

O.A.No.117/2020 (D.B.)

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

Dated :18/02/ 2020.

Heard Smt. P.Rane, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State.

2. As pointed out by Id. counsel for the applicant on P.B., Pg. No. 13, the applicant is at Sr. No. 23 and applicant was appointed against compassionate ground. Since, applicant was appointed on compassionate ground and not against any Caste Quota; the interim relief prayed by applicant on P.B., Pg. No. 6 at Para No. 8 order dated 28/12/2019 (Annexure-A-7) by Divisional Joint Registrar, Co-operative Societies, Nagpur is stayed till further orders.

3. Issue notice to R-2 to 4, returnable on four weeks. Learned 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.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

C.A.Nos.517/19&53/20inO.A.849/19in

C.A.518/19&54/20inO.A.No.850/19 (D.B.)

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

Dated :18/02/ 2020.

Heard Shri N.R.Saboo, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant submitted that now the respondents have permitted the applicant to resume the duty and accordingly on 26.01.2020, the applicant has joined the duty. It is submitted that the writ petition in which G.R. is stayed is now fixed for hearing on 07.08.2020.

3. In view of this, as the fate of the applicant is also connected with the decision in the writ petition. So, therefore, parties to maintain status-quo as on today till final decision in the writ petition.

4. **Sine-Die.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.114/2020 (D.B.)

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

Dated :18/02/ 2020.

Heard Shri P.A.Kadu, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State.

2. The Id. counsel for the applicant submitted that as per the advertisement, one post was reserved for open part-time category and the application was submitted by the applicant for this post. It is grievance of the applicant that the respondent no. 3 is committee in S.C. category and the respondent nos. 1 & 2 are intending to appoint him on a post which is reserved for open category which is for part-time.

3. In view of this, the respondent nos. 1 & 2 are directed to maintain status-quo as on today.

4. Issue notice to R-2 to 4, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

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

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

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

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

10. **S.O. four weeks.**

11. **Steno copy is granted.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.587/2018 (D.B.)

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

Dated :18/02/ 2020.

Heard Shri A.P.Sadavarte, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. It is submitted that the departmental enquiry which was pending against the applicant is now completed and punishment is awarded to the applicant. The Id. counsel for the applicant submitted that maintaining the punishment, directions be issued to the respondents to act upon the notice for the voluntary retirement. In our opinion, as the enquiry was not initiated then the notice of the applicant for V.R.S. was rejected and before the D.E. person cannot be punished, therefore, we are of the view that the applicant may again submit proposal for his voluntary retirement as per the Rules.

3. With this liberty, **O.A. stands disposed of with no order as to costs.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.704/2017 (D.B.)

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

Dated :18/02/ 2020.

Heard Shri P.S.Patil, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. In order to determine the issue of seniority it is necessary to peruse the merit list prepared by selection committee for filling the post as per the advertisement as per Annexure-A-3, P.B., Pg. No. 24.

3. **S.O. 28/02/2020.**

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

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.333/2019 (D.B.)

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

Dated :18/02/ 2020.

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

2. **S.O. day after tomorrow i.e. 20.02.2020.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.972/2019 (D.B.)

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

Dated :18/02/ 2020.

Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply on behalf of the respondent nos. 1 & 3. It is taken on record. Copy is served to the other side.

3. The Id. P.O. submitted that within two weeks the final decision would be taken by the Government regarding appointment of the applicant.

4. **S.O. 03.03.2020.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.540/2019 (D.B.)

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

Dated :18/02/ 2020.

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

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

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.133/2017 (D.B.)

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

Dated :18/02/ 2020.

Shri S.N.Gaikwad, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 1 & 2. There is a leave note of Shri S.P.Palshikar, the Id. counsel for the respondent no. 3.

2. **S.O. 12.03.2020.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.561/2015 (D.B.)

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

Dated :18/02/ 2020.

Shri D.C.R.Mishra, the Id. counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. The Id. P.O. has placed letter dated 03.02.2020 by Office Superintendent, Police Commissioner by which applicant was asked to join Police Head-Quarter from 04.02.2020. However, applicant is suitable for table work. The applicant is directed to follow the above said order.

3. **S.O. 27.02.2020.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.753/2010 (D.B.)

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

Dated :18/02/ 2020.

Mrs. Priyanka Suryawanshi holding for Shri I.S.Charlewar, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

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

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.610/2018 (D.B.)

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

Dated :18/02/ 2020.

Shri A.P.Sadavarte, the Id. counsel for the applicant, Shri H.K.Pande, the Id. P.O. for the respondent nos. 1 to 6 and Shri S.N.Gaikwad, the Id. counsel for the respondent no. 7.

2. We have perused the G.R. dated 03.11.2018, in paragraph no. 3 of the G.R., it is specifically mentioned that there is a staffing pattern at the District Level and Division level about the posts on establishment of Food Supply Department. Similarly, in paragraph no. 4, it is mentioned that Recruitment Rules are also specially drafted and are in force; therefore, we think it is suitable to direct the Id. P.O. to produce the Recruitment Rules which are framed for Food Supply Department and staffing pattern.

3. S.O. 11.03.2020.

4. Steno copy is granted.

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.810/2019 (D.B.)

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

Dated :18/02/ 2020.

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

2. The reply on behalf of the respondent no. 2 i.e. M.P.S.C. is necessary to decide the O.A.. The Id. P.O. is requested to file reply, **S.O. two weeks.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.495/2018 (D.B.)

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

Dated :18/02/ 2020.

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

2. It is submitted that the departmental appeal filed by the applicant is dismissed and the applicant is intending to challenge the order passed in the departmental appeal, therefore, the applicant is intending to withdraw this O.A. and liberty be given to him to file fresh application.

3. With the above directions, **O.A. stands disposed of as withdrawn with no order as to costs.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.113/2020 (D.B.)

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

Dated :18/02/ 2020.

Shri G.G.Bade, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State.

2. Issue notice to R-2 & 3, 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.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.120/2020 (D.B.)

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

Dated :18/02/ 2020.

Shri V.B.Gawali, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State.

2. We have perused the list of the marks scored by the respective candidates and we have perused the select list, it is contended that the candidates who have scored less marks than the applicant are selected.

3. In view of this, we direct that if any appointment orders are issued it would be subject to the fate of this O.A..

4. Issue notice to R-2 to 4, returnable on one week. Learned P.O. waives notice for R-1. Hamdast allowed.

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

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

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

(Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

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

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

10. **S.O. one week.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.07/2020 with C.A.38/2020 (D.B.)

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

Dated :18/02/ 2020.

Shri N.R.Saboo, the Id. counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2 and Shri D.M.Kakani, the Id. counsel for the respondent nos. 3 & 4.

2. S.O. 26.02.2020 at 03.00 p.m.

3. Matter be treated as P.H.

*4. Interim relief is to be continued till
26.02.2020.*

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.112/2020 (D.B.)

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

Dated :18/02/ 2020.

Shri V.B.Gawali, the Id. counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the State.

2. Issue notice to R-2 & 3, 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.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.850/2018 (D.B.)

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

Dated :18/02/ 2020.

None for the applicant. Shri V.A.Kulkarni, the
Id. P.O. for the respondent nos. 1 & 2 and Shri
S.V.Lanjulkar holding for Shri A.S.Ambatkar, the Id.
counsel for the respondent no. 3.

2. At the request of Id. counsel for the
respondent no. 3, **S.O. two weeks.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.25/2020 (D.B.)

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

Dated :18/02/ 2020.

None for the applicant. Shri V.A.Kulkarni, the
Id. P.O. for the State. Await service of respondent
nos. 2 & 3.

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

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.22/2020 (D.B.)

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

Dated :18/02/ 2020.

Shri G.K.Bhusari, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

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

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

Rev.35/19 in O.A.No.581/2017 (D.B.)

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

Dated :18/02/ 2020.

Shri D.R.Karnik, the Id. counsel for the applicant (Original respondent no. 4), Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 2 to 4 (Org. respondents) and Shri N.R.Saboo, Id. counsel for the respondent no. 1 (Org. Applicant).

2. The review application be taken up for final hearing, **S.O. 06.03.2020.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.25/2020 (D.B.)

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

Dated :18/02/ 2020.

None for the applicant. Shri V.A.Kulkarni, the
Id. P.O. for the State. Await service of respondent
nos. 2 & 3.

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

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.Nos.1011&1012/19&18&19/2020 (D.B.)

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

Dated :18/02/ 2020.

Shri B.Kulkarni, the Id. counsel for the applicant in O.A. Nos. 1011, 1012/2019 and O.A. No.18/2020 and none for the applicant in O.A. No. 19/2020. Shri P.N.Warjekar, the Id. P.O. for the respondents.

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

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.621/2018 (D.B.)

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

Dated :18/02/ 2020.

Shri S.Shahid, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 1 to 3. None for the respondent nos. 4 to 6.

2. In spite of repeated chances, respondents are avoided to file reply. In this situation, the matter be kept for final hearing after four weeks. In the meantime, the respondents are at liberty to file their reply in advance after giving its copy to the applicant.

3. **S.O. four weeks.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.611/2017 (D.B.)

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

Dated :18/02/ 2020.

Shri S.U.Nemade, 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. two weeks.**

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman

O.A.No.308/2014 (D.B.)

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

Dated :18/02/ 2020.

C.A. No.51/2020:-

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

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

Member(J)
Date:-18/02/2020.
aps.

Vice Chairman