member (J)**

dnk.

O.A. No. 236/19 (SB)

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

**Dated : 09.09.2019**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1&2 and Shri N.D. Thombre, Id. counsel for shri N.S. Khandewale, Id .counsel for R-3.

At the request of P.O. and Id. counsel for R-3, **S.O. three weeks** for filing reply.

**Member (J)**

dnk.

O.A. No. 375/19 (SB)

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

**Dated : 09.09.2019**

Heard Shri A. Girdekar, Id. counsel for the applicant and shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4.

2. The learned counsel for the applicant submitted that his client has asked him to withdraw the matter.

3. In view of this, the O.A. stands disposed of as withdrawn. No order as to costs.

**Member (J)**

dnk.

O.A. Nos. 692 & 693 of 2018 **(SB)**

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

**Dated : 09.09.2019**

Shri P. M. Tembhumkar, Id. counsel  
for the applicants and Shri A.M. Khadatkar,  
Id. P.O. for the respondents.

At the request of Id. counsel for the  
applicants, **S.O. 30/9/2019**.

**Member (J)**

dnk.

O.A. No. 370/17 (SB)

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

**Dated : 09.09.2019**

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

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

**Member (J)**

dnk.

O.A. No. 656/17 (SB)

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

**Dated : 09.09.2019**

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

The Id. P.O. files reply on behalf of R-2&3. It is taken on record. Copy is served on the applicant.

**Heard. Admit.**

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

In the meantime, the applicant may filed rejoinder.

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

**Member (J)**

dnk.

O.A. No. 853/17 (SB)

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

**Dated : 09.09.2019**

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

The rejoinder is not filed.

**Heard. Admit.**

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

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

**Member (J)**

dnk.

O.A. No. 897/17 (SB)

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

**Dated : 09.09.2019**

None for the applicant. Shri A.M. Khadatkar, 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. 81/2018 (SB)

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

**Dated : 09.09.2019**

Heard Ms. Nitnavre, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

The Id. P.O. submitted that reply of R-2&3 has already filed. It is sufficient to decide the O.A.

**Heard. Admit.**

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

**S.O. four weeks.**

**Member (J)**

dnk.

O.A. No. 99/19 (SB)

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

**Dated : 09.09.2019**

**MCA 56/19 -**

Shri A.P. Mishra, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 5. None for R-6.

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

Interim relief to continue till filing of the reply.

**Member (J)**

dnk.

O.A. No. 304/19 (SB)

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

**Dated : 09.09.2019**

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

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

Interim relief to continue till then.

**Member (J)**

dnk.

O.A. No. 381/19 (SB)

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

**Dated : 09.09.2019**

Shri G.K. Bhusari, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for R-1&2. None for R-3

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

**Member (J)**

dnk.

O.A. No. 412/19 (SB)

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

**Dated : 09.09.2019**

Heard Shri S.N. Gaikwad, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 3. None for R-4.

The Id. P.O. files reply on behalf of R-2&3. It is taken on record. Copy is served on the applicant.

**Heard. Admit.**

The Id. P.O. waives notice for R-1 to 3.

**S.O. three weeks.**

Interim relief to continue till next date.

**Member (J)**

dnk.

O.A. No. 554/19 (SB)

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

**Dated : 09.09.2019**

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

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

**Member (J)**

dnk.

O.A. No. 564/19 (SB)

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

**Dated : 09.09.2019**

None for the applicant. Shri A.M.  
Khadatkar, Id. P.O. for R-1.

Await service of R-2&3.

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 597/19 (SB)

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

**Dated : 09.09.2019**

**C.A. Nos. 307 & 325/2019**

Shri Sanjajee, Id. counsel holding for Shri M.M. Sudame, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for the respondents and Shri P.S. Wathore, Id. counsel for Intervener.

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

Status quo to continue till then.

**Member (J)**

dnk.



O.A. No. 628/19 (SB)

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

**Dated : 09.09.2019**

Shri N.R. Saboo, Id. counsel for the applicant. Shri P.N. Warjurkar, Id. P.O. for R-1.

Await service of R-2&3.

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 641/19 (SB)

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

**Dated : 09.09.2019**

Shri G.K. Bhusari, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1&3 and Ms. Pande, Id. counsel appears on behalf of R-4 and submitted that she will file vakalatnama during the course of day. Await service of R-2.

2. At the request of Id. counsel for the applicant, issue fresh notice to R-2, returnable **after two weeks**. 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 two weeks.**

**Member (J)**

dnk.

O.A. No. 206/18 **(SB)**

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

**Dated : 09.09.2019**

None for the applicants. Shri P.N. Warjurkar, Id. P.O. for the Respts.

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

**Member (J)**

dnk.

O.A. No. 511/17 (SB)

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

**Dated : 09.09.2019**

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

**Heard. Admit.**

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

**S.O. four weeks.**

**Member (J)**

dnk.

O.A. No. 686/17 (SB)

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

**Dated : 09.09.2019**

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

The learned P.O. submitted that he has already filed reply of R-3. It is sufficient to decide the O.A.

**Heard. Admit.**

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

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

**Member (J)**

dnk.

O.A. No. 818/15 (SB)

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

**Dated : 09.09.2019**

None for the applicant. Shri P.N. Warjurkar, Id. P.O. for R-1&2 and Shri V.P. Maldhure, Id. counsel for R-3.

The learned counsel for R-3 submitted that certified copy of the Judgment delivered by the District Court, Nagpur is yet not received and therefore he seeks further three weeks time to file the same. At his request, **S.O. three weeks.**

**Member (J)**

dnk.

O.A. Nos. 89/17 & 193/17 **(SB)**

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

**Dated : 09.09.2019**

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

**Closed for orders.**

**Member (J)**

dnk.



O.A. No. 283/16 (SB)

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

**Dated : 09.09.2019**

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

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

**Member (J)**

dnk.

O.A. No. 262/2018 (SB)

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

**Dated : 09.09.2019**

Heard Shri M.R. Khan, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 3. The respondent nos. 4&5 are present.

**S.O. three weeks.**

**Member (J)**

dnk.

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

**Dated : 09.09.2019**

Heard Shri N.S. Autkar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. Apparently the transfer is mid-term transfer. It is mentioned in the transfer order that the transfer is on administrative ground, but what was the administrative ground or exigency it is not cleared in the order. It is grievance of the applicant that he was due for transfer and in the month of January options were submitted by him, but were not considered. As the applicant is not relieved, therefore, the respondents are directed not to relieve the applicant till further orders.

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

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

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

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

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

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

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

8. **S.O. after two weeks.**

Steno copy is granted.

**Member (J)**

dnk.

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

**Dated : 09.09.2019**

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. After completing the Post Graduation the applicant was posted at Sub District Hospital, Hinganghat, District Wardha vide order dated 6/3/2019. Thereafter, considering the request of the applicant, he was transferred from Hinganghat to Rural Hospital, Parshioni, District Nagpur. The applicant joined his duty at Parshioni. It is grievance of the applicant that vide impugned order dated 29/8/2019 in the guys of posting after the education he is again posted at Rural Hospital, Bramhpuri, District Chandrapur. It is submitted that in order to avoid the provisions under Transfers Act,2005 the such order is passed, but it is in fact transfer order. It is submitted that the applicant was not due for transfer and yet he is not relieved, therefore, interim relief be granted.

3. I have perused the order dated 6/3/2019. In this order also it is mentioned that the Medical Officers were posted after

completion of Post Graduation or the Diploma education after Graduation and once posting is given to the applicant, there was no reason to again remove the applicant from Parshioni to Bramhapuri in the guys that posting was given after completion of graduation/ diploma. As the applicant is not yet relieved, therefore, the respondents are directed not to relieve the applicant till further orders.

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

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

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

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

8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced

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

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

**S.O. after two weeks.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 714/2019 (SB)

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

**Dated : 09.09.2019**

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. After completion of the Diploma the Civil Surgeon, Nagpur gave temporary posting to the applicant at Sub District Hospital, Kamptee. Later on the Government of Maharashtra vide order dated 6/3/2019 confirmed the posting of the applicant at Sub District Rural Hospital, Kamptee, Dist. Nagpur. Then vide order dated 29/8/2019 the applicant is transferred from Kamptee to Sub District Hospital Warora, District Chandrapur. It is apparent to note that in both the orders dated 6/3/2019 and 29/8/2019 it is mentioned that the applicant was posted on completion of Post Graduation / Diploma. In view of this matter, as it is apparently mid-term transfer before completion of the normal tenure and as the applicant is not relieved, therefore the respondents are directed not to relive the application till further orders.

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

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



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

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

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

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

**S.O. after two weeks.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 715/2019 (SB)

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

**Dated : 09.09.2019**

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

2. Perused the order dated 7/3/2019 by which the applicant was posted at Public Works Department Sub Division No.7, Nagpur. The applicant was transferred from Sub Division No.1 to Sub Division No.7, Nagpur. It is grievance of the applicant that all of a sudden in the mid-term vide order dated 13/8/2019 she is transferred from Nagpur to Sub Division Circle, Gadchiroli. It is submitted that the daughter of applicant is taking education in 12<sup>th</sup> Standard at Nagpur. It is mid-term transfer and the respondents have given posting to the newly promoted candidates to non tribal/ naxalite area and therefore this is in violation of the policy laid by the Government. It is submitted that as the applicant is yet not relieved, therefore, interim protection be given.

3. In view of these facts, as the applicant is yet not relived and as the transfer is mid-term, therefore, the respondents are directed not to relive the applicant till further orders.

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

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

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

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

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

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

**S.O. after two weeks.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 716/2019 (SB)

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

**Dated : 09.09.2019**

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

2. It is contention of the applicant that since 1992-1994 and 1994-2000 and 2014 till 31/5/2015 the applicant worked in the naxalite area. It is submitted that the applicant was posted at Nagpur since 24/8/2018 and now all of a sudden in the mid-term before completion of the normal tenure, the applicant is transferred to Gadchiroli in naxalite area. It is contention of the applicant that the transfer was in violation of the policy of the Government as the applicant is yet not relieved, therefore, interim protection be given.

3. In view of these facts, as the transfer is mid-term transfers, as also the applicant has worked in the naxalite area, and as the applicant is yet not relived, therefore, it is necessary to protect the applicant. There respondents are directed not to relieve the applicant till further orders.

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

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

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

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

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

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

**S.O. after two weeks.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. Nos. 718, 720 & 725 of 2019 (SB)

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

**Dated : 09.09.2019**

Heard Shri N.R. Saboo, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the State.

2. It is contention of the applicants that all the applicants are transferred before completion of normal tenure. It is submitted that the transfer is mid-term transfer and there is no strict compliance of the statutory provisions of the Transfers Act. The learned counsel for the applicants submitted that the applicants are not yet relieved and therefore interim protection be given.

3. In view of this fact, the respondents are directed not to relieve the applicants till further orders.

4. Issue notice to the respondents, returnable **after two weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by

Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

**S.O. after two weeks.**

Steno copy is granted.

**Member (J)**

dnk.

**O.A. Nos. 719,721,722,723,724 & 728 of 2019.  
(SB)**

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

**Dated : 09.09.2019**

Heard Shri N.R. Saboo, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the State.

2. It is submitted that the applicants were due for transfer. Their options were called, but in the general transfers the applicants were not transferred. It is submitted that transfers of the applicants are mid-term transfers and while transferring the respective cases were not forwarded to the Civil Services Board and in fact the Transferring Authority has by passed the Civil Services Board and transferred the applicants in violation of the law. It is submitted that the applicants are yet not relieved, therefore, interim protection be given.

3. In view of this situation, as the applicants are not yet relieved, the respondents are directed not to relieve the applicants till further orders.

4. Issue notice to the respondents, returnable **after two weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date



of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

**S.O. after two weeks.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 963/2017 (SB)

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

**Dated : 09.09.2019**

Heard Shri O. Y. Kashid, Id. counsel  
for the applicant and Shri S.A. Sainis, Id. P.O.  
for the respondents.

**S.O. three weeks.**

**Member (J)**

dnk.

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

**Dated : 09.09.2019**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri S.A. sainis, Id. P.O. for the State.

2. The learned counsel for the applicant candidly submitted that the applicant is already relieved. In this situation, it is fair on the part of the applicant to challenge the transfer order, he may do it even after joining the transfer post.

3. Issue notice to the respondents returnable **after two weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

**S.O. after two weeks.**

Steno copy is granted.

**Member (J)**

dnk.

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

**Dated : 09.09.2019**

Heard Shri S. Borkute, Id. counsel for the applicant and Shri S.A. sainis, Id. P.O. for the State.

2. It is grievance of the applicant that the applicant is transferred vide order dated 31/5/2019 from the Government Polytechnic College, Sakoli to Government Polytechnic College, Brahmapuri. It is grievance of the applicant that in spite of this transfer order, she is not relieved by the Principal, Government Polytechnic, College, Sakoli. It is submitted that the letter dated 12/7/2019 was written by the Joint Director of Technical Education, Nagpur to the Principal, Government Polytechnic College, Sakoli and he was directed to relieve the applicant, but it was invain. It is submitted that once order is passed by the Government to transfer the applicant, the action of the Principal, Government Polytechnic College, Sakoli is contrary to law.

3. As the relief claimed is in the nature of final relief, therefore, issue notice to the respondents returnable **after two weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

**S.O. after two weeks.**

Steno copy is granted.

**Member (J)**

dnk.

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

**Dated : 09.09.2019**

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

2. It is grievance of the applicant that the transfer is mid-term and options given by the applicant are not considered by the respondents. It is submitted that request was made by the applicant for his posting at Warud as his wife is serving at Warud, but this was not considered. It is submitted that the transfer is in violation of Section 4 (4) & (5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 ( In short "Transfers Act,2005") and the applicant is yet not relieved and therefore interim protection be given.

3. I have perused the transfer order dated 31/8/2019. In the order it is specifically mentioned that the applicant would stand relieved after office hours of 3<sup>rd</sup> September,2019 and the applicant was directed to resume duty at Mowad, District Nagpur on 4<sup>th</sup> September,2019 without availing the joining time.

4. In view of this order, the applicant is apparently relieved from the duty from Shendurjana, District Amravati. Under these circumstances, it is desirable that the applicant should join his duty at Mowad and he may contest this application. The respondents may consider the representation of the applicant for suitable posting.

5. Issue notice to the respondents returnable **after two weeks**. 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.

**S.O. after two weeks.**

Steno copy is granted.

**Member (J)**

dnk.

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

**Dated : 09.09.2019**

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

2. It is contention of the applicant that the transfer order dated 31/8/2019 is mid-term transfer and it is premature. It is in violation of Section 4 (4) & (5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 ( In short "Transfers Act,2005"). It is submitted that the applicant is not yet relieved, therefore, interim protection be given. I have perused the order. In the order itself it is mentioned that the applicant would stand relieved after office hours of 3<sup>rd</sup> September,2019 and the applicant shall join duty on 4<sup>th</sup> September,2019.

3. In view of this fact, it is desirable that the applicant shall join his duty at Hinganghat, District Wardha. The applicant is at liberty to challenge the legality and propriety of the transfer order. In the meantime, the respondent no.2 is directed to consider the representation of the applicant.

4. Issue notice to the respondents returnable **after three weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed

without reference to Tribunal and papers be  
consigned to record.

**S.O. after three weeks.**

Steno copy is granted.

**Member (J)**

dnk.

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**C.P. 06/19 in O.A. No. 112/2008 (DB)**

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

**Dated : 09.09.2019**

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

It is submitted that the order dated 13/8/2018 is not complied by the Superintendent of Police, Buldhana and no reason is shown why the compliance is not done. Therefore, the Superintendent of Police, Buldhana is directed to appear in person before the Tribunal on 13/9/2019 and to show cause why the order dated 13/8/2018 is not complied.

**S.O. 13/09/2019.**

Steno copy is granted.

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 483/2019 (DB)**

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

**Dated : 09.09.2019**

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

2. The learned counsel for the applicant files Pursis along with the documents. Same are taken on record and copies are supplied to the other side.

3. The learned P.O. is directed to take instructions regarding G.R. dated 1/8/2019 and status of the DPC meeting.

**S.O. 13/9/2019.**

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 792/2018 (DB)

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

**Dated : 09.09.2019**

None for the applicant. Shri A.P. Potnis, Id. P.O. for R-1 to 3 and Shri H.D. Marathe, Id. counsel for R-4.

At the request of Id. counsel for R-4,  
**S.O. two weeks.**

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 450/2017 (DB)

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

**Dated : 09.09.2019**

**C.A. 308/2017**

Ms. Tajshree Jogdand, Id. counsel holding for Shri R.D. Dharmadhikari, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. three weeks.**

**Member (J)**

**Vice-Chairman.**

dnk.



O.A. No. 499/02 (DB)

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

**Dated : 09.09.2019**

**MCA 08/2019 -**

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

The learned P.O. submitted that he will file reply on MCA 08/2019 during the course of day and will supply copy of the same to the other side.

**MCA 09/2019 –**

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

With the consent of both the parties,  
**S.O. three weeks.**

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 451/2015 (DB)**

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

**Dated : 09.09.2019**

**C.A. 114/19 in O.A. 451/15**

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

The learned counsel for the applicant submitted that he desires to withdraw the C.A. as well as O.A. He is permitted to do so.

In view thereof, the C.A. as well as O.A. stand disposed of as withdrawn. No order as to costs.

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 580/17 (DB)**

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

**Dated : 09.09.2019**

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

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

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 611/17 (DB)**

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

**Dated : 09.09.2019**

**C.A.Nos. 204/18 & 120/19**

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

**S.O. two weeks.**

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 844/17 (DB)**

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

**Dated : 09.09.2019**

Heard Shri G.G. Bade, Id. counsel for the applicants and Shri A.P. Potnis, Id. P.O. for R-1. Await service of R-2 to 5.

2. It seems that the SLP is pending before the Hon'ble Apex Court. In this situation, it is suitable in the interest of justice to keep this matter pending till decision in the SLP.

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

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 929/18 (DB)

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

**Dated : 09.09.2019**

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

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

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 125/2019 (DB)

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

**Dated : 09.09.2019**

Shri Y.P. Kaslikar, Id. counsel for the applicants and Shri A.P.Potnis, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O.**  
**23/9/2019** for filing reply.

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 257/2018 (DB)

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

**Dated : 09.09.2019**

Shri Y.P. Kaslikar, Id. counsel holding  
for Shri N.R. Saboo, Id. counsel for the  
applicant and Shri A.P.Potnis, Id. P.O. for the  
respondents.

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

**Member (J)**

**Vice-Chairman.**

dnk.



**Rev. A. 17/17 in O.A. No. 96/16 (DB)**

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

**Dated : 09.09.2019**

Shri Bharat Kulkarni, Id. counsel for the applicant and shri A.P. Potnis, Id. P.O. for the respondents.

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

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 703/17 (DB)

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

**Dated : 09.09.2019**

Smt. Saboo, Id. counsel for the applicant and shri A.P. Potnis, Id. P.O. for R-1 to 3. None for R-4.

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

**Member (J)**

**Vice-Chairman.**

dnk.

O.A. No. 601/2019 (DB)

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

**Dated : 09.09.2019**

None for the applicant. shri S.A. Deo,  
ld. CPO for the respondents.

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

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 605/2019 (DB)**

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

**Dated : 09.09.2019**

Shri Y.P. Kaslikar, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2 to 4.

The learned counsel for the applicant submitted that the respondents are served and he will file service affidavit of R-2 to 4 within one week.

The learned CPO requested three weeks time to file reply of R-1 to 3. At his request, **S.O. three weeks.**

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. Nos. 490,491,492 & 493 of 2019 (DB)**

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

**Dated : 09.09.2019**

Heard Shri S.M. Vaishnav, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the respondents.

At the request of Id. counsel for the applicants, matter be kept for **on 11/9/2019** for making statement.

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 697/2019 (DB)**

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

**Dated : 09.09.2019**

Heard 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 to 5, returnable **after 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.

8. **S.O. after three weeks.**

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 105/2016 (DB)**

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

**Dated : 09.09.2019**

Shri G.R. Sadar, Id. counsel for the applicant, shri S.A. Deo, Id. CPO for R-1&2 and Shri S.P. Palshikar, Id. counsel for R-3.

As per the earlier order dated 26/8/2019 in para-3 two months time was granted to the Id. P.O. for taking steps.

In view thereof, the matter be kept **on**  
**4/11/2019.**

**Member (J)**

**Vice-Chairman.**

dnk.



O.A. No. 800/2017 (DB)

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

**Dated : 09.09.2019**

Shri M.R. Rajgure, Id. counsel for the applicant and shri S.A. Sainis, Id. P.O. for R-1&2. There is a leave note from Shri S.W. Deshpande, Id. counsel for R-3.

As there is a leave note from learned counsel for R-3, the matter be kept **after three weeks.**

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 10/2014 (DB)**

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

**Dated : 09.09.2019**

Shri A.R. Kalele, Id. counsel holding for shri P.C. Marpakwar, 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 as well as Id. P.O. for the respondents, **S.O. 25/9/2019.**

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 651/17 (DB)**

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

**Dated : 09.09.2019**

Heard Shri S.D. Chande, Id .counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

2. The matter be kept after three months. The learned counsel for the applicant is directed to inform what further decision is taken by the Hon'ble Apex Court in his SLP.

**S.O. three months.**

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 858/2018 (DB)**

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

**Dated : 09.09.2019**

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

The last chance is given to the Id. P.O. to produce the necessary documents.

**S.O. two weeks.**

**Member (J)**

**Vice-Chairman.**

dnk.

**Rev. A. 20/19 in O.As. 02 & 03/13 (DB)**

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

**Dated : 09.09.2019**

Shri D.T. Shinde, Id .counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicants, **S.O. 25/9/2019.**

**Member (J)**

**Vice-Chairman.**

dnk.

**O.As. 113/18 & 871/17 (DB)**

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

**Dated : 09.09.2019**

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

At the request of Id. P.O., **S.O.**  
**24/9/2019** for producing the minutes of the DPC meeting.

**Member (J)**

**Vice-Chairman.**

dnk.

**O.A. No. 710/2019 (DB)**

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

**Dated : 09.09.2019**

**C.A. 352/2019**

Heard Shri D.M. Kakani, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

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. stands disposed of accordingly.

**O.A. 710/2019** -

Heard Shri D.M. Kakani, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. We have perused the Government G.R. dated 22/3/2001. It is cleared in this G.R. that if Kotwal is posted in Group-D, then it be treated as new appointment and his previous service as Kotwal not taken into consideration for any purpose.

3. It is grievance of the applicants that the recruitment process is started for filling 25% reserved posts of Peons from the Kotwals, but while implementing the recruitment process the Appointing Authority has not given any heed to the social reservations. It is submitted that all the applicants are OBC and therefore if any appointments are made disregarding the norms fixed by the Government regarding social reservations, then it will cause grave prejudice to the applicants.

4. We have heard submissions on behalf of the CPO. In this situation, in our opinion it is suitable to direct that if any appointments are made by the respondents to fill the posts of Group-D, then such appointments shall be subject to the final outcome of this O.A.



5. Issue notice to R-2 &3, returnable **after three 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 three weeks.**

Steno copy is granted.

**Member (J)**

**Vice-Chairman.**

dnk.

O.A.No.11/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

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

3. As agreed by both the counsels, matter is **admitted** and kept for final hearing along with the other connected matter.

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

5. **S.O. 25/09/2019.**

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.733/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri V.A.Kothale, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.952/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

**C.A.No.321/2019:-**

Heard Shri O.Y.Kashid, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. The Id. counsel for the applicant has filed C.A. No. 321/2019 for early hearing. Alongwith the C.A.No. 321/2019, the Id. counsel for the applicant has enclosed decision in O.A. No. 861/2018 decided on 17.07.2019. **The C.A. is allowed.**

3. As submitted by Id. counsel for the applicant and agreed by Id. P.O., this applicant's case is covered as per the order in O.A.No. 861/2018 on 17.07.2019 at P.B., Pg. No. 8 of C.A. No. 321/2019.

4. In view of above discussions following order requires to be passed:-

### **ORDER**

*"The respondent no. 1 is directed to take decision regarding applicant as per their own G.R. No. '11 u fu. k' ~~del~~ fu i v/ & 1118@j z d z 11@11v] f n u d 09-07-2019] In which in reference no. 3 i.e. '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.' **within four weeks** from the date of this order."*

5. With the above directions, **O.A. is disposed of with no order as to costs.**

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.169/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri O.Y.Kashid, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. At the request of Id. C.P.O., **S.O.**  
**23.09.2019.**

**Chairman** **Vice**  
**Date:-09/09/2019.**  
aps.

**O.A.St.No.1557/2019**

**(S.B.)**

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

**Dated :09<sup>th</sup> Sep. 2019.**

**C.A.No.289/2019:-**

Heard Shri A.D.Girdekar, the Id. Counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the State and Smt. J.J.Aikari, the Id. counsel for the respondent nos. 2 & 3.

2. At the request of Id. counsel for the respondent nos. 2 and 3, **S.O. 26.09.2019**. She is further directed to file reply before the next date of hearing and supply the same to the other sides.

3. **S.O. 26.09.2019.**

**Vice**

**Chairman**

**Date:-09/09/2019.**

aps.



O.A.No.643/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. The Id. counsel for the applicant submits that he has submitted representation on 04.11.2016 after that no record of any further representation is seen on record. The Id. C.P.O. pointed out that it requires condonation of delay. Office has also taken objection about delay.

3. However, **S.O. four weeks** to file reply. Point of limitation is kept open.

**Vice**

**Chairman**  
**Date:-09/09/2019.**  
aps.

O.A.No.595/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri A.Z.Jibhkate, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. The Id. counsel for the applicant has pointed out letter dated 28/02/2017 (Annexure-A-6, P.B., Pg. No. 63), where replacement of name of applicant no. 2 by applicant no. 1 has been recommended.

3. The Id. counsel for the applicant has filed pursis on 26.07.2019 in which he has mentioned that relief sought is only for applicant no. 1 not for applicant no. 2.

4. The Id. C.P.O. seeks time to file reply. At his request, **S.O. four weeks.**

**Vice**

**Chairman**  
**Date:-09/09/2019.**  
aps.

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

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

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

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.615/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

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

2. The Id. counsel for the applicant submits that notices have been served. However, he will file service affidavit within one week. The Id. C.P.O. seeks three weeks time to file reply.

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.616/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri B.Kulkarni, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. four weeks.**

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.486/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

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

2. The Id. P.O. filed affidavit-in-reply on  
behalf of the respondent nos. 1 and 3. It is taken  
on record. Copy is served to the other side. He  
further submits that reply of respondent no. 2 has  
already filed.

3. Matter is **admitted** and kept for final  
hearing.

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

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.506/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. The Id. P.O. seeks time to file reply on behalf of the respondent no. 4, **S.O. three weeks.**

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.714/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri P.S.Wathore, 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 pointed out that minor punishment has been awarded to the applicant as per Government order dated 30.06.2.014 (Annexure-A-1, P.B., Pg. No. 19). The Id. P.O. desires to go through the D.E. papers. He is also directed to supply the copy to the Id. counsel for the applicant and file relevant documents on record with office.

3. **S.O. two weeks for final hearing.**

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**



O.A.No.806/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

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

2. As submitted by Id. P.O., applicants father expired on 25.11.2003 and applicant's mother attained the age of 40 on 23.04.2008, which is mentioned in the reply para no. 4 at P.B., Pg. No. 22 and it was communicated to the applicant too. Subsequently, department has communicated vide letter dated 31.12.2016 also. The applicant has preferred an appeal before this Tribunal on 16.10.2017.

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.883/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri Sanjajee holding for Shri A.M.Sudame, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. Matter is **admitted** and kept for final hearing.

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

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.906/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

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

2. Matter is **admitted** and kept for final hearing.

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

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.988/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri G.N.Khanzode, 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 has received copy of reply and he desires to file Rejoinder. At his request, **S.O. two weeks.**

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.21/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.27/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.45/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. three weeks.**

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.88/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri S.P.Palshikar going to file vakalatnama on behalf of the applicant. Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 24/09/2019.**

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**



O.A.No.187/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

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

2. At the request of Id. P.O. that his file is not treasable, **S.O. two weeks.**

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.129/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.200/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 to 3 and Shri M.L.Vairagade, Id. counsel for respondent no. 4 & 5.

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.710/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. three weeks.**

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**

O.A.No.305/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :09<sup>th</sup> Sep. 2019.**

Heard Shri B.D.Pandit, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

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

**Chairman**  
**Date:-09/09/2019.**  
aps.

**Vice**