

O.A. No. 410/2019 (SB)

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

**Dated : 20.08.2019**

Shri G.K. Bhusari, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

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

**Member (J)**

dnk.

O.A. No. 598/2019 (SB)

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

**Dated : 20.08.2019**

Shri G.G. Bade, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2 to 5.

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

**Member (J)**

dnk.

O.A. No. 511/2019 (SB)

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

**Dated : 20.08.2019**

Shri G.G. Bade, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

Interim relief to continue till then.

**Member (J)**

dnk.

O.A. No. 134/2013 (SB)

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

**Dated : 20.08.2019**

**MCA 59/2019 -**

Heard Shri P.S. Wathore, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for R-1. None for R-2.

The amount Rs.1,38,227/- is deposited by the respondents, then this amount shall be paid to the applicants after due verification.

In view thereof, the MCA stands disposed of.

**Member (J)**

dnk.

O.A. No. 256/2018 (SB)

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

**Dated : 20.08.2019**

Shri P.S. Wathore, Id. counsel holding for Shri S.R. Deshpande, Id .counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-2 to 5.

The learned counsel for the applicant submitted that he would file service affidavit within two weeks. At his request, **S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 413/2018 (SB)

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

**Dated : 20.08.2019**

None for the applicant. Shri S.A. Sainis, Id. P.O. for R-1 to 12. None for remaining respondents.

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

**Member (J)**

dnk.

O.A. No. 641/2018 (SB)

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

**Dated : 20.08.2019**

Shri M.K. Kulkarni, 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. one week** for filing reply.

**Member (J)**

dnk.

O.A. No. 956/2018 (SB)

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

**Dated : 20.08.2019**

Shri G.K. Bhusari, Id. counsel holding  
for Shri S.N. Gaikwad, Id .counsel for the  
applicant and Shri A.P. Potnis, Id. P.O. for  
R-1.

It seems that notices of R-2&3 are yet  
not collected.

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

**Member (J)**

dnk.



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

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

**Dated : 20.08.2019**

Shri Zibhakate, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. counsel for R-1 to 3 and Shri G.K. Bhusari, Id. counsel holding for Shri S.N. Gaikwad, Id .counsel for R-4 (Intervener).

The learned P.O. files reply on behalf of R-2. It is taken on record. Copies are served on the other sides.

**S.O. one week.**

Interim relief to continue.

**Member (J)**

dnk.

O.A. No. 452/2019 (SB)

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

**Dated : 20.08.2019**

Shri A.S. Dhore, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 to 3, Shri T.M. Zaheer, Id. counsel for R-7. None for other respondents.

At the request of Id. counsel for R-7, **S.O. one week** for filing reply as a last chance.

**Member (J)**

dnk.

O.A. No. 501/19 with C.A. 309/19 **(SB)**

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

**Dated : 20.08.2019**

Heard Shri Bharat Kulkarni, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 to 3 and Shri G.K. Bhusari, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel for R-4&5.

2. The learned P.O. submitted that he will file reply during the course of day.

3. Shri Bhusari, Id. counsel filed affidavit-in-reply on behalf of R-4&5. It is taken on record. The proceeding is admitted for final hearing.

4. The Id. P.O. waives notice on behalf of R-1 to 3.

**S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 213/2019 (SB)

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

**Dated : 20.08.2019**

Heard Shri G.K. Bhusari, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1 to 4 and Shri Jibhkate, Id. counsel holding for Shri P.D. Meghe, Id. counsel for R-5.

2. Perused the order dated 16/8/2018. In view of this order, the O.A. become infructuous. Hence, It is disposed of. No order as to costs.

**Member (J)**

dnk.

O.A. No. 630/2019 (SB)

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

**Dated : 20.08.2019**

Heard Shri A.M. Sudame, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The learned CPO submitted that the respondent no.4 has joined the duty. Hence, issue notice to R-2 to 4, returnable **after two weeks** Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

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

**Member (J)**

dnk.

O.A. No. 125/2017 (SB)

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

**Dated : 20.08.2019**

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

**S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 29/2018 (SB)

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

**Dated : 20.08.2019**

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

The learned P.O. requested further time. The last chance is granted to the respondents to make submission regarding decision on the proposal dated 11/4/2018.

**S.O. 28/8/2019.**

**Member (J)**

dnk.



O.A. No. 442/2019 (SB)

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

**Dated : 20.08.2019**

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

2. The learned P.O. has submitted Minutes of the meeting of the Police Establishment Board held on 14/6/2019.

3. The learned counsel for the applicant requested further time. At his request, **S.O. 21/8/2019.**

**Member (J)**

dnk.

O.A. No. 471/2019 (SB)

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

**Dated : 20.08.2019**

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

2. It seems that the applicant was due for transfer. The options were given by the applicant which is at page no.63 and as per the requirement the applicant was bound to give at least 10 options, but it was not done and only three options were given by the applicant. As the applicant was due for transfer, therefore, it is not possible to say that the transfer order is in violation of the Section 4 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. It is grievance of the applicant that other employees who were seniors to the applicant, were not transferred and therefore transfer of the applicant is malafide. The respondents have given the details why the senior employees to the applicant were not transferred.

3. The learned counsel for the applicant submitted that the applicant be given liberty to make representation. It is submitted that

Shri B.K. Sontakke is transferred vide order dated 30/5/2019 on the post which was hold by Sau. V.D. Kale who was promoted. It is submitted that the post of Shri B.K. Sontakke is vacant and the applicant can be adjusted. In this situation, the applicant is given liberty to make representation to the respondents and the respondents shall decide the representation within three months and try to adjust the applicant, if any post is available.

4. In view thereof, the O.A. stands disposed of. No order as to costs.

**Member (J)**

dnk.

O.A. No. 923/2017 (SB)

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

**Dated : 20.08.2019**

Ms. S.S. Dhone, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1&2 and Shri S. Majid, Id .counsel for R-3&4.

2. The learned counsel for R-3&4 requested one week time to comply the order dated 23/7/2019. At his request, **S.O. one week** as a last chance.

**Member (J)**

dnk.

O.A. No. 634/2019 (SB)

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

**Dated : 20.08.2019**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The applicant was appointed as Assistant Professor in English on 6/7/1998 and her service was regularized w.e.f. 6/7/1998. It is case of the applicant that the respondent no.3 was appointed as Assistant Professor on 10/9/2007 and he was promoted as Associate Professor on 17/12/2012. It is submitted that through MPSC selection the applicant was appointed as Associate Professor in English, whereas, by virtue of ACP the respondent no.3 was promoted as Associate Professor.

3. I have perused the Electoral Roll which is at page no.33. In this document name of the applicant is at sr.no.1 and it is mentioned that the applicant was working as Head of the Department in English in the Government Vidarbha Institute of Science and Humanities, Amravati.

4. The learned counsel for the applicant submitted that the Director of Government

Vidarbha Institute of Science and Humanities, Amravati passed the order dated 13/8/2019 and without assigning any reason directed the applicant to hand over the charge of the post of Head of the Department to the respondent no.3. It is submitted that apparently the respondent no.3 is junior to the applicant and therefore the action of the Director is in violation of law. It is contention of the applicant that she has not handed over the charge as per the order dated 13/8/2019 and therefore the impugned order be stayed till filing of the reply by the respondent nos.1,2&4. After perusing the documents prima facie it is shown that the applicant was working as Head of the Department in English as she was senior to the respondent no.3. On perusal of the impugned order it seems that no satisfactory reason is recorded for taking this action, therefore, the impugned order dated 13/8/2019 be stayed till filing of the reply by the respondent nos.1,2&4.

5. Issue notice to R-1 to 3, returnable **after two weeks**. Learned P.O. waives notice for R-4. 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.

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