

O.A. No. 436/2017 (DB)

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

Dated : 05.08.2019

Shri Chandurkar, 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. 14/8/2019**.

Member (J)

Vice Chairman

dnk.

O.A. No. 593/2013 (DB)

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

Dated : 05.08.2019

None for the applicant. Shri P.N. Warjurkar, Id. P.O. for R-1 to 3, Shri D.S. Agnihotri, Id. counsel holding for Shri S.K. Bhoyar, Id. counsel for R-4 and none for R-5&6.

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

Member (J)

Vice Chairman

dnk.

O.A. No. 314/2014 (DB)

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

Dated : 05.08.2019

Shri N.D. Thombre, Id. counsel for
the applicant and Shri H.K. Pande, Id.
P.O. for the respondents.

At the request of Id. P.O., **S.O.**
21/8/2019.

Member (J)

Vice Chairman

dnk.

O.A. No. 456/2018 (DB)

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

Dated : 05.08.2019

None for the applicant. Shri H.K.
Pande, Id. P.O. for the respondents.

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

Member (J)

Vice Chairman

dnk.

O.A. No. 34/2018 (DB)

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

Dated : 05.08.2019

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1 to 4. None for R-5.

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

Member (J)

Vice Chairman

dnk.

O.A. Nos. 46 & 48 of 2018 **(DB)**

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

Dated : 05.08.2019

Shri Bharat Kulkarni, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4.

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. 792/2018 (DB)

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

Dated : 05.08.2019

Shri S.N. Gaikwad, Id. counsel for the applicant, shri A.M. Khadatkar, Id. P.O. for R-1 and none for R-2 to 4.

At the request of Id. P.O., **S.O. three weeks** for filing reply of R-1.

Member (J)

Vice Chairman

dnk.

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

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

Dated : 05.08.2019

C.A. 297/2019

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

For the reasons stated in the
application, the C.A. for early hearing is
allowed.

O.A. 858/2018 –

Matter be kept for final hearing on
26/8/2019.

Member (J)

Vice Chairman

dnk.

O.A. No. 1007/2018 (DB)

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

Dated : 05.08.2019

C.A. 302/2019

Heard Shri S.C. Deshmukh, Id. counsel for the applicant and shri P.N. Warjurkar, Id. P.O. for R-1 to 3. Await service of R-13. None for remaining respondents.

For the reasons stated in the application, the C.A. is allowed.

The name of respondent no.13 be deleted from the O.A.

O.A.1007/2018 -

S.O. 28/08/2019.

Member (J)

Vice Chairman

dnk.

O.A. No. 505/2019 (DB)

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

Dated : 05.08.2019

None for the applicant. Heard Shri S.A. Deo, Id. CPO for R-1. Await service of R-2&3.

2. The learned counsel for the applicant has filed Pursis mentioning that the applicant does not wants to prosecute the O.A. and therefore he may be permitted to withdraw the same. He is permitted to do so.

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

Member (J)

Vice Chairman

dnk.

O.A. No. 506/2019 (DB)

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

Dated : 05.08.2019

None for the applicant. Shri S.A.
Deo, Id. CPO for R-1. Await service of
R-2&3.

S.O. two weeks.

Member (J)

Vice Chairman

dnk.

O.A. No. 513/2019 (DB)

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

Dated : 05.08.2019

None for the applicant. Shri S.A.
Deo, Id. CPO for R-1. Await service of
R-2.

S.O. two weeks.

Member (J)

Vice Chairman

dnk.

O.A. No. 614/2017 (DB)

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

Dated : 05.08.2019

None for the applicant. Shri V.A. Kulkarni, Id. P.O. for R-1&2. None for R-3.

2. The learned P.O. has filed letter no.Ashtha/Kaksha-5B/Niyukti/Smt.Nagdeve/ 2019, dated 10/06/2019 issued by the Joint Director of Health Service (Malaria, Filerai and other Water borne deceases), Pune-1. It is stated that the applicant has been appointment on the post of Physiotherapist from SC category and therefore the applicant's grievance has been redressed.

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

Member (J)

Vice Chairman

dnk.

O.A. No. 647/2016 (DB)

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

Dated : 05.08.2019

Shri S.U. Ambagade, 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. Next week**.

Member (J)

Vice Chairman

dnk.

O.A. No. 245/2016 (DB)

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

Dated : 05.08.2019

Shri S.U. Ambagade, Id. counsel
for the applicant and Shri M.I. Khan, Id.
P.O. for R-1 to 4. None for R-5.

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

Member (J)

Vice Chairman

dnk.

O.A. No. 66/2013 (DB)

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

Dated : 05.08.2019

Shri S.N. Gaikwad, Id. counsel holding for Shri A.S. Murty, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

Shri Gaikwad, Id. counsel submitted that Shri A.S. Murty, learned counsel for the applicant is not keeping well and therefore he requested three weeks time. At his request, **S.O. three weeks.**

Member (J)

Vice Chairman

dnk.

O.A. Nos. 716 & 732 of 2016 **(DB)**

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

Dated : 05.08.2019

None for the applicants. Shri A.M. Khadatkar, Id. P.O. for R-1&2 and Shri V.B. Gawali, Id. counsel for R-3 to 10.

2. The learned P.O. submitted that he is intending to call the entire record of the selection proceedings and for that purpose he requested one week time. At his request, **S.O. one week.**

Member (J)

Vice Chairman

dnk.

O.A. No. 400/2018 (DB)

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

Dated : 05.08.2019

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

The learned P.O. submitted that interim relief is operating in this matter and therefore he requested three days time.

At the request of Id. P.O., **S.O.**
9/8/2019.

Member (J)

Vice Chairman

dnk.

O.A. No. 32/2016 (DB)

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

Dated : 05.08.2019

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

The learned P.O. is directed to produce before the Bench the record to show that who was appointed on the post reserved for SC (Sport).

S.O. one week.

Steno copy is granted.

Member (J)

Vice Chairman

dnk.

O.A. No. 818/2018 (SB)

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

Dated : 05.08.2019

Heard Smt. K.N. Saboo, Id. counsel for the applicant and Shri A.M Khadatkar, Id. P.O. for R-1&2 and none for R-3.

2. The learned P.O. has produced order dated 4/7/2019. By this order the grievance of the applicant is redressed and he is transferred to Alasand, Tq. Khanapur, Dist. Sangli.

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

Member (J)

dnk.

O.A. No. 589/2018 **(SB)**

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

Dated : 05.08.2019

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

At the request of Id. P.O., **S.O. one week** for giving the information.

Member (J)

dnk.

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

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

Dated : 05.08.2019

Shri G.K. Bhusari, learned counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 to 4 and Shri S. Kumbhalkar, Id. counsel for R-5.

2. The learned counsel has filed submissions on behalf of R-5. It is taken on record. Copies are served to the other sides.

3. The learned P.O. has filed letter dated 3/8/2019 written by the Under Secretary, Public Health Department, Government of Maharashtra. In this letter it is mentioned that as status-quo order is operating, therefore, steps cannot be taken to transfer Smt. Rajshree S. Hedau (R/5) to any other place. In this situation, permission is granted to the respondent nos.1 to 4 to rectify the mistake by issuing necessary order.

S.O. two weeks.

Steno copy is granted.

Member (J)

dnk.

O.A. No. 236/2019 (SB)

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

Dated : 05.08.2019

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1&2. None for R-3.

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

Member (J)

dnk.

O.A. No. 254/2019 (SB)

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

Dated : 05.08.2019

Shri G.R. Sadar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 to 4. None for R-5.

At the request of Id. P.O., **S.O. one week** for filing reply.

Member (J)

dnk.

O.A. No. 409/2019 (SB)

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

Dated : 05.08.2019

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. It is submitted that the impugned transfer order is cancelled by the Government and now grievance is redressed.

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

Member (J)

dnk.

O.A. No. 411/2019 **(SB)**

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

Dated : 05.08.2019

Shri R.V. Shiralkar, 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. two weeks** for filing reply.

Member (J)

dnk.

O.A. No. 412/2019 (SB)

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

Dated : 05.08.2019

Shri G.K. Bhusari, Id. counsel holding for 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.

At the request of Id. P.O., **S.O. two weeks** for filing reply of R-1 to 3.

Member (J)

dnk.

O.A. No. 472/2019 (SB)

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

Dated : 05.08.2019

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. Await service of R-4.

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

Member (J)

dnk.

O.A. No. 480/2019 (SB)

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

Dated : 05.08.2019

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

The learned P.O. files reply on behalf of R-3. It is taken on record. Copy is served on the applicant. It is submitted that this reply is sufficient to decide the O.A. Therefore, the matter is **admitted** for final hearing.

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

In the meantime, the applicant is at liberty to file rejoinder, if any.

S.O. after three weeks.

Member (J)

dnk.

O.A. No. 539/2019 **(SB)**

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

Dated : 05.08.2019

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

At the request of Id. P.O., **S.O. one week** for filing reply.

Member (J)

dnk.

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

Dated : 05.08.2019

Shri G.R. Sadar, Id. counsel holding for Shri D.P. Dapurkar, Id. counsel for the applicant and Shri VA. Kulkarni, Id. P.O. for R-1. Await service of R-2&3.

The Id. counsel for the applicant submitted that he will file service affidavit of R-2&3 during the course of day.

The learned P.O. seeks time to file reply. At his request, **S.O. three weeks.**

Member (J)

dnk.

O.A. No. 587/2019 (SB)

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

Dated : 05.08.2019

Heard Shri A.M. Sudame, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. The respondents no.2 is present in person.

The learned P.O. files reply on behalf of R-1. It is taken on record. Copy is served on the applicant.

Heard. Admit.

The learned P.O. waives notice for R-1.

S.O. 7/8/2019.

Status-quo to continue till then.

Member (J)

dnk.

O.A. No. 805/2017 (SB)

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

Dated : 05.08.2019

Shri R.V. Shiralkar, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

The learned P.O. files reply on behalf of R-1&2. It is taken on record. Copy is served on the applicant.

Heard. Admit.

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

S.O. after four weeks.

Member (J)

dnk.

O.A. No. 384/2019 (SB)

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

Dated : 05.08.2019

C.A. 306/2019

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

For the reasons stated in the application, the C.A. is allowed.

Necessary amendment be carried out forthwith.

O.A. 384/2019 –

Two weeks time is granted to the respondents to file reply to the amended O.A.

S.O. 21/8/2019.

Member (J)

dnk.

O.A. No. 783/2017 **(SB)**

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

Dated : **05.08.2019**

None for the applicant.

Shri H.K. Pande, Id. P.O. for the
respondents.

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

Member (J)

dnk.

O.A. No. 570/2019 (SB)

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

Dated : 05.08.2019

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

2. The learned CPO submitted that the applicant is already relieved from the post. Therefore, issue notice to R-2 to 4, 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)

dnk.

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

Dated : 05.08.2019

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

S.O. two weeks for order.

Member (J)

dnk.

O.A. No. 558/2018 (SB)

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

Dated : 05.08.2019

Shri M.M. Sudame, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

S.O. 7/8/2019.

Member (J)

dnk.

O.A. No. 781/2018 (SB)

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

Dated : 05.08.2019

None for the applicant. Shri H.K. Pande, Id. P.O. for the respondents.

It appears that on the earlier occasions on 8/2/2019 and 11/7/2019 the applicant and his counsel were absent. Today also none appeared for the applicant.

Hence, the O.A. stands dismissed in default.

Member (J)

dnk.

O.A. No. 597/2019 with C.A.307/19 **(SB)**

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

Dated : 05.08.2019

Heard Shri A.M. Sudame, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for the respondents and Shri P.S. Wathore, Id. counsel for Intervener.

2. It is clear that the order dated 1/8/2019 to maintain status-quo is only in relation to the transfer of the applicant. The Department is at liberty to give effect to the remaining transfer orders.

S.O. 19/8/2019.

Steno copy is granted.

Member (J)

dnk.

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

C.A.No.301/2019:-

Heard Shri B.D.Pandit, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. counsel has moved C.A. No. 301/2019 and desires two Amendments:-

A. To add Collector, Nagpur as a respondent no. 5.

B. He wants to add para nos. 6.6 (i & ii) in the relief clause.

3. As agreed by the Id. P.O., the **C.A. No. 301/2019 for amendment is allowed.** The Id. counsel for the applicant carry out the amendment within a week time.

4. Issue notice to newly added respondent no. 5, returnable on 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.

10. **S.O. three weeks.**

Vice

Chairman

Date:-05/08/2019.

aps.

O.A.No.604/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

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

2. The Id. P.O. filed the reply on behalf of the
respondent nos. 1 to 3. It is taken on record. He
further submits that he will serve the copy to the
other side.

3. The matter is **admitted** and kept for final
hearing.

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

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

Chairman
Date:-05/08/2019.
aps.

Vice

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

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

2. The Id. C.P.O. pointed out at P.B., No. 23, para no. 2 in which order of Inspector General of Police, Amravati dated 13.12.2018 has been requested to be quashed and set aside. However, as Id. C.P.O. pointed out at P.B., Pg. No. 32 in order dated 13.12.2018 on P.B., Pg. No. 33, respondent no. 2 is clearly mentioned in last para that there is an appeal within 60 days to Director General of Police, Mumbai. From record it appears that applicant has not exhausted this opportunity.

3. S.O. 09.08.2019.

Chairman
Date:-05/08/2019.
aps.

Vice

O.A.No.366/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

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

2. At the request of Id. P.O., matter is
admitted and kept for final hearing.

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

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

Vice

Chairman
Date:-05/08/2019.
aps.

O.A.No.710/2014 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

Rev. No.19/2017:-

Heard Shri S.K.Thengne holding for Shri G.G.Bade, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

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

Vice

Chairman
Date:-05/08/2019.
aps.

O.A.No.814/2015 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

Heard Smt. N.R.Saboo, the Id. Counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. The Id. counsel for the applicant has not filed copy of advertisement for the post of Police Patil in Karanja Sub Division, District-Washim regarding post to be filled as mentioned in this O.A.. The main grievance of the applicant is that as per the Annexure-A-9, applicant at Sr. No. 159 got 63 marks in written examination and 05 marks in oral examination, total 68 marks. However, respondent no. 3, Shri Pramod Bhaskarrao Chatur got 58 marks in written and 13 marks in oral, total 71 marks and declared selected.

3. Applicant grievance is that, applicant was not properly evaluated in oral marks. The Id. counsel for the applicant has relied upon the G.R. No. 'kl u fu.k deld & ch 0gh ih 113@1767@i zdt 592@i ky&8] fnukd 22@08@2014-

4. In the said G.R. there was provisions of 20 marks for Interview. The applicant has further submitted that Interview Committee has not evaluated properly against the respondent no. 3. However, documents placed on P.B., Pg. No. 34

and Annexure-A-9, some mistakes appear on P.B., Pg. No. 34, total marks of applicant in Interview is shown as 06 marks, while on Annexure-A-9, it is shown as 05 marks. By perusing the documents on P.B., Pg. No. 34, it is seen that in various categories like 5-Q] the applicant got 00 marks apart from that the respondent no. 03 got 02 marks. Though the applicant had submitted MSCIT Certificate which is at P.B., Pg. No. 35 (Annexure-A-10). As per the Id. P.O. the same certificate was not from the approved Government Organisation and hence respondents have not considered the same as per his marks in column 5-Q- As per column 5-x] the applicant got 00 marks in it and the respondent no. 3 got 02 marks in the same. In Personal and General Knowledge, applicant got 04 marks and respondent no. 4 also got 04 marks.

5. In view of these facts, it appears that applicant grievance that Interview Committee has not evaluated him properly or Interview Committee has evaluated in favour of respondent no. 3 is not valid. Since in other columns of Interview marks are as per Certificates or Degrees obtained by concerned candidates. Hence, it appears that there was no any bias against the applicant by Interview Committee in allotting the numbers in Interview to the applicant. In view of this, the grievance of applicant has no any strong evidence to prove that Interview Committee evaluated him wrongly. Hence, it is not necessary to intervene in the order as per P.B., Pg. No. 34.

6. In view of the above discussions,
following order:-

ORDER

O.A. is dismissed with no order as to costs.

Vice

Chairman

Date:-05/08/2019.
aps.

O.A.No.654/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

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

2. The Id. counsel for the applicant has invited my attention on letter dated 24.07.2018 (Annexure-A-9, P.B., Pg. No. 26), in which respondents have relied on the G.R. No. 'kl u fu. k deld & vclik & 1014@izd:164@vB@mukd 20-05-2015 and they have acted according to the said G.R.. However, the same is not placed on record.

3. The Id. counsel for the applicant as well as respondents are directed to file the said G.R. on record.

4. S.O. 14.08.2019.

Chairman
Date:-05/08/2019.
aps.

Vice

O.A.No.22/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The applicant being a Talathi was served with a chargesheet dated 28.05.2014 (Annexure-A-1, P.B., Pg. No. 13) and as per Annexure-A-2, P.B., Pg. No. 14, six charges were framed against the applicant. The Enquiry Officer conducted an enquiry and submitted the report to the Sub-Divisional Officer, Hinghanghat as per the letter dated 22.12.2014 (Annexure-A-6, Pg. No. 47). As per the P.B., Pg. No. 57 of enquiry report, enquiry officer has shown that all these charges are not proved against the applicant.

3. Despite this, show cause letter was issued vide letter dated 30.04.2015 (Annexure-A-8, P.B., Pg. No. 59) by disciplinary authority. However, in the said letter proposed punishment was not written elaborated as per Section 9(2) of Maharashtra Civil Services (Discipline and Appeal) Rules, 1979. The applicant submitted reply vide letter dated 10.04.2015 (Annexure-A-9, P.B., Pg. No.61) to Sub-Divisional Officer, Hinghanghat.

4. No personal hearing was given to the applicant and the respondent no. 3 passed an

order of punishment vide letter dated 04.09.2015 (Annexure-A-10, P.B., Pg. No. 65). Applicant preferred an appeal vide his letter dated 14.10.2015 (Annexure-A-11, P.B., Pg. No. 67) to the Collector and Appellate Authority, Wardha. Appellate Authority vide his letter dated 06.06.2016 (Annexure-A-12, P.B., Pg No. 76-78[both inclusive]) has reduced the punishment from three increments to two increments with permanent effect on future pay-scale.

5. The next contention of the Id. counsel for the applicant is that procedure laid down under Section 9 (2) of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979 has not been properly implemented.

6. In reply respondents have not mentioned about details of procedure follows as per para 9 (2) of M.C.S. (Discipline and Appeal) Rules, 1979.

7. The Id. counsel for the applicant seeks time to place certain judgment on record. At his request, **S.O. day-after-tomorrow i.e. 07.08.2019 high on board.**

8. Matter be treated as P.H.

Vice

Chairman

Date:-05/08/2019.

aps.

O.A.No.698/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

Heard Shri Ms. K.V.Awchar holding for Shri S.D.Tatke, the Id. Counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos.1 & 2 and Shri S.N.Gaikwad, the Id. counsel for the respondent no. 3.

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

Vice

Chairman
Date:-05/08/2019.
aps.

O.A.Nos.810 & 811/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 2 & 3 and Shri R.A.Haque, the Id. counsel for the Intervenor.

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

3. As pointed out by Id. counsel for the Intervenor, already there are several connected O.As. with the same guidelines and matter is going on in D.B. i.e. O.A. Nos. 857/2018, 789/2018, 790/2018, 802/2018, 803/2018, 804/2018, 805/2018, 809/2018, 810/2018 & 811/2018.

4. Put the O.A. Nos. 810 & 811/2018 along with the above said O.As. and place this matter also in the regular D.B..

5. For removing objections, the Id. counsel for the applicant seek time, **S.O. the date decided in the above said connected O.As. in the regular D.B..**

Vice

Chairman

Date:-05/08/2019.

aps.

O.A.No.53/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

Heard Shri S.K.Thengri, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

2. At the request of Id. P.O., S.O. two weeks time for making necessary action from the Department. **S.O. 21.08.2019.**

Vice

Chairman
Date:-05/08/2019.
aps.

O.A.No.786/2015 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :05th Aug. 2019.

Heard Shri R.A.Haque, the Id. Counsel for the applicant, Shri P.N.Warjurkar, the Id. P.O. for the respondent nos. 1 & 2 and Shri A.P.Bhuibhar, the Id. counsel for the respondent no. 3.

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

Chairman
Date:-05/08/2019.
aps.

Vice