

O.A. No. 754/2016

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

Heard Shri N.R. Saboo, Ld. counsel for the applicant and Shri V.A. Kulkarni, the Id. P.O. for the respondents.

The Ld. counsel for the applicant submits that since he applicant has retired and hence he is not interested in prosecuting this O.A. The O.A. has become infructuous. Hence the same stands disposed of.

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 624/2017

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

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

At the request of the Ld. counsel for the  
applicant, S.O. **9.4.2019**.

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 932/2017

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

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

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

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 830/2011

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

Heard Shri N.R. Saboo, Ld. counsel for the applicant and Shri A.M. Khadatkar, the Id. P.O. for the respondents 1 to 3.s None for R. 4 and 5.

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

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 625/2018

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

Heard Shri S.P. Palshikar, Ld. counsel  
for the applicant and Shri M.I. Khana, the Id.  
P.O. for the respondents.

At the request of the Ld. counsel for the  
applicant, S.O. **9.4.2019**.

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 550/2014

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

Heard Shri G.K. Bhusari, Ld. counsel for the applicant and Shri M.I. Khan, the Id. P.O. for the respondents 1 to 3. None for R. 4 to 26.

The Ld. counsel for the applicant has brought to our notice the fact regarding provisions of the G.R. dated 19.9.1975.

S.O. **two weeks.**

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 753/2011

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

There is a leave note from the Ld. counsel for the applicant. Shri M.I. Khan, the Id. P.O. for the respondents.

S.O. **one week.**

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No.117 /2016

(DB)

**Coram : Hon. Shri Shree Bhagwan,  
Member (A) and  
Hon. Shri A.D. Karanjkar,  
Member (J).**  
**Dated : 1<sup>st</sup> April 2019**

**R.A. No.10/2016.**

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

S.O. **5.4.2019**

Member (J)

Member (A)

Dt..1.4.2019

pdg



O.A. No. 258/2014

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

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

S.O. **two weeks.**

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 370/2016

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

None for the applicant. Shri V.A. Kulkarni, the Id. P.O. for the respondents 1 to 4.. None for R.5.

S.O. **one week** for taking instructions by the Ld. P.O.

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 661/2016

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

Heard Shri G.K. Bhusari, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Id. P.O. for the respondents 1 and 2. Shri S.C. Deshmukh, Ld. counsel for R.3.

The Ld. counsel for the applicant seeks permission to file amendment application. Permission is granted.

S.O. **two weeks.**

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 965/2018.

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

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

The O.A. is dismissed in default.

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 661/2016

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

Heard Shri G.K. Bhusari, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Id. P.O. for the respondents 1 and 2. Shri S.C. Deshmukh, Ld. counsel for R.3.

The Ld. counsel for the applicant seeks permission to file amendment application. Permission is granted.

S.O. **two weeks.**

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 159/2013

(DB)

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

**Dated : 1<sup>st</sup> April 2019**

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

Our attention is invited to the letter written by the Dy. Superintendent of Police, Yavatmal, it is dated 26.4.2016. After reading this letter, it transpires that due to pendency of this O.A., pensionary benefits (family pension) has not been given to the present applicants. Pension was also not given to the deceased G.S. Rathod on the ground that he challenged the order of compulsory retirement by filing this O.A. Action of the department is apparently contrary to law. Even if the Government servant is retired compulsorily, the department is liable to pay pension as per rules. In this background, the Ld. P.O. is directed to seek necessary instructions on which basis this course is followed by the respondents.

S.O. **two weeks.**

Steno copies be provided to both parties.

Member (J)

Member (A)

Dt..1.4.2019

pdg

O.A. No. 164/2019 (SB)

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

**Dated : 01.04.2019**

Shri N.S. Warulkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Shri B. N. Jaipurkar, Id. P.O. appears on behalf of R-2. None for R-3.

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

**Member (J)**

dnk.

O.A. No. 790/2017 (SB)

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

**Dated : 01.04.2019**

**C.A. 78/2019 -**

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

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

**O.A. 790/2017 –**

Ms. A. Singh, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The matter be taken on board tomorrow along with other Division Bench similar matters.

**S.O. 02/04/2019** along with other similar division bench matters i.e. O.As. 267/11, 268/11,269/11, 54/13, 55/13, 56/13, 75/13, 76/13, 77/13, 548/13,549/13, 550/13, 551/13, 775/13, 591/12, 614/12,620/12, 647/12 & 836/12.

**Member (J)**

dnk.

O.A. No. 930/2017 (SB)



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

**Dated : 01.04.2019**

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

The learned P.O. files reply on behalf of respondent nos. 1 to 3. It is taken on record. Copy is served on the applicant.

Two weeks time is granted to the applicant for filing rejoinder.

**S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 226/2018 **(SB)**

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

**Dated : 01.04.2019**

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

2. The learned P.O. submitted that it is necessary to file reply to the amended O.A. It seems that the matter is already admitted.

3. As there is a direction to decide the matter expeditiously, therefore, the matter be taken on board for hearing **on 12/04/2019.**

**Member (J)**

dnk.

O.A. No. 651/2018 **(SB)**

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

**Dated : 01.04.2019**

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

The Id. P.O. files reply on behalf of respondent no.3. It is taken on record. The learned P.O. submits that the reply of other respondents is not necessary.

Since the pleadings are complete, the matter is admitted and be kept for final hearing.

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

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

**Member (J)**

dnk.

O.A. No. 931/2018 (SB)

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

**Dated : 01.04.2019**

None for the applicant.

Shri S.A. Sainis, Id. P.O. for the respondents.

The Id. P.O. files reply on behalf of R-2 to 4. It is taken on record.

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 941/2018 **(SB)**

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

**Dated : 01.04.2019**

**C.A. 369/2018 -**

Heard Shri A.S. Dhore, Id .counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the State.

2. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A. and as the common issue is involved in the matter, leave to sue jointly

as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. stands disposed of accordingly.

**O.A. 941/2018** –

Heard Shri A.S. Dhore, Id .counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the State.

2. Issue notice to R-2 to 4, returnable after **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. after four weeks.**

**Member (J)**

dnk.

O.A. No. 61/2019 **(SB)**

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

**Dated : 01.04.2019**

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

The learned P.O. submitted that three weeks time is required to file reply. Time is granted as a last chance.

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 132/2019 (SB)

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

**Dated : 01.04.2019**

Shri P. Raulkar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2 to 4.

2. The learned counsel for the applicant submitted that he will correct the address of respondent no.3 during the course of day.

3. After correction, issue fresh notice to R-3, returnable in **three 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.

9. **S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 145/2019 **(SB)**

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

**Dated** : **01.04.2019**

The applicant in person present. Shri S.A. Deo, Id. CPO for the respondents.

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

**Member (J)**

dnk.

O.A. No. 495/2018 **(SB)**

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

**Dated : 01.04.2019**

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

The Id. P.O. submitted that three weeks time is required to file reply on behalf of the respondents. At his request, **S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 838/2018 **(SB)**

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

**Dated : 01.04.2019**

None for the applicant. Heard Shri H.K. Pande, Id. P.O. for the respondents.

Since the pleadings are complete, the matter is admitted and be kept for final hearing.

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

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 227/2019 **(SB)**

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

**Dated : 01.04.2019**

Heard Shri D.R. Karnik, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the State.

2. It is contention of the applicant that he was entitled to have protection in view of the G.R. dated 6/8/2002 but without considering this the respondents took decision dated 17/12/2016 observing that as per the G.R. dated 18/11/2005 and G.R.

dated 19/04/2011 the applicant was not entitled for the benefit of the G.R. dated 6/8/2002 and directed the applicant to vacate the Government quarter which was in his possession at Nagpur.

3. It transpires that initially the applicant joined the service at the Police Department at Gadchiroli. The applicant was on deputation at Nagpur where he was provided Government accommodation. The deputation was cancelled and the applicant was repatriated to his parent department i.e. District Police Force, Gadchiroli. Therefore, after reading the G.R. dated 6/8/2002 it is not possible to accept that the applicant had right to retain the government residence at Nagpur for further period. Secondly, the applicant was aware of the order dated 17/12/2016 and in spite of it, he did not vacate the residence at Nagpur within a time fixed by the Department, therefore, this is not a case for giving interim protection.

4. In the meantime, issue notice to R-2 to 4, returnable after **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. after four weeks.**

**Member (J)**

dnk.

O.A. Nos. 230,231 & 232 of 2019 **(SB)**

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

**Dated : 01.04.2019**

Heard Shri G.K. Bhusari, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the State.

2. Perused the documents. In the meantime Issue notice to R-2 to 4, returnable after **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. Applicants are 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. Applicants are 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 Applications shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. after three weeks.**

**Member (J)**

dnk.

O.A. No. 747/2015 (SB)

**Coram : Hon. Shri A.D. Karanjkar,**



**Member (J).**

**Dated : 01.04.2019**

Shri M.R. Khan, Id. counsel for the applicant and shri H.K. Pande, Id. P.O. for the respondents.

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

**Member (J)**

dnk.

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

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

**Dated : 01.04.2019**

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

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

**Member (J)**

dnk.

O.A. No. 229/2019 **(SB)**

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

**Dated : 01.04.2019**

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

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

**Member (J)**

dnk.

O.A. No. 613/2015 **(SB)**

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

**Dated : 01.04.2019**

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

**Closed for orders.**

**Member (J)**

dnk.

O.A. No. 521/2017 **(SB)**

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

**Dated : 01.04.2019**

Heard Shri N.D. Thombre, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1&2 and Shri R.V. Bhaurkar, Id. counsel holding for Shri M.V. Mohokar, Id. counsel for R-3&4.

2. I have perused the para-22 of the O.A.St.2069/2015. In para-22 it is specifically claimed that since 01/01/1996 the applicants in that matter were entitled for the pay scale of Rs.15600-39100/- + GP Rs.5400/- and as per the contention the O.A. was allowed.

3. It is brought to my notice that the respondents preferred the appeal and the Hon'ble High Court has stayed the operation of that order. Under these circumstances so long as the Writ Petition is pending before the

Hon'ble High Court, it will not be suitable to grant any relief.

4. Hence, the matter be stayed till further orders.

**Member (J)**

dnk.

O.A. No. 29/2019 **(SB)**

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

**Dated : 01.04.2019**

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

**Closed for orders.**

**Member (J)**

dnk.

O.A. No. 657/2015 **(SB)**

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

**Dated : 01.04.2019**

Heard Shri R.V. Shiralkar, Id. counsel holding for Shri A.C. Dharmadhikar, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. In pursuance of the order dated 19/12/2018 the learned P.O. has placed on record affidavit on behalf of R-1&2.

3. **S.O. 15/04/2019.**

**Member (J)**

dnk.

O.A. No. 260/2016 **(SB)**

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

**Dated : 01.04.2019**

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

The learned P.O. submitted that he requires time till coming Friday. Hence, at his request, **S.O. 05/04/2019**.

**Member (J)**

dnk.

O.A. No. 236/2019 **(SB)**



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

**Dated : 01.04.2019**

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

2. The petitioner is challenging the impugned order dated 15/02/2019 by which the applicant is held responsible to pay Rs.1,51,898/-. It is submitted that this recovery is in relation to the work done in the year 2003. Admittedly, the applicant retired from service on 31/07/2016 on superannuation, the departmental inquiry not conducted.

3. In view of this fact, it is a fit case to stay the operation of the impugned order till filing of the reply by the State. (The order relates only to the applicant). Accordingly, the impugned order is hereby stayed till filing of reply by the respondents.

4. Issue notice to R-2 and 3, returnable after **four 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. after four weeks.**

**Member (J)**

dnk.

**O.A.No. 614/2017.**

**(D.B.)**

**Coram: Shri Shree Bhagwan, Member(A)**  
**Dated : 01<sup>st</sup> April 2019.**

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. The Id. P.O. filed the letter no. tk-dz I I wkl evkLFkk@d{A5 3c@fu; Drl@Jie-ukxno@4594&99@19] fnukd 31-03-2019] from which it appears that the applicant has been called for documents verification on 08/04/2019 at 11.00 a.m., in the office of Joint Director, Malaria, Filariasis and Water Born Diseases, Pune.

3. **S.O. 15/04/2019.**

**Member(A)**

**Date:-01/04/2019.**

aps.

**O.A.St.No.1441/2016.**

**(D.B.)**

**Coram: Shri Shree Bhagwan, Member(A)**

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

**C.A.No.368/2016:-**

None for the applicant. Shri H.K.Pande, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

2. The Id. P.O. has already filed the reply on behalf of the respondent no. 4. He further submits that reply of other respondents are not required. The Id. P.O. is directed to supply the copy of the same to the Id. Counsel for the applicant.

3. **S.O. two weeks.**

**Member(A)**

**Date:-01/04/2019.**

aps.

O.A.No. 500/2017.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

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

Shri A.D.Girdekar, the Id. counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 & 3. Await service of respondent no. 2.

2. The Id. P.O. has filed the reply on behalf of the respondent no. 3, it be taken on record. Copy is served to the other side.

3. **S.O. two weeks.**

**Member(A)**

**Date:-01/04/2019.**

aps.

**O.A.No. 228/2019.**

**(D.B.)**

**Coram: Shri Shree Bhagwan, Member(A)**

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

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

2. The Id. C.P.O. seeks three weeks time to file reply. It appears that the O.A. No. 228/2019 & O.A. No.932/2018 issues are same. In the said O.A. No. 932/2018, issue already discussed that the Government Employees who has not taken benefits of promotion according to the G.R. dated 25/05/2004. It also appears that in the said O.A., Rejoinder was filed and it was pointed out that few of the respondents had availed the benefits of the G.R. dated 25/05/2004 and in view of that department has committed error in promoting them.

3. Therefore, after receiving the reply, the O.A. No. 228/2019 & O.A. No.932/2018 will be heard together.

4. Issue notice to R-2 & 3, returnable on three 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. three weeks.**

**Date:-01/04/2019.**  
aps.

**Member(A)**



O.A.No. 1007/2018.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

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

Shri S.C.Deshmukh, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 3. None for the respondent nos. 4 & 5.

2. The Id. Counsel for the applicant desires one more week to file Rejoinder.

3. **S.O. one week for Rejoinder.**

**Member(A)**

**Date:-01/04/2019.**

aps.

O.A.No. 95/2018.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

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

None for the applicant. Shri M.I.Khan, the Id. P.O. for the respondent no. 1 and Shri V.G.Palshikar, the Id. Counsel for the respondent no. 2.

2. The Id. P.O. has already filed the Reply. In view of that, the matter is **admitted** and kept for final hearing.

3. The Id. P.O. waives notices for the respondents.

4. **S.O. in due course before regular D.B.**

**Member(A)**

**Date:-01/04/2019.**

aps.

**O.A.No. 38/2018.**

**(D.B.)**

**Coram: Shri Shree Bhagwan, Member(A)**

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

Shri G.M.Shitut, 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 desires time to file Rejoinder.

3. **S.O. two weeks for Rejoinder.**

**Member(A)**

**Date:-01/04/2019.**

aps.

O.A.No. 141/2019.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

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

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. Counsel for the applicant pointed out that the applicant was permitted to Rejoined on 26/03/2019. However, the Id. P.O. seeks three weeks time to file reply.

3. **S.O. three weeks.**

**Member(A)**

**Date:-01/04/2019.**

aps.

**O.A.No. 26/2019.**

**(D.B.)**

**Coram: Shri Shree Bhagwan, Member(A)**

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

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

2. As submitted by Id. Counsel for the applicant, the applicant in person present in the Court Room. The seniority list for which the Id. Counsel for the applicant is placing reliance, the same has been approved by the Hon'ble Minister. However, it is still pending with the P.S. to the Hon'ble Minister.

3. The Id. P.O. is directed to consult the Government, take update and inform to this Tribunal that why file is pending.

4. **S.O. one week.**

**Member(A)**

**Date:-01/04/2019.**

aps.

O.A.St.No.3154/2017.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

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

**C.A.No.583/2017:-**

Ms. A.Pardhi, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. As per the request of Id. Counsel for the applicant, **S.O. two weeks.**

**Member(A)**

**Date:-01/04/2019.**

aps.