

O.A. No.627/2017 (S.B.)

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

Dated : 13/10/2023.

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

At the request of Id. counsel for applicant, **S.O. 26/10/2023.**

Vice Chairman

dnk.

O.A. No.134/2023 (S.B.)

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

Dated : 13/10/2023.

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

At the request of Id. counsel for applicant, **S.O. 26/10/2023.**

Vice Chairman

dnk.

O.A. No.486/2021 (S.B.)

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

Dated : 13/10/2023.

Shri S.N. Gaikwad, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2 to 6.

2. The learned counsel for applicant submits that the respondents are served and he will file service affidavit in the office.

S.O. four weeks for filing service affidavit.

Put up along with connected matter.

Vice Chairman

dnk.

O.A. No.487/2021 (S.B.)

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

Dated : 13/10/2023.

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

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

Put up along with connected matter.

Vice Chairman

dnk.

O.A. No.779/2021 (S.B.)

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

Dated : 13/10/2023.

Heard Shri P.V. Thakre, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. The learned P.O. files reply of R-2 to 4. It is taken on record.

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

S.O. 02/11/2023.

Interim relief to continue till then.

Vice Chairman

dnk.

O.A. No.785/2021 (S.B.)

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

Dated : 13/10/2023.

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

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

S.O. 02/11/2023.

Vice Chairman

dnk.

O.As. 808,821 & 837 of 2021 (S.B.)

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

Dated : 13/10/2023.

Heard Shri Borkar, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. The learned P.O. files reply of R-1,3 & 4 and 5 in O.A. 808/2021, for R-3&5 in O.A. 821/2021 and for R-3&4&5 in O.A.837/2021. Same are taken on record.

3. The matters are admitted and kept for final hearing. The learned P.O. waives notice for respondents.

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.839/2021 (S.B.)

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

Dated : 13/10/2023.

Shri P.V. Thakre, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. The Id. P.O. files reply of R-4. It is taken on record. The Id. P.O. seeks time to file reply of other respondents.

S.O. after four weeks.

Interim relief granted on 27/9/2021 to continue till next date.

Vice Chairman

dnk.

O.A. No.1056/2022 (S.B.)

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

Dated : 13/10/2023.

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

S.O. after four weeks for filing reply.

Vice Chairman

dnk.

O.A. No.1096/2022 (S.B.)

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

Dated : 13/10/2023.

Heard Shri D.J. Sharma, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

The reply is not filed.

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.1250/2022 (S.B.)

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

Dated : 13/10/2023.

Heard Shri G.G. Bade, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

2. At the request of learned counsel for applicant, issue fresh notice to respondent nos.2&3 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.35/2023 (S.B.)

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

Dated : 13/10/2023.

Heard Shri N.R. Saboo, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. The learned P.O. files reply of R-3. It is taken on record. The Id. P.O. submits that said reply is sufficient to decide the matter.

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

S.O. 21/11/2023.

Vice Chairman

dnk.

O.A. No.98/2023 (S.B.)

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

Dated : 13/10/2023.

Shri S.U. Bhuyar, Id. counsel for applicant and Shri A.M. Khadatkhar, Id. P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.258/2023 (S.B.)

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

Dated : 13/10/2023.

Shri R.L. Alone, Id. counsel for applicant
and Shri A.M. Khadatkhar, Id. P.O. for
respondents.

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

Vice Chairman

dnk.

O.A. No.332/2023 (S.B.)

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

Dated : 13/10/2023.

Heard Shri G.G. Bade, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. The learned P.O. files reply of R-2&3. It is taken on record. Copy is given to the applicant.

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

S.O. 22/11/2023.

Vice Chairman

dnk.

O.A. No.434/2023 (S.B.)

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

Dated : 13/10/2023.

Shri A.S. Chakotkar, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. The Id. P.O. submits that he has received parawise reply and he will file reply before next date. At his request, **S.O. after two weeks.**

Vice Chairman

dnk.

O.A. No.504/2023 (S.B.)

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

Dated : 13/10/2023.

Shri Bhalerao, Id. counsel holding for
Shri T.U. Tathod, Id. counsel for applicant and
Shri A.M. Khadatkar, Id. P.O. for respondents.

2. The Id. P.O. files reply of R-2. It is taken
on record. He submits that said reply is sufficient
to decide the matter.

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

S.O. 03/11/2023.

Vice Chairman

dnk.

O.A. No.760/2023 (S.B.)

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

Dated : 13/10/2023.

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

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

Vice Chairman

dnk.

O.A. No.798/2023 (S.B.)

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

Dated : 13/10/2023.

Shri G.G. Bade, Id. counsel for applicant
and Shri A.M. Khadatkar, Id. P.O. for
respondents.

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

Vice Chairman

dnk.

O.A. No.853/2023 (S.B.)

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

Dated : 13/10/2023.

Shri D.S. Sawarkar, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. The Id. P.O. files reply of R-2. It is taken on record. He submits that said reply is sufficient to decide the matter.

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

S.O. 06/11/2023.

Interim relief to continue till next date.

Vice Chairman

dnk.

O.As. 876 & 894 of 2023 (S.B.)

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

Dated : 13/10/2023.

Shri J.S. Wankhede, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of other respondents.

2. The learned counsel for applicants submits that the respondents are served and he has filed service affidavit. He wants to verify the same.

S.O. four weeks.

Vice Chairman

dnk.

O.As. 954 & 963 of 2023 (S.B.)

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

Dated : 13/10/2023.

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

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

Vice Chairman

dnk.

O.A. No.984/2023 (S.B.)

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

Dated : 13/10/2023.

Shri V.G. Gawali, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. three 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 : 13/10/2023.

Shri Borkar, Id. counsel for applicant and
Shri A.M. Khadatkar, Id. P.O. for R-1. Await
service of R-2 to 5.

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

Vice Chairman

dnk.

O.A. No.943/2022 (S.B.)

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

Dated : 13/10/2023.

C.A. 539/2023 -

Heard Shri S.R. Charpe, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for respondents.

2. During the pendency of this O.A., the applicant is declared permanently unfit as per medical board certificate dated 27/06/2023. Therefore the son of the applicant is entitled for appointment on compassionate ground in terms of the G.R. dated 22/08/2005. Therefore, prayed to allow the amendment application.

3. Looking to the submission, the C.A. is allowed and disposed of. Necessary amendment be carried out within three weeks.

O.A. No.943/2022 –

S.O. after three weeks.

Vice Chairman

dnk.

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

Dated : 13/10/2023.

**C.As. 514 & 480 of 2023 in O.A.255/2023 (SB) and
O.A. 708/2021 (DB) -**

Shri P.S. Patil, Id. counsel for applicant, Shri N.S. Warulkar, Id. counsel for R-3 and Shri G.G. Bade, Id. counsel for R-4 in O.A. 255/2023 (SB).

2. Shri M.R. Khan, Id. counsel for applicant in O.A.708/2021 (DB).

3. Shri H.K. Pande, Id. P.O. for R-1&2 in O.A. 255/2023 (SB) and for respondents in O.A.708/2021 (DB).

4. The O.A.No.255/2023 is in respect of transfer. The order dated 01/08/2023 is passed by the Single Bench (Member (J) Shri M.A. Lovekar). He has directed to place this O.A. along with O.A. No.708/2021.

5. As per the submission of learned counsel for respondent no.4 Shri G.G. Bade in O.A.255/2023, the respondent no.4 is already relieved in the month of March. Since then, he could not join at the transferred place because of the stay was granted by this Tribunal, therefore, he filed C.A.No. 514/2023.

6. In view of above, both the O.As. will be heard on 16/10/2023 and will be decided expeditiously.

S.O. 16/10/2023.

Vice Chairman

dnk.

O.As. 833/19 & 1077/21 (S.B.)

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

Dated : 13/10/2023.

Shri H.M. Bobade, Id. counsel for applicants and Shri H.K. Pande, Id. P.O. for respective respondents. None for R-3 in O.A.1077/2021.

S.O. 7/11/2023.

Vice Chairman

dnk.

O.A. No.390/2021 (S.B.)

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

Dated : 13/10/2023.

Shri S.U. Ambagade, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. counsel for applicant, **S.O. 30/10/2023.**

Vice Chairman

dnk.

O.A. No.647/2021 (S.B.)

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

Dated : 13/10/2023.

Shri A.C. Dharmadhikari, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

2. The Id. P.O. files affidavit-in-reply of R-1 to 4. It is taken on record.

S.O. 18/10/2023.

Vice Chairman

dnk.

O.A. No.1141/2021 (S.B.)

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

Dated : 13/10/2023.

Shri N.S. Warulkar, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. 7/11/2023.**

Vice Chairman

dnk.

O.A. No.108/2022 (S.B.)

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

Dated : 13/10/2023.

Shri Bhalerao, Id. counsel for applicants
and Shri M.I. Khan, Id. P.O. for respondents.

S.O. 21/11/2023.

Vice Chairman

dnk.

O.A. No.201/2022 (S.B.)

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

Dated : 13/10/2023.

Shri A.P. Gajbhiye, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.607/2022 (S.B.)

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

Dated : 13/10/2023.

Shri A.S. Bhendarkar, Id. counsel for applicant, Shri M.I. Khan, Id. P.O. for R-1 to 3 and P.S. Deshpande, Id. counsel holding for Shri K.A. Patil, Id. counsel for R-4.

S.O. 26/10/2023.

Vice Chairman

dnk.

O.A. No.675/2022 (S.B.)

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

Dated : 13/10/2023.

Shri J.S. Wankhede, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for respondents.

At the request of Id. counsel for applicant, **S.O. 3/11/2023.**

Vice Chairman

dnk.

O.A. No.822/2022 (S.B.)

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

Dated : 13/10/2023.

None for applicant. Shri M.I. Khan, Id.
P.O. for R-1&2 and Shri N.M. Kolhe, Id. counsel
for R-3&4.

Shri N.M. Kolhe, Id. counsel for R-3&4
submits that this Tribunal has no jurisdiction to
decide the O.A.

None present for the applicant.

S.O. after three weeks for order.

Vice Chairman

dnk.

O.As. 1238 & 1246 of 2022 (S.B.)

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

Dated : 13/10/2023.

Shri S.Y. Deopujari / P.S. Patil, Id.
counsel for applicants, Shri M.I. Khan, Id. P.O.
for the respondents.

At the request of Id. P.O., **S.O.
20/11/2023.**

Interim relief to continue until further
orders.

Vice Chairman

dnk.

O.A. No.161/2023 (S.B.)

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

Dated : 13/10/2023.

N.S. Pathan, Id. counsel for applicant
and Shri M.I. Khan, Id. P.O. for R-1&4. None for
other respondents.

Ld. P.O. seeks time.

S.O. 30/10/2023.

Vice Chairman

dnk.

O.A. No.514/2023 (S.B.)

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

Dated : 13/10/2023.

Shri D.P. Dapurkar, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

2. The Id. counsel for applicant submitted that during the pendency of this O.A. the applicant is relieved. He wants to get instructions in this regard.

S.O. 30/10/2023.

Vice Chairman

dnk.

O.A. No.766/2023 (S.B.)

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

Dated : 13/10/2023.

S.P. Agrawal, Id. counsel for 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.**
17/10/2023.

Vice Chairman

dnk.

O.A. No.1035/2023 (S.B.)

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

Dated : 13/10/2023.

Shri N.B. Bargat, Id. counsel for applicant, Shri M.I. Khan, Id. P.O. for R-2 to 4 and S.P. Agrawal, Id. counsel for R-1.

S.P. Agrawal, Id. counsel has filed reply on behalf of R-1. It is taken on record.

The reply of R-4 is already filed on record.

S.O. 7/11/2023.

Vice Chairman

dnk.

O.A. No.1128/2023 (D.B.)

(M.N. Maske & 2 Ors. Vs. State of Mah. & Ors.)

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

Dated : 13/10/2023.

C.A. 538/2023 -

Heard Shri G. K. Bhusari, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. All the applicants are challenging the order of the respondents for the recovery of 40% amount of honorarium paid to them. Therefore, applicants' grievances are common and they are seeking common relief.

3. In view of above, the C.A. for filing Jt. O.A. is allowed and disposed of.

O.A. No.1128/2023 -

Heard Shri G.K. Bhusari, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. The learned counsel for the applicants insisting to grant stay to the impugned order of recovery. He has pointed out the inquiry report submitted on 28/08/2020. In the said inquiry report, the following findings were recorded by the Inquiry Officer –

- मा. जिल्हा सहकारी निवडणुक अधिकारी, नागपूर यांचे निवडणुक कक्षात नियुक्त करतांनी चौकशी सुरु असलेल्या तिनही कर्मचारी यांना कामाचे / जबाबदारीचे वाटप केल्याचे दिसून येत नाही.
- निवडणुक कक्षातील आर्थिक व्यवहाराशी संबंधित, खर्च मंजूर करणे, देयके सांभाळणे व त्यासंबंधित लेखे तयार करण्याचे कामकाज तिनही कर्मचारी यांचेकडे सोपविण्यांत आलेले नव्हते, व संबंधित रेकॉर्ड तिनही कर्मचारी यांचे ताब्यात रहात नसल्याने लेखे लिहीण्याची जबाबदारी सुध्दा त्यांचेकडे नव्हती.
- 2014 ते जून 2018 पर्यंत घेण्यांत आलेल्या 477 संस्था/ बँका यांचे निवडणुका घेण्यांत आलेल्या असल्या तरीही सर्व 477. संस्थांचे निवडणुक कामकाजाशी त्यांचा संबंध आल्याचे दिसून येत नाही. तिनही कर्मचारी यांना एकुण 319 'ब' वर्गीय संस्था/बँका यांचे निवडणुकी संबंधाने केलेल्या कामकाजाचा मेहनताना अदा केलेला आहे.
- निवडणुक झालेल्या संस्थांचे निवडणुकीचे संबंधित लेखे प्रपत्र-1 व प्रपत्र 4 (रोकड वही, खातेवही), रोजकीर्द, खर्च मंजुरीचे कामे, कामकाज प्रामुख्याने अपुरे 'असल्याचे दिसून येते व सदर कामकाजाची जबाबदारी ही तिनही कर्मचारी

यांवेकडे दिली नसल्याचे दिसून येते, य याबाबतीत मा. जिल्हा सहकारी निवडणुक अधिकारी यांचे कार्यालयाकडून तिनही कर्मचारी यांना संस्थेचे लेखे पुर्ण करून देणे, हिशेब संबंधी कुठलाही पत्रव्यवहार केल्याचे दिसून येत नाही.

- निवडणुक कक्षातील तिनही तत्कालीन कर्मचारी यांनी त्यांचे कामकाजात कसुर, केल्याचे आढळून येत नाही.
- परंतु, सहकारी संस्था / बँकाचे अंतिम निवडणुक खर्च मंजुर करीत असतांनी, संपुर्ण खर्च मंजुरीचा संस्थानिहाय स्वतंत्र आदेश पारीत करणे आवश्यक होते, परंतु आदेश पारीत नसतांना, मेहनताना देण्यात आला. व कर्मचा-यांनी त्याची उचल केली, त्यामुळे शेवटच्या टप्प्यातील अंतिम खर्च मंजुर न करता उचल केलेला मेहनताना अयोग्य असल्याने वसुली योग्य आहे.

3. The Superior Officer not satisfied with the inquiry report and therefore again directed to submit report. Thereafter, again additional report was submitted by the Inquiry Officer and in that report it is mentioned that out of 319 co-operative Banks, only 229 banks were done by other employees and not by the present applicants. This report is contrary to the report issued by the Inquiry Officer.

4. In the first report, they have given findings in favour of the applicants. They have given clear findings that they are not at fault etc Hence, both the reports are contrary. In such circumstances, the respondents cannot recover the amount. **Hence, interim relief is granted directing the respondents not to recover the amount from the applicants as per the impugned order dated 27/09/2023 till next date.**

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

Steno copy is granted.

Vice Chairman

dnk.

O.A. St.No.2649/2019 (D.B.)

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

Dated : 13/10/2023.

C.A. No.493/2019 -

Heard Shri D.P. Dapurkar, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the State.

2. This Tribunal rejected the C.A. for condonation of delay on the ground that life of merit list was for one year, but the applicant approached to this Tribunal after six years and therefore delay cannot be condoned. On that ground, the C.A. and O.A. are dismissed by this Tribunal as per the order dated 05/02/2021. The said order was challenged by the applicant before the Hon'ble Bombay High Court, Bench at Nagpur in Writ Petition No.1507/2021. The Hon'ble Bombay High Court on 18/08/2023 decided the said Writ Petition. As per the observations made in the order, it appears that this Tribunal wrongly dismissed the C.A. and O.A.

3. In para-5, the Hon'ble Bombay High Court, Bench at Nagpur has observed as under—
“5) We find that the learned Member of the Tribunal proceeded to dismiss the application on the ground that the life of the merit list was for only one year. There is a distinction between the merit list and the reserve list. The grievance of the petitioner is with regard to the placement of candidates in the merit list. The petitioner is not concerned with the reserve list maintained by the respondents in that regard. Since the petitioner is aggrieved by the manner in which the merit list has been prepared, it would not be correct to state that such grievance cannot be considered on the ground that life of the reserve list has lapsed. We, therefore, find that the petitioner's request for condoning the delay and entertaining the proceedings on merits has not been considered in the right perspective. The petitioner was not liable to be non-suited on the ground that the life of the merit list was only for one year.”

4. The applicant is claiming different relief, not pressed on the merit/ waiting list. The applicant is claiming to be placed in a proper serial number, as per the merit list.

5. Hence, the C.A. to condone the delay is allowed and disposed of.

O.A. St.No.2649/2019 –

Heard Shri D.P. Dapurkar, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the State.

2. Issue notice to the respondents returnable **20/11/2023**. 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. 20/11/2023.

Vice Chairman

dnk.

O.A. No.153/2022 (D.B.)

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

Dated : 13/10/2023.

Shri P.S. Patil, Id. counsel holding for
Shri Y.P. Kaslikar, Id. counsel for applicant and
Shri M.I. Khan, Id. P.O. for respondents.

At the request of Id. P.O., **S.O.**
20/11/2023 for filing reply.

Vice Chairman

dnk.

O.A. No.236/2023 (D.B.)

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

Dated : 13/10/2023.

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

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

Vice Chairman

dnk.

O.A. No.969/2023 (D.B.)

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

Dated : 13/10/2023.

C.A. 516/2023 -

Shri Joshi, Id. counsel holding for Shri S.N. Gaikwad, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents and Shri G.K. Bhusari, learned counsel for proposed Intervener.

2. Shri G.K. Bhusari, learned counsel for Intervener submitted that intervener / applicants is a senior to the applicant, but the applicant is likely to be promoted and therefore he is necessary party.

3. Looking to the ground, the C.A. is allowed and disposed of.

4. The applicant is directed to make Milind Sudhakar Tanksalel as respondent / party in the O.A.

O.A. No.969/2023 -

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.977/2023 (D.B.)

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

Dated : 13/10/2023.

Shri P.S. Patil, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for R-1 to 4. None for other respondents.

2. The learned counsel for applicant submits that the proposal was submitted by the Dy. Director of Health, Akola.

3. The Id. P.O. is directed to get instructions about the proposal / recommendation dated 6/12/2022.

S.O. 30/10/2023.

Vice Chairman

dnk.

O.A. No.979/2023 (D.B.)

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

Dated : 13/10/2023.

Shri Handa, Id. counsel for applicant and
Shri M.I. Khan, Id. P.O. for R-1 to 5. Await
service of R-6.

The Id. counsel for applicant submits that
the respondents are served.

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

Vice Chairman

dnk.

O.A. No.1008/2023 (D.B.)

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

Dated : 13/10/2023.

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

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

Vice Chairman

dnk.

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

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

Dated : 13/10/2023.

None for applicant. Shri M.I. Khan, Id.
P.O. for R-1&2. None for R-3.

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.1047/2023 (D.B.)

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

Dated : 13/10/2023.

C.A. 532/2023 in O.A. No.1047/2023 -

Shri B.G. Kulkarni, Id. counsel for applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2&3.

2. The respondents are not served as per notice dated 20/9/2023.

3. As per oral request of Id. counsel for applicant, the name and address of respondent no.2 is permitted to be corrected.

4. After amendment, issue fresh notice to the respondent nos.1&2 returnable **31/10/2023**. Learned 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. 31/10/2023.

Vice Chairman

dnk.

O.A. No.1081/2023 (D.B.)

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

Dated : 13/10/2023.

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.441/2023 (D.B.)

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

Dated : 13/10/2023.

C.A. 537/2023 -

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

2. The applicant is present today. The applicant wants to withdraw this O.A. with liberty to file fresh, if required.

3. Looking to the submission, the C.A. is allowed and O.A. is disposed of as withdrawn. No order as to costs.

Vice Chairman

dnk.

(D.B.)

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

Dated : 13/10/2023.

MCA 34/2023 in C.P. 26/2019 in O.A.804/2016-

Ms. R. Gosavi, Id. counsel holding for Shri G.N. Khanzode, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2&3.

At the request of Id. counsel for applicant, **S.O. 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 : 13/10/2023.

Shri S.A. Kalbande, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2 to 5.

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

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 : 13/10/2023.

Shri N.M. Khune, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2 to 4.

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

S.O. 21/11/2023 before regular D.B.

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 : 13/10/2023.

Shri M.R. Joharapurkar, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

At the request of Id. P.O., **S.O. 6/11/2023** for filing reply.

Vice Chairman

dnk.

O.A.1002/2021 (D.B.)

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

Dated : 13/10/2023.

Heard Shri S.P. Palshikar, Id. counsel for applicant and Shri H.K. Pande, Id. P.O. for respondents.

2. The learned counsel for applicant submitted that the M.A.T., Aurangabad Bench was confirmed by the Hon'ble Bombay High Court. That Judgment was challenged before the Hon'ble Apex Court and SLP was dismissed.

3. The Id. P.O. is not ready to argue the matter. He seeks further time. It is made clear that on the next date if the regular DB is available, the matter will not be adjourned and it is heard and decided finally.

S.O. 26/10/2023.

Vice Chairman

dnk.

O.A. No.694/2022 (D.B.)

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

Dated : 13/10/2023.

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

2. At the request of Id. counsel for
applicant, **S.O. 21/11/2023.**

Vice Chairman

dnk.

O.A. No.427/2023 (D.B.)

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

Dated : 13/10/2023.

Shri S.P. Palshikar, Id. counsel for
applicant and Shri V.A. Kulkarni, Id. P.O .for
respondents.

S.O. 27/10/2023.

Vice Chairman

dnk.

O.A. No.1103/2023 (D.B.)

(Ashish G. Ujawane Vs. State of Maharashtra & Ors.)

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

Dated : 13/10/2023.

ORDER

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

2. The applicant has applied for the post of Professor as per the advertisement dated 13/09/2023 (Annex-A-18). As per the Clause (d) of the Notification of All India Council For Technical Education (AICTE), dated 01/03/2019 (P-275), the qualification for the post of Professor is as under –

“(d) Qualifications for Professor (Level 14, Entry Pay 144200/-) –

(i) Direct Recruitment -

(a) Ph. D. degree in relevant field and First class or equivalent at either Bachelor's or Master's level in the relevant branch.

AND

(b) Minimum of 10 years of experience in teaching/research/industry out of which at least 3 years shall be at a post equivalent to that of an Associate Professor.

AND

(C) At least 6 research publications at the level of Associate Professor in SCI journals / UGC / AICTE approved list of journals and at least 2 successful Ph.D. guided as Supervisor / Co- supervisor till the date of eligibility of promotion.

OR

At least 10 research publications at the level of Associate Professor in SCI journals/ UGC / AICTE approved list of journals till the date of eligibility of promotion.”

3. The applicant has not possessed the qualification of *minimum of 10 years of experience in teaching/research/industry out of which at least 3 years shall be at a post equivalent to that of an Associate Professor.*
4. The learned counsel for applicant has submitted that the applicant was qualified for the said post in the earlier advertisement. The applicant might be qualified, but in the recent advertisement, the qualification is given as per the Clause (d) of the Notification of All India Council For Technical Education (AICTE), dated 01/03/2019 (P-275). Hence, the applicant is not entitled for the said post. **Therefore, interim relief cannot be granted.**
5. Issue notice to the respondents returnable **three weeks**. Learned C.P.O. waives notice for State. 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. three weeks.

Vice Chairman

dnk

O.A.863 of 2019 with C.A.452/2023 (D.B.)

(Sarang R. Kapse Vs. State of Maharashtra & Ors.)

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

Dated : 13/10/2023.

ORDER

Heard Shri P.D. Meghe, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

2. During the last hearing, this Tribunal made some query that some of the candidates who are likely to be affected, if the applicant is posted in the Open category, are not joined as respondents.

3. This Tribunal has held that in the O.A.No.759/2023, dated 05/09/2023 that likely to be affected persons in case the applicant is directed to be placed in the Open category, are necessary parties. This Tribunal in para-11 has observed that in view of the Judgments of the Hon'ble Supreme Court in the case of ***Jose Dhanapaul Vs. Thomas and Others (1996) 3 SCC,587*** and in the case of ***J.S. Yadav Vs. State of Uttar Pradesh and Ano. (2011) 6 SCC,570***, likely to be affected candidates are necessary party in the O.A.

4. In the present case, the applicant has not made party likely to be affected candidates, who are appointed in the Open category though they obtained less marks as compared to the applicant. Hence they are necessary party.

5. Some of the candidates who were in the merit list in the Open category, though they got less marks not joined in this O.A.

6. The applicant is directed to make party likely to be affected persons who were selected in the open category though they got less marks as compared to the applicant. The applicant is directed to make them parties as respondent and serve them positively before the next date.

7. **The matter be treated as Part heard and it be kept on 01/11/2023. Till then, interim relief / status-quo to continue.**

8. In the meantime, issue notice to the newly added respondents returnable **01/11/2023**. Hamdast allowed.
9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
10. 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.
11. 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.
12. 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.
13. 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. 01/11/2023

Vice Chairman

dnk.
*

O.A.No.320/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents. C.F. applicant has not filed service affidavit.

2. On oral request of ld. P.O., **S.O. two weeks for steps.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.361/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri V.R.Borkar, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondents 3, 4 & 5. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. last week of Nov., 2023.**

6. **Interim relief to continue till final disposal.**

7. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.562/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents. C.F. applicant has not filed service affidavit.

2. On oral request of ld. P.O., **S.O. one week for steps.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.836/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri N.R.Saboo holding for Shri A.P.Tathod, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondents 2 & 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. 01st week of Nov., 2023.**

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.842/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents. Await service of R-2.

2. Ld. counsel for the applicant states that the applicant has joined on the transferred post, the O.A. has become infructuous and he desires to withdraw it.

3. Hence, **the O.A. is disposed of as withdrawn.**

Member (J)

Date:- 13/10/2023.
aps.

O.A.No.232/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondent no. 4. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. 01st week of Nov., 2023.**

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.502/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

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

2. The Id. P.O. has filed reply on behalf of the respondents 1, 2 & 4. It is taken on record. He submits that he will serve it to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. last week of Nov., 2023.**

6. *Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

Date:- 13/10/2023.
aps.

Member (J)

O.A.Nos.172&173/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. first week of Nov., 2023.**

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.353/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

None for the applicant. Shri S.A.Deo, ld. C.P.O.
for the Respondents.

2. On oral request of ld. C.P.O., **S.O. four weeks
to file reply.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.393/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri B.Kulkarni, Id. counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the Respondents.

2. The Id. P.O. has filed reply on behalf of the respondent no. 2. It is taken on record. Copy is served to the other side. He further seeks time to file reply of respondent no. 3, **S.O. three weeks.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.518/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri G.K.Bhusari, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. four weeks to file reply.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.Nos.617,618&627/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri R.M.Wasnik, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondents 4 & 5 in O.A. Nos. 617&618/2023. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. first week of Nov., 2023.**

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

Member (J)

Date:- 13/10/2023.
aps.

O.A.No.731/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. Ld. P.O. has placed on record copy of communication dated 27.07.2023. It is marked Exh. X for the purpose of identification.

3. He seeks time of three weeks to file reply of respondent no. 1, **S.O. 06.11.2023.**

Member (J)

Date:- 13/10/2023.
aps.

O.A.No.834/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri A.M.Motlag, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.836/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri B.Kulkarni holding for Shri R.M.Fating, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the Respondent no. 1 and Shri M.A.Vishnu holding for Shri H.D.Marathe, ld. counsel for the respondents 2 & 3.

2. On oral request of ld. P.O., **S.O. four weeks to file reply.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.852/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri P.J.Mehta, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondents 2 to 4. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. 07.11.2023.**

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

Member (J)

Date:- 13/10/2023.
aps.

O.A.No.872/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.**

Heard Shri A.Motlag, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 31.10.2023 to file reply.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.942/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.**

Heard Shri S.P.Palshikar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 03.11.2023 to file reply.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.962/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri S.M.Golhar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. three weeks to file reply.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.967/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri A.C.Dharmadhikari, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 16.10.2023 to file reply.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.1066/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

C.A.No.492/2023:-

Heard Shri R.M.Wasnik, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. **C.A.No.492/2023 for Jt. O.A. is allowed.**
3. Issue notice to Respondents, returnable on four 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.

9. **S.O. four weeks.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.1089/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

C.A.No.503/2023:-

Heard Shri R.M.Wasnik, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. **C.A.No.503/2023 for Jt. O.A. is allowed.**
3. Issue notice to Respondents, returnable on four 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.

9. **S.O. four weeks.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.769/2021 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

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

2. Ld. P.O. states that communication dated 07.10.2021 will reveal that all the pensionary benefits have been given to the applicant. Ld. counsel for the applicant shall take instructions and make a statement.

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

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.1116/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

C.A.No.527/2023:-

Heard Shri V.N.Morande, ld. counsel for the applicants and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. **C.A.No.527/2023 for Jt. O.A. is allowed.**

3. The applicants are successful candidates who had participated in the process of selection for the post of Police Patil. Record shows that on the basis of one complaint dated 08.09.2023, enquiry was conducted and a decision has been taken to hold examinations to fill up these posts, again. It is the grievance of the applicants that the complaint was vague, report of enquiry said to have been conducted has not been supplied to the successful candidates and under such circumstances permitting the respondents to hold the examination again would cause serious prejudice to the successful candidates i.e. the applicants.

4. Ld. C.P.O. submits that the process to conduct examinations is not likely to begin immediately, it is bound to take some time and, therefore, notice be issued. There is merit in this submission.

5. Issue notice to Respondents, returnable on 30.10.2023. 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.

11. **S.O. 30.10.2023.**

12. **Liberty is granted to the applicants to move this application if in the meantime any further steps are taken by the respondents.**

13. **Steno copy is granted.**

Member (J)

Date:- 13/10/2023.

aps.

O.A.No.1115/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

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

2. The Id. counsel for the applicant desires to withdraw the O.A.. **The O.A. is disposed of as withdrawn.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.858/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri A.M.Motlag, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. two weeks for final hearing.**

3. **Matter is treated as P.H..**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.402/2016 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri P.D.Sharma, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. The issue involved in this O.A. is pending before Division Bench of this Tribunal at Aurangabad.

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

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.742/2016 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri S.P.Kshirsagar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 31.10.2023 to file written submission.**

3. **Matter is treated as P.H..**

Date:- 13/10/2023.
aps.

Member (J)

O.A.Nos.393,394,395,396,397,398,399,400,401

,495,496&497/2017 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)

Dated : 13/10/2023.

Heard Shri N.D.Thombre, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents. None for the respondent nos. 2 & 3 in O.A. Nos. 394&395/2017.

2. On oral request of ld. counsel for the applicant, **S.O. three weeks for final hearing.**

Member (J)

Date:- 13/10/2023.

aps.

O.A.No.553/2019 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri A.S.Shukla, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents. None for the R-4 & 5.

2. On oral request of ld. P.O., **S.O. 01.11.2023** for final hearing.

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.558/2019 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri V.B.Gawali, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents. None for the R-8 & 9.

2. On oral request of ld. P.O., **S.O. two weeks for final hearing.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.973/2019 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

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

2. On oral request of Id. P.O., **S.O. four weeks
for final hearing.**

Date:- 13/10/2023.
aps.

Member (J)

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

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. two weeks for final hearing.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.1082/2019 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri G.N.Khazode, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 02.11.2023 for final hearing.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.268/2020 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri S.P.Palshikar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. two weeks for final hearing.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.786/2020 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.**

Heard Ms. R.N.Gaikwad, ld. counsel for the applicants, Shri V.A.Kulkarni, ld. P.O. for the Respondents 1 to 4 and Shri M.A.Vishnu holding for Shri H.D.Marathe, ld. counsel for the R-5.

2. Ld. P.O. seeks time to take instructions and make statement about three applicants to whom benefits are stated not to have been extended so far.

3. **S.O. 03.11.2023.**

Member (J)

Date:- 13/10/2023.
aps.

O.A.No.707/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri D.P.Dapurkar, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 16.10.2023 for final hearing.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.826/2022 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri P.N.Warjekar, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the Respondents.

2. Ld. P.O. states that he has recently received parawise reply from respondent no. 6 and he may be granted time to file reply for said respondents.

3. S.O. 02.11.2023.

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.96/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri N.D.Thombre, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. **Closed for orders.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.215/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri G.S.Shegaonkar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 03.11.2023 for final hearing.**

Date:- 13/10/2023.
aps.

Member (J)

O.A.No.454/2023 (S.B.)

Coram:Shri M.A.Lovekar, Member (J)
Dated : 13/10/2023.

Heard Shri N.S.Warulkar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents. None for the R-3 & 4.

2. On oral request of ld. P.O., **S.O. 16.10.2023 for final hearing.**

Date:- 13/10/2023.
aps.

Member (J)