

O.A. No. 159/2013 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

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

At the request of learned counsel  
for the applicant, **S.O. after two weeks.**

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 706/2015 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

Shri S.P. Palshikar, 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.**  
**8/8/2019**

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 356/2017 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

Shri S. Borkute, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1&2. None for R-3&4.

At the request of learned P.O.,  
**S.O. 8/8/2019.**

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 236/2014 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

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

At the request of learned P.O.,  
**S.O. Next week.**

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 960/2018 **(DB)**

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

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

**S.O. 6/8/2019.**

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 910/2018 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

Heard Shri S. Borkute, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for R-1&2. None for R-3 to 21.

The learned P.O. files reply on behalf of R-1&2. It is taken on record. Copy is served on the applicant.

**Heard. Admit.**

The learned P.O. waives notice for R-1&2.

**S.O. 14/8/2019.**

**Member (J)**

**Vice Chairman**

dnk.

C.P. 20/19 in O.A. No. 154/18 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

Shri A.D. Girdekar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

The learned P.O. files separate reply on behalf of R-2&3. Same are taken on record and copies are supplied to the other side.

The learned P.O. seeks two weeks time to file reply on behalf of R-1. At his request, **S.O. two weeks** as a last chance.

**Member (J)**

**Vice Chairman**

dnk.

C.P. 29/19 in O.A. No. 349/15 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

Shri A.D. Kolhe, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned counsel for the applicant has produced letter dated 15/7/2019. In this letter it is mentioned that proceeding is going on to implement the order passed by the MAT, Nagpur on 25/1/2019.

3. In view of this , the respondent no.1 is directed to take decision and comply the order within four weeks.

**S.O. four weeks.**

**Member (J)**

**Vice Chairman**

dnk.



O.A. No. 98/2019 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

None for the applicant. Shri H.K. Pande, Id. P.O. for R-1&4. Await service of R-2 to 3.

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

Service reports of respondent nos.2&3 are not placed before the Bench.

**S.O. three weeks.**

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 130/2019 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

**C.A. 222/2019 -**

Heard Shri A. Sambre, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The learned P.O. submitted that one week time is required to produce the necessary instructions from the GAD in relation to confirm the promotion order.

**S.O. one week.**

Interim relief to continue till then.

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 168/2019 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

Heard Shri A. Sambre, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

The Id. P.O. files reply on behalf of all the respondents. It is taken on record. Copy is served on the applicant.

**Heard. Admit.**

The Id. P.O. waives notice for the respondents.

**S.O. 13/8/2019.**

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 651/2017 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

**C.A. 303/2019 -**

Heard Shri S.C. Chande, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

For the reasons stated in the application, the C.A. is allowed.

**O.A. 651/2017 –**

**S.O. 16/8/2019.**

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 36/2019 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

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

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

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 709/2018 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. Today, Mr. Suresh Madhav Awari, the Deputy Director of Education, Kolhapur and Shri Eknash Shashikant Amborkar, the Education Officer (Primary), Sindhudurg are present before the Tribunal. The submission is made that duplicate Service Book of the applicant is being prepared and necessary steps are being taken to comply the order dated 16/7/2019 till 18/9/2019. The affidavit regarding compliance of order dated 16/7/2019 is filed on record.

In view of the submission, **S.O.**  
**18/9/2019.**

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 26/2019 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

**C.P. 19/19 in O.A. 26/2019 with C.A.  
212/19 -**

Heard Shri S.P. Palshikar, Id.  
counsel for the applicant and Shri P.N.  
Warjurkar, Id. P.O. for the respondents.

At the request of Id. counsel for the  
applicant, **S.O. 20/8/2019**.

Put up along with other connected  
matter.

**Member (J)**

**Vice Chairman**

dnk.

O.A. No. 26/2019 with C.A.176/19 **(DB)**

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

The O.A. is admitted for final hearing. It be taken before the Bench on 20/8/2019 for final hearing.

Contempt Petition No.19/19 shall be kept along with this matter.

**S.O. 20/8/2019.**

**Member (J)**

**Vice Chairman**

dnk.



C.P. 33/19 in O.A. No. 457/18 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

Heard Shri A.R. Ingole, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the State.

2. Issue Notice to the respondent No. 2 returnable **after two 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 H.K. Pande, the learned P.O. waives notice for respondent No.1. Hamdast granted.

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

**Member (J)**

**Vice Chairman**

dnk.

C.P. 34/19 in O.A. No. 603/16 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,  
Vice-Chairman &  
Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.08.2019**

Heard Shri S.C. Deshmukh, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the State.

2. Issue Notice to the respondent No. 2&3 returnable **after two 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 A.M. Ghogre, the learned P.O. waives notice for respondent No.1. Hamdast granted.

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

**Member (J)**

**Vice Chairman**

dnk.



O.A. No. 974/2017 (SB)

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

**Dated : 01.08.2019**

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

**S.O. after three weeks for order.**

**Member (J)**

dnk.

O.A. No. 641/2018 (SB)

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

**Dated : 01.08.2019**

Shri M.K. Kulkarni, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1.

2. The learned counsel for the applicant submitted that respondent no.2&4 are served. He requested that fresh notice be issued to respondent no.3.

3. At the request of Id. counsel for the applicant, issue fresh notice to R-3, returnable **after two weeks**. 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. after two weeks.**

**Member (J)**

dnk.

O.A. No. 94/2019 **(SB)**

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

**Dated : 01.08.2019**

Shri S.G. Jagtap, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1&7 and Shri S.D. Ukey, Id .counsel holding for Shri A.M. Kukday, Id .counsel for R-2 to 6.

The Id. P.O. submits that he will file reply of R-1 during the course of day.

Shri Ukey, Id. counsel files reply on behalf of R-2 to 6. It is taken on record.

**Heard. Admit.**

The Id. P.O. waives notice for R-1&7.

**S.O. in due course.**

**Member (J)**

dnk.

O.A. No. 180/2019 (SB)

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

**Dated : 01.08.2019**

Shri I.N. Choudhari, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4.

The learned P.O. submitted that reply is ready, but it is not approved by the respondents and therefore he seeks further time to file reply. At his request, **S.O. two weeks** for filing reply.

Interim relief to continue till then.

**Member (J)**

dnk.



O.A. No. 401/19 with C.A. 240/19 **(SB)**

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

**Dated : 01.08.2019**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1 to 3 and Shri S.N. Gaikwad, Id. counsel for R-4 (intervener).

The learned P.O. submitted that reply of R-2 is ready but it is not approved by the respondents, therefore one week time is required to file reply. At his request, **S.O. 6/8/2019.**

**Member (J)**

dnk.

O.A. Nos. 470,477,478 & 479 of 2019 **(SB)**

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

**Dated : 01.08.2019**

Smt. R.M. Padhye, Id. counsel holding for Shri R.D. Dharmadhikari, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for R-1.

It appears that the notices of R-2 to 4 is not collected.

The learned counsel for the applicants submitted that she will collect the notices from the office and will serve the same and therefore she seeks further time. At her request, **S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 373/2017 (SB)

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

**Dated : 01.08.2019**

Shri A.D. Girdekar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2&3.

The learned counsel for the applicant submitted that all the respondents are served and he will file service report during the course of day.

The Id. P.O. seeks time to file reply. At his request, **S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 99/2019 (SB)

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

**Dated : 01.08.2019**

**MCA 56/2019 -**

Heard Shri P.K. Mishra, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 5. None for R-6.

2. It is grievance of the applicant that in spite of the representation of the applicant which was in pursuance of the order passed by this Tribunal which was not considered. The persons were posted at Nagpur, but the applicant was not considered. It is further submitted that one post of Pharmacist which was at Police Training School Hospital, Nagpur become vacant due to retirement of Mr. Salimuddin Jafar after office hours of 31/7/2019. It is submitted that in the event time is prayed by the respondents to file reply, then in the interest of justice direction be given to the respondents not to fill the post, otherwise the very object of the O.A.No.99/2019 would be frustrated. In view of the submission,

three weeks time is granted to the respondents to file reply subject to condition that they shall not fill the post of Pharmacist which become vacant due to retirement of Mr. Salimuddin Jafar at Police Training School Hospital, Nagpur.

**S.O. three weeks.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 558/2019 (SB)

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

**Dated : 01.08.2019**

Heard Shri V.B. Gawali, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for R-1 to 7. None for R-8&9.

2. The learned counsel for the applicant has produced the order passed by the Hon'ble Apex Court in SLP No.28306/2017 and directed to maintain status-quo as it existed on the date of passing of the order i.e. 15/4/2019.

3. In view of this order, the learned P.O. is directed to submit his reply within one week.

**S.O. one week.**

Steno copy is granted.

**Member (J)**

dnk.

O.A. No. 243/2018 (SB)

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

**Dated : 01.08.2019**

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

The learned P.O. submitted that the learned counsel for the applicant is busy in the High Court.

**S.O. one week.**

**Member (J)**

dnk.

O.A. No. 751/2015 (SB)

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

**Dated : 01.08.2019**

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

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 259/2018 (SB)



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

**Dated : 01.08.2019**

There is a leave note of Shri A.P. Sadavarte, Id. counsel for the applicant. Shri H.K. Pande, Id. P.O. for R-1, Shri H.D. Marathe, Id. counsel for R-2&3 and Shri T.M. Zaheer, Id. counsel for R-3.

**S.O. three weeks.**

**Member (J)**

dnk.

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

**Dated : 01.08.2019**

Heard Shri Arpit Gajbhiye, Id. counsel holding for Shri N.B. Bargat, Id. counsel for the applicants, Shri A.M. Ghogre, Id. P.O. for R-1 to 3 & 5 and Shri B.N. Jaipurkar, Id. counsel for R-4 (in O.A.446 & 447 of 2015). None for R-4 (in O.A.445/2015).

2. The Id. counsel for R-4 is directed to produce service book of the applicants to know how the applicants' pay was fixed on the basis of the G.R. issued in 1995.

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 597/2019 (SB)

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

**Dated : 01.08.2019**

Heard Shri A.M. Sudame, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the State.

2. I have perused the order dated 31/7/2019. After going through the order it seems that it is not specifically mentioned what was the administrative exigency for transferring the applicant in the mid-term. On perusal of the order dated 29/6/2018 it seems that the applicant was posted in the Regional Office, Nagpur vide order dated 29/6/2018 and therefore prima facie it appears that the transfer order is issued without following the procedure laid down under Section 4 (5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. The applicant has stated on oath that yet she is not relieved from the post. In these circumstances, the parties to maintain

status-quo till filing of the reply by the respondents.

3. Issue notice to R-2 &3, returnable **after two 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.

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

**Member (J)**

dnk.

**O.A.No.123/2019**  
**(S.B.)**

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**  
**Dated : 01<sup>st</sup> Aug. 2019.**

**C.A.No.70/2019:-**

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

2. As pointed out by Id. counsel for the applicant, the order was issued by Additional S.P., Akola vide order dated 28/01/2016 (Annexure-A-9, P.B., Pg. No. 32) by this order one increment has been stopped without having effect on future salaries, in the same order applicant was absent from duty from 06.02.2015 to 15.10.2015 i.e. 252 days. That absence period has been sanctioned as leave without pay. Applicant has preferred an appeal against the Additional S.P., Akola before Special I.G., Amravati vide order dated 06/02/2016 (Annexure-A-13, P.B., Pg. No. 38). The said appeal has been rejected by Special I.G. by order dated 24.06.2016 (Annexure-A-14, P.B., Pg. No.

47), the same appeal was rejected and it confirmed the order of S.P., Akola.

3. The applicant has again preferred an appeal before Director General of Police as per Annexure-A-16, vide its letter dated July, 2016. The said appeal has also been rejected by D.G. of Police vide its order dated 15.10.2018 (Annexure-A-17, P.B., Pg. No. 62).

4. Aggrieved with this situation, applicant has approached to this Tribunal. The Id. P.O. is directed to file reply **within one week time**. If reply is not filed, matter will be heard on merit.

5. **S.O. 13.08.2019.**

**Vice**

**Chairman**  
**Date:-01/08/2019.**  
aps.

O.A.No.283/2019 (S.B.)

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 01<sup>st</sup> Aug. 2019.**

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

2. As pointed out by Id. counsel for the applicant matter was twice heard i.e. on 12.06.2019, 09.07.2019 and today again reply is not filed by the respondents. The matter is of appointment on compassionate ground. I fail to understand that why respondents are not filing reply?

3. However, as requested by Id. P.O., three weeks time is given as a last chance. If reply is not file at the next date, matter will heard on merit.

4. **S.O. 29.08.2019.**

**Vice**

**Chairman**

**Date:-01/08/2019.**

aps.



O.A.No.61/2019 (S.B.)

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 01<sup>st</sup> Aug. 2019.**

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

2. The Id. counsel for the applicant has pointed out that matter was previously heard on 01.04.2019 and in said order sheet, it was mentioned:- "*S.O. three weeks*".

3. However, matter has been listed today that too after circulation. The Id. counsel for the applicant has expressed his anger for the same. However, office should take note that if in order it is mentioned "*S.O. three weeks*" it should not be **more than four weeks**.

4. The Id. P.O. submits that he has received parawise reply and he will file the reply **within one week**. If reply is not file till next date, the matter will be heard on merit.

5. **S.O. 09.08.2019.**

**Chairman**  
**Date:-01/08/2019.**  
aps.

**Vice**

O.A.No.895/2017 (S.B.)

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 01<sup>st</sup> Aug. 2019.**

None for the applicant. Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2 and Ms. A.Singh, the Id. counsel for the respondent no. 3.

2. As submitted by Id. P.O., pleadings are completed and matter is **admitted** and kept for final hearing.

3. The Id. P.O. waives the notice for the respondent nos. 1 & 2.

4. **S.O. in due course.**

**Chairman**  
**Date:-01/08/2019.**  
aps.

**Vice**

**O.A.No.71/2017 with C.A.No.41/2017  
(S.B.)**

**Coram: Shri Shree Bhagwan,  
Vice Chairman  
Dated : 01<sup>st</sup> Aug. 2019.**

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

2. The Id. counsel for the applicant filed C.A. No. 41/2017 for condonation of delay. He is further submitted that in C.A. at para no. 5, the enquiry report has submitted on 01.08.2015 and officer came to the conclusion that the applicant is guilty of misconduct. Thereafter, vide order dated 04.12.2015, punishment of withholding 2 years increment was inflicted against the applicant from January 2016. The applicant has preferred an appeal for the same before D.G.P., which was cancelled. The respondent no. 2 was directed to initiate the *De-nove* enquiry against the applicant.

3. The Id. counsel for the applicant desires to place all these things on record first. **S.O. 09.08.2019.**

**Vice**

**Chairman**  
**Date:-01/08/2019.**  
aps.  
**O.A.Nos.836 & 837/2017 (S.B.)**

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**  
**Dated : 01<sup>st</sup> Aug. 2019.**

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

2. The Id. counsel for the applicant submits the case of Hostel Incharge/ Superintendent Ashram School Warden of independent Hostel either in Tribal Development Department or Social Development Department.

3. The Id. P.O. is directed to get the job chart of warden of independent hostel and Superintendent Incharge of Hostel in Ashram School of Tribal Development Department and pay-scale of both. Similarly, Job Chart of Warden of Social Welfare Department and there pay scale.

4. **S.O. three weeks.**
5. **Steno copy is granted.**
6. **Matter is treated as P.H.**

**Chairman**  
**Date:-01/08/2019.**  
aps.

**Vice**

O.A.No.292/2018 (S.B.)

**Coram: Shri Shree Bhagwan,  
Vice Chairman**

**Dated: 01<sup>st</sup> Aug. 2019.**

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

2. At the request of Id. P.O., **S.O. 06.08.2019.**

**Chairman**  
**Date:-01/08/2019.**  
aps.

**Vice**

**O.A.No.540/2016 (S.B.)**

**Coram: Shri Shree Bhagwan,**  
**Vice Chairman**

**Dated : 01<sup>st</sup> Aug. 2019.**

Shri C.A.Joshi, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has pointed out that applicant was working as Muster Assistant and he had filed O.A. No. 224/2014. This O.A. was decided on 27/04/2015, relevant operative part is at P.B., Pg. No. 116 para nos. 5 and 6. However, during pendency of the O.A., respondents have passed the order dated 04/10/2014 bearing order no. 70 by Executive Engineering, P.W.D., Akola at Annexure-A-2, P.B., Pg. No. 88 for applicant no. 2. The second order dated 08/10/2014 (Annexure-A-4, P.B., Pg. No. 92) bearing order no. 90. However, the Id. counsel for the applicant submits that these orders are yet to be implemented.

3. As further submitted by Id. counsel for the applicant Shri K.B.Kulkarni pay scale was fixed vide order dated



04.10.2014 and it was as on 01.07.2007 Rs. 12350+500=12850/-, Shri R.G.Suryawanshi pay scale was fixed vide order dated 04.10.2014 and it was fixed by Executive Engineer P.W.D., Akola, the third applicant Shri A.W.Sawarkar, pay scale was fixed by Rs.13360+530=13890/- as on 01.07.2007 and during this period the O.A. No. 224 of 2014 was pending before Maharashtra Administrative Tribunal.

4. Subsequently, as per P.B., Pg. No. 125, Annexure-A-8, pay scale of Shri K.B.Kulkarni was revised as Rs. 11410/- with G.P. Rs.4300/- as on 01.07.2007 . As per the Annexure-A-9, P.B., Pg. No. 127, dated 10.08.2015, the pay scale of Shri R.G.Suryawanshi, as on 23.12.2007 was Rs. 11410 with G.P. Rs.4300/-. Subsequently, as per the Annexure-A-10, P.B., Pg. No. 129, dated 10.08.2015, the pay scale of Shri A.W.Sawarkar, as on 15.08.2010 was Rs. 11820 with G.P. Rs.4300/- .

5. As submitted by Id. counsel for the applicant Shri K.B.Kulkarni has expired. However, subsequently it appears that respondents have changed their stand in 2015 and fixed the pay-scale at lower scale which is bad-in-law.

6. However, the Id. P.O. desires two weeks time to take instructions from the department and study the issue. The Id. P.O. is directed to take specific directions from the

department that why the pay-scale was revised.

**7. S.O. 06.08.2019.**

**Chairman**  
**Date:-01/08/2019.**  
aps.

**Vice**