

O.A. 299/2021 (D.B.)

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

Dated : 19/04/2021.

None for the applicant. Heard Shri S.A. Deo, Id. CPO for the State.

2. The service condition of the applicant has been changed by impugned order dated 22/2/2021 (A-1,P-18) without giving any chance of hearing to the applicant and applicant has been put on 11 months on supernumerary post; in similar matters this Bench has granted interim relief till filing of the reply. In the interest of Justice and equity the **order dated 22/2/2021 (A-1,P-18) be stayed till filing of the reply.**

3. Issue fresh notice to the respondents returnable **after six 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 six weeks.

Vice-Chairman

dnk.

O.A. 300/2021 (D.B.)

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

Dated : 19/04/2021.

None for the applicant. Heard Shri S.A. Deo, Id. CPO for the State.

2. The service condition of the applicant has been changed by impugned order dated 4/2/2020 (A-1,P-21) without giving any chance of hearing to the applicant and applicant has been put on 11 months on supernumerary post; in similar matters this Bench has granted interim relief till filing of the reply. In the interest of Justice and equity the **order dated 4/2/2020 (A-1,P-21) be stayed till filing of the reply.**

3. Issue fresh notice to the respondents returnable **after six 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 six weeks.

Vice-Chairman

dnk.

O.A. 314/2021 (D.B.)

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

Dated : 19/04/2021.

Heard Shri Nitin Sonare, Id. counsel holding for Shri M.V. Bute, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The service condition of the applicant has been changed by impugned order dated 11/2/2021 (A-2,P-20) without giving any chance of hearing to the applicant and applicant has been put on 11 months on supernumerary post; in similar matters this Bench has granted interim relief till filing of the reply. In the interest of Justice and equity the **order dated 11/2/2021 (A-2,P-20) be stayed till filing of the reply.**

3. Issue fresh notice to the respondents returnable **After Vacation**. 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 Vacation.

Vice-Chairman

dnk.

O.A. 315/2021 (D.B.)

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

Dated : 19/04/2021.

Heard Shri Nitin Sonare, Id. counsel holding for Shri M.V. Bute, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The service condition of the applicant has been changed by impugned order dated 11/2/2021 (A-2,P-20) without giving any chance of hearing to the applicant and applicant has been put on 11 months on supernumerary post; in similar matters this Bench has granted interim relief till filing of the reply. In the interest of Justice and equity the **order dated 11/2/2021 (A-2,P-20) be stayed till filing of the reply.**

3. Issue fresh notice to the respondents returnable **After Vacation**. 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 Vacation.

Vice-Chairman

dnk.

O.A. 316/2021 (D.B.)

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

Dated : 19/04/2021.

Heard Shri Nitin Sonare, Id. counsel holding for Shri M.V. Bute, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The service condition of the applicant has been changed by impugned order dated 11/2/2021 (A-2,P-20) without giving any chance of hearing to the applicant and applicant has been put on 11 months on supernumerary post; in similar matters this Bench has granted interim relief till filing of the reply. In the interest of Justice and equity the **order dated 11/2/2021 (A-2,P-20) be stayed till filing of the reply.**

3. Issue fresh notice to the respondents returnable **After Vacation**. 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 Vacation.

Vice-Chairman

dnk.

***O.A. 310/2021 (D.B.)**

(K.W. Dhamge & ors. Vs. State of Mah.)

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

Dated : 19/04/2021.

C.A. No. 121/2021 -

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. For the reasons stated in the application, the C.A. No. 121/2021 for filing joint O.A. is allowed.

O.A. No. 310/2021 –

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. As pointed out by the learned counsel for the applicant, in order dated 13/7/2020 in para-4 specific directions were given as *per G.R. dated 28/05/2018(A-5,P-42)*.

3. It is further clarified that in para-2 of the said G.R. on page no. 33 it is clearly mentioned that in O.A. 576/2015 Hon'ble M.A.T., Mumbai Bench delivered judgment on 3/2/2016 in the favour of the applicants. The Government preferred Review Application No.06/2016. In this Review Application, Hon'ble M.A.T., Mumbai

Bench passed order on 16/9/2016 which was again in the favour of applicants.

4. The learned counsel for the applicant has also pointed out G.R. dated 14/8/2018 which was accepted by the Id. CPO in para-4 of the said G.R. following facts are mentioned -

*^4- ek- egkjk"V" iz kkl dh; U; k; kf/kdj.kj epbz; k; k fnukad 16@9@2016 vknslkckcr fo/th o U; k; foHkkxkP; k vfHki k; kl vuy{ku iLrr idj.kh ek- mPp U; k; ky; kr vfi y nk[ky u dj.; kpk fu.kz foHkkxkus ?kryk vlgv rnuq kj ek- egkjk"V" iz kkl dh; U; k; kf/kdj.kkP; k fu.kz kph veyctko.kh dj.; kl kBh vuq jko; kph dk; i/nrh foghr dj.; kph ckc 'kkl ukP; k fopkj/khu gkrh***

5. After decision of Principal Bench and rejection of Review Application and not getting the order overruled by the Hon'ble High Court rather giving advice by Law and Judiciary Department not to appeal before the Hon'ble High Court. It is cleared that order passed by the Hon'ble M.A.T., Mumbai Bench in O.A. 576/2015 on 3/2/2016 has attained the finality of judicial procedure. After this, the respondents had no choice but to follow the orders of Hon'ble M.A.T., Mumbai Bench in O.A. 576/2015 delivered on 3/2/2016.

6. In view of discussions in above paras, the respondents complied the order of Hon'ble M.A.T., Mumbai and issued G.R. dated 28/5/2018 (A-4,P-32). Now this Judgment should be treated as Judgment in rem for similarly placed all employees to avoid wastage

of time of everybody. However, since this has not been done, these applicants have approached to this Tribunal.

7. In view of this situation, if similarly placed officers are denied the same benefit, it will be against justice and equity and the respondents are liable to face contempt of court. As requested by the Id. CPO, the respondents are directed to take decision at the earliest regarding applicants since some of them are on the verge of retirement. After taking decision the same should be filed on record before this Tribunal during next hearing.

8. If decisions are not taken, then concerned Deputy / Joint Secretary should be personally present before this Tribunal during next date of hearing and explain why this kind of discriminatory stand is taken by the respondents considering the fact that some of the applicants are on the fag end of their career.

9. Issue fresh notice to the respondents returnable on 7/6/2021. 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. 7/6/2021.

Steno copy is granted.

Vice-Chairman

dnk.*

O.A. 245/2021 (D.B.)

(R.K. Yewale Vs. State of Mah. & Ors.)

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

Dated : 19/04/2021.

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

2. As pointed out by the learned counsel for the applicant, the respondent no.3 has not filed reply till now. The Id. CPO pointed out that Shri R.R. Shetty has been appointed as Special Counsel on behalf of R-1&2. The Id. Special Counsel for R-1&2 has communicated to the learned CPO that due to Covid,19 he is not able to attend today before this Tribunal and so he desires next date.

3. As pointed out by the learned CPO, the reply has been filed by respondent no.2 and it will be adopted by the respondent no.1 also otherwise separate reply of R-1 should be filed. The crux of the issue is that during last order on 19/3/2021 in para-10 the respondents were directed to produce minutes of the DPC held on 2004,2012 and 2020, but till now minutes of the DPC have not been filed. These documents are crucial for the issue to decide whether promotions were as per seniority or not. The respondents are directed to file these

documents along with reply of respondent no.1 if necessary.

S.O. 8/6/2021.

Steno copy is granted.

Vice-Chairman

dnk*.

O.A. 303/2021 (D.B.)

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

Dated : 19/04/2021.

Heard Shri S.M. Khan, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The learned counsel for the applicant has filed pursis today and in the pursis his prayer is as follows –

“ It is therefore humbly requested to this Hon’ble Tribunal to give directions to respondent no.2 to take a legally suitable decision on appeal of dated 15/2/2021 within the period of 60 days and dispose of the matter in the interest of justice”

3. In view of Pursis filed by the learned counsel for the applicant, the following order is passed –

ORDER

(i) The respondent no.2 to take suitable decision on the applicant’s appeal dated 15/2/2021 within a period of three months from the date of receipt of this order and communicate to the applicant as well as this Tribunal.

(ii) With this direction, the O.A. stands disposed of. No order as to costs.

Vice-Chairman

dnk.

C.P. 17/2021 in O.A. 667/2020 (D.B.)

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

Dated : 19/04/2021.

Heard 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 **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. The learned P.O. waives notice for State. Hamdast granted.
4. S.O. **three weeks**.

Vice-Chairman

dnk.

**

O.A.No.790/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.

Heard Shri P.V.Bhusari, the applicant in person. Shri S.A.Deo, the Id. C.P.O. for the Respondents and Shri V.B.Gawali, the Id. counsel for the respondent no. 4.

2. In order dated 30.03.2021; a detailed order of sequence of event have been mentioned and applicant's posting order dated 19.11.2020 (Annexure-A-3, P.B., Pg. No. 18) by which applicant was posted to Tahsil Mahagaon, Dist. Yavatmal. He has not joined till now and due to this situation and previous order dated 01.10.2020; applicant is still without pay. Applicant personally submits that he had given the choice and if matter is remanded back to the respondents, he may get relief.

3. The Id. C.P.O. desires that the order should be passed in presence of the Id. counsel for the applicant. Hence, **S.O. 03.05.2021.**

Vice Chairman

Date:-19/04/2021.

aps.

O.A.No.280/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.**

Heard Shri N.R.Saboo, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the Respondents.

2. **S.O. 26.04.2021.**

Vice Chairman

Date:-19/04/2021.
aps.

R.A.No.06/2021inO.A.No.837/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.

Heard Shri S.A.Deo, the Id. counsel for the original respondent. None for the original applicant.

2. Issue notice to Respondents, returnable on six 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. six weeks.**

Vice Chairman

Date:-19/04/2021.
aps.

O.A.Nos.305,306,307,308&309/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated : 19/04/ 2021.

None for the applicant. Shri S.A.Deo, the Id.
C.P.O. for the State.

2. Issue notice to Respondents, returnable on six 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. six weeks.**

Vice Chairman

Date:-19/04/2021.
aps.

O.A.No.311/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.

Heard Shri N.R.Saboo, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. Issue notice to Respondents, returnable on 03.05.2021. 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. 03.05.2021.**

Vice Chairman

Date:-19/04/2021.
aps.

O.A.No.312/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.

Heard Shri S.P.Palshikar, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. Issue notice to Respondents, returnable on 03.05.2021. 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. 03.05.2021.**

Vice Chairman

Date:-19/04/2021.
aps.

O.A.No.759/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.

Heard Shri S.P.Palshikar, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. **S.O. After Summer Vacation.**

Vice Chairman

Date:-19/04/2021.

aps.

O.A.No.313/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.

Heard Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. Issue notice to Respondents, returnable on six 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. six weeks.**

Vice Chairman

Date:-19/04/2021.
aps.

O.A.No.744/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.

Heard Shri D.I.Charlewar, the Id. counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the Respondents, Shri N.Majithia, the Id. counsel for the respondent no. 2, Shri S.M.Bhangde, the Id. counsel for the respondent no. 4, Shri P.D.Meghe, the Id. counsel for the respondent no. 5.

2. **S.O. after summer vacation.**

Vice Chairman

Date:-19/04/2021.
aps.

O.A.No.657/2015 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.**

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

2. **S.O. after summer vacation.**

Vice Chairman

Date:-19/04/2021.
aps.

O.A.No.849/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.**

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

2. **S.O. after summer vacation.**

Vice Chairman

Date:-19/04/2021.
aps.

O.A.No.326/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.**

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

2. **S.O. after summer vacation.**

Vice Chairman

Date:-19/04/2021.
aps.

O.A.No.861/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.**

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

2. **S.O. 07.06.2021.**

Vice Chairman

Date:-19/04/2021.
aps.

O.A.No.317/2021 (D.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/04/ 2021.

Heard Shri G.G.Bade, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. The Id. counsel for the applicant has pointed out select list on P.B., Pg. No. 14, where 22 candidates have been selected in Class – IV Category from Kotwal Category. The applicant was appointed as Kotwal vide letter dated 27.08.2007 (Annexure-A-2, P.B., Pg. No. 15) in Taluka Jodmoha, Tahsil-Kadam, District-Yavatmal. The applicant was working as Kotwal since 27.08.2007 and he was expecting to be selected in Class-IV post of Peon as per select list of P.B., Pg. No. 14. However, his name was not considered and all the candidates name appears on P.B., Pg. No. 14 are from vertical reserve category. Applicant's grievance is that how come there was not a single open post or open vacancy to be filled in?

3. Issue notice to clarify that what where the position of roster point at the time of selection of Peon as it is shown on P.B., Pg. No. 14. As requested by Id. counsel for the applicant, **respondents are directed to make it clear the selected candidates that any appointment will be subject to the outcome of this O.A.**

4. Issue notice to Respondents, returnable on six weeks. Learned C.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. six weeks.**

Vice Chairman

Date:-19/04/2021.
aps.

