

O.A. No.1129/2022 (S.B.)

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

Dated : 31/08/2023.

Shri S.A. Puranik, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. Counsel for applicant, **S.O. 06/09/2023.**

Vice Chairman

dnk.

O.A. No.55/2023 (S.B.)

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

Dated : 31/08/2023.

Shri S.P. Palshikar, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No.206/2023 (S.B.)

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

Dated : 31/08/2023.

Shri S.P. Palshikar, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No.55/2023 (S.B.)

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

Dated : 31/08/2023.

Shri S.P. Palshikar, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

O.A. No.997/2023 (S.B.)

(Dr. Amol R. Gite Vs. State of Mah. & Ors.)

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

Dated : 31/08/2023.

Heard Mrs. R.S. Sirpurkar, learned counsel for the applicant, Shri M.I. Khan, learned P.O. for R-1 and Shri A.A. Dhawas, learned counsel for R-3 (Caveator).

2. As per submission of learned counsel for applicant, the applicant was transferred as per the order dated 30/06/2023 from the post of District Health Officer, Beed to District Health Officer, Buldana. The respondent no.3 is transferred as per the order dated 28/08/2023 from the post of Assistant Director (Leprosy), Buldana to District Health Officer, Buldana. As per Clause-7 of the order, the applicant is not given any posting.

3. As per the submission of learned counsel for the applicant, the applicant is still discharging his duty. The learned counsel for applicant submitted that the impugned order is malafide and therefore it is liable to be stayed. She has submitted that the applicant is still working on the post of District Health Officer, Z.P.,Buldana. She has filed one document which is marked Exh-A for identification.

4. The learned P.O. has submitted that the respondent no.3 is relieved from the post of Assistant Director (Leprosy), Buldana and she was directed to join at the transferred place i.e. District Health Officer, Buldana. He has filed letter dated 29/8/2023 and the joining letter of respondent no.3 dated 29/8/2023. Both are taken on record and marked Exh-X and X1 for identification.

5. The applicant is challenging the transfer order of respondent no.3. The applicant is not transferred. As per the definition of transfer given in Clause- 2 (i) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "Transfers Act,2005"), the "**Transfer**" means **posting of a Government servant from one post, office or Department to another post, office or Department.**"

6. The applicant is not transferred from one place to other place or from one department to other department and therefore it is not a transfer. New posting is not given to the

applicant. The applicant may claim the salary of the period in which he is not given any posting. The respondent no.3 has already joined on 29/08/2023. The applicant is disputing this joining letter of respondent no.3, but at this stage it is not clear as to whether the applicant is relieved or not. Moreover, he is not given any posting / transfer. The impugned transfer order does not come within the definition of Transfer as defined under the Transfers Act,2005.

7. Issue notice to the respondents returnable **after two weeks**. Learned P.O. waives notice for R-1. 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 two weeks.

Steno copy is granted..

Vice Chairman

dnk.

O.A. No.988/2023 (S.B.)

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

Dated : 31/08/2023.

Heard Shri S.N. Gaikwad, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

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

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced

along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.990/2023 (S.B.)

(R.A. Lanjewar Vs. State of Mah. & Ors.)

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

Dated : 31/08/2023.

Heard Shri G.H. Barange, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The applicant is challenging the recovery order issued by the respondents. The applicant was working at Gondia as a Sub Inspector of Police. As per the G.R. dated 6/8/2002, he was granted promotional pay and that promotional pay was counted while calculating the pension. This Tribunal has rejected the interim relief in such matters relying on the Judgment of Hon'ble Bombay High Court, Bench at Nagpur. The Judgment of Hon'ble Supreme Court in the case of **State Of Punjab & Ors vs. Rafiq Masih (White Washer) decided on 18 December, 2014** in Civil Appeal No. 11527 OF 2014 (Arising out of SLP(C) No.11684 of 2012) is not applicable because the G.R. dated 6/8/2002 is very clear. The promotional pay is to be given to the employee till they actually worked in the naxalite area. After the retirement, there is no question of actually work. The matter related to the same issue is pending before the Larger Bench. Hence, Stay cannot be granted.

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

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

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

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

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

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.247/2018 (S.B.)

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

Dated : 31/08/2023.

Heard Shri G.G. Bade, Id. Counsel for applicant, Shri M.I. Khan, Id. P.O. for R-1&2 and Shri B.N. Jaipurkar, Id. Counsel for R-3.

2. As per the submission of learned P.O., grievances of the applicant are redressed. He has pointed out communication filed along with reply.

3. The learned counsel for applicant seeks time to get instructions from his client.

S.O. after two weeks.

Vice Chairman

dnk.

Rev.A. 06/21 in O.A. No.837/18 (S.B.)

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

Dated : 31/08/2023.

Shri A.M. Ghogre, Id. P.O. for the applicants (Org. respondent) and Mrs. R.S. Sirpurkar, Id. Counsel for respondent (Org. applicant)

At the request of Mrs. R.S. Sirpurkar, Id. Counsel for respondent (Org. applicant), **S.O. two weeks.**

Vice Chairman

dnk.

O.A. No.682/2017 (S.B.)

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

Dated : 31/08/2023.

Shri P. Sharma, Id. Counsel holding for
Shri P.C.Marpakwar, Id. Counsel for applicant
and Shri M.I. Khan, Id. P.O. for the respondents.

2. The O.A. is of the year 2017. The
learned counsel for the applicant seeks further
time. Time is granted as a last chance. It is
made clear that no further adjournment will be
granted on the next date.

S.O. 14/09/2023.

Vice Chairman

dnk.

Rev.A. 16/20 in O.A.251/18 (S.B.)

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

Dated : 31/08/2023.

Shri P.D. Sharma, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

Vice Chairman

dnk.

C.A. 153/19 in O.A.St. 751/19 (S.B.)

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

Dated : 31/08/2023.

Shri B.N. Jaipurkar, Id. Counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

At the request of Id. Counsel for applicant, **S.O. 6/9/2023.**

Vice Chairman

dnk.

O.A. No.120/2021 (S.B.)

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

Dated : 31/08/2023.

Smt. K.N. Saboo, Id. Counsel holding for
Shri N.R. Saboo, Id. Counsel for applicant and
Shri V.A. Kulkarni, Id. P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.338/2022 (S.B.)

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

Dated : 31/08/2023.

C.A.NO.403/2023 -

Heard Shri P.V. Thakre, Id. Counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

2. As per submission of learned counsel for applicant, during the pendency of the O.A. the Finance Department has rejected the proposal for change date of birth of applicant.

3. Looking to the development during the pendency of this O.A., the C.A. is allowed and disposed of. Necessary amendment be carried out within three weeks and amended copy be supplied to the other side.

O.A. No.338/2022 -

S.O. after three weeks.

Vice Chairman

dnk.

O.A. No.888/2022 (S.B.)

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

Dated : 31/08/2023.

Shri N.R. Tekade, Id. Counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

2. The learned P.O. seeks time to file reply of R-1 to 3. Time is granted as a last chance.

3. It is made clear that if the reply is not filed on the next date, the matter will be admitted for final hearing.

S.O. three weeks.

Vice Chairman

dnk.

O.A. No.998/2022 (S.B.)

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

Dated : 31/08/2023.

Shri N.S. Warulkar, Id. Counsel for applicant and Shri A.M. Ghogre, Id. P.O. for respondents.

2. The O.A. is wrongly fixed for reply. List for final hearing.

S.O. 7/9/2023.

Vice Chairman

dnk.

O.A. No.1101/2022 (S.B.)

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

Dated : 31/08/2023.

Shri I.N. Caudhari, Id. Counsel for applicant and Shri V.A. Kulkarni, 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.

O.As. 1204 & 1025 of 2022 (S.B.)

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

Dated : 31/08/2023.

Shri S. Pande, Id. Counsel for applicants
and Shri A.M. Ghogre, Id. P.O. for R-1,3 and 4.
None for R-2.

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

Vice Chairman

dnk.

O.A. No.1204/2022 (S.B.)

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

Dated : 31/08/2023.

Smita Kamble, Id. Counsel holding for
Shri P.J. Mehta, Id. Counsel for applicant and
Shri M.I. Khan, 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.200/2023 (S.B.)

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

Dated : 31/08/2023.

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

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

Vice Chairman

dnk.

O.A. No.220/2023 (S.B.)

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

Dated : 31/08/2023.

Shri Sunil Pande, Id. Counsel holding for
Shri S.M. Khan, Id. Counsel for applicant, Shri
A.M. Khadatkar, Id. P.O. for R-1 and 2 and Shri
S. Shinde, Id. Counsel for R-3.

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

Vice Chairman

dnk.

O.A. No.235/2023 (S.B.)

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

Dated : 31/08/2023.

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

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

Vice Chairman

dnk.

O.A. No.329/2023 (S.B.)

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

Dated : 31/08/2023.

Shri N.D. Thombre, Id. Counsel for applicant, Shri M.I. Khan, Id. P.O. for R-1 to 3 and Shri Majid Shaikh, Id. Counsel for R-4.

2. At the request of Id. P.O. and learned counsel for R-4, **S.O. three weeks** for filing reply as a last chance. On next date the O.A. will be admitted.

Vice Chairman

dnk.

O.A. No.352/2023 (S.B.)

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

Dated : 31/08/2023.

Heard Mrs. S.D. Anjankar, Id. Counsel for applicant and Shri M.I. Khan, Id. P.O. for respondents.

2. On last date the following order was passed –

“(2) At the request of Id. P.O., two weeks time is granted for filing reply as last chance, if the reply is not filed on that day, the O.A. will be admitted for final hearing.”

3. Today also reply of respondent nos.1 to 5 is not filed.

4. The matter is admitted and kept for final hearing. The learned P.O. waived notice for respondents.

5. In the meantime, the respondents are at liberty to file reply.

S.O. 15/09/2023.

Steno copy is granted..

Vice Chairman

dnk.

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

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

Dated : 31/08/2023.

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

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

Vice Chairman

dnk.

O.A. No.443/2023 (S.B.)

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

Dated : 31/08/2023.

Shri R.D. Dandwale, Id. Counsel for applicant and Shri S.A.Sainis, Id. P.O. for respondents.

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

Vice Chairman

dnk.

O.A. No.505/2023 (S.B.)

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

Dated : 31/08/2023.

Shri G.G. Bade, Id. Counsel for applicant, Shri A.M. Khadatkar, Id. P.O. for respondent nos.1 to 4. None for R-5.

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

Vice Chairman

dnk.

O.A. No.582/2023 (S.B.)

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

Dated : 31/08/2023.

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

2. The applicant has not collected hamdast
for R-2.

S.O. after three weeks.

Vice Chairman

dnk.

O.A. No.704/2023 (S.B.)

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

Dated : 31/08/2023.

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

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

Vice Chairman

dnk.

O.A. No.749/2023 (S.B.)

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

Dated : 31/08/2023.

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

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

Vice Chairman

dnk.

O.A. No.761/2023 (S.B.)

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

Dated : 31/08/2023.

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

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

Vice Chairman

dnk.

O.A. No.777/2023 (S.B.)

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

Dated : 31/08/2023.

None for applicant. Shri M.I. Khan, Id.
P.O. for R-1. Await service of R-2 to 5.

S.O. four weeks.

Vice Chairman

dnk.

O.A. No.818/2023 (S.B.)

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

Dated : 31/08/2023.

Shri Sunil Pande, Id. Counsel holding for Shri S.M. Khan, Id. Counsel for applicant, Shri M.I. Khan, Id. P.O. for R-1 to 3 and Smt. K.N. Saboo, Id. Counsel holding for Shri N.R. Saboo, Id. Counsel for R-4.

2. At the request of Id. P.O., **S.O. 7/9/2023** for filing reply.

Vice Chairman

dnk.

O.A. No.828/2023 (S.B.)

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

Dated : 31/08/2023.

Shri S.N. Gaikwad, Id. Counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for respondents.

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

Vice Chairman

dnk.

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

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

Dated : 31/08/2023.

Shri S.N. Gaikwad, Id. Counsel for applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

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

Vice Chairman

dnk.

O.A. No.878/2023 (S.B.)

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

Dated : 31/08/2023.

Shri N.D. Thombre, Id. Counsel for applicant and Shri S.A. Sainis, Id. P.O. for R-1. None for other respondents.

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

Interim relief to continue till filing of reply.

Steno copy is granted..

Vice Chairman

dnk.

O.A. No.896/2023 (S.B.)

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

Dated : 31/08/2023.

Shri S.N. Gaikwad, Id. Counsel for applicants and Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2 to 4.

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

Vice Chairman

dnk.

O.A. No.792/2016 (S.B.)

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

Dated : 31/08/2023.

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

2. On earlier dates i.e. on 13/7/2023, 01/08/2023 and 17/08/2023 none appeared for the applicant. Today also none appeared for the applicant.

3. The matter is of the year 2017. It appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. is dismissed for want of prosecution.

Vice Chairman

dnk.

O.As. 121,122,123 & 124 of 2018 (S.B.)

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

Dated : 31/08/2023.

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

2. The learned P.O. submits that he will file short written notes of argument in all four O.As.

**S.O. 11/09/2023 with connected
O.A.No.384/2022 (DB).**

Vice Chairman

dnk.

O.A.No.384/2022 (D.B.)

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

Dated : 31/08/2023.

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

S.O. 11/09/2023 with connected matters.

Vice Chairman

dnk.

O.A. No.303/2018 (S.B.)

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

Dated : 31/08/2023.

Shri M.R. Khan, Id. Counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1 and Shri A.M. Kukday, Id. Counsel for R-2&3.

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

Vice Chairman

dnk.

O.As. 817,818,819 & 820 of 2021 (S.B.)

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

Dated : 31/08/2023.

Shri Borkar, Id. Counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. Counsel for applicant, **S.O. 07/09/2023.**

Vice Chairman

dnk.

O.A. No.1077/2021 (S.B.)

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

Dated : 31/08/2023.

Heard Shri B.C. Chandrakapure, Id.
Counsel for applicant and Shri V.A. Kulkari, Id.
P.O. for respondents.

2. The learned P.O. submits that he wants
to submit some citations of Hon'ble High Court
and Supreme Court.

S.O. 13/9/2023 (PH).

Vice Chairman

dnk.

O.A. No.491/2022 (S.B.)

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

Dated : 31/08/2023.

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

Closed for orders.

Vice Chairman

dnk.

O.As. 527 & 528 of 2022 (S.B.)

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

Dated : 31/08/2023.

Shri M.R. Rajgure, Id. Counsel for applicants, Shri A.M. Khadatkar, Id. P.O .for R-1 and Shri Zaheer, Id. Counsel for R-2&3.

S.O. 20/9/2023 (PH).

Vice Chairman

dnk.

O.A. No.53/2023 (S.B.)

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

Dated : 31/08/2023.

Shri K.J. Rawandhe, 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. after two weeks.**

Vice Chairman

dnk.

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

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

Dated : 31/08/2023.

Shri N.N. Thengre, Id. Counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

S.O. 25/09/2023 (PH).

Vice Chairman

dnk.

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

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

Dated : 31/08/2023.

Heard Shri S.N. Gaikwad, Id. Counsel for applicant and Shri V.A. Kukarni, Id. P.O. for the respondents.

2. Case of the applicant in short is as under-

3. The father of applicant was working in the establishment of respondents on the post of Gram Vistarak. He died on 14/02/1988 while he was working with the respondents department. At that time, the applicant was aged about 5 years. Therefore, mother of applicant applied on compassionate ground. The mother of applicant was not provided any employment on compassionate ground. After attaining the age of majority, the applicant applied for substitution of her name in place of name of her mother. Rejection of her claim was not informed to the applicant therefore she applied under RTI Act. Thereafter the documents were supplied to her. After receipt of the documents she came to know that her name was not substituted in view of the G.R. dated 20/05/2015.

4. In the meanwhile, learned Advocate Shri V.R. Borkar and learned Advocate Shri T.M.

Zaheer assisted the Court and submitted that recently this type of matter is dismissed by the Hon'ble High Court.

5. In view of above, **the matter be kept after three weeks.**

Vice Chairman

dnk.

(D.B.)

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

Dated : 31/08/2023.

C.A.514/2022,409/2022,880/2022 -

Shri S.A. Puranik, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. Counsel for applicant, **S.O. 06/09/2023.**

Vice Chairman

dnk.

(D.B.)

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

Dated : 31/08/2023.

C.As. 514/22, 409/22 in O.A.880/22 -

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

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

Vice Chairman

dnk.

C.A. 158/23 in O.A. 1100/22 (D.B.)

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

Dated : 31/08/2023.

Shri G.G. Bade, Id. Counsel for the
applicant and Shri A.M. Ghogre, Id. P.O. for R-1.
Await service of R-2.

S.O. 8/9/2023 for filing service affidavit.

Vice Chairman

dnk.

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

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

Dated : 31/08/2023.

Shri S.N. Gaikwad, Id. Counsel for the applicant and Shri A.M. Ghogre, 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.728/2023 (D.B.)

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

Dated : 31/08/2023.

Shri G.G. Bade, Id. Counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 3. None for other respondents.

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

Vice Chairman

dnk.

C.P. 86/2022 in O.A. No.828/2012 (D.B.)

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

Dated : 31/08/2023.

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

S.O. after three weeks.

Vice Chairman

dnk.

O.A. No.991/2023 (D.B.)

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

Dated : 31/08/2023.

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

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

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

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

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

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

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

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

S.O. after four weeks.

Vice Chairman

dnk.

O.A. No.995/2023 (D.B.)

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

Dated : 31/08/2023.

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

2. As per oral request of the learned counsel for applicant, the Director (Safety and Health) is a necessary party and therefore he wants to add respondent no.7 in the title of O.A. The respondent no.7 be added as prayed for.

3. After adding the name of respondent no.7, issue notice to the newly added respondent and all other respondents returnable **15/09/2023**. Learned P.O. waives notice for State. 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.

S.O. 15/09/2023.

Vice Chairman

dnk.

O.A. No.996/2023 (D.B.)

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

Dated : 31/08/2023.

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

2. Issue notice to the respondents returnable **15/09/2023**. Learned P.O. waives notice for State. Hamdast allowed.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced

along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

S.O. 15/09/2023.

Vice Chairman

dnk.

O.A. No.908/2019 (D.B.)

(Dr. V.A. Navrange Vs. State of Mah. & Ors.)

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

Dated : 31/08/2023.

Heard Smt. K.N. Saboo, Id. Counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1&2 and Shri N.C. Majethiya, Id. Counsel for R-3.

2. As per submission of learned counsel for R-3, the service book and other material documents are sent to the Pay Verification Unit for sanction of pension and other benefits.

3. Dr. Pralhad S. Chavan, District Health Officer, Z.P., Yavatmal has filed affidavit and stated on oath that the pension case is submitted to the Government and as early as possible the procedure will be completed by the State Government. The proposal for provisional pension was moved on 30/06/2022, but till date it was not sanctioned by the Government.

4. The learned counsel for R-3 is requested to get instructions as to why provisional pension is not continued to the applicant.

5. The respondent no.3 is directed to depute the concerned Clerk who is looking the pension case of the applicant to remain present before this Tribunal on the next date on 26/9/2023.

S.O. 26/9/2023.

Steno copy is granted..

Vice Chairman

dnk.

