

O.A. No.1022/2023 (D.B.)

(Dr. Vikrant V. Akulwar Vs. State of Mah.& ors.)

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

Dated : 12/09/2023.

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

2. From the documents filed on record, it appears that the applicant is wrongly shown junior to respondent no.3. Therefore, **the respondent nos.1&2 are directed not to demote the applicant on the basis of newly publish seniority list challenged under this O.A., until further orders.**

3. As per the submission of learned counsel for the applicant, the promotion of applicant is challenged by respondent no.3 in O.A.No.407/2023.

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

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

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

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

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

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

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

S.O. after four weeks.

Put up along with O.A.No.407/2023.

Steno copy is granted...

Vice Chairman

dnk.

O.A. 161/2022 with C.A.416/2023 (D.B.)

(Sagar N. Dere & Ors. Vs. State of Mah.& ors.)

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

Dated : 12/09/2023.

C.A.416/2023 -

Heard Shri P.S. Patil, learned counsel for the applicants and Shri A.M. Ghogre, learned P.O. for the respondents.

2. The learned counsel for the applicants has filed one letter which shows that as per the advertisement, the date for submitting application is from 14/09/2023 to 03/10/2023 and the examination fee is to be paid before 03/10/2023. Copy of letter is taken on record and marked Exh-X for identification.

3. There is no dispute that advertisement of earlier examination of the year 2019 was published and exercise of examination etc., were completed on 03/01/2020. The selection list / result was published on 03/01/2020. As per the advertisement, the select list / waiting list was to remain in force for a period of one year. That period is expired on 3-4/1/2021. The present O.A. is filed on 08/02/2022.

4. As per the submission of learned counsel for applicants, the applicants have passed the examination as per the Advertisement of the year 2019. The respondents have not published the waiting list. They were not shown in the wait list.

5. There is no dispute that the selection list was published and the posts were filled by the respondents except some posts. The applicant is now praying to stay the examination process which is to be started as per the new Advertisement dated 11/08/2023.

6. The learned counsel for applicants has pointed out the Judgment of the Hon'ble Supreme Court in the case of ***R.S. Mittal Vs. Union of India, 1995 Supp (2) SCC,230***. He has pointed out relevant portion of para-10 of the Judgment which is reproduced as under –

“ It is no doubt correct that a person on the select panel has no vested right to be appointed to the post for which he has been selected. He has a right to be considered

for appointment. But at the same time, the appointing authority cannot ignore the select panel or decline to make the appointment on its whims. When a person has been selected by the Selection Board and there is a vacancy which can be offered to him, keeping in view his merit position, then, ordinarily, there is no justification to ignore him for appointment. There has to be a justifiable reason to decline to appoint a person who is on the select panel. In the present case, there has been a mere inaction on the part of the Government. No reason whatever, not to talk of a justifiable reason, was given as to why the appointments were not offered to the candidates expeditiously and in accordance with law. The appointment should have been offered to Mr. Murgad within a reasonable time of availability of the vacancy and thereafter to the next candidate. The Central Government's approach in this case was wholly unjustified."

7. It appears that it was the observations made by the Hon'ble Supreme Court, but in para-11 and 12 the decision is given. It appears that though the Hon'ble Supreme Court has observed that select / waiting list was to remain in force for one year, but it was held that "under the circumstances it would not be appropriate to issue any direction at this point of time in favour of the appellant who is at no.4 of the select panel."

8. It appears that the appellant in the cited Judgment was at sr.no.4 of the select list. He was not appointed. Even though the direction was not given by the Hon'ble Supreme Court to appoint him as the period of select /wait list was expired. Therefore, the cited Judgement is not applicable in the case in hand. Cited Judgment is not helpful to the applicants.

9. The present O.A. is filed on 08/02/2022. The result was declared on 3/1/2020. On the same day, the select list was published. The waiting list if would have been published, then period of select / waiting list should have been upto 3-4/1/2021. At this juncture, there is no any waiting list and it cannot be said that select / waiting list is in existence. The respondents have started the process of regular appointment as per the Advertisement dated 11/8/2023. Hence, the applicants cannot claim that they should be appointed as per the earlier examination held in the year 2019. The period of select / waiting list should have been expired on 3-4/1/2021. This O.A. is itself filed on 08/02/2022. When the present O.A. is filed,

that time the period of one year has already been expired and therefore direction cannot be given to the respondents to keep some vacant posts or appoint the applicants.

10. During the pendency of this O.A. the applicants have pointed out that the respondents are going to appoint / recruit 227 posts. The applicants are at liberty to compete in the examination as per the advertisement dated 11/08/2023. **At this stage, stay cannot be granted to the process of examination as per the advertisement dated 11/8/2023. Hence, the C.A. is dismissed.** No order as to costs.

O.A. 161/2022 –

Put up the matter as and when regular DB is available.

Vice Chairman

dnk.

O.A. No.223/2020 (S.B.)

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

Dated : 12/09/2023.

Shri N.R. Saboo, Id. Counsel for applicants and Shri S.A. Sainis, Id. P.O. for R-1&2. None for R-3.

At the request of Id. P.O., **S.O.**
05/10/2023.

Vice Chairman

dnk.

O.A. No.641/2020 (S.B.)

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

Dated : 12/09/2023.

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

At the request of learned counsel for
applicant, **S.O. 05/10/2023.**

Vice Chairman

dnk.

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

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

Dated : 12/09/2023.

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

2. At the request of Id. P.O., **S.O. 05/10/2023.**

Vice Chairman

dnk.

O.A. No.409/2022 (S.B.)

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

Dated : 12/09/2023.

Shri G.G. Bade, Id. Counsel for applicants and Shri S.A. Sainis, Id. P.O. for respondents.

At the request of learned counsel for applicant, **S.O. 05/10/2023.**

Vice Chairman

dnk.

(S.B.)

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

Dated : 12/09/2023.

C.A.461/2023 in C.A.197/2020 in O.A.418/2020

Heard Shri Mishra, Id. Counsel for applicant, Shri H.K. Pande, Id. P.O. for R-1&4 and Shri S.N. Gaikwad, Id. Counsel holding for Shri T.M. Zaheer, Id. Counsel for R-2&3.

2. This Tribunal had condoned the delay as per the order dated 14/06/2022. The said order was challenged before the Hon'ble Bombay High Court, Bench at Nagpur in Writ Petition No.4580/2022. The Hon'ble High Court has quashed and set aside the order of condoning the delay and the matter is remanded back to this Tribunal. Now the applicant and respondents are directed to argue on the point of limitation.

S.O. 04/10/2023.

Vice Chairman

dnk.

O.A. No.152/2023 (S.B.)

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

Dated : 12/09/2023.

Shri S.M. Khan, Id. Counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1&2 and none for R-3.

At the request of Id. P.O., **S.O. 25/9/2023** for filing reply as a last chance.

Vice Chairman

dnk.

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

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

Dated : 12/09/2023.

Heard Shri P.B. Patil, Id. Counsel for applicants and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2&3.

2. The learned counsel for applicants submitted that the respondents are served.

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

Vice Chairman

dnk.

O.A. No.732/2023 (S.B.)

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

Dated : 12/09/2023.

Shri R.S. Khobragade, Id. Counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2 to 4.

2. The learned counsel for applicant submitted that the respondents are served.

3. At the request of Id. P.O., **S.O. after four weeks.**

Vice Chairman

dnk.

C.A. 74/2020 in O.A.1022/2019 (S.B.)

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

Dated : 12/09/2023.

Shri B. Chandrapure, Id. Counsel for applicant and Shri A.P. Potnis, Id. P.O. for respondents.

2. The learned counsel for applicant pointed out the decision of Hon'ble Supreme Court in the Case of ***M.R. Gupta Vs. Union of India & Ors. (1995) 5 SCC 628.***

3. The learned P.O. wants time to go through the cited Judgment.

S.O. 11/10/2023.

Vice Chairman

dnk.

(S.B.)

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

Dated : 12/09/2023.

C.A.550/2022 in C.A.263/2021 in O.A.767/2021

Shri S.R. Babhulkar, Id. Counsel holding
for Shri S.S. Dhengale, Id. Counsel for the
applicants and Shri S.A. Deo, Id. CPO for the
respondents.

2. At the request of Id. CPO, S.O. after
three weeks for filing reply on application of
condonation of delay.

S.O. after three weeks.

Vice Chairman

dnk.

O.A. No.799/2023 (S.B.)

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

Dated : 12/09/2023.

Shri N.R. Saboo, Id. Counsel for applicant, Shri S.A. Deo, Id. CPO for R-1 to 3 and none for R-4.

2. The learned counsel for applicant seeks one week time to carry out amendment as per order dated 8/8/2023. Time is granted.

S.O. 5/10/2023 along with other connected matters.

Vice Chairman

dnk.

O.A. No.791/2023 (S.B.)

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

Dated : 12/09/2023.

C.A. 495/2023 -

Heard Shri N.R. Saboo, Id. Counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

2. The learned counsel for applicant has pointed out the transfer order dated 13/07/2023 in which Dr. Kedar Deshpande is transferred in place of applicant. Hence, he is necessary party.

3. Looking to the submission, the C.A. is allowed. Necessary amendment be carried out.

O.A. No.791/2023 –

After amendment, issue notice to the newly added respondent returnable **05/10/2023**. Hamdast allowed.

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

3. 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.

4. 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.

5. 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.

6. 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. 05/10/2023 with connected matters.

Interim relief to continue.

Steno copy is granted.

Vice Chairman

dnk.

O.A. No.803/2023 with C.A. 466/2023 (S.B.)

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

Dated : 12/09/2023.

Shri Khubalkar, Id. Counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

2. At the request of Id. CPO, **S.O. 05/10/2023** for filing reply on C.A.

Interim relief to continue.

S.O. 5/10/2023 along with other connected matters.

Steno copy is granted.

Vice Chairman

dnk.

(S.B.)

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

Dated : 12/09/2023.

**O.As. 784,785,786,787,788,789,793,794,
809,810,811,812,813,819,820,830,831,839,
781,782,783,800,801,802 and 918 of 2023 -**

Advocate Shri N.R. Saboo / Advocate
Shri S.N. Gaikwad / Advocate Shri S.A. Marathe
/ Advocate P. Siriya holding for Advocate N.S.
Warulkar, learned counsel for the respective
applicants.

2. S.A. Marathe, Id. Counsel for R-4 in
O.A.820/2023. None for R-4 in the respective
O.As.

3. Shri S.A. Deo, Id. CPO for state /
respondents in all the O.As.

4. At the request of Id. CPO, **S.O.
5/10/2023 for filing reply.**

I.R. to continue.

Put up along with connected matters.

Vice Chairman

dnk.

O.A. No.866/2023 (S.B.)

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

Dated : 12/09/2023.

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

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

Vice Chairman

dnk.

O.A. No.986/2023 (S.B.)

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

Dated : 12/09/2023.

Heard Shri Borkar, Id. Counsel for applicant and Shri H.K. Pande, Id. P.O. for the State.

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

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry

within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.1013/2023 (S.B.)

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

Dated : 12/09/2023.

The applicant in person absent. Heard Shri V.A. Kulkarni, Id. P.O. for the State.

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

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry

within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. after three weeks.

Vice Chairman

dnk.

O.A. No.729/2023 (S.B.)

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

Dated : 12/09/2023.

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

2. As per order dated 28/8/2023, Id. P.O. was directed to get instructions about compliance of order dated 28/7/2023. Today, Id. P.O. seeks further time. At his request, **S.O. 4/10/2023.**

Vice Chairman

dnk.

Rev.19/2022 in O.A. No.53/2019 (S.B.)

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

Dated : 12/09/2023.

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

Reply is filed by the P.O. Rejoinder is
also filed by Advocate for applicant.

S.O. 27/9/2023 for final hearing.

Vice Chairman

dnk.

O.A. 226/2019 with C.A.543/2022(S.B.)

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

Dated : 12/09/2023.

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

2. At the request of Id. P.O., **S.O. 4/10/2023.**

Vice Chairman

dnk.

O.A. No.346/2023 (S.B.)

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

Dated : 12/09/2023.

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

S.O. 4/10/2023.

Vice Chairman

dnk.

O.As. 818 & 1026 of 2019 (S.B.)

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

Dated : 12/09/2023.

Shri Sukhdev, Id. Counsel holding for Shri H. Dangre, Id. Counsel for applicants in O.A.818/2019. None for applicant in O.A. 1026/2019.

Shri A.M. Khadatkar, Id. P.O. for respondents in both the O.As.

At the request of Id. Counsel for applicants, **S.O. 3/10/2023.**

Vice Chairman

dnk.

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

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

Dated : 12/09/2023.

Heard Shri H.M. Bobade, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

2. As per the submission of learned counsel for the applicant, the applicant is legally wedded wife of deceased employee. In support of his submission pointed out some citations. Same are taken on record.

3. The Id. P.O. seeks time to argue the matter.

S.O. 6/10/2023 (PH).

Vice Chairman

dnk.

O.A. No.1051/2019 (S.B.)

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

Dated : 12/09/2023.

Shri S.N. Gaikwad, Id. Counsel for applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

The matter be kept before Member (J) Shri M.A. Lovekar.

S.O. 5/10/2023.

Vice Chairman

dnk.

O.A. No.659/2020 (S.B.)

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

Dated : 12/09/2023.

Shri S.N. Gaikwad, Id. Counsel for applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

The matter be kept before Member (J) Shri M.A. Lovekar.

S.O. 5/10/2023.

Vice Chairman

dnk.

O.A. No.704/2022 (S.B.)

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

Dated : 12/09/2023.

Shri Mardikar, Id. Counsel for applicants
and Shri A.P. Potnis, Id. P.O. for the
respondents.

At the request of Id. Counsel for
applicant, **S.O. 26/9/2023.**

Vice Chairman

dnk.

O.A. No.834/2022 (S.B.)

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

Dated : 12/09/2023.

Shri C.A. Babrekar, Id. Counsel for applicants and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. Counsel for applicant, **S.O. 11/10/2023.**

Vice Chairman

dnk.

O.A. No.835/2022 (S.B.)

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

Dated : 12/09/2023.

Shri C.A. Babrekar, Id. Counsel for applicants and Shri M.I. Khan, Id. P.O. for the respondents.

2. The learned counsel for applicant has pointed out the Judgment of Hon. Bombay High Court in the case of ***State of Maharashtra & Ors. Vs. Rekha V. Dubey***, decided on 24/9/2021. It is taken on record.

3. The Id. P.O. seeks time to go through the same.

S.O. 4/10/2023.

Vice Chairman

dnk.

O.As. 927,1178 & 1179 of 2022 (S.B.)

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

Dated : 12/09/2023.

N.S. Pathan, Id. Counsel for applicants
and Shri S.A. Sainis, Id. P.O. for respondents.

At the request of Id. Counsel for
applicants, **S.O. 6/10/2023.**

Vice Chairman

dnk.

O.A. No.1138/2022 (S.B.)

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

Dated : 12/09/2023.

Shri A. Chaware, Id. Counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned counsel for applicant has pointed out the Judgment of this Tribunal in O.A.930/2018, decided on 13/4/2023.

3. At the request of Id. P.O., **S.O. 6/10/2023.**

Vice Chairman

dnk.

O.A. 462/2023 with C.A.305/2023 (S.B.)

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

Dated : 12/09/2023.

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

The matter be kept before Member (J)
Shri M.A. Lovekar.

S.O. 6/10/2023.

Vice Chairman

dnk.

O.A. No.566/2023 (D.B.)

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

Dated : 12/09/2023.

Shri A.A. Potnis, Id. Counsel for applicant
and Shri H.K. Pande, Id. P.O. for respondents.

At the request of learned counsel for
applicant, **S.O. 09/10/2023.**

Vice Chairman

dnk.

(D.B.)

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

Dated : 12/09/2023.

C.A. 259/2023 & 405/2022 in O.A.St.2268/2022

Heard Shri H.D. Futane, Id. Counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned counsel for the applicant has pointed out the order dated 3/3/2023. As per this order, C.A.No.405/2022 is to be heard along with the O.A.

3. The learned P.O. seeks time to file reply. At his request **S.O. three weeks** for filing reply as a last chance.

Vice Chairman

dnk.

C.A. 233/2023 in O.A. 461/2022 (D.B.)

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

Dated : 12/09/2023.

Shri R.R. Deo, Id. Counsel for applicant
and Shri A.M. Ghogre, Id. P.O. for R-1&2 and
Shri S.A. Deo, Id. Spl. Counsel for R-3. None for
proposed Intervener.

2. Similar matters are not listed along with
this O.A.

S.O.11/10/2023 along with
O.As.459,456,460,454,455,457 & 458 of 2022.

Vice Chairman

dnk.

O.A. No.266/2023 (D.B.)

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

Dated : 12/09/2023.

Shri A.S. Dhore, Id. Counsel for applicant
and Shri A.P. Potnis, Id. P.O. for respondents.

At the request of learned P.O., **S.O.**
04/10/2023 for filing reply.

Vice Chairman

dnk.

O.A. No.269/2023 (D.B.)

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

Dated : 12/09/2023.

Shri M.R. Patil, Id. Counsel for applicant
and Shri H.K. Pande, Id. P.O. for respondents.

2. At the request of Id. P.O., **S.O.**
12/10/2023 for filing reply.

Vice Chairman

dnk.

O.A. No.532/2023 (D.B.)

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

Dated : 12/09/2023.

Shri M. Shivdekar, Id. Counsel for applicant and Shri A.P. Potnis, Id. P.O. for R-1 and L.Y. Malewar, Id. Counsel for R-3. Await service of R-2.

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

Vice Chairman

dnk.

O.A. No.539/2023 (D.B.)

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

Dated : 12/09/2023.

Heard Shri A.S. Dhore, Id. Counsel for applicant and Shri A.M. Ghogre, Id. P.O. for respondents.

2. The Id. P.O. files reply of R-1 to 3. It is taken on record.

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

Put up the matter as and when the regular D.B. is available.

Vice Chairman

dnk.

O.A. No.771/2023 (D.B.)

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

Dated : 12/09/2023.

Shri B.C. Chandrakapure, Id. Counsel for applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 3. Await service of R-4.

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

Vice Chairman

dnk.

O.A. No.805/2023 (D.B.)

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

Dated : 12/09/2023.

Shri P.A. Kadu, Id. Counsel for applicant
and Shri M.I. Khan, Id. P.O. for respondents.

At the request of learned P.O., **S.O.**
10/10/2023 for filing reply.

Interim relief to continue till filing of reply.

Vice Chairman

dnk.

(D.B.)

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

Dated : 12/09/2023.

C.A. 294/23 in Cont.P.17/2023 in O.A.185/2019

Heard Shri A. Motlag, Id. Counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

2. The learned counsel for applicant submits that the name and address of respondent no.4 is wrongly mentioned. He prayed to correct the same. Permission is granted as prayed in the C.A. The C.A. is allowed and disposed of. Necessary amendment be carried out within one week.

Cont.P.17/2023 in O.A.185/2019 –

Heard Shri A. Motlag, Id. Counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

2. The learned P.O. submits that respondent nos.2 and 3 are not necessary parties in the contempt petition, therefore, direction may be given to delete respondent nos.2 and 3.

3. The applicant is directed to show as to how respondent nos.2 and 3 are necessary parties.

S.O. after one week.

Vice Chairman

dnk.

O.A. No.1015/2023 (D.B.)

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

Dated : 12/09/2023.

Heard Shri R.S. Wadekar, Id. Counsel for applicant and Shri A.P. Potnis, Id. P.O. for the State.

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

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry

within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. after four weeks.

Vice Chairman

dnk.

C.P. 74/2022 in O.A. No.406/2021 (D.B.)

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

Dated : 12/09/2023.

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

S.O. after four weeks.

Vice Chairman

dnk.

C.P. 24/2023 in O.A. No.860/2019 (D.B.)

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

Dated : 12/09/2023.

Heard Shri S.A. Kalbande, Id. Counsel for applicant and Shri M.I. Khan, Id. P.O. for State.

2. The Id. P.O. submits that the order dated 01/08/2023 is communicated to the respondents. It appears that the order dated 01/08/2023 is not complied.

3. Hence, issue Notice to the respondents returnable **after four weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

4. The learned P.O. waives notice for State. Hamdast granted.

S.O. after four weeks.

Vice Chairman

dnk.

C.P. 84/2023 in O.A. No.146/2017 (D.B.)

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

Dated : 12/09/2023.

Heard R.R. Dawda, Id. Counsel for applicant and Shri M.I. Khan, Id. P.O. for State.

2. Issue Notice to the respondents returnable **after four weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. The learned P.O. waives notice for State. Hamdast granted.

S.O. after four weeks.

Vice Chairman

dnk.

C.P. 86/2023 in O.A. No.916/2021 (D.B.)

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

Dated : 12/09/2023.

Heard Shri M.R. Joharapurkar, Id.
Counsel for applicant and Shri M.I. Khan, Id.
P.O. for State.

2. Issue Notice to the respondents returnable **after four weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. The learned P.O. waives notice for State.
Hamdast granted.

S.O. after four weeks.

Vice Chairman

dnk.
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O.A. No.322/2023 (S.B.)

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

Dated : 12/09/2023.

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

2. At the request of Id. P.O., **S.O. 06/10/2023.**

Vice Chairman

dnk.

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