

O.A. 601/2018 (D.B.)

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

Dated : 06/01/2020.

Shri T.U. Tathod, 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)

Vice-Chairman

dnk.

O.A. 78/2017 (D.B.)

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

Dated : 06/01/2020.

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

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

Heard. Admit.

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

S.O. in due course.

Member (J)

Vice-Chairman

dnk.

O.A. 535/2018 (D.B.)

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

Dated : 06/01/2020.

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

The Id. P.O. files reply on behalf of respondent nos. 1 to 3. It is taken on record.

Heard. Admit.

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

S.O. in due course.

Member (J)

Vice-Chairman

dnk.

O.A. 611/2017 (D.B.)

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

Dated : 06/01/2020.

C.A. Nos. 204/2018 & 120/2019 -

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

The learned P.O. submitted that he would file reply to the amendment applications during the course of day.

In view thereof, the matter be kept for hearing **on 13/1/2020.**

Member (J)

Vice-Chairman

dnk.

O.A. 309/2019 (D.B.)

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

Dated : 06/01/2020.

Shri D.T. Kamble, Id .counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1 to 3. Await service of R-4.

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

Member (J)

Vice-Chairman

dnk.

O.A. 646/2019 (D.B.)

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

Dated : 06/01/2020.

Shri C. Deopujari, Id .counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

At the request of Id. CPO, **S.O.**
14/1/2020 for filing reply.

Member (J)

Vice-Chairman

dnk.

O.A. 821/2019 (D.B.)

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

Dated : 06/01/2020.

The applicant in person present. Shri S.A. Sainis, learned P.O. for the respondents.

The learned P.O. seeks two weeks time to file reply. Time is granted as a last chance.

S.O. two weeks.

The O.A. 948/18 (SB) be tagged along with this matter.

Member (J)

Vice-Chairman

dnk.

O.A. 855/2019 (D.B.)

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

Dated : 06/01/2020.

Shri A.P. Sadavarte, learned counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 21/1/2020** for filing reply.

Member (J)

Vice-Chairman

dnk.

O.A. 668/2019 (D.B.)

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

Dated : 06/01/2020.

Ms. R. Pande, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1. Await service of R-2.

2. At the request of learned counsel for the applicant, issue fresh notice to R-2 returnable in **two weeks**. 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. two weeks.**

Member (J)

Vice-Chairman

dnk.

O.A. 917/2019 (D.B.)

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

Dated : 06/01/2020.

None for the applicant. Shri S.A. Deo, Id.
CPO for R-1. Await service of R-2.

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

Member (J)

Vice-Chairman

dnk.

O.A. 962/2019 (D.B.)

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

Dated : 06/01/2020.

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

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

Member (J)

Vice-Chairman

dnk.

O.A. 586/2019 with C.A. 452/19 (D.B.)

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

Dated : 06/01/2020.

Ms. R.V. Kukday, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

The learned P.O. submitted that he would file reply to the O.A. within two weeks. At his request, **S.O. two weeks.**

Member (J)

Vice-Chairman

dnk.

O.A. 769/18 with C.A. 375/19 (D.B.)

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

Dated : 06/01/2020.

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

2. In pursuance of the order dated 20/12/2019, the respondents have given information that the relief of time bound promotion or ACP is not given to the applicant, because, proposal is not forwarded by the Head of the Office. It is also informed by the respondents that due to promotion of the applicant on the post reserved for Hk-t- ¼M½] no person is deprived of promotion. In view of this matter, as benefit of ACP as per the G.R. dated 20/7/2001 is not given to the applicant, the respondent no.4 is directed to forward the proposal immediately to the higher authorities to give benefit of ACP to the applicant as per the G.R. of 2001 and the respondent nos. 1 to 3 are directed to take decision on the said proposal within a period of 30 days.

S.O. after one month.

Steno copy is granted to the P.O.

Member (J)

Vice-Chairman

dnk.

O.A. 846/12 with C.A.258/18 (D.B.)

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

Dated : 06/01/2020.

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

2. It is brought to our notice that order dated 13th September,2019 is yet not complied and the provisional pension is not paid to the applicant. It is true that criminal case is pending against the applicant, but as per the rules the applicant is entitled for the provisional pension together with arrears. Hence, the respondents are directed to take necessary steps within two weeks to pay the provisional pension to the applicant.

S.O. 20/1/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 488/2015 (D.B.)

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

Dated : 06/01/2020.

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

S.O. in due course.

Member (J)

Vice-Chairman

dnk.

O.A. 760/2015 (D.B.)

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

Dated : 06/01/2020.

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

The Id. P.O. submitted that two weeks time is required to give information whether representation of the applicant for the promotion is decided or not decided.

S.O. two weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 806/2015 (D.B.)

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

Dated : 06/01/2020.

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

2. The learned P.O. has filed copy of letter dated 6/1/2020. It is taken on record and marked Exh-X. Copy of the same is given to the learned counsel for the applicant.

3. We have heard submissions on behalf of the applicant and on behalf of the respondents. The matter be taken up on board on 8/1/2020 for further hearing.

S.O. 8/1/2020 (PH).

Member (J)

Vice-Chairman

dnk.

O.A. 431/2018 (D.B.)

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

Dated : 06/01/2020.

Shri I.K. Daudasariya, Id. counsel holding for Shri G.G. Bade, Id. counsel for the applicant and Shri A. M.Khadatkar, Id. P.O. for R-1 to 4. None for R-5.

2. The learned counsel for the applicant desires two weeks time to file on record affidavit about the respondent no.5.

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

Member (J)

Vice-Chairman

dnk.

**O.A. 555/18 with C.As. 245 & 205 of 2019
(D.B.)**

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

Dated : 06/01/2020.

Shri Pranay Rathi, Id. counsel holding for
Shri A.Z. Jibhkate, Id. counsel for the applicant
and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3.
None for R-4&5.

2. The learned counsel for the applicant
submitted that due surgery of Advocate
Jibhkate, Id. counsel for the applicant, it is not
possible for him to appear before the Tribunal
and therefore the matter may be adjourned.

S.O. 1st week of February, 2020.

Put up the matter along with other similar
matters which are filed by the Medical Officers
(Group-B) for extension of retirement age.

Member (J)

Vice-Chairman

dnk.

O.A. No. 554/2019 **(SB)**

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

Dated : 06.01.2020

Shri D.P. Dapurkar, Id. counsel holding for Shri V.A. Kothale, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

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

Member (J)

dnk.

O.A. No. 808/2019 **(SB)**

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

Dated : 06.01.2020

Shri D.P. Dapurkar, Id. counsel holding
for Shri P.S. Raut, Id. counsel for the applicant
and Shri M.I. Khan, 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. 977/2018 (SB)

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

Dated : 06.01.2020

Shri P.P. Khaparde, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

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

Member (J)

dnk.

O.A. No. 606/2019 (SB)

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

Dated : 06.01.2020

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

The learned P.O. submitted that reply is
ready and he will file the same on the next day.
At his request, **S.O. 08/01/2020**.

Member (J)

dnk.

O.A. No. 662/2019 **(SB)**

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

Dated : 06.01.2020

Shri D.P. Dapurkar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The learned P.O. submitted that he has received parawise comments and he requires some time to file reply.

The respondents are directed to file reply on the next date.

S.O. 13/1/2020.

Member (J)

dnk.

O.A. No. 780/2019 (SB)

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

Dated : 06.01.2020

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

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

Member (J)

dnk.

O.A. No. 865/2019 (SB)

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

Dated : 06.01.2020

Shri D.P. Dapurkar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

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

The matter be kept for hearing **on**
13/1/2020.

Member (J)

dnk.

O.A. No. 974/2019 (SB)

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

Dated : 06.01.2020

Shri N.S. Warulkar, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

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

Member (J)

dnk.

O.A. No. 146/2017 (SB)

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

Dated : 06.01.2020

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

S.O. three weeks.

Member (J)

dnk.

O.A. No. 784/2017 (SB)

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

Dated : 06.01.2020

Heard Shri S.U. Bhuyar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

Closed for orders.

Member (J)

dnk.

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

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

Dated : 06.01.2020

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

2. The learned P.O. submitted Pursis. In this matter, as per the order in Review Petition, the O.A. came to be restored and the applicant amended the O.A. The prayer clause 8 (ii-a) is added. As per this prayer clause, the applicant is claiming regularization of promotion on the post of Sub Inspector (State Excise). As the matter is pertaining to promotion, therefore, it is required to be decided by the Division Bench. The matter be taken up before the Division Bench. The applicant is directed to supply second set of the O.A.

S.O. 22/01/2020.

Member (J)

dnk.

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

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

Dated : 06.01.2020

Shri V.B. Gawali, learned counsel for the applicants and Shri M.I. Khan, Id. P.O. for R-1 to 7 and none for R-8&9.

The learned counsel for the applicant submitted that today he has received some documents from the Id. P.O., therefore, two weeks time may be granted. At his request, **S.O. two weeks.**

Member (J)

dnk.

O.A. No. 417/2019 (SB)

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

Dated : 06.01.2020

Shri D.P. Dapurkar, Id. counsel holding for Shri V.A. Kothale, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

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

Member (J)

dnk.

O.A. No. 417/2019 **(SB)**

Coram : Hon. Shri A.D. Karanjkar,

Member (J).

Dated : 06.01.2020

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. It is submitted that the applicant has not yet received the salary for the period from 15/3/2019 to 30/4/2019. The learned P.O. has produced the letter written by the Land Records Training Academy, Aurangabad dated 23/12/2019. In this letter, it is mentioned that bill for Rs.78,050/- on account of GIS amount is presented Aurangabad Treasury and the bill to pay amount Rs.1,40,130/- is presented in the Treasury on 24/12/2019 and both the amounts would be paid to the applicant by the Treasury. In this situation, the respondents are directed to expedite the payment to the applicant.

3. The respondent no.3 is directed to pay the salary of the applicant from 15/3/2019 to 30/4/2019 within 30 days from the date of this order.

S.O. after one month.

Member (J)

dnk.

O.A. No. 02/2020 (SB)

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

Dated : 06.01.2020

Heard Shri K.P. Mahalle, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. PO for the State.

2. It is submitted that though the applicant is handicapped having 54 % physical disability disregarding own circular the applicant is transferred to remote place in Nanded District. It is also submitted that vide letter dated 27/12/2019 the Civil Surgeon, Nanded informed the Civil Surgeon, Amravati that there was no vacant post of any Medical Officer in Nanded District. Under these circumstances, if the applicant is relieved it will create unnecessary complications. Hence, the order dated 20/12/2019 be stayed till further orders.

3. Issue notice to R-2 to 4, returnable on **9/1/2020**. 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.

S.O. 9/1/2020.

Steno copy is granted to the P.O...

Member (J)

dnk.

O.A.Nos.958 & 959/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

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

2. These O.As. are related to employees who are working in the Municipal Corporation. The Id. P.O. is directed that if corporation does not engaged any counsel from their side. The Id. P.O. should file reply of other respondent i.e. Director of Municipal Administration and Divisional Commissioner who are respondent nos. 3 & 4. Since, Municipal counsel is working under Municipal Administration and Divisional Commissioner.

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

4. *Put up along with the O.A. No. 284/2019.*

Vice Chairman

Date:-06/01/2020.

aps.

O.A.No.284/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

C.A.No.525/2019:-

Heard Shri S.S.Patil, the Id. Counsel for the applicant, Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 to 5. None for the respondent no. 6.

2. **The C.A. No. 525/2019 is allowed.** The Id. counsel for the applicant is directed to carry out the amendment within two weeks.

3. This O.A. is related to employee who is working in the Municipal Corporation. The Id. P.O. is directed that if corporation does not engaged any counsel from their side. The Id. P.O. should file reply of other respondent i.e. Director of Municipal Administration and concerned respondents because Municipal counsel is working under Municipal Administration.

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

5. *Put up along with the O.A. Nos. 958&959/2018.*

Vice Chairman

Date:-06/01/2020.

aps.

O.A.No.529/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

Heard Shri M.R.Rajgure, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

2. There is no counsel for the Z.P., Buldhana on behalf of C.E.O., Z.P., Buldhana. The Id. P.O. submits that he should file reply on behalf of the respondent no. 2.

3. Matter is **admitted** and kept for final hearing.

4. The Id. P.O. waives notices for the respondent nos. 1 & 2.

5. Meanwhile, the Id. P.O. is directed to file reply on behalf of the respondent no. 2 and supply the copy of the same to the Id. counsel for the applicant.

6. The Id. counsel for the respondent no. 3 is also directed to engage there counsel and if they desire place there reply.

7. **Steno copy is granted.**

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

Vice Chairman

Date:-06/01/2020.

aps.

O.A.No.961/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.**

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

2. As per the request of Id. P.O., **SO. four weeks for reply.**

Vice Chairman

Date:-06/01/2020.
aps.

O.A.No.969/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

Heard Shri A.D.Tote, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the State. Await service of respondent no. 2.

2. The Id. counsel for the applicant submits that notice has been served. He will file service affidavit during the course of the day.

3. The Id. P.O. desires time to file reply, **S.O. two weeks.**

Vice Chairman

Date:-06/01/2020.
aps.

O.A.No.733/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.**

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

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

Vice Chairman

Date:-06/01/2020.
aps.

O.A.No.603/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

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

2. Matter is **admitted** and kept for final hearing.

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

4. **S.O. 20.01.2020.**

Vice Chairman

Date:-06/01/2020.
aps.

O.A.No.698/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

Heard Shri A.P.Raghute, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply for respondent nos. 1 & 2. It is taken on record. Copy is served to the other side. He further submits that it is sufficient for other respondents.

3. The Id. counsel for the applicant desires to file Rejoinder.

4. The matter is **admitted** and kept for final hearing.

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

6. S.O. 20.01.2020.

Vice Chairman

Date:-06/01/2020.

aps.

O.A.No.786/2015 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

Heard Shri R.A.Haque, the Id. Counsel for the applicant, Shri P.N.Warjekar, the Id. P.O. for the respondent nos. 1 & 2 and Shri A.M.Tirukh, the Id. counsel for the respondent no. 3.

2. The Id. counsel for the applicant has filed the Maharashtra Police Patil Recruitment pay, allowances and other conditions of services dated 04/11/1960. The Maharashtra Village Police Patils, Act, 1968 is at Exh-1 for the purpose of identifications and he relied on para no. 4, which is reproduced below:-

"Term of office:-

A person may be appointed as a Police Patil for a period of 5 years in the first instance, and if his work is found satisfactory during said period, his appointment may be renewable thereafter for a further term of 5 years at a time, provided that no person who has attained the age of 60 years shall continue a Police Patil."

3. The Id. counsel for the applicant has also relied upon appointment letter which is at Annexure-A-17, P.B., Pg. No. 90-A, where applicant has been given appointment from 19/01/2016 to 18/01/2026. He further pleads that appointment letter is violating Section 4 of the Act.

4. The Id. P.O. has pointed out Interview Marksheet of respondent no. 3 which is at P.B., Pg. No. 64 (Annexure-A-8), where Chairman and three Members have signed but Member Secretary has not signed. Applicant's marksheet is at P.B., Pg. No. 62 (Annexure-A-6) where Chairman and Member Secretary have not signed only three Members have signed. The Id. P.O. submits that all the Committee Members were present like Chairman and four members. However, reply submitted by the respondents clears that they didn't signed scoresheet.

5. The Id. P.O. is given three days time to produce documentary evidence like photography/ videography to show that all Members were present in the Committee. The Id. counsel for the applicant submits that before Hon'ble High Court respondents have submitted that there is no photographic evidence with them. However, Id. counsel for the applicant is permitted to produce the same paper on record and supply the same in advance to the Id. P.O..

6. The Id. counsel for the respondent no. 3 submits that he desires to file written notes of argument on 10.01.2020. He is permitted to do the same and supply the advance copy to both the sides.

7. Steno copy is granted.

8. S.O. 10.01.2020.

Vice Chairman

Date:-06/01/2020.

aps.

O.A.No.930/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

Heard Shri N.S.Warulkar, 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 filed C.A. for condonation of delay, office is directed to list the O.A. with C.A. on 10.01.2020.

3. S.O. 10.01.2020.

Vice Chairman

Date:-06/01/2020.
aps.

O.A.No.982/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

Heard Shri P.D.Meghe, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

2. As per the order dated 25/11/2019, the Id. counsel for the applicant has filed affidavit dated 05/12/2019 and along with that he has annexed letter dated 20/09/2006, by Divisional Social Welfare, Nagpur. I have perused the letter and in para no. 2 of the letter following lines have been written:-

"dfjrk foHkxh; I ekt dY; k.k vf/kdkjh] ukxi j foHkx] ukxi j gsJherh I h-vkj-i d ke xgi z[k] I r pk[kkeGk ey/kps'kkI dh; ol frxg] ukxi j ; huk fnukd 20-09-2006 e/; k&gkRj i kl u I Drhps j t o j i kBfo.; kr ; s v kgs"

3. I fail to understand that how such kind of illegal letter has been issued. There is no provision in Maharashtra Civil Services (discipline and appeal) Rules, 1979 to ask any employee to send on compulsory leave. *Prima facie*, letter dated 20/09/2006 by Divisional Social Welfare, Nagpur is not as per the Rules prescribed in Maharashtra Civil Services (discipline and appeal) Rules, 1979. Hence, the order is illegal and order is quashed and set aside.

4. As mentioned by the Id. counsel for the applicant in O.A., P.B., Pg. No. 7 in para 4.6 applicant was placed under suspension vide letter dated 02.01.2008. The Id. counsel for the applicant is directed to produce the suspension order on record and supply the same to the Id. P.O..

5. As pointed out by Id. P.O., reply dated 11/06/2019 at P.B., Pg. No. 82, para no. 6, applicant was given posting at Gaddigodam, Nagpur by letter dated 11.01.2007. However, the Id. P.O. is directed to file the copy of the same on record and supply the same to the Id. counsel for the applicant. The Id. counsel for the applicant disputed that this type of letter never received by the applicant, for that Id. P.O. is directed to take instructions from the department and submit documentary evidence regarding the above same i.e. acknowledgment and inward register of the Gaddigodam, Office.

6. The Id. counsel for the applicant further pleads that there was D.E. on the applicant and he has filed on record in his rejoinder on behalf of the applicant in para no. 2 at P.B., Pg. No. 89, he has mentioned that in enquiry, enquiry officer has concluded that letter dated 11/01/2017, was not received by the applicant.

7. S.O. two weeks.

8. Steno copy is granted.

Vice Chairman

Date:-06/01/2020.

aps.

O.A.No.490/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

Heard Shri S.U.Bhuyar, 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 is directed to file G.R. and Rules related to appointment of Police Patil on record and supply the copy of the same to the Id. P.O.. As submitted by Id. P.O., respondent no. 3 is Sarpanch of Village Yerla. There is letter by Secretary, Gram Panchayat, Yerla dated 25/06/2015 at P.B., Pg. No. 35, it seems that respondent no. 3 was resident of Yerla (Thote) Katol, District Nagpur which proves that respondent no. 3 is from Village Yerla.

3. S.O. 21.01.2020 for filing documents of appointment of Police Patil.

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

Vice Chairman

Date:-06/01/2020.
aps.

O.A.No.792/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

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

2. Vide this O.A., as per the relief clause
applicant is claiming continuity from 03.11.2000 to
27.12.2005. As pointed out by Id. P.O., during hearing
on 28/11/2019 in para no. 3, order is recorded that
during said period applicant was in the Central
Government and relief clause also show the same. It
is mentioned that he was J.E. in C.P.W.D.. Hence, for
this period State Government cannot be made
responsible for any kind of payment or service
condition. Applicant was already granted deemed
date that has also pointed out by Id. P.O..

3. Since, none for the applicant, **S.O. two
weeks.**

Vice Chairman

Date:-06/01/2020.
aps.

O.A.No.351/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/01/ 2020.

Heard Shri S.Sheikh, the Id. Counsel for the applicant, Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 to 3. None for the respondent no. 4.

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

Vice Chairman

Date:-06/01/2020.
aps.