

O.A.No.122/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :09/01/ 2021.

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

2. **S.O. 20.01.2021.**

Chairman
Date:-09/01/2021.
aps.

Vice

O.A.No.09/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :09/01/ 2021.

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the State.

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

Vice

Chairman

Date:-09/01/2021.

aps.

O.A.No.12/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :09/01/ 2021.

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State.

2. Issue notice to Respondents, returnable on three weeks. Learned 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. three weeks.**

Vice

Chairman

Date:-09/01/2021.

aps.

O.A. No. 10/2021 (SB)

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

Dated : 09.01.2021.

Heard Smt. Saboo, Id. counsel holding for Shri N.R. Saboo, Id .counsel for the applicant and Shri S.A .Deo, Id. CPO for the State.

2. Issue notice to the respondents, returnable **in 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.

8. **S.O. four weeks.**

Member (J)

dnk.

O.A. No. 11/2021 (SB)

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

Dated : 09.01.2021.

Heard Smt. Saboo, Id. counsel holding for Shri N.R. Saboo, Id .counsel for the applicant and Shri S.A .Deo, Id. CPO for the State.

2. Issue notice to the respondents, returnable **in 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.

8. **S.O. four weeks.**

Member (J)

dnk.

O.A. 747/2019 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 09/01/2021.

Heard Shri G.K. Bhusari, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for respondents.

2. The learned Advocate for the applicant has filed withdrawal pursis on 05.01.2021 and informed that the grievance of the applicant is now redressed. Therefore, the applicant does not want to proceed with the present O.A. and wants to withdraw the same.

3. In view thereof, the O.A. stands disposed of as withdrawn with no order as to costs.

Member (J)
kpb.

Vice-Chairman

C.A. 375/2020 in O.A. 663/2020 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 09/01/2020.

C.A. No. 375/2021.

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

2. The C.A. No. 375/2020 for amendment is allowed. Leave is granted to amend the O.A. and amended copy of the O.A. be supplied on the respondents.

3. In view of this C.A. No. 375/2020 stands disposed of with no order as to costs.

O.A. No. 663/2020

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

Member (J)
kpb.

Vice-Chairman

C.P. 29/2020 in O.A. 149/2018 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 09/01/2021.

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 in C.P. Same is taken on record and copy thereof has been served on the other side. Learned P.O. invited our attention to Annexure R-4 dated 29.10.2020. After reading Annexure R-4, the respondents have complied the directions issued by this Bench in the O.A. therefore, apparently no substance in the submissions respondents have committed contempt. Hence, the C.P. No. 29/2020 stands disposed of with no order as to costs.

Member (J)
kpb.

Vice-Chairman

C.P. 33/2020 in O.A. 845/2018 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 09/01/2021.

Heard Shri S.M. Khan, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for respondents.

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

Member (J)
kpb.

Vice-Chairman

C.P. 37/2020 in O.A. 871 of 2017 (D.B.)

**Coram : Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 09/01/2021.

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

2. Issue Notice to the respondent Nos. 2 & 3 returnable in **three 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. Shri M.I. Khan, the learned P.O. waives notice for respondent No.1. Hamdast granted.

4. **S.O. three weeks.**

Member (J)
kpb.

Vice-Chairman

C.P. 38/2020 in O.A. 113 of 2018 (D.B.)

**Coram : Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 09/01/2021.

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

2. Issue Notice to the respondent Nos. 2 & 3 returnable in **three 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. Shri M.I. Khan, the learned P.O. waives notice for respondent No.1. Hamdast granted.

4. **S.O. three weeks.**

Member (J)
kpb.

Vice-Chairman

O.A. 278/2012 (D.B.)

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 09/01/2021.

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

2. The order dated 17.02.2020 is not complied with by the respondents, on the contrary, the learned P.O. has submitted that two documents are missing. The missing documents are very much relevant to decide the fate of enquiry and therefore, it is not suitable to proceed with the matter unless documents produced before this Bench. Specific direction was given to the respondent No. 3 to appear in person and to give explanation regarding missing the documents, but this order is not complied with.

3. In view of this, the respondent No. 3 is directed to inform this Bench as to what administrative action has been taken by him against the person who was custodian of all record of disciplinary

proceedings. The respondent No. 3 to comply this order within a period of three weeks.

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

Member (J)
kpb.

Vice-Chairman

**O.A. 748/2020 (D.B.)
(Speaking to minutes)**

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)**

Dated : 09/01/2021.

None for the applicant. Heard Shri Shrikant Deo, learned P.O. for respondent Nos. 1 and 2 and Mrs. K.N. Saboo, learned counsel for respondent No. 3.

2. Learned C.P.O. has submitted that he has given intimation to the learned Advocate for the applicant that he is applying for correction in the operative part of the judgment dated 7.1.2021.

3. We have perused the operative part of para No. 19 of the order. It is submitted that in operative order, word "applicant" is inadvertently typed, which should have been respondent No. 3". This mistake is of clerical nature and it is typographical error and therefore, the Registry is directed to correct and substitute the word "**Respondent No. 3**" in place of "**Applicant**" in the operative part of the order in paragraph No. 19.

4. Accordingly, M.C.A. 1/2021 stands disposed of with no order as to costs.

Member (J)
kpb.

Vice-Chairman