

O.A. No. 769 of 2020 (SB)

(R.D. Ramteke Vs. State of Mah. & Ors.)

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

Dated : 19.11.2020

Heard Shri V.R. Borkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the State.

2. The order impugned is passed by the respondent no.4 to recover the amount from the pension of the applicant who retired long back. It is contended that the order is passed without giving opportunity of hearing and therefore the order is illegal. On perusal of the order impugned it seems that without hearing the applicant, the order is passed by the respondent no.4.

3. In view of this, the impugned order shall be stayed till filing of the reply by the respondents.

4. Issue notice to the respondents, returnable **after four weeks**. Learned P.O. waives notice for the 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.

Steno copy be supplied...

Member (J)

dnk.

O.A. No. 770 of 2020 (SB)

(V.M. Madesiwar Vs. State of Mah. & Ors.)

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

Dated : 19.11.2020

Heard Shri V.R. Borkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the State.

2. The order impugned is passed by the respondent no.4 to recover the amount from the pension of the applicant who retired long back. It is contended that the order is passed without giving opportunity of hearing and therefore the order is illegal. On perusal of the order impugned it seems that without hearing the applicant, the order is passed by the respondent no.4.

3. In view of this, the impugned order shall be stayed till filing of the reply by the respondents.

4. Issue notice to the respondents, returnable **after four weeks**. Learned P.O. waives notice for the 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.

Steno copy be supplied...

Member (J)

dnk.

O.A. No. 771 of 2020 (SB)

(N.S. Barraiya Vs. State of Mah. & Ors.)

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

Dated : 19.11.2020

Heard Shri V.R. Borkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the State.

2. The order impugned is passed by the respondent no.4 to recover the amount from the pension of the applicant who retired long back. It is contended that the order is passed without giving opportunity of hearing and therefore the order is illegal. On perusal of the order impugned it seems that without hearing the applicant, the order is passed by the respondent no.4.

3. In view of this, the impugned order shall be stayed till filing of the reply by the respondents.

4. Issue notice to the respondents, returnable **after four weeks**. Learned P.O. waives notice for the 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.

Steno copy be supplied...

Member (J)

dnk.

O.A. No. 532 of 2020 **(SB)**

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

Dated : 19.11.2020

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

The Id. P.O. submitted that he would file reply on the next date.

S.O. 26/11/2020.

Member (J)

dnk.

O.A. No. 596 of 2020 **(SB)**

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

Dated : 19.11.2020

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&2 and none for R-3.

2. The Id. P.O. submitted that the impugned order Annexure-A-3 so far as the respondent no.3 is concerned is cancelled, therefore, there remains no substance in the O.A. Hence, it is disposed of. No order as to costs.

Member (J)

dnk.

O.A. No. 09 of 2020 **(SB)**

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

Dated : 19.11.2020

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

2. The respondents are seeking time to file reply since 9/3/2020, but no reasonable justification is shown for filing the reply. The applicant is challenging the action of the respondents in not releasing the retiral benefits. In this situation, on failure of the respondents to file reply on the next date, the matter would be finally heard.

S.O. 7/12/2020.

Member (J)

dnk.

O.A. No. 10 of 2020 **(SB)**

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

Dated : 19.11.2020

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

2. The respondents are seeking time to file reply since 9/3/2020, but no reasonable justification is shown for filing the reply. The applicant is challenging the action of the respondents in not releasing the retiral benefits. In this situation, on failure of the respondents to file reply on the next date, the matter would be finally heard.

S.O. 7/12/2020.

Member (J)

dnk.

O.A. No. 571 of 2020 **(SB)**

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

Dated : 19.11.2020

Heard Shri J.M. Shamkuwar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The office of the Transferring Authority is situated at Nagpur. Hence, the respondent no.3 Transferring Authority to file reply till 7/12/2020.

S.O. 7/12/2020.

Member (J)

dnk.

Rev. A. St. 710/20 in O.A. No. 871/19 **(SB)**

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

Dated : 19.11.2020

C.A. No.158/2020 -

Heard Smt. J.J. Alkari, Id. counsel for the applicants (Org. resp. nos. 2 to 6), Shri Bharat Kulkarni, Id. counsel for respondent no.1 (Org. applicant) and Shri S.A. Sainis, Id. P.O. for respondent no.2 (Org. resp.no.1).

S.O. 10/12/2020.

Member (J)

dnk.

O.A. No. 616 of 2020 **(SB)**

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

Dated : **19.11.2020**

Shri N.R. Saboo, Id. counsel holding
for Shri C.A. Joshi, 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. three**
weeks for filing reply.

Member (J)

dnk.

O.A. No. 411 of 2020 **(SB)**

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

Dated : 19.11.2020

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

The applicant has filed counter to the affidavit filed by the respondent no.2. It is taken on record.

The Id. P.O. submitted that he would file the minutes of the meeting which was held on 31/7/2020.

S.O. one week.

Member (J)

dnk.

O.A. No. 412 of 2020 **(SB)**

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

Dated : 19.11.2020

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

The Id. P.O. submitted that he would seek instructions from the respondents whether order dated 21/09/2020 is complied with or not.

S.O. 01/12/2020.

Interim relief to continue till next date.

Member (J)

dnk.

O.A.No.263/2020 (D.B.)

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

Dated : 19/11/2020.

C.A.No.223/2020:-

Heard Shri N.D.Thombre holding for Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 07.12.2020.**

Member (J)

Date:-19/11/2020.

aps.

O.A.Nos.530,531,532&533/2019(D.B.)

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

Dated : 19/11/2020.

C.A.Nos.224,225,226&227/2020:-

Heard Shri N.D.Thombre holding for Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State. None for the Respondent nos. 2 & 3 to 10.

2. At the request of Id. counsel for the applicant, **S.O. 07.12.2020.**

Member (J)

Date:-19/11/2020.

aps.

O.A.No.858/2019 (D.B.)

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

Dated : 19/11/2020.

Heard Shri N.D.Thombre, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. The respondents are directed to file reply positively. **S.O.26.11.2020 for reply.**

Member (J)

Date:-19/11/2020.
aps.

O.A.No.330/2020 (D.B.)

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

Dated : 19/11/2020.

None for the applicant. Shri P.N.Warjekar,
the Id. P.O. for the respondents.

2. The Id. P.O. requested three weeks to file
reply, **S.O. three weeks.**

Member (J)

Date:-19/11/2020.

aps.

O.A.No.1003/2018 (D.B.)

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

Dated : 19/11/2020.

C.A.No.292/2020:-

Heard Shri N.D.Thombre, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 to 5. None for the respondent no. 6.

2. Notice on C.A. to R-2 to 6 be issued returnable in **26.11.2020**.

3. Shri M.I.Khan, the learned P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A..

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. 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. 26.11.2020.**

Member (J)

Date:-19/11/2020.

aps.