

**O.A. No.1059/2023 (D.B.)**

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

**Dated : 09/10/2023.**

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

2. Issue notice to the respondents returnable **four weeks**. Learned C.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. four weeks.**

**Vice Chairman**

dnk.

**O.A. No.1096/2023 (D.B.)**

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

**Dated : 09/10/2023.**

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

2. As per the submission of learned counsel for the applicant, the applicant is working as a Lecturer (Selection Grade) in the Government Institute of Hotel Management and Catering Technology, Nagpur. Now the advertisement dated 13/09/2023 is issued by the MPSC for the post of Principal. As per the Clause no.9.1 of the advertisement 13/09/2023, the qualification and experience for the post of Principal is as follows—

*(i) Ph.D. and First Class at either Bachelor's or Master's level in the relevant discipline with minimum of 16 years of experience in Teaching / Research/ Industry, out of which at least 3 years shall be post Ph.D. experience and **5 years of experience not below the level of HoD.***

OR

*(ii) First Class at Bachelor's or Master's level in the relevant discipline and minimum of 20 years of experience in Teaching / Research/ Industry, out of which **5 years of experience now below the level of HoD.***

3. The applicant has challenged the condition of 5 years of experience not below the level of HoD. The applicant is not having 5 years experience.

4. The learned counsel for the applicant has pointed out the Column no. 98 of the Rules of AICTE (P-92). It is reproduced as below –

<b>Sr.No.</b>	<b>Issue under consideration</b>	<b>Clarification given by AICTE</b>	<b>Decision taken by State Government</b>
48	Whether a faculty of Engineering and Technology with minimum 10 years relevant experience in	Yes, provided the person also has an administrative	State Govt. has not accepted this clarification.

	teaching / research out of which 3 years is in the same grade pay (i.e. Rs.9000) at par with HoD is eligible for the post of Principal in Polytechnic.	experience of at least 3 years.	
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5. As per the submission of learned counsel for the applicant Shri R.S. Parsodkar, as per these Rules, 10 years relevant experience in teaching / research out of which 3 years is in the same grade pay (i.e. Rs.9000) at par with HoD is eligible for the post of Principal in Polytechnic.

6. The applicant has experience of 23 years of teaching and therefore he is eligible for the post of Principal.

7. Shri S.A. Deo, learned CPO for the State. He has submitted that the application of the applicant is rejected by the respondents. At the most, that application can be entertained and opportunity be given to the applicant subject to the outcome of this O.A.

8. Looking to the educational qualification of the applicant, the respondents are directed to consider the application of the applicant for the post of Principal, if made, afresh within three days from the date of receipt of this order and allow him for further process of examination etc., as per the advertisement dated 13/09/2023 subject to the outcome of this O.A.

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

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

11. 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.

12. 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.

13. 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.

14. 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. No.1103/2023 (D.B.)**

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

**Dated : 09/10/2023.**

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

2. The learned CPO has filed communication of MPSC dated 09/10/2023. It is taken on record and marked Exh-X for identification.

3. As per the submission of learned CPO, the applicant is not qualified for the post applied, because, he is not having three years experience of the post equivalent to Associate Professor.

4. The learned counsel for the applicant submits that he will get instructions from his client in this regard.

**S.O. 11/10/2023.**

**Vice Chairman**

dnk.

**C.A.296/22 in O.A. St.1725/22 (D.B.)**

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

**Dated : 09/10/2023.**

Shri N. Patil, Id. counsel holding for Shri  
O.Y. Kashid, 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. 30/10/2023.**

**Vice Chairman**

dnk.

**O.A. No.91/2023 (D.B.)**

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

**Dated : 09/10/2023.**

Shri M.A. Vishnu, Id. counsel holding for  
Shri A.J. Salway, Id. counsel for applicant and  
Shri A.P. Potnis, Id. P.O. for R-1. Await service  
of R-2&3.

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

**Vice Chairman**

dnk.



**O.A. Nos.126 & 127 of 2023 (D.B.)**

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

**Dated : 09/10/2023.**

Shri Y.P. Kaslikar, Id. counsel for applicants and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 30/10/2023** for filing reply.

**Vice Chairman**

dnk.

**O.A.No.300/2023 (D.B.)**

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

**Dated : 09/10/2023.**

Heard Shri N. Patil, Id. counsel holding for Shri O.Y. Kashid, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

2. The learned P.O. files reply of R-4. 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 Id. P.O. waives notice for respondents.

**S.O. 30/10/2023.**

**Vice Chairman**

dnk.

**C.A.434/23 in O.A. St.2157/23 (D.B.)**

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

**Dated : 09/10/2023.**

Shri R.S. Bhojar, Id. counsel holding for  
Shri K.P. Mahalle, Id. counsel for the applicant  
and Shri S.A. Sainis, Id. P.O. for respondent  
no.1. Await service of R-2.

2. The Id. counsel for applicant submits that  
the respondent no.2 is served and he will file  
service affidavit today itself.

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

**Vice Chairman**

dnk.

**O.A.450/2023 (D.B.)**

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

**Dated : 09/10/2023.**

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

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

**Vice Chairman**

dnk.

**C.A.252/2023 in O.A. 520/2023 (D.B.)**

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

**Dated : 09/10/2023.**

Shri S. Chande, Id. counsel for applicant,  
Shri S.A. Sainis, Id. P.O. for R-1 to 4 and Shri  
S.R. Kumbhalkar, Id. counsel holding for Shri  
A.S. Tiwari, Id. counsel for R-5.

2. At the request of learned counsel for applicant, issue fresh notice to respondent nos.2 and 3 on C.A. returnable **after three 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 three weeks.**

**Vice Chairman**

dnk.

**O.A.535/2023 (D.B.)**

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

**Dated : 09/10/2023.**

Shri N. Patil, Id. counsel holding for Shri O.Y. Kashid, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2 to 5.

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

**Vice Chairman**

dnk.

**C.A. 508/2023 in O.A.883/2023 (D.B.)**

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

**Dated : 09/10/2023.**

Heard Shri S.S. Patil, Id. counsel for applicants and Shri S.A. Deo, Id. CPO for R-1 to 4. None for R-5.

2. The Id. CPO files reply of R-3. It is taken on record and copy is given to the applicant. The Id. CPO 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. 17/10/2023.**

**Vice Chairman**

dnk.



**C.P. 71/23 in O.A.18/2019 (D.B.)**

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

**Dated : 09/10/2023.**

Smt. K.N. Saboo, Id. counsel for applicants and Shri A.P. Potnis, Id. P.O. for respondents.

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

**Vice Chairman**

dnk.

**O.A.566/2023 (D.B.)**

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

**Dated : 09/10/2023.**

Shri I.A. Fidvi, Id. counsel for applicant  
and Shri S.A. Deo, Id. CPO for respondents.

At the request of Id. counsel for  
applicant, **S.O. 31/10/2023** to satisfy on the point  
of limitation.

**Vice Chairman**

dnk.

**C.P. 88/2022 in O.A.798/2022 (D.B.)**

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

**Dated : 09/10/2023.**

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

2. The Id. P.O. has filed the order of Hon'ble Bombay High Court, Bench at Nagpur in W.P. 6437/2023, dated 25/09/2023. It is taken on record and marked Exh-X for identification.

3. The respondents have challenged the order of this Tribunal. The Hon'ble High Court has directed this Tribunal not to proceed further with Contempt Petition No.88/2022.

**S.O. after four weeks.**

**Vice Chairman**

dnk.

**C.P. 63/2023 in O.A.141/2023 (D.B.)**

**( Dr. Manish S. Pund Vs. State of Maharashtra & Ors. )**

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

**Dated : 09/10/2023.**

**ORDER**

Heard Shri D. P. Dapurkar, learned counsel for the applicant and Shri A.M. Kahdatkar, learned P.O. for the respondents.

2. The regular Division Bench is not available. The Hon'ble Chairperson, M.A.T., Principal Bench, Mumbai issued Circular No.MAT/MUM/JUD/469/2023,dated 24/04/2023. As per the direction of Hon'ble Chairperson, if both the parties have consented for final disposal, then regular matter pending before the Division Bench can be disposed off finally.

3. The Contempt Petition is heard and decided finally with the consent of learned counsel for both the parties.

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

5. The learned counsel for the applicant has submitted that as per the direction of this Tribunal in O.A.No.141/2023, the respondents were directed to decide representation of the applicant dated 26/28.12.2022 before the process of forthcoming Annual General Transfers gets underway. With this direction, the O.A. was disposed of. No order as to costs.

6. The Contempt Petition was filed on the ground that representation was rejected, but it was not informed. The learned counsel for applicant has pointed out the minutes of Civil Services Board dated 17/05/2023. The Civil Services Board has stated in Column no.4 (P-55) as under –

विवरणपत्र-ब				
अ. क्र.	नांव व सध्याचे कार्यस्थान	विभाग	सध्याच्या पदावर कार्यरत दिनांक	नागरी सेवा मंडळाची शिफारस
४.	डॉ. मनिष पुंड, पवैद श्रेणी-१ चिखलदरा, ता. अमरावती	अमरावती	१.१.२०२० (३.५ वर्ष)	वळू माता प्रक्षेत्र पोहरा, अमरावती (पद रिक्त) प. स. विस्तार तिवसा, अमरावती (पद रिक्त) प. स. विस्तार मोर्शी, अमरावती (पद रिक्त) डॉ. पुंड यांचा सुधारित अर्ज प्राप्त (मा. न्यायाधिकरण नागपूर येथे मूळ अर्ज १४१/२०२३ मध्ये बदलीबाबत निर्णय घेणे आवश्यक असल्याने तसेच विहित कालावधीमध्ये निर्णय न घेतल्यास अवमान याचिका दाखल होण्याची शक्यता विचारात घेता वरीलपैकी १ पदावर पदस्थापना करण्याची शिफारस)

7. The learned counsel for applicant has submitted that representation of the applicant is rejected on 12/05/2023, but it was not communicated to the applicant, therefore, this is a Contempt petition. The order is very clear. The order dated 31/03/2023 in O.A.141/2023 is reproduced as under –

“2. It is submitted on behalf of the applicant that his purpose would be presently served if respondent no.1 is directed to decide his representation dated 26/28.12.2022 (Annexure A-3) before the process of forthcoming Annual General Transfers gets underway. Respondent no.1 is directed to decide representation of the applicant dated 26/28.12.2022 before the process of forthcoming Annual General Transfers gets underway. The O.A. is disposed of in these terms with no order as to costs. ”

8. The order shows that representation is to be decided. The representation of the applicant was decided before the annual general transfers. Hence, there is no Contempt. Hence, the Contempt Petition is disposed of. No order as to costs.

**Vice Chairman**

dnk.

**C.P. 98/2023 in O.A. No.892/2022 (D.B.)**

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

**Dated : 09/10/2023.**

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

2. Issue Notice to the respondents returnable in **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.

4. S.O. **four weeks**.

**Vice Chairman**

dnk.

**O.As. 256,257 & 258 of 2019 (D.B.)**

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

**Dated : 09/10/2023.**

Shri Y. P. Kaslikar, Id. counsel for applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

Put up before regular Division Bench.

**S.O. 06/11/2023.**

**Vice Chairman**

dnk.



**O.A. No.1058/2022 (D.B.)**

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

**Dated : 09/10/2023.**

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

Put up before regular Division Bench.

**S.O. 07/11/2023.**

**Vice Chairman**

dnk.

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

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

**Dated : 09/10/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.186/2021 (S.B.)**

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

**Dated : 09/10/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.186/2021 (S.B.)**

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

**Dated : 09/10/2023.**

Shri A.Motlag, Id. counsel holding for  
Shri R.V. Shrialkar, Id. counsel for the applicant  
and Shri A.M. Khadatkar, Id. P.O. for  
respondents.

At the request of Id. P.O., **S.O.**  
**20/10/2023** for filing reply.

**Vice Chairman**

dnk.

(S.B.)

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

**Dated : 09/10/2023.**

**O.As. 305,306,307,309,534,535,536 & 544 of  
2021 -**

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

2. The Id. P.O. files reply of R-3 and 5 in  
O.A.305/2021, for R-3 to 5 in O.A.306/2021, for  
R-3 and 5 in O.A.307/2021, for R-3 to 5 in  
O.A.309/2021, for R-3 in O.A.534/2021, for R-3  
and 4 in O.A.535/2021, for R-4 in O.A.536/2021  
and for R-3 and 4 in O.A. 544/2021. Same are  
taken on record.

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

**S.O. four weeks.**

**Vice Chairman**

dnk.

**O.A. No.308/2021 (S.B.)**

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

**Dated : 09/10/2023.**

Shri Borkar, Id. counsel for applicant and  
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.561/2021 (S.B.)**

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

**Dated : 09/10/2023.**

Heard Shri R.M. Fating, Id. counsel holding for Shri N.S. Warulkar, Id. counsel for applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. The learned counsel for applicants submits that the applicant died.

3. As per submission of learned counsel for the applicant, the O.A. becomes infructuous due to the death of applicant.

4. In view of above, the O.A. is disposed of. No order as to costs.

**Vice Chairman**

dnk.

**O.A. No.861/2022 (S.B.)**

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

**Dated : 09/10/2023.**

None for applicant. Shri A.M. Khadatkar,  
Id. P.O. for R-1. Await service of R-2 to 4.

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

**Vice Chairman**

dnk.



**O.A. No.1132/2022 (S.B.)**

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

**Dated : 09/10/2023.**

Shri A.M. Motlag, Id. counsel holding for  
Shri R.V. Shiralkar, 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.133/2023 (S.B.)**

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

**Dated : 09/10/2023.**

Shri G.O. Gadge, Id. counsel for the applicant and Shri A.M. Khadatkhar, Id. P.O. for the respondents.

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

**Vice Chairman**

dnk.

**O.A. No.271/2023 (S.B.)**

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

**Dated : 09/10/2023.**

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

2. The Id. P.O. files reply of R-3. It is taken on record and copy is given to the applicant. 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 Id. P.O. waives notice for respondents.

**S.O. 19/10/2023.**

**Vice Chairman**

dnk.

**C.A. 108/2020 in Rev.A.St.626/20 in  
O.A.552/2016. (S.B.)**

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

**Dated : 09/10/2023.**

**C.A. 312/2023 -**

Heard Shri A.M. Motlag, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

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

**Rev.A.St.626/20 in O.A.552/2016 –**

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

**Vice Chairman**

dnk.

**O.A. No.351/2023 (S.B.)**

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

**Dated : 09/10/2023.**

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

At the request of Id. P.O., **S.O. 27/10/2023** for filing reply.

**Vice Chairman**

dnk.

**O.A. No.467/2023 (S.B.)**

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

**Dated : 09/10/2023.**

Shri A.S. Dhore, Id. counsel for the applicant and Shri A.M. Khadatkhar, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 30/10/2023** for filing reply.

**Vice Chairman**

dnk.

**O.A. No.476/2023 (S.B.)**

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

**Dated : 09/10/2023.**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1&2 and Shri Deshmukh, Id. counsel for R-3.

At the request of Id. P.O., **S.O. 27/10/2023** for filing reply.

**Vice Chairman**

dnk.

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

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

**Dated : 09/10/2023.**

Shri Bhusari, Id. counsel holding for Shri S.N.Gaikwad, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 25/10/2023** for filing reply.

**Vice Chairman**

dnk.



**O.A. No.519/2023 (S.B.)**

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

**Dated : 09/10/2023.**

Heard Shri A. Motlag, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel for applicant, shri A.M. Khadatkar, Id. P.O. for R-1&2 and Shri R.M. Fating, Id. counsel for R-3 and Shri G.R. Gajbhiye, Id. counsel for R-4.

2. Shri R.M. Fating, Id. counsel files reply of R-3. It is taken on record. Other respondents have filed their reply.

3. The matter is admitted and kept for final hearing. The Id. P.O. waives notice for R-1&2.

**S.O. 30/10/2023.**

**Vice Chairman**

dnk.

**O.A. No.709/2023 (S.B.)**

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

**Dated : 09/10/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.736/2023 (S.B.)**

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

**Dated : 09/10/2023.**

Shri P.S. Patil, Id. counsel for applicant,  
Shri A.M. Khadatkar, Id. P.O. for respondents  
nos.1 to 3 and Shri Dapurkar, Id. counsel  
holding for Shri Kothale, Id. counsel for R-4.

At the request of Id. P.O., **S.O.**  
**27/10/2023** for filing reply as a last chance.

**Vice Chairman**

dnk.

**C.A. 471/2023 in O.A. No.827/2023 (S.B.)**

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

**Dated : 09/10/2023.**

Shri B. Kulkarni, Id. counsel for applicant  
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.

**S.O. 26/10/2023.**

**Vice Chairman**

dnk.

**O.As. 958 & 976 of 2023 (S.B.)**

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

**Dated : 09/10/2023.**

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

**S.O. after four weeks.**

**Vice Chairman**

dnk.

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

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

**Dated : 09/10/2023.**

The applicant in person present. Shri  
V.A. Kulkarni, 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. No.1019/2023 (S.B.)**

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

**Dated : 09/10/2023.**

Smt. Lanjewar, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2.

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

**Vice Chairman**

dnk.

(S.B.)

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

**Dated : 09/10/2023.**

**Rev.A.26/19 in O.A.1004/18, Rev.A.27/19 in  
O.A.1005/18 and Rev.A. 28/19 in O.A.1006/18-**

None for applicants. Shri V.A. Kulkarni,  
Id. P.O. for respondents.

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

**Vice Chairman**

dnk.



**O.A. No.773/2019 (S.B.)**

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

**Dated : 09/10/2023.**

Shri S.M. Khan, 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. 18/10/2023.**

**Vice Chairman**

dnk.

**O.A. No.249/2020 (S.B.)**

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

**Dated : 09/10/2023.**

None for applicant. Shri S.A. Sainis, Id.  
P.O. for the respondents.

**S.O. 30/10/2023.**

**Vice Chairman**

dnk.

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

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

**Dated : 09/10/2023.**

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

2. The Id. P.O. has filed communication  
dated 30/9/2023. It is taken on record and  
marked Exh-X for identification. As per this  
communication, new inquiry is going on and it  
will require time till December, 2023.

**S.O. 06/11/2023.**

**Vice Chairman**

dnk.

**O.A. No.44/2021 (S.B.)**

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

**Dated : 09/10/2023.**

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

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

**Vice Chairman**

dnk.

**O.A. No.883/2021 (S.B.)**

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

**Dated : 09/10/2023.**

Shri S.M. Khan, Id. counsel for the applicant and Shri A.M. Khadatkhar, Id. P.O. for the respondents.

**S.O. four weeks.**

**Vice Chairman**

dnk.

**O.A. No.996/2021 (S.B.)**

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

**Dated : 09/10/2023.**

Shri S.S. Nemade, Id. counsel for applicant, shri A.M. Khadatkar, Id. P.O. for R-1 to 3 &5 to 8 and Shri M.A. Vishnu, Id. counsel holding for Shri A.M. Kukday, Id. counsel for R-4.

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

**Vice Chairman**

dnk.

**O.A. No.908/2022 (S.B.)**

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

**Dated : 09/10/2023.**

Shri Y.P. Kaslikar, Id. counsel for applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 3 and Majid Sahikh, Id. counsel for R-4. None for R-5.

**S.O. 30/10/2023.**

**Vice Chairman**

dnk.

**O.A.No.129/2021 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Smt. K.N.Saboo, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. Ld. P.O. seeks time of three weeks to file reply. He has placed on record communication dated 11.02.2022 (marked Exh. X) as well as G.R. dated 19.02.2022 (marked Exh. X-1) to submit that representation of the applicant is decided as per order dated 22.11.2021 passed by this Tribunal.

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**



O.A.No.156/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri R.V.Shiralkar, 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. four weeks.**

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

**Member (J)**

**Date:- 09/10/2023.**  
aps.

O.A.No.157/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Ku.K.K.Pathak, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondent no. 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. four weeks.**

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.292/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.302/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

**C.A.No.148/2021:-**

Heard Shri G.D.Asole, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents.

2. **C.A.No.148/2021 for condonation of delay is allowed** for the reasons set out in paras 2 & 3 of the application.

O.A.No.302/2021:-

3. 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.

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

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

6. **S.O. four weeks.**

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

**Member (J)**

**Date:- 09/10/2023.**  
aps.

O.A.No.413/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

None for the applicant. Shri A.P.Potnis, 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. 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. after four weeks.**

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

**Member (J)**

**Date:- 09/10/2023.**  
aps.

O.A.No.415/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents.

2. The ld. P.O. has filed reply on behalf of the respondents 1 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. 27.10.2023.**

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

**Member (J)**

**Date:- 09/10/2023.**  
aps.

O.A.No.422/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. Ld. P.O. has filed reply of respondent no. 2. It is taken on record. Copy is served to the other side.

3. Ld. counsel for the applicant states that grievance of the applicant is redressed.

4. In view of this statement, **O.A. is disposed of with no order as to costs.**

**Member (J)**

**Date:- 09/10/2023.**  
aps.

O.A.Nos.464&465/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Smt. Saboo, ld. counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the Respondents. Await service of R-2 & 3.

2. On oral request of ld. counsel for the applicant, **S.O. two weeks to served respondents 2 & 3.**

**Member (J)**

**Date:- 09/10/2023.**  
aps.



O.A.No.517/2022 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

**C.A.No.186/2022:-**

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

2. **C.A.No.186/2022 for Jt. O.A. is allowed.**
3. On oral request of ld. C.P.O., **S.O. four weeks to file reply.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.1189/2022 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

**O.A.No.200/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. Ld. P.O. states that time is granted and on the next date he will positively file reply of respondent no. 2 which is necessary to decide the O.A..

3. **S.O. 30.10.2023.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

**O.A.No.241/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)  
Dated : 09/10/2023.**

Heard Shri Kothale, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. On oral request of ld. P.O., **S.O. 30.10.2023 to file reply.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.Nos.558&616/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. Reply of respondent no. 6 filed by ld. CP.O.. It  
is taken on record. He submits that he will serve it to  
the other side.

3. Ld. C.P.O. further submits that he seeks time  
to file reply of other remaining respondents, **S.O.**  
**three weeks.**

**Member (J)**

**Date:- 09/10/2023.**  
aps.

O.A.No.589/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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. three weeks to file reply.**

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.659/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. He filed reply of respondent no. 4. It is taken on record. Copy is served to the other side.

3. He further seeks time of three weeks to file reply of remaining respondents, **S.O. three weeks.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.678/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

**C.A.No.457/2023:-**

Heard Shri G.G.Bade, ld. counsel for the applicant, Shri S.A.Sainis, ld. P.O. for the Respondents 1 & 2, Shri S.S.More, ld. counsel for the R-3 and Shri P.S.Wathore, ld. counsel for the Intervenor.

2. Perusal of the application for intervention shows that the outcome of the O.A. is likely to affect interest of the intervenor. Hence, **application for intervention is allowed.**

3. The intervenor be added as respondent no.  
4. Amendment shall be carried out within one week from today. Ld. P.O. states that reply of respondents 1 & 2 is already filed. Rejoinder to reply of respondents 1 & 2 as well as reply of respondent no. 3 filed by the advocate for the applicant are taken on record.

4. **S.O. 25.10.2023 for final hearing.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**



O.A.No.679/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri P.N.Warjekar, 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. three weeks to file rejoinder.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.873/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri S.N.Gaikwad, 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. three weeks to file reply.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

**C.A.No.486/2023:-**

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

2. For the reasons stated in the application, **C.A. No. 486/2023 for condonation of delay is allowed** and delay is condoned.

3. Issue notice to Respondents, returnable on four weeks. Learned C.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.**

**Member (J)**

**Date:- 09/10/2023.**

aps.

O.A.No.1069/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. Issue notice to Respondents, returnable on four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

7. In case notice is not collected within **three days** and if service report on affidavit is not filed

three days before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. four weeks.

Date:- 09/10/2023.  
aps.

**Member (J)**

O.A.No.1087/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. It is submitted that the applicant retired in the year 2010 and the impugned order of recovery is passed on 07.09.2023 (A-1). In this factual background the applicant prays that further recovery pursuant to the impugned order be stayed. Case is made out to grant such interim relief. **Further recovery pursuant to the impugned order (A-1) is stayed till the returnable date.**

3. Issue notice to Respondents, returnable on four weeks. Learned C.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.**

10. **Steno copy is granted.**

Date:- 09/10/2023.  
aps.

**Member (J)**



O.A.No.1088/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. It is submitted that the husband of the applicant who was serving in the respondent department retired in the year 2013, he died in the year 2021 and the impugned order of recovery was issued on 22.08.2023 (A-1). In this factual background it is submitted that further recovery pursuant to the impugned order be stayed. Case is made out to grant such interim relief. **Further recovery pursuant to the impugned order (A-1) is stayed till returnable date.**

3. Issue notice to Respondents, returnable on four weeks. Learned C.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.**

10. **Steno copy is granted.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

**O.A.No.1094/2023 (S.B.)**  
**Smt. Padmashri A. Patil Vs. State of Maharashtra & 2 Ors.**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri G.K.Bhusari, ld. counsel for the applicant and Shri S.A.Deo, ld. C.P.O. for the Respondents.

2. Limited relief claimed by the applicant is as follows:-

*Direct the Respondents 1 and 2 to consider the Representation dated 20.03.2023 (Annexure A-7) made by the applicant in view of Government Notification dated 14.07.2021 immediately.*

3. Representation dated 20.03.2023 (A-7) made by the applicant to respondent no. 2 contains the following prayer:-

माझी मा. महोदयांना नम्र विनंती आहे की, सदर समस्याग्रस्त परिस्थितीच्या कालावधीत सासू व सास-यांची वैद्यकीय उपचारासाठी व त्यांची देखभाल करणे अत्यंत गरजेचे असल्याने माझी विनंती बदलीने पदस्थापना ही कोल्हापूर परिक्षेत्र किंवा पोलीस प्रशिक्षण केंद्र, तुरची किंवा मसुप विभाग येथे करण्यात यावी जेणेकरून मी माझ्या कुटुंबाजवळ राहून त्यांच्या समस्या दूर करू शकेन व मी माझ्या नोकरीतील कर्तव्य योग्य प्रकारे बजावू शकेन.

तरी मा. महोदयांनी माझ्या अर्जाचा सहानुभूतीपूर्वक विचार करावा ही नम्र विनंती.

4. The applicant has relied on Clause B of Circular dated 09.03.2023 (A-5) which reads as under:-

(घ) विहित कालावधी पूर्ण नाही. परंतु, मुदतपूर्व बदलीसाठी सादर केलेली विनंती :-

ज्या निःशस्त्र पोलीस उपनिरीक्षक, निःशस्त्र सहायक पोलीस निरीक्षक व निःशस्त्र पोलीस निरीक्षकांनी त्यांच्या सध्याच्या पदावर विहित कालावधी पूर्ण केलेला नाही. परंतु, त्या पदावरून व ठिकाणावरून इतर ठिकाणी बदली हवी असेल, अशा निःशस्त्र पोलीस उपनिरीक्षक, निःशस्त्र सहायक पोलीस निरीक्षक व निःशस्त्र पोलीस निरीक्षकांची त्यांच्या विनंतीच्या ठिकाणासह व अशी बदली का पाहिजे याच्या सबळ कारणांसह कागदपत्रांची छाननी व सत्यता तपासून अभिप्रायासह त्वरेने माहिती पाठवावी. तसेच पदोन्नतीने पदस्थापना झालेल्या ज्या पोलीस अधिका-यांनी संवर्ग बाह्य बदलीसाठी विनंती केली आहे, अशा पोलीस अधिकाऱ्यांच्या बाबतीत शासन अधिसूचना, सामान्य प्रशासन विभाग दिनांक १४ जुलै, २०२१ मधील तरतुदीनुसार त्यांच्या कार्यरत महसूल विभागात पदोन्नतीवर ०१ वर्ष पुर्ण झाला असल्याची आणि सदर अधिसूचनेत नमुद वैद्यकीय कारणे व संबंधित कागदपत्रांची खात्री करूनच त्यांची माहिती या कार्यालयास पाठवावी.

5. The applicant has also relied on Notification dated 14.07.2021 (A-6) (Clause 12) which reads as under:-

१२. गंभीर आजाराच्या कारणास्तव महसूल विभाग बदलून देणे :-

या नियमानुसार महसूल विभाग वाटप केल्यानंतर, वाटप करण्यात आलेल्या विभागात किमान एक वर्ष सेवा पूर्ण केल्यानंतरच, शासकीय अधिकारी स्वतः किंवा यथास्थिती पती वा पत्नी वा त्यांची मुले वा त्यांच्यावर अवलंबून असलेले व त्यांच्यासोबतच राहणारे शासकीय अधिकाऱ्याचे आई किंवा वडील किंवा भाऊ किंवा बहिण तसेच, महिला अधिकाऱ्यांचे सासरे किंवा सासू यापैकी कोणीही खालील नमूद गंभीर आजाराने पिडीत असल्यास, संबंधित अधिकारी महसूल विभाग बदलून मिळण्यासाठी अर्ज करू शकतील.

१. हृदय शस्त्रक्रियांची प्रकरणे
२. मुत्रपिंड प्रतिरोपण शस्त्रक्रिया किंवा किडनी डायलेसिस,
३. कर्करोग
४. ब्रेन ट्युमर किंवा मेंदूवरील शस्त्रक्रिया
५. निश्चेतनावस्था (कोमा)
६. मनोविकृतीने ग्रस्त

6. It is submitted that father-in-law of the applicant is suffering from mental disorder as well as from Lt. Hemiparaesthesia with Apraxia.

7. In these facts and circumstances, the Original Application can be disposed of as prayed by the applicant by issuing necessary directions to respondent no. 2. **Respondent no. 2 shall decide representation of the applicant dated 20.03.2023 (A-7) within six weeks from today on its own merits and by considering *inter alia* Clause B of Circular dated 09.03.2023 and Clause 12 of Notification dated 14.07.2021.**

8. With the above directions, **O.A. is disposed of with no order as to costs.**

**Member (J)**

**Date:- 09/10/2023.**

aps.

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

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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. counsel for the applicant, **S.O. 13.10.2023 for final hearing.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.421/2016 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri R.V.Shiralkar, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. Ld. P.O. seeks time to take instructions in respect of books which have been subsequently traced.

3. **S.O. 31.10.2023.**

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.551/2016 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

None for the applicant. Shri S.A.Sainis, Id.  
P.O. for the Respondents.

2. The Id. counsel applicant is absent on  
08.12.2016, 22.12.2016, 25.09.2019, 04.02.2020  
and today also he is absent.

3. Notice is served on 27.07.2016.

4. Matter is of the year 2016.

5. Hence, **O.A. is dismissed for want of  
prosecution.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.138/2017 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Ms. A.Telang holding for Shri A.P.Tathod, 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 for final hearing.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**



O.A.No.145/2017 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.157/2017 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. Ld. counsel for the applicant states that grievance of the applicant is redressed.

3. The applicant is present in person. Hence,  
**O.A. is disposed of with no order as to costs.**

**Member (J)**

**Date:- 09/10/2023.**  
aps.

O.A.No.962/2017 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

None for the applicant. Shri M.I.Khan, ld. P.O.  
for the Respondents.

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.210/2019 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri G.K.Bhusari holding for 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. three weeks for final hearing.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.870/2019 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

None for the applicant. Shri M.I.Khan, ld. P.O.  
for the Respondents.

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

**O.A.No.1066/2019 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. Ld. P.O. submits that service book of the applicant is forwarded to A.G. on 01.09.2023. Ld. counsel for the applicant submits that he will take instructions and find out whether the applicant has got copy of his service book. Said service book would be necessary to address grievance of the applicant that after posting was given to him as per order passed by the Hon'ble Bombay High Court he was placed at the lowest pedestal in terms of pay scale and his pay scale of pre-posting period was not protected.

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

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

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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. four weeks for final hearing.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

**O.A.No.291/2020 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the Respondents.

2. Ld. counsel for the applicant submits that he has placed on record judgment of this Tribunal which shows that the issue is covered. In reply it is submitted by ld. P.O. that he desires to ascertain whether subsequently the issue involved in the O.A. has been dealt with by the Tribunal or the Hon'ble High Court.

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**



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

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. **Closed for orders.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.1110/2021 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. On oral request of ld. counsel for the applicant, **S.O. 10.10.2023 for placing citations on record.**

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.787/2020 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri J.R.Kidilay, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the Respondents.

2. The respondents have raised preliminary objection to the maintainability of the O.A. on the ground that applicants 1 to 5 & 7 were appointed by Zilla Parishad and applicant no. 6 was appointed by Nagpur Municipal Corporation.

3. In reply the applicants have relied on following portion of G.R. dated 08.05.2018:-

समितीची कार्यकक्षा :-

१) प्रस्तुत समिती राष्ट्रीय आरोग्य अभियानांतर्गत कार्यरत असणाऱ्या कंत्राटी अधिकारी/कर्मचा-यांना शासकीय सेवेत समायोजित करण्यासंदर्भात अभ्यास व शिफारस करेल.

२) सद्यस्थितीत होवू घातलेल्या आरोग्य व ग्रामविकास विभागातील नियमित पदभरती प्रक्रिया लक्षात घेऊन या समितीच्या प्रथम बैठकीत, सदर भरती प्रक्रियेमध्ये राष्ट्रीय आरोग्य अभियानातील कर्मचा-यांना प्राधान्य देता येईल किंवा कसे, याबाबत समिती नियमानुसार विचार करेल.

4. The applicants have further relied on order dated 30.09.2019 passed by the Hon'ble Bombay High Court in W.P. No. 6632/2019. Para 1 of this order reads as under:-

For the State Government Employees, Maharashtra Administrative Tribunal is constituted to consider various grievances in service matters. The petitioners are seeking regularization in service of the State Government. The appropriate remedy is to approach the Tribunal.

5. The principal prayer of the applicants is as follows:-

Direction to all the respondents thereby direct all the respondents to decide expeditiously the claims of the applicants as per the directions issued by this Hon'ble Court vide Annexure - 9, order dated 14/08/2012 passed in the writ petition No. 9881/2012 for extended the benefit of regularizations to the applicants on their respective posts from the date of their initial appointment and grant them all consequential benefits, in the interest of justice.

6. It is the submission of the Id. P.O. that the applicants are not working as Health Workers and considering this distinction submission of the applicants regarding this O.A. being preferably maintainable cannot be accepted. It would be necessary to hear the matter on maintainability.

7. **S.O. 27.10.2023.**

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

**Member (J)**

**Date:- 09/10/2023.**  
aps.

**O.A.No.65/2022 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. Report of inspections is placed on record by ld. P.O..

3. **S.O. 25.10.2023 for final hearing.**

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

**Date:- 09/10/2023.**  
aps.

**Member (J)**

O.A.No.148/2022 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. Ld. counsel for the applicant states that as per information received by him the applicant passed away last week.

3. He seeks time to take further steps, **S.O. two weeks.**

**Member (J)**

**Date:- 09/10/2023.**  
aps.

O.A.No.116/2023 (S.B.)

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri P.S.Wathore, 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 for final hearing.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

**O.A.No.720/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri S.Jagtap, 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. 26.10.2023 for final hearing.**

3. **Interim relief to continue.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**



**O.A.No.895/2023 (S.B.)**

**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

Heard Shri Sheikh holding for Shri C.D.Dhore, 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. 16.10.2023 to file rejoinder.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**

**O.A.No.1108/2023 (S.B.)**  
**S.D.Paikrao Vs. State of Mah. & Another.**  
**Coram:Shri M.A.Lovekar, Member (J)**  
**Dated : 09/10/2023.**

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

2. By order dated 25.05.2023 (A-2) the applicant was transferred from Umarkhed, District Yavatmal to Manora, District Washim. He joined on the transferred post on 07.06.2023 (A-3). Thereafter on 28.07.2023 (A-4) following order was passed:-

६. - अमरावती - श्री एस. डी. पाईकराव, ना.त. (महसूल) तहसिल कार्यालय उमरखेड, जि. यवतमाळ - नायब तहसिलदार, उपविभागीय अधिकारी कार्यालय उमरखेड, जि. यवतमाळ

3. On 31.07.2023 the applicant again joined on the transferred post (A-5).

4. Thereafter, on 05.10.2023 the impugned order was passed (A-6) relevant part of which reads as under:-

शासन आदेश :-

महाराष्ट्र शासकीय कर्मचाऱ्यांच्या बदल्यांचे विनियमन आणि शासकीय कर्तव्य पार पाडतांना होणाऱ्या विलंबास प्रतिबंध अधिनियम, २००५ च्या कलम ४(४) ४(५) मधील तरतुदीनुसार, श्री.एस.डी. पाईकराव यांची दि.२८.०७.२०२३ रोजीच्या आदेशान्वये नायब तहसिलदार, उपविभागीय अधिकारी कार्यालय, पुसद जि. यवतमाळ येथे करण्यात आलेली बदली सक्षम प्राधिकाऱ्याच्या मान्यतेने रद्द करण्यात येत असून, त्यांची सुधारीत पदस्थापना नायब तहसिलदार (निवडणूक), तहसिल कार्यालय मानोरा, जि. वाशिम येथील रिक्त पदावर करण्यात येत आहे.

5. It is the grievance of the applicant that he ought not to have been subjected to frequent transfers since such practice is deprecated by the **Hon'ble Supreme Court in T.S.R. Subramanian & Ors. Vs. Union of India & Ors. (2013) 15 SCC 732**. Further reliance is placed on the judgment of this Tribunal dated 22.06.2023 in O.A. No. 1187/2022 in which *inter alia* reliance was placed on T.S.R. Subramanian & Ors. (Supra).

6. A statement is made that the applicant is still working at Umarkhed on the post of Naib Tahsildar.

7. **Case is made out to stay effect and implementation of the impugned order (A-6) till returnable date. Hence, the impugned order shall stand stayed till the returnable date.**

8. Issue notice to Respondents, returnable on four weeks. Learned C.P.O. waives notice for R-1. 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.
13. **S.O. four weeks.**
14. **Steno copy is granted.**

**Date:- 09/10/2023.**  
aps.

**Member (J)**