

O.A. No.744/2019 (S.B.)

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

**Dated : 04/09/2023.**

Shri A. Motlag, Id. Counsel holding for  
Shri R.V. Shiralkar, Id. Counsel for the  
applicants and Shri S.A. Sainis, Id. P.O. for the  
respondents.

At the request of Id. P.O., **S.O.**  
**25/09/2023.**

**Vice Chairman**

dnk.

O.As. 1104 & 1105 of 2021 (S.B.)

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

**Dated : 04/09/2023.**

Shri Y.P. Kaslikar, Id. Counsel for the applicants and Shri S.A. Sainis, Id. P.O. for R-1 to 5. None for other respondents.

At the request of Id. P.O., **S.O.**  
**25/09/2023.**

**Vice Chairman**

dnk.

O.A. No.150/2022 (S.B.)

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

**Dated : 04/09/2023.**

A. Uikey, Id. Counsel holding for Shri N.B. Rathod, Id. Counsel for the applicants and Shri S.A. Sainis, Id. P.O. for R-1. None for other respondents.

At the request of Id. Counsel for applicants, **S.O. after two weeks.**

**Vice Chairman**

dnk.

O.A. No.693/2023 (S.B.)

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

**Dated : 04/09/2023.**

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

At the request of Id. Counsel for applicant, **S.O. 14/09/2023.**

**Vice Chairman**

dnk.

O.A. No.759/2017 (S.B.)

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

**Dated : 04/09/2023.**

Shri A. Motlag, Id. Counsel holding for  
Shri R.V. Shiralkar, Id. Counsel for the applicant,  
Shri A.P. Potnis, Id. P.O. for R-1 to 4 and Shri  
A.P. Puranik, Id. Counsel for R-5.

2. The learned counsel for R-5 submits that  
he will file reply during the course of day and  
supply copy to the applicant.

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

**Vice Chairman**

dnk.

O.A. No.970/2021 (S.B.)

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

**Dated : 04/09/2023.**

Renuka Gosavi, Id. Counsel holding for Shri G.N. Khanzode, Id. Counsel for applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2&3.

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

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

**Vice Chairman**

dnk.

O.A. No.849/2023 (D.B.)

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

**Dated : 04/09/2023.**

Heard Shri P.S. Wathore, Id. Counsel for applicant, Shri M.I. Khan, Id. P.O. for R-1&2 and Shri R.V. Shiralkar, Id. Counsel for R-3.

2. The learned counsel for applicant seeks time to file application form of the applicant along with other documents.

3. At the request of learned counsel for applicant, **S.O. 05/09/2023 (PH)**.

Interim relief to continue till then.

**Vice Chairman**

dnk.

**C.A. 422/2023 in O.A. No.759/2023 (D.B.)**

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

**Dated : 04/09/2023.**

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

**S.O. 05/09/2023.**

**Vice Chairman**

dnk.



(S.B.)

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

**Dated : 04/09/2023.**

**O.A.250/22,251/22,253/22,254/22,255/22,  
256/22, 257/22,262/22 & 269/22 –**

Heard Shri H.M. Bobade, learned counsel for the applicants in all O.As.

Shri H.K. Pande, Id. P.O. for respective respondents in all O.As.

Shri B.N. Jaipurkar, learned counsel appears on behalf of respondent no.4 in O.As.250,253,254,256 & 257 of 2022.

Renuka Gosavi, learned counsel holding for Shri A. Dixit, learned counsel for R-4 in O.A.Nos. 251,252 and 255 of 2022.

The learned counsel for applicants submits that as per the instructions received from the applicants, he wants to withdraw the O.As.

In view of above, the O.As. are disposed of as withdrawn. No order as to costs.

**Vice Chairman**

dnk.

O.A. No.252/2022 (S.B.)

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

**Dated : 04/09/2023.**

Shri H.M. Bobade, Id. Counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 and Renuka Gosavi, learned counsel holding for Shri A. Dixit, learned counsel for R-4. Await service of R-2 and 3.

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

**Vice Chairman**

dnk.

**MCA 29/2023 in O.A. No.542/2022 (S.B.)**

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

**Dated : 04/09/2023.**

Heard Shri A.P. Sadavarte, learned counsel for the applicant and Shri H.K. Pande, learned P.O. for the respondents.

2. The learned P.O. seeks time to comply the order dated 12/01/2023.

3. Looking to the ground, time is granted as prayed for. The MCA is allowed and disposed of.

**Vice Chairman**

dnk.

**MCA 33/2023 in O.A. No.498/2019 (S.B.)**

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

**Dated : 04/09/2023.**

Heard Shri N.R. saboo, learned counsel for original applicant and Shri H.K. Pande, learned P.O. for original respondents.

2. The respondents seek six months time to file Writ Petition before the Hon'ble High Court.

3. Heard learned counsel for original applicant. As per his submission, the O.A. was partly allowed on 30/11/2022. Nearabout 10 months are lapsed, but the respondents have not taken any action to file Writ Petition.

4. Looking to the submission, one month time is granted from today. The MCA is disposed of. No order as to costs.

**Vice Chairman**

dnk.

O.A. No.334/2023 (S.B.)

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

**Dated : 04/09/2023.**

Shri A. Motlag, Id. Counsel holding for  
Shri R.V. Shiralkar, Id. Counsel for the  
applicants 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.

**Vice Chairman**

dnk.

O.A. No.508/2023 (S.B.)

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

**Dated : 04/09/2023.**

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

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

**Vice Chairman**

dnk.

O.A. No.606/2023 (S.B.)

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

**Dated : 04/09/2023.**

Shri Vyas, Id. Counsel holding for Shri A.M. Tirukh, Id. Counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 and none for R-2 to 4.

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

**Vice Chairman**

dnk.

O.A. No.706/2023 (S.B.)

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

**Dated : 04/09/2023.**

None for applicants.

At the request of Shri H.K. Pande, Id.  
P.O. for respondents, **S.O. after three weeks**  
for filing reply.

**Vice Chairman**

dnk.



O.A. No.821/2023 (S.B.)

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

**Dated : 04/09/2023.**

Shri N.B. Kirtane, Id. Counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the respondents.

2. The learned P.O. files reply of R-4. It is taken on record and copy is given to the applicant.

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

**S.O. 26/09/2023 for final hearing.**

**Vice Chairman**

dnk.

**O.A. No.994/2023 (S.B.)**

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

**Dated : 04/09/2023.**

**C.A. 438/2023 -**

Heard Shri G.K. Bhusari, learned counsel for applicants and Shri H.K. Pande, learned P.O. for respondents.

2. The applicants are claiming common relief.

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

**O.A. No.994/2023 -**

Heard Shri G.K. Bhusari, learned counsel for applicants and Shri H.K. Pande, learned P.O. for respondents.

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.As.623,524 & 525 of 2016 (S.B.)

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

**Dated : 04/09/2023.**

Shri N.R. Saboo, learned counsel for applicants and Shri A.M. Ghogre, learned P.O. for respondents.

2. At the request of learned counsel for applicants, **S.O. 8/9/2023.**

**Vice Chairman**

dnk.

O.A. No.494/2017 (S.B.)

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

**Dated : 04/09/2023.**

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

2. On the earlier three dates i.e. on  
19/06/2023,19/07/2023 and 07/08/2023 none  
were appeared for the applicant. Today also  
none appeared for the applicant.

**S.O. after three weeks.**

**Vice Chairman**

dnk.

**O.A. No.70/2019 (S.B.)**

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

**Dated : 04/09/2023.**

Heard Shri P.S. Patil, Id. Counsel for applicant, Shri A.P. Potnis, Id. P.O. for R-1&2 and K.R. Jain, Id. Counsel holding for Shri V.S. Giramkar, Id. Counsel for R-3.

2. Shri P.S. Patil, Id. Counsel has filed additional affidavit on behalf of the applicant. It is taken on record and marked Exh-X for identification.

3. At the request of K.R. Jain, Id. Counsel holding for Shri V.S. Giramkar, Id. Counsel for R-3, **S.O. 25/09/2023.**

**Vice Chairman**

dnk.

O.A. No.864/2020 (S.B.)

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

**Dated : 04/09/2023.**

Heard Shri P.S. Patil, learned counsel for applicant and Shri A.M. Khadatkar, learned P.O. for respondents.

2. The learned counsel for applicant has pointed out the order dated 24/07/2023.

3. Shri A.M. Khadatkar, learned P.O. for respondents submits that this matter is handed over to learned P.O. Shri V.A. Kulkarni and he is not keeping well today therefore seeks further time.

**S.O. 11/9/2023.**

**Vice Chairman**

dnk.

O.A. No.47/2022 (S.B.)

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

**Dated : 04/09/2023.**

Shri R.M. Fating, Id. Counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of Id. Counsel for applicant, **S.O. 13/09/2023**

**Vice Chairman**

dnk.



O.A. No.7462022 (S.B.)

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

**Dated : 04/09/2023.**

Shri Bhattacharya, Id. Counsel holding for  
Shri N.S. Warulkar, Id. Counsel for the applicant  
and Shri H.K. Pande, Id. P.O. for the  
respondents.

At the request of Id. Counsel for  
applicant, **S.O. 08/09/2023 (PH)**.

**Vice Chairman**

dnk.

O.A. No.255/2023 (S.B.)

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

**Dated : 04/09/2023.**

Shri P.S. Patil, Id. Counsel for applicant,  
Shri A.P. Potnis, Id. P.O. for R-1&2, Shri  
Warulkar, Id. Counsel for R-3 and Shri G.G.  
Bade, Id. Counsel for R-4.

**S.O. 18/09/2023 along with connected  
matter (DB).**

**Vice Chairman**

dnk.

O.A. No.708/2021 (D.B.)

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

**Dated : 04/09/2023.**

Shri M.R. Khan, Id. Counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. Counsel for applicant, **S.O. 18/09/2023.**

Put up along with connected SB matter.

**Vice Chairman**

dnk.

C.A.317/21 in O.A. St.No.1938/2021 (D.B.)

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

**Dated : 04/09/2023.**

Heard Shri P.A. Nemade, Id. Counsel for the applicants and Shri M.I. Khan, learned P.O. for the respondents.

2. The learned counsel for applicants has filed copy of Judgment of the Hon'ble Supreme Court in the case of ***Collector Land Acquisition, Anantnag & Ano. Vs. MST. Katiji & ors., decided on 19/02/1987.*** It is taken on record.

3. The learned P.O. has filed copy of Judgment of Hon'ble Supreme Court in the case of ***Union of India & ors. Vs. Chaman Rana (2018) 5 SCC,798*** and copy of Judgment of Hon'ble Bombay High Court in the case of ***Malojirao B. Bhosale Vs. State of Maharashtra and ors.,*** decided on 8/8/2016. Same are taken on record.

4. At the request of learned counsel for applicants, **S.O. 20/09/2023** for filing relevant citations.

**Vice Chairman**

dnk.

O.A. No.61/2022 (D.B.)

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

**Dated : 04/09/2023.**

Heard Smt. K.N. Saboo, Id. Counsel for applicant and Shri H.K. Pande, learned P.O. for respondent nos.1&2. None for R-3.

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

Put up matter as and when regular DB is available.

**Vice Chairman**

dnk.

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

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

**Dated : 04/09/2023.**

Shri Y.P. Kaslikar, 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. 25/09/2023** for filing reply.

**Vice Chairman**

dnk.

O.A. No.182/2022 (D.B.)

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

**Dated : 04/09/2023.**

Shri G.K. Bhusari, Id. Counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 26/09/2023** for filing reply.

**Vice Chairman**

dnk.

O.A. No.336/2023 (D.B.)

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

**Dated : 04/09/2023.**

Shiba Thakur, Id. Counsel for the applicant and Shri H.K. Pande, Id. P.O. for the 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. In the meantime, the applicant is at liberty to file rejoinder.

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

**Vice Chairman**

dnk.



O.A. No.740/2023 (D.B.)

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

**Dated : 04/09/2023.**

None for applicant. Shri H.K. Pande, Id.  
P.O. for State. Await service of R-1 to 3,5 and 6.

**S.O. after four weeks** for filing service  
affidavit.

**Vice Chairman**

dnk.

**O.A. St.No.2209/2023 (D.B.)**

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

**Dated : 04/09/2023.**

**C.A. 448/2023 -**

Heard Shri S.M. Vaishnav, learned counsel for applicant and Shri S.A. Deo, learned CPO for State.

2. The learned counsel for applicant submitted that wrongly the applicant has moved before the Hon'ble Bombay High Court, Bench at Nagpur. The Hon'ble High Court dismissed the Writ Petition on the ground that this Tribunal has jurisdiction. The applicant was continued before the wrong forum and therefore there is a delay of 75 days.

3. Looking to the submission, delay is condoned. The C.A. is allowed and disposed of.

**O.A. St.No.2209/2023 –**

Heard Shri S.M. Vaishnav, learned counsel for applicant and Shri S.A. Deo, learned CPO for State.

2. The learned counsel for applicant submitted that the interim relief as prayed be granted. As per his submission, the list of eligible candidates published on 24/08/2023 by duly granting the benefit of date of absorption from 03/05/2011. The applicant is not granted the same benefit and therefore the applicant is claiming interim direction.

3. Heard Shri S.A. Deo, learned CPO for State. The learned CPO has submitted that the applicant is absorbed in the year 2021. Before that the applicant was working in the Municipal Council. Whether the earlier service of the applicant is to be counted is to be seen after the reply of the respondents. If he is eligible, he will get the benefit after hearing both the sides.

4. Issue notice to the respondents returnable **after three weeks**. 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. after three weeks.**

**Vice Chairman**

dnk.

O.A. No.898/2023 (D.B.)

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

**Dated : 04/09/2023.**

Heard Shri A.P. Sadavarte, learned counsel for the applicant and Shri S.A. Deo, learned CPO for State.

2. The learned counsel for the applicant submitted that the applicant was working as Route Nominee. Because of some irregularities, the departmental inquiry was initiated and punishment of recovery of Rs.9,93,848.64 is directed to be recovered from the applicant.

3. The learned counsel for applicant has submitted that interim stay be granted not to recover the amount of Rs.9,93,848.64.

4. The learned CPO submits that 1<sup>st</sup> and 2<sup>nd</sup> appeal was dismissed by the Competent Authority. Whether any stay during the pendency of appeal is not cleared and therefore interim relief cannot be granted.

5. There is no dispute that regular departmental inquiry was initiated. The opportunity was given to the applicant and thereafter Inquiry Officer submitted his report. As per the report of Inquiry Officer, the applicant was punished in the departmental inquiry. The said punishment was challenged before the Divisional Commissioner. 1<sup>st</sup> appeal was dismissed by the Divisional Commissioner. 2<sup>nd</sup> appeal was also dismissed by the State Government.

6. It is settled law that this Tribunal cannot seat over as an appellate court against the order passed by the disciplinary authority. **Hence, the interim relief cannot be granted.**

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

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

9. 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.

10. 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.

11. 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.

12. 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.1001/2023 (D.B.)

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

**Dated : 04/09/2023.**

Heard Shri Taram, learned counsel for applicant and Shri S.A. Deo, learned CPO for the State.

2. As per submission of learned counsel for applicant, the respondent no.4 is promoted on the Class-IV post. Whereas, the applicant though entitled, he is not promoted / appointed in Class-IV post.

3. The learned counsel for applicant has pointed out the mark sheet issued by the Collector, Gadchiroli (P-19).

4. Heard Shri S.A. Deo, learned CPO for the State. As per his submission, the respondent no.4 has obtained 79 .00 marks, whereas, the applicant has obtained 76.67 marks. Therefore, respondent no.4 is rightly promoted in Class-IV post. The applicant is challenging the promotion of respondent no.4.

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.**

**Vice Chairman**

dnk.

**C.P. 63/2023 in O.A. No.141/2023 (D.B.)**

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

**Dated : 04/09/2023.**

Heard Shri D.P. Dapurkar, learned counsel for applicant and Shri A.M. Khadatkar, learned P.O. for State.

2. The learned P.O. seeks time to file additional affidavit. The reply is already filed by the respondents. The learned counsel for applicant has pointed out the G.R. dated 31/01/2014.

3. The learned counsel for applicant has submitted that order in respect of deciding the representation is not communicated to the applicant.

4. The learned P.O. is requested to file copy of order passed on the representation.

**S.O. 18/9/2023 (PH).**

**Steno copy is granted.**

**Vice Chairman**

dnk.



**C.P. 75/2023 in O.A. No.598/2022 (D.B.)**

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

**Dated : 04/09/2023.**

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

2. As per submission of learned counsel for applicants, the order dated 31/03/2023 in O.A.No.598/2022 is not complied.

3. Issue Notice to the respondents returnable **6/10/2023** 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. **06/10/2023.**

**Vice Chairman**

dnk.

(D.B.)

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

**Dated : 04/09/2023.**

**C.P. 77/2023 in O.A.666/2022,**

**C.P. 78/2023 in O.A.150/2021,**

**C.P. 79/2023 in O.A.56/2019 and**

**C.P. 80/2023 in O.A.1006/2019**

Heard Smt. K.N. Saboo, learned counsel holding for Shri N.R. Saboo, learned counsel for applicants and Shri M.I. Khan, learned P.O. for the State.

3. 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. 81/2023 in O.A. No.631/2019 (D.B.)

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

**Dated : 04/09/2023.**

Heard Shri R.M. Fating, learned counsel for applicants and Shri A.P. Potnis, learned 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.870/2019 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

2. It is submitted that the O.A. is already **admitted** and it be kept for final hearing.

3. **S.O. 25.09.2023.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.92/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

None for the applicant. Shri S.A.Sainis, Id.  
P.O. for the Respondents. None for the R-3. Await  
service of R-2.

2. **S.O. four weeks for steps.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.934/2022 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

2. The ld. 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 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 September, 2023.**

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

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.1016/2022 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

2. Ld. P.O. submits that parawise comments have been received in this matter.

3. **S.O. two weeks to file reply.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.1034/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri G.G.Bade, 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. three weeks to file reply.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**



O.A.No.1044/2022 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

None for the applicant. Shri M.I.Khan, ld. P.O.  
for the Respondents. Await service of R-2.

2. **S.O. four weeks for steps.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.59/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Smt. S.Thakur, 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 to file reply of R-2.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.107/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri V.A.Kothale, 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. 15.09.2023** to file reply.

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.298/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

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

**Date:- 04/09/2023.**  
aps.

**Member (J)**

**O.A.Nos.377,379,380&381/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri S.G.Ingle, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. Ld. P.O. submits that parawise comments have been received and on next date he will positively file reply, **S.O. two weeks to file reply.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.410/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Smt. Gosavi, 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. three weeks to file reply.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.497/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri G.G.Bade, 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. three weeks to file reply.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.525/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri S.A.Marathe, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 14.09.2023** to file reply.

**Date:- 04/09/2023.**  
aps.

**Member (J)**



O.A.No.526/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri R.M.Fating, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents. None for the R-3.

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

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.586/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri A.A.Choube, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

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

3. **Interim relief to continue till filing of the reply.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.626/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri G.G.Bade, 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 to file reply.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.745/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri A.P.Sadavarte, 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:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.765/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri R.Suryavanshi, 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:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.780/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

2. Ld. P.O. submits that he desires to take instructions from the department, **S.O. 08.09.2023.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.887/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri N.D.Thombre, 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.**

3. **Interim relief to continue till filling of the reply.**

**Member (J)**

**Date:- 04/09/2023.**  
aps.

O.A.No.908/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents. Await service of R-2.

2. Ld. counsel for the applicant states that the respondents are served and during the course of day he will file service affidavit.

3. Ld. P.O. seeks time to file reply, **S.O. three weeks for filing reply.**

4. **Interim relief to continue till filing of the reply.**

**Member (J)**

**Date:- 04/09/2023.**  
aps.



O.A.No.889/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

**C.A.No.446/2023:-**

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

2. The ld. P.O. has filed reply on behalf of the respondents 1 & 2. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

3. Ld. counsel for the applicant submits that C.A. No. 446/2023 be heard. The matter relates to transfer.

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

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

6. **S.O. 07.09.2023 for final hearing.**

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

**Member (J)**

**Date:- 04/09/2023.**  
aps.



O.A.No.856/2022 (S.B.)

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

**Dated : 04/09/2023.**

**C.A.No.445/2023:-**

Heard Shri R.V.Shiralkar, ld. counsel for the applicants and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. The applicant no. 1 had made an application dated 13.11.2018 that her son - applicant no. 2 be considered for appointment on compassionate ground by way of substitution.

3. The order which is impugned in this O.A. rejecting the aforesaid request for substitution was passed on 20.07.2019 (A-6).

4. It is the submission of the applicant that without giving any reply to the representation dated 13.11.2018 the impugned order dated 20.07.2019 was passed and considering this aspect the O.A. should have been filed within one year from the date of passing of the impugned order. It is further submitted that in the month of March, 2020 Covid restrictions were put in place and because of those restrictions the applicants could not approach this Tribunal within limitation. It is also submitted that the Hon'ble Supreme Court had by order dated 10.01.2022 issued *inter alia* following directions:-

*“III. In cases where the limitation would have expired during the period between 15.03.2020 till 28.02.2022, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 01.03.2022. In the event the actual balance period of limitation remaining, with effect from 01.03.2022 is greater than 90 days, that longer period shall apply.*

*IV. It is further clarified that the period from 15.03.2020 till 28.02.2022 shall also stand excluded in computing the periods prescribed under Sections 23 (4) and 29A of the Arbitration and Conciliation Act, 1996, Section 12A of the Commercial Courts Act, 2015 and provisos (b) and (c) of Section 138 of the Negotiable Instruments Act, 1881 and any other laws, which prescribe period(s) of limitation for instituting proceedings, outer limits (within which the court or tribunal can condone delay) and termination of proceedings”*

5. Considering facts of the case and the aforequoted directions of the Hon’ble Supreme Court delay in filing the O.A. is condoned. Hence, **C.A. No. 445/2023 is allowed.**

6. It is submitted that the O.A. was already heard finally but because it appeared that there was delay in filing the O.A. necessitating the application for condonation thereof, it was adjourned and now the O.A. be closed for orders since delay is condoned.

7. **Closed for orders.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

**O.A.Nos.160&161/2018 (S.B.)**

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

**Dated : 04/09/2023.**

Heard Shri G.G.Bade holding for Shri A.Y.Kapgate, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents. None for the R-3 in O.A. No. 160/2018. None for the R-3 in O.A. No. 161/2018. Shri S.N.Gaikwad, ld. counsel for the R-4 in O.A. No. 161/2018. None for the R-5 in O.A. No. 161/2018.

2. Adjournment is sought on the ground of illness of mother of Advocate for the applicant.

3. Ld. P.O. and ld. counsel for the respondents 4 & 5 have placed on record order dated 08.09.2021 (marked Exh. 'X') to contend that the O.A. has become infructuous.

4. **S.O. one week.**

**Member (J)**

**Date:- 04/09/2023.**  
aps.

O.A.No.234/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri Kulkarni, 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 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. 13.09.2023.**

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

**Date:- 04/09/2023.**  
aps.

**Member (J)**

**O.A.No.226/2019withC.A.No.543/2022 (S.B.)**

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

**Dated : 04/09/2023.**

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

2. On oral request of ld. counsel for the applicant, **S.O. 08.09.2023 for final hearing.**

**Member (J)**

**Date:- 04/09/2023.**

aps.



O.A.No.205/2020 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri G.R.Sadar, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the Respondents.

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

**Member (J)**

**Date:- 04/09/2023.**  
aps.

O.A.No.210/2020 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

2. Ld. P.O. shall take instructions and make a statement as per para 2 of order dated 18.07.2023 passed by this Tribunal.

3. **S.O. 06.09.2023.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.584/2020 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri Shiralkar holding for Shri A.C.Dharmadhikari, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents. None for the R-4.

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

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.319/2022 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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. counsel for the applicant, **S.O. 11.09.2023 for final hearing.**

**Member (J)**

**Date:- 04/09/2023.**  
aps.

O.A.No.224/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

2. Ld. counsel for the applicant has placed on record copy of judgment of this Tribunal dated 12.07.2023 to contend that the matter is covered. Ld. P.O. seeks time, **S.O. 15.09.2023.**

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

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.273/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri B.Kulkarni, 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. 13.09.2023** for final hearing.

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.484/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

2. On oral request of ld. counsel for the applicant, **S.O. 07.09.2023 for final hearing.**

**Member (J)**

**Date:- 04/09/2023.**  
aps.

**O.A.Nos.491,492&493/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

2. **Closed for orders.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**



**O.A.Nos.498,499,500,502,511,513&523/23S.B.**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

2. **Closed for orders.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.610/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

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

2. Ld. counsel for the applicant has placed on record copy of communication received from the applicant to withdraw the O.A.. The communication is marked Exh. 'X' for the purpose of identification.

3. **The O.A. is disposed of as withdrawn.**

**Date:- 04/09/2023.**  
aps.

**Member (J)**

O.A.No.670/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 04/09/2023.**

Heard Shri Mohan Agrawal holding for Smt. Sirpurkar, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents and Shri G.K.Bhusari, ld. counsel for the R-4.

2. On oral request of ld. counsel for the applicant, **S.O. 06.09.2023 for final hearing.**

3. **Interim relief to continue till next date.**

4. **Office is directed to keep the matter high on board.**

**Member (J)**

**Date:- 04/09/2023.**  
aps.