

**O.A. 870/2019 (S.B.)**

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

**Dated : 02/07/2021.**

Shri S.M. Bhagde, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the respondents.

The Id. P.O. has filed reply of R-3. It is taken on record. Copy is served on the applicant.

The matter is admitted and kept for final hearing before regular Division Bench.

**Vice-Chairman**

dnk.

O.A. 44/2020 (S.B.)

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

**Dated : 02/07/2021.**

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

2. The learned P.O has filed reply and in reply para-5 following submission has been made –

*“ It is further submitted that till date an amount of Rs.4,64,304/- is paid to the applicant and only arrears of Rs.1,41,189/- is remaining. The remaining amount will be paid to the applicant once the bill is passed by the Treasury Office. The details of amount paid to the applicant are give in the table.”*

3. It appears that the major amount has been paid and balance amount is pending with the Treasury Office for that the respondent has attached correspondence dated 20/1/2021 (P-43).

4. As reply submitted by the respondents it appears that grievance of the applicant has been solved. The O.A. is disposed off. No order as to costs.

**Vice-Chairman**

dnk.

O.A. 221/2020 (S.B.)

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

**Dated : 02/07/2021.**

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

The Id. P.O. files reply of R-2. It is taken on record. Copy is served on the applicant.

The matter is admitted and kept for final hearing.

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

**S.O. two weeks.**

**Vice-Chairman**

dnk.

O.A. 489/2020 (S.B.)

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

**Dated : 02/07/2021.**

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

The learned counsel submits that the applicant is claiming interest on delayed payment after retirement.

The Id. P.O. seeks four weeks time to file reply. At his request, **S.O. 30/7/2021** for filing reply.

**Vice-Chairman**

dnk.

O.A. 704/2020 (S.B.)

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

**Dated : 02/07/2021.**

Shri N.D. Thombre, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 26/7/2021** for filing reply.

**Vice-Chairman**

dnk.

O.A. 445/2021 (S.B.)

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

**Dated : 02/07/2021.**

Shri N.S. Warulkar, Id. counsel holding for Shri S.P. Palshikar, 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.

**Vice-Chairman**

dnk.

O.A. 399/2021 (S.B.)

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

**Dated : 02/07/2021.**

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

At the request of Id. P.O., **S.O. 16/7/2021** for filing reply. The matter be kept along with other connected matters.

**Vice-Chairman**

dnk.

O.A. 400/2021 (S.B.)

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

**Dated : 02/07/2021.**

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

**S.O. S.O. 16/7/2021** for filing service affidavit. The matter be kept along with other connected matters.

**Vice-Chairman**

dnk.



O.A. 401/2021 (S.B.)

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

**Dated : 02/07/2021.**

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

At the request of Id. P.O., **S.O. 16/7/2021** for filing reply. The matter be kept along with other connected matters.

**Vice-Chairman**

dnk.

O.A. 402/2021 (S.B.)

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

**Dated : 02/07/2021.**

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

At the request of Id. P.O., **S.O. 16/7/2021** for filing reply. The matter be kept along with other connected matters.

**Vice-Chairman**

dnk.

O.A. 403/2021 (S.B.)

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

**Dated : 02/07/2021.**

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

At the request of Id. P.O., **S.O. 16/7/2021** for filing reply. The matter be kept along with other connected matters.

**Vice-Chairman**

dnk.

(S.B.)

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

**Dated : 02/07/2021.**

**C.A. 123/2021 in Rev. A.St.655/2021 in O.A.  
868/2020 -**

Shri N.S. Warulkar, Id. counsel holding for Shri S.P. Palshikar, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1&2 and Shri M.M. Sudame, Id. counsel for R-3.

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

**Vice-Chairman**

dnk.

Rev. A. 05/2020 in O.A. 481/2018 (S.B.)

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

**Dated : 02/07/2021.**

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

At the request of Id. P.O., **S.O. next  
week** for filing reply.

**Vice-Chairman**

dnk.

**O.A. 495/2020 (S.B.)**

( R.I. Rajput Vs. State of Mah. & Ors. )

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

**Dated : 02/07/2021.**

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

2. The matter pertains to grant of deemed date promotion to the applicant. During hearing on 29/10/2020 the Id. P.O. submitted that the proposal has been submitted to the respondent no.1 vide letter dated 5/4/2019, however, this letter is not seen on the record.

3. The learned P.O. has produced document on page 27 & 28 & 29 which is internal correspondence in the D.G. Office. But copy of final proposal is not filed on record. The Id. P.O. is directed to file same on record.

**S.O. four weeks.**

Steno copy is granted to P.O...

**Vice-Chairman**

dnk.

**O.A. 970/2020 (S.B.)**

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

**Dated : 02/07/2021.**

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

The Id. P.O. files reply on behalf of R-1 to 5. It is taken on record. Copy is served on the applicant.

The matter is admitted and kept for final hearing.

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

**S.O. 19/7/2021.**

**Vice-Chairman**

dnk.

O.A. 299/2018 (S.B.)

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

**Dated : 02/07/2021.**

Heard Shri R.V. Shiralkar, 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. 9/7/2021.**

**Vice-Chairman**

dnk.



O.A. 321/2021 (S.B.)

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

**Dated : 02/07/2021.**

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

The matter pertains to extra payment of NPA to the applicant. In the order dated 18/6/2021 it was also observed about this issue in para-3. The Id. P.O. was given two weeks time to take necessary instructions. However, the Id. P.O. again desires one week time.

One week time is granted for taking instructions.

The respondents are directed not to recover the amount till decision of the O.A.

**S.O. four weeks.**

Steno copy is granted...

**Vice-Chairman**

dnk.

**O.A. 475/2021 (S.B.)**

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

**Dated : 02/07/2021.**

Heard Shri T.S. Deshpande, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The learned counsel has filed first page of service book of the applicant in which date of birth of applicant is written as 10/7/1963 on the left side remarks is given that it is as per school leaving certificate. As per A-6,P-31 the applicant has made representation to the respondent no.2 vide letter dated 9/7/1997 to correct his date of birth as 10/7/1967. The applicant has approached to the Hon'ble High Court vide Writ Petition (St.) 8420/2020. The order was passed on 4/12/2020 (A-8,P-39) and in order para-3 it is reproduced below –

*“(3) The respondents are at liberty to decide the representation dated 9/7/1997 in the mean time.”*

3. The applicant has further made representation dated 22/3/2021 (A-10,P-41) and requests to correct the date of birth as 9/5/1969. So applicant himself changing his stand vide his representation dated 9/7/1997 and dated 22/3/2021. The Id. Counsel has filed extract of

birth certificate (A-9,P-40) which is not readable. The Id. Counsel has not filed G.R. of GAD dated 3/3/1998 wherein para-5 it is mentioned that within five years of appointment employee can make such request. The Id. Counsel is also not filed appointment letter of the applicant. Hence, Id. Counsel is directed to file following documents on record –

(i) Appointment letter

(ii) redable copy of birth certificate i.e. A-9.

(iii) Copy of G.R. GAD dated 3/3/1998.

4. Issue fresh notice to the respondents returnable **on 9/7/2021**. The Id. P.O. waives notice for the State. 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.

**S.O. 9/7/2021.**

**Vice-Chairman**

dnk.

O.A. 34/2021 (S.B.)

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

**Dated : 02/07/2021.**

Heard Shri M.R. Rajgure, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 and Shri T.M. Zaheer, Id. counsel for R-2 to 4.

At the request of Id. counsel for the applicant, **S.O. 14/7/2021.**

**Vice-Chairman**

dnk.

O.A. 657/2015 (S.B.)

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

**Dated : 02/07/2021.**

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.

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

**Vice-Chairman**

dnk.

**O.A. 906/2017 (S.B.)**

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

**Dated : 02/07/2021.**

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

2. The applicant was suspended vide order dated 1/6/2015 by the respondent no.2 (A-1,P-8). Subsequently vide order dated 26/4/2015 (A-2,P-9) the order passed by the respondent and vide this order punishment awarded is only "strict censure" at page no.10. In view of this order, the respondent no.2 has passed the order dated 13/7/2016 (A-3,P-11) and in the order it is observed that if the applicant would not have been suspended, he would have been entitled to get same pay and allowance as before suspension. However, the order dated 13/7/2016 he has mentioned suspension period wrongly "**as 2/6/2016 to 2/9/2015**".

3. The respondent no.2 is at a responsible post and while passing any order, he should ensure that such mistake should not take place. Atleast in future, he should take care of such mistake while passing orders as a responsible officer.

4. Vide order dated 4/7/2017 respondent has been denied allowances for the period of suspension which is from 2/6/2015 to 13/3/2016. Aggrieved with this order, the applicant has approached to this Tribunal. Since this order dated 4/7/2017 (A-4,P-12) has been passed by the respondent no.2 in the Department there must be appeal before the higher authorities or guidelines given by the higher authorities. The learned counsel is directed to file such document on record before next date of hearing.

**S.O. 14/7/2021 (PH).**

**Vice-Chairman**

dnk.



O.A. 735/2018 (S.B.)

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

**Dated : 02/07/2021.**

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

At the request of Id. counsel for the applicant, **S.O. 19/07/2021.**

**Vice-Chairman**

dnk.

**O.A. 726/2017 (S.B.)**

(U. N. Raut Vs. State of Mah. & Ors. )

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

**Dated : 02/07/2021.**

Heard Shri A.P. Sadavarte, Id. counsel for the applicant, Shri A.M. Khadatkhar, Id. P.O. for R-1 to 3 and Shri A.S. Deshpande, Id. counsel for R-4.

2. The applicant has made representation vide letter dated 18/02/2016 (P-42) of the amended O.A. to the respondent no.3 regarding the applicant's grievance of pay fixation as per 6<sup>th</sup> Pay Commission. The learned counsel for R-4 i.e. CEO, Zilla Parishad, Washim submits that the proposal of applicant has been submitted by the respondent no.4 to the respondent no.2 i.e. Commissioner, Tribal Development, Nashik. However this document is not filed on record. The learned counsel for R-4 is directed to file that document on record and supply copy to the other sides.

3. The leaned counsel submits that the proposal has been submitted as Annex-A-16 of amended O.A., however document was examined by the Bench and it is seen that Project Officer, ITDP, Akola has submitted applicant's representation to the respondent no.3. It is not cleared whether the respondent

no.3 has acted upon the proposal and what is the progress.

4. The leaned P.O. is directed to take necessary instructions from the respondents about the progress of the proposal. The Id. Counsel for R-4 as well as learned counsel for the applicant are directed to file on record proposal submitted by the respondent no.4 to the respondent no.2 and its progress.

**S.O. four weeks.**

Steno copy is granted...

**Vice-Chairman**

dnk.

O.A. 196/2021 (S.B.)

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

**Dated : 02/07/2021.**

Heard Shri D.S. Sawarkar, 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. 9/7/2021.**

**Vice-Chairman**

dnk.

**O.A. 411/2020 (S.B.)**

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

**Dated : 02/07/2021.**

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

2. The Id. P.O. has filed letter dated 14/6/2021 issued by the respondent no.2 in which it is mentioned that the applicant expired on 17/5/2021. The matter pertains to transfer of the applicant and the death certificate of applicant is also attached at page no.3 of the correspondence.

3. In view of this nothing survives in the O.A. and hence the O.A. is disposed of as infructuous. No order as to costs.

**Vice-Chairman**

dnk.

**O.A. Nos.466,467 & 468 of 2020 (S.B.)**

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

**Dated : 02/07/2021.**

Heard Shri S.B. Raut, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. and other Id. P.Os. for the respondents.

2. The transfer order was issued on 5/8/2020 (A-5,P-59) and transfer period for year 2021 was upto 30/08/2021. So transfer was well within transfer period as prescribed by the Government. The respondent no.2 while issuing order dated 5/8/2020, it is mentioned about Maharashtra Government Transfers Act,2005 as well as the Government G.R. dated 31/1/2014 by which he is empowered to issue such transfer order. There are three applicants, the applicant in O.A. 466/2020 Shri Abdul Salim Abdul Alim Qureshi is at Sr.No.18, the applicant in O.A.467/2020 Shri B.D. Hemake is at Sr.No.20 and the applicant in O.A.468/2020 Shri A.B. Rakhade is at Sr.No.8. Now the submission made by the learned counsel that all applicants have been relieved as per transfer order and they have joined also on their respective posts.

3. In view of this situation, these O.As. have now become infructuous and hence the O.As. stand disposed of as infructuous. No order as to costs.

**Vice-Chairman**

dnk.

**O.A. 221/2021 (S.B.)**

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

**Dated : 02/07/2021.**

**MCA Nos. 11/2021 & 12/2021 -**

Shri M.I. Khan, Id. P.O. for the respondents appeared and submitted that the matter is listed first time and hence notices may be issued to the applicant.

2. In view of this, issue notice on MCA Nos.11 & 12 of 2021 returnable **on 23/7/2021.**  
Hamdast allowed.

**S.O. 23/7/2021.**

**Vice-Chairman**

dnk.

**O.A. 504/2021 (S.B.)**

**(Sau. K.D. Daware Vs. State of Mah. )**

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

**Dated : 02/07/2021.**

Heard Shri Abhay Sambre, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. As submission made by the learned counsel for the applicant, the show cause notice was issued to the applicant on 25/06/2021 (A-2,P-14). However as pointed out by the learned counsel at the bottom of the letter under signature the date is given as 26/06/2021 and this letter has been issued by the respondent no.3.

3. It is observed that the respondent no.3 should ensure that any letter should be signed before outward date, but in this case the letter is signed on 26/06/2021 and outward dated is 25/06/2021 which seems illegal and also appears to be letter is issued with prejudice mind. It is also seen in the last para that the applicant has been given only three days time to submit explanation which is not sufficient time and against natural justice. After that the applicant was put under suspension vide letter dated 29/06/2021 (A-1,P-11). Now this suspension order is issued just after three days



from issuing show cause notice by the respondent no.3 which is against the natural justice.

4. In view of this whole process it appears that the respondent no.3 has acted with malafide intention and prejudiced mind due to following reasons –

(i) The show cause notice is issued on 25/06/2021 and signed on 26/6/2021.

(ii) Only three days time is given to submit explanation.

5. Due to these reasons the suspension order is issued on 29/06/2021 (A-1,P-11) is bad in the eyes of law and requires to be stayed. Hence, **the suspension order dated 29/06/2021 (A-1,P-11) is stayed till further orders.**

6. Issue fresh notice to the respondents returnable **after four weeks**. The Id. P.O. waives notice for the State. Hamdast allowed.

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

8. 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.

9. 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.

10. 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.

11. 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 four weeks.**

Steno copy is granted...

**Vice-Chairman**

dnk.  
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**O.A.No.728/2015 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman  
Dated : 02/07/ 2021.**

**C.A.No.95/2021:-**

Heard Shri G.G.Bade holding for Shri S.U.Bhuyar, the Id. Counsel for the applicant, Shri A.M.Ghogre, the Id. P.O. for the State and Shri V.B.Gawali, the Id. counsel for the respondent no. 2.

2. The Id. counsel for the applicant is directed to supply the copy of C.A. to the respondent no. 2.

3. Notice on C.A. to Respondents be issued returnable in **six weeks**.

4. Shri A.M.Ghogre, the learned P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. 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:-02/07/2021.**

aps.

O.A.No.36/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

**C.A.No.167/2021:-**

Heard Shri S.M.Bhagde, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents. None for the respondent no. 4.

2. The Id. counsel for the applicant has filed C.A.No.167/2021 and on P.B., Pg. No. 7 of C.A.; death certificate of applicant no. 2 is filed. It is taken on record. Copy is supplied to the other side. Hence, **C.A.No.167/2021 for bringing L.Rs. on record is allowed.**

3. At the request of Id. P.O., **S.O. six weeks to file reply.**

**Vice Chairman**

**Date:-02/07/2021.**  
aps.

O.A.No.209/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri R.V.Shiralkar, 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 to file reply.**

**Vice Chairman**

**Date:-02/07/2021.**  
aps.

**O.A.No.676/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri B.Kulkarni, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. As submission made by the Id. P.O., R-3 has already filed reply on 06.11.2019. Today, the Id. P.O. submits that R-2 will adopt the same reply.

3. Hence, the matter is **admitted** and kept for final hearing.

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

5. **S.O. 30.07.2021.**

6. *Meanwhile, the Id. counsel for the applicant is at liberty to file rejoinder, if any.*

**Vice Chairman**

**Date:-02/07/2021.**  
aps.

O.A.No.28/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri B.Kulkarni, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side. The Id. P.O. further submits that reply of respondent no. 3 is sufficient to decide the O.A..

3. Hence, the O.A. is **admitted** and kept for final hearing.

4. The Id. P.O. waives notices for the respondent.

5. **S.O. 30.07.2021.**

6. *The Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

**Vice Chairman**

**Date:-02/07/2021.**  
aps.



O.A.No.125/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

**C.A.No.262/2020:-**

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

2. The Id. counsel for the applicant has pointed out G.R. dated 28.02.2017 (Annexure-A-4, P.B., Pg. No. 34), at Pg. No. 35, it appears that applicant was initially appointed under S.T. category but after the G.R. of 15.06.1995 (Annexure-R-1, P.B., Pg. No.107), his claim of S.T. Category was denied and he was brought in S.B.C. category and his seniority was changed from initial recruitment and he was brought at '39-A' seniority. So, he remains in S.B.C. category when G.R. dated 21.12.2019 (Annexure-A-11, P.B., Pg. No. 48) was issued. His claim was already settled before G.R. dated 21.12.2019 (Annexure-A-11, P.B., Pg. No. 48). The last para of G.R. on P.B., Pg. No. 35 is as below:-

“'kkI u vknS k&

I keW; i zkkI u foHkxkP; k I mHkZkhu 'kkI u fu.kZ' fn- 15-06-1995 o fn- 24-06-2004 e/khy rjrmhuq kj Jh- gerdeqj i okj ; kauk 'kkI u I os I j (k.k nmu R; kauk vuq fipr tekrg; k ioxkZ, oth fo'kSk exkkl ioxkZ n'kZo.; kr ;s vlu R; kauk miftYgkf/kdkjh I oXkZhy I oKT; sBrk fnukad 15-06-1995 vl k fuf'pr dj.; kr ;s vlgS R; kuq kj 'kkI u 'kq hi =d dz, e, uVh&1019@i zdz8@bZ%I sy½ fn- 04-12-2009 vLo; si fl ) dSY; k miftYgkf/kdkjh I oXkZ; k fn- 01-01-

1995 rsn- 31-12-1995 ; k dkyko/krty vire T; \$Brk l pte/; sJh-  
gerdepj ol rjko i okj ; kpsuko vupekd 39 ojhy Jh- ,u-vkj-  
ykgj ; kpsurj o vupekd 40 ojhy Jh- l- ,p-Vdke ; kpsvxknj  
Eg.ktp vupekd 39 v oj fuf'pr dj.; kr ; r vkg's"

3. The Id. counsel for the applicant desires time to file amendment application of C.A.. In view of this, Id. P.O. also seeks time to go through the detailed case.

4. **S.O. 07.07.2021.**

**Vice Chairman**

**Date:-02/07/2021.**  
aps.

**O.A.No.574/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

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

3. The Id. P.O. has submitted certain points in para no. 4 of reply, which is as below:-

*"4. By the order dated 13.03.2020 the amount of leave encashment was given to the applicant. Amount of G.P.F. is also disbursed to the applicant by the order dated 19.08.2019 and by the order dated 07.09.2019 and 14.11.2019 the provisional pension is being given to the applicant from December 2018 till date. Copies of orders 13.03.2020, 19.08.2019, 07.09.2019 and 14.11.2019 are annexed as Annexure.No.R-1 to R-4 respectively."*

4. However, the Id. counsel for the applicant desires to go through the reply. **S.O. 09.07.2021.**

**Vice Chairman**

**Date:-02/07/2021.**

aps.



**O.A.No.755/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri N.S.Warulkar holding for Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

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

3. At the request of Id. counsel for the applicant, **S.O. 14.07.2021 to file rejoinder.**

**Vice Chairman**

**Date:-02/07/2021.**  
aps.

**O.A.No.823/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

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

2. At the request of Id. counsel for the applicant, **S.O. 14.07.2021 to file reply.**

**Vice Chairman**

**Date:-02/07/2021.**

aps.

O.A.No.206/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

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

**Vice Chairman**

**Date:-02/07/2021.**  
aps.

**O.A.Nos.299&300/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri R.S.Parsodkar, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

2. As requested by Id. counsel for the applicant, Issue fresh notice to Respondents, 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.**

9. **I.R. to be continued.**

**Vice Chairman**

**Date:-02/07/2021.**

aps.

**O.A.No.352/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/2021.**

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the State. Await service of respondent no. 2.

2. The Id. counsel for the applicant submits that he has served Respondent no. 2. He further seeks time to file service affidavit.

3. At the request of Id. P.O., **S.O. 02.08.2021 to file reply.**

**Vice Chairman**

**Date:-02/07/2021.**  
aps.

**O.A.No.387/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri N.S.Warulkar holding for Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the Respondents.

2. At the request of Id. counsel for the applicant, **S.O. 14.07.2021.**

**Vice Chairman**

**Date:-02/07/2021.**  
aps.

**O.A.Nos.220/2021 & 343/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

2. At the request of Id. counsel for the applicant, **S.O. 23.07.2021.**

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

**Vice Chairman**

**Date:-02/07/2021.**  
aps.

**O.A.No.777/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri R.V.Shiralkar holding for Shri A.C.Dharmadhikari, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the Respondents.

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

**Vice Chairman**

**Date:-02/07/2021.**  
aps.

**Rev.Appl.07/2021inO.A.No.122/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 02/07/ 2021.**

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the Respondents.

2. Issue notice to Respondents on Review Application, returnable on two 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. two weeks.**

**Vice Chairman**

**Date:-02/07/2021.**

aps.