

O.A. 122/2017 (S.B.)

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

**Dated : 04/03/2021.**

Shri A.S. Shrivastava, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3 and Shri J. Mokadam, Id. counsel for R-4.

**S.O. three weeks.**

**Vice-Chairman**

dnk.

O.A. 861/2019 (S.B.)

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

**Dated : 04/03/2021.**

Shri G.G. Bade, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

**S.O. two weeks.**

**Vice-Chairman**

dnk.

O.A. 658/2016 with C.A. 495/2016 (S.B.)

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

**Dated : 04/03/2021.**

Shri G.G. Bade, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

**S.O. three weeks.**

**Vice-Chairman**

dnk.

O.A. 83/2019 (S.B.)

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

**Dated : 04/03/2021.**

Shri S.P. Palshikar, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

**S.O. three weeks.**

**Vice-Chairman**

dnk.

O.A. 221/2019 (S.B.)

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

**Dated : 04/03/2021.**

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

At the request of Id. P.O., **S.O. 25/3/2021** for filing reply.

**Vice-Chairman**

dnk.

O.A. 279/2019 (S.B.)

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

**Dated : 04/03/2021.**

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

At the request of Id. P.O., **S.O. 25/3/2021** for filing reply.

**Vice-Chairman**

dnk.

O.A. 109/2020 (S.B.)

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

**Dated : 04/03/2021.**

Shri M.S. Shukla, 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. three weeks** for filing reply.

**Vice-Chairman**

dnk.

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

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

**Dated : 04/03/2021.**

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

**Vice-Chairman**

dnk.



O.A. 80/2021 (S.B.)

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

**Dated : 04/03/2021.**

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

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

**Vice-Chairman**

dnk.

O.A. 98/2021 (S.B.)

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

**Dated : 04/03/2021.**

Shri A.P. Tathod, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

**Vice-Chairman**

dnk.

O.A. 109/2021 (S.B.)

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

**Dated : 04/03/2021.**

Shri B. Kulkarni, 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. 25/3/2021** for filing reply.

**Vice-Chairman**

dnk.

O.A. 620/2020 (S.B.)

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

**Dated : 04/03/2021.**

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

At the request of Id. P.O., **S.O. 25/3/2021** for filing reply.

**Vice-Chairman**

dnk.

O.A. 49/2020 (S.B.)

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

**Dated : 04/03/2021.**

Shri D.M. Surjuse, 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. four weeks** for filing reply as a last chance since the matter pertains to pay fixation of a retired person.

**Vice-Chairman**

dnk.

**O.A. 1013/2019 (S.B.)**

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

**Dated : 04/03/2021.**

Shri N.W. Almelkar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The Id. P.O. submits that he will file reply during the course of day. He is permitted to do so. He is directed to file copy of reply to the Id. counsel for the applicant.

**S.O. 12/3/2021.**

**Vice-Chairman**

dnk.

O.A. 332/2019 (S.B.)

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

**Dated : 04/03/2021.**

Smt. K.N. Saboo, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

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

**Vice-Chairman**

dnk.

O.A. 321/2019 (S.B.)

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

**Dated : 04/03/2021.**

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

2. At the request of Id. counsel for the applicant, issue fresh notice to R-2&3, returnable **after four 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. after four weeks.**

**Vice-Chairman**

dnk.

O.A. 322/2019 (S.B.)

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

**Dated : 04/03/2021.**

Heard Shri A. Girdekar, Id. counsel for the applicant and Shri A.M. Khadatkhar, Id. P.O. for the State.

2. At the request of Id. counsel for the applicant, issue fresh notice to R-2&3, returnable **after four 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. after four weeks.**

**Vice-Chairman**

dnk.

O.A. 323/2019 (S.B.)

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

**Dated : 04/03/2021.**

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

2. At the request of Id. counsel for the applicant, issue fresh notice to R-2&3, returnable **after four 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. after four weeks.**

**Vice-Chairman**

dnk.

O.A. 280/2020 (S.B.)

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

**Dated : 04/03/2021.**

Smt. K.N. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1 to 3. None for other respondents.

2. As per the order dated 11/2/2021 amendment is carried out. The Id. CPO desires two weeks time to file reply on the amended portion. At his request, **S.O. 18/3/2021.**

**Vice-Chairman**

dnk.

O.A. 280/2020 (S.B.)

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

**Dated : 04/03/2021.**

Heard Smt. K.N. Saboo, Id .counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to the respondents returnable **after six weeks**. The Id. P.O. waives notice for the State. 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 six weeks.**

**Vice-Chairman**

dnk.



**O.A. St. 206/2021 (S.B.)**

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

**Dated : 04/03/2021.**

**C.A. No. 34/2021 -**

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

2. There is a delay of 75 days after suspension order which is condoned with the interest of justice. In view thereof, the C.A. No. 34/2021 is allowed.

**O.A. St. 206/2021-**

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

2. Issue notice to the respondents returnable **after six weeks**. The Id. P.O. waives notice for the State. 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 six weeks.**

**Vice-Chairman**

dnk.

**O.A. 105/2021 with C.A. 35/2021 (S.B.)**

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

**Dated : 04/03/2021.**

Heard Shri A.K. Waghmare, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

The matter pertains to the year of 2008, therefore, the Id. counsel for the applicant first to file C.A. for condonation of delay and then the matter will be heard.

**S.O. four weeks.**

**Vice-Chairman**

dnk.

O.A. 919/2020 (S.B.)

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

**Dated : 04/03/2021.**

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

2. The learned counsel for the applicant has relied upon the Judgment of MAT, Nagpur Bench in O.A. 976/2019 & Ors. (A-6,P-20). This Judgment was covered by the Judgment in **Writ Petition No.15732/2017, dated 15/9/2017 in case of P. Ayyamperumal Vs. Registrar, Central Administrative Tribunal, Chennai & Ors.** and same has been confirmed by the Hon'ble Apex Court also. The said Judgment covered by the Hon'ble Supreme Court Judgment in **SLP (Civil) No. 22283/2018 in case of Union of India & Ors. Vs. P. Ayyamperumal** (A-4,P-18).

3. The learned P.O. desires two weeks time to file reply.

**S.O. 18/3/2021.**

**Vice-Chairman**

dnk.

O.A. 920/2020 (S.B.)

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

**Dated : 04/03/2021.**

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

2. The learned counsel for the applicant has relied upon the Judgment of MAT, Nagpur Bench in O.A. 976/2019 & Ors. (A-5,P-18). This Judgment was covered by the Judgment in **Writ Petition No.15732/2017, dated 15/9/2017 in case of P. Ayyamperumal Vs. Registrar, Central Administrative Tribunal, Chennai & Ors.** and same has been confirmed by the Hon'ble Apex Court also. The said Judgment covered by the Hon'ble Supreme Court Judgment in **SLP (Civil) No. 22283/2018 in case of Union of India & Ors. Vs. P. Ayyamperumal** (A-3,P-16).

3. The learned P.O. desires two weeks time to file reply.

**S.O. 18/3/2021.**

**Vice-Chairman**

dnk.

\*O.A. 17/2021 (S.B.)

( D.R. Koli Vs. State of Maharashtra & Ors.)

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

**Dated :** 04/03/2021.

**ORDER**

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

2. The respondent no.2 has filed reply on 2/3/2021 (P-35). In the reply, there is no whisper about reasons and procedures prescribed by time to time by the Government for extension of suspension period as done vide impugned order dated 23/10/2020 (A-6,P-26). On perusal of the record, it appears that when the State Minister, Home (Rural) passed the order as per page nos.33 & 34 in decision part, he mentioned certain conditions. The condition nos.3,4&5 are as below –

3- olnh Jh- fni d jked".k dkGh] i ksyhl fujh{kd] rRdk- ue- /kGs'kgj i ksyhl Bk.ls; kulk 3 o"kkZjhrk vdk; Zdkjh i nkoj Bp.; kr ; kos

4- olnh Jh- fni d jked".k dkGh] i ksyhl fujh{kd] rRdk- ue- /kGs'kgj i ksyhl Bk.ls; kulk 'kk ul or # twdjrkuk l oZfu; ekpsi kyu d#u ukdjh dj.; kpsgehi = R; klf; kdMuu ?ks; kr ; kos

5- olnh Jh- fni d jked".k dkGh] i ksyhl fujh{kd] rRdk- ue- /kGs'kgj i ksyhl Bk.ls; kulk 2 o"kkZfujh{k.k.kk[kkyh Bopu i ksyhl egkl pkyd] egkjk"V'jkT; ] epbz; kulk R; kckcr vgoky njegk i ekf.kr djlok-\*\*

3. However, there is no documents filed along with the reply whether condition nos.3,4 & 5 of Hon'ble Minister (Home) (Rural) order dated 29/8/2019 was complied or not, that relevant documents should be filed on record.

4. Whether there is any Review Committee at the respondent no.2 level for review of suspension period regarding extension or not and whether the applicant's case was placed before the Review Committee and what transpired in the minutes of that meeting, that documents should be also filed on record.

5. The learned counsel for the applicant pointed out at page no.27 first two lines of order where it appears that the applicant was reinstated in service only technically he was never taken in service after

//2//

the order of Hon'ble Minister (Home) (Rural) dated 29/8/2019 if it is like that, then it shows violation of Government order.

6. The learned counsel for the applicant has pointed out in O.A. at page no.13 following facts –

*“ It appears that the respondent no.2 Director General of Police has completely ignored the order passed by the Hon'ble Minister dated 29/8/2019. There is nothing but a colourable exercise of powers and lack of administration which needs to be deprecated. If the Higher Officer like Director General of Police who is Head of Police in the State of Maharashtra acted in such a fashion then certainly it would be difficult for any members of the Police Personnel to work in Police Department in the State of Maharashtra.”*

7. If these facts are true, then it is difficult that under tower of justice, illegal orders can be accepted and justified. It may be any compulsion of respondent no.2 as per the requirement of his professional integrity, but in the administration of society at large, any action must be done as per the legal rules. In a democratic society like us governance requires legal rules for every action by all the pillars of democracy. Any anomaly to set legal precedences will never be acceptable in the eyes of law.

8. In view of above discussion, learned P.O. is directed to file documents on following two points -

- (i) Compliance of Hon'ble Minister's order dated 29/8/2019 with regard to point nos.3,4&5 .
- (ii) Detail report of Review Committee meeting along with its Minutes.

9. If report is not filed, the matter will be heard on merits.

**S.O. 15/3/2021.**

Steno copy is granted...

**Vice-Chairman**

dnk.

O.A.No.260/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

None for the applicant. Shri S.A.Sainis, the Id.  
P.O. for the respondents. None for R-4 & 5.

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

**Vice Chairman**

**Date:-04/03/2021.**  
aps.



**O.A.No.316/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents (Shri M.I.Khan, the Id. P.O. is for the respondent nos. 2 & 3). Hence it is served.

2. At the request of Id. P.O., **S.O. 25.03.2021 to file reply as a last chance.**

**Vice Chairman**

**Date:-04/03/2021.**  
aps.

**O.A.No.166/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

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

2. As requested by Id. counsel for the applicant, office is directed to 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.**

**Vice Chairman**

**Date:-04/03/2021.**

aps.

O.A.No.329/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

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

2. The Id. counsel for the applicant has filed  
pursis dated 25.02.2021 to withdraw the O.A..  
**Hence, the O.A. stands disposed of as withdrawn.**

**Vice Chairman**

**Date:-04/03/2021.**

aps.

**O.A.No.501/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

**C.A.No.369/2020:-**

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

2. At the request of both the counsels, **S.O. 25.03.2021.**

**Vice Chairman**

**Date:-04/03/2021.**  
aps.

O.A.No.78/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

**C.A.No.29/2021:-**

Heard Shri S.R.Dambhare, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the Respondents. None for the respondent no. 6.

2. **C.A. No. 29/2021 for Jt. O.A. is allowed.**
3. **At the request of Id. P.O., S.O. four weeks to file reply.**

**Vice Chairman**

**Date:-04/03/2021.**  
aps.

**C.P.No.22/2020inO.A.No.541/2016 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents.

2. The Id. P.O. has filed correspondence dated 03.03.2021 by Under Secretary, Public Health Department; by which it appears that respondents are in the process of complying the order dated 03.10.2017; it is already very much late. However, as per there correspondence, it appears that file is now going to be put up before Cabinet and for that department has taken approval from Hon'ble Chief Minister. Respondents are directed to bring all these facts before Cabinet and get it clear.

**3. S.O. 25.03.2021.**

**4. Steno copy is granted.**

**Vice Chairman**

**Date:-04/03/2021.**

aps.

**O.A.No.709/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the Respondents.

2. Today, the Id. P.O. has filed correspondence dated 02.03.2021 by Deputy Director Education, Nagpur Division to Education Officer, Primary, Dist. Sindhudurg along with this; they have attached letter dated 02.03.2021 by Education Officer (Primary), Z.P., Sindhudurg in which three points are mentioned-

A. Remaining amount of salary from dated 01.01.1986 to dated 31.10.2002 amounting Rs. 12,31,465/- has been paid to the applicant and for that applicant has also given consent.

B. The pension paper is also submitted to the A.G. office by dated 26.02.2021.

C. Regarding Group Insurance Scheme, it is written that Shri Borkar expressed not to take the amount and that's why it has been stopped.

3. This is very surprising that how applicant has expressed not to take Group Insurance Scheme as mentioned above in point no. 'C'. In this situation, the Id. P.O. is directed to file on record letter dated 23.12.2019 by applicant Shri Borkar and supply the



copy to the same to the Id. Counsel for the applicant. At the same time the Id. counsel for the applicant is also directed to consult his applicant and if applicant is submitted such letter file the same on record. Since, pension paper has been submitted to A.G., Mumbai on dated 26.02.2021; four weeks time is granted to ensure that pension is get sanctioned and applicant is paid.

**4. S.O. 01.04.2021.**

**5. Steno copy is granted.**

**Vice Chairman**

**Date:-04/03/2021.**

aps.

O.A.No.567/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

Heard Shri S.N.Gaikwad, 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. two weeks to file progress report.**

**Vice Chairman**

**Date:-04/03/2021.**  
aps.

**O.A.No.343/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

None for the applicant. Shri V.A.Kulkarni, the Id. P.O. for the Respondents. Shri Suresh K. Gedam, one of the member in person.

2. The whole issue is involved around G.R. dated 29.09.2003 (Annexure-A-4, P.B., Pg. No. 19) where total employees are 5033 (Irrigation Department-957, P.W.D. 3714, RDD and Water Department-362). These employees are given benefits of "दकेतुद क्ज गणक वरु.क गणकतुद क्ज । ङ्जह " and in the process they were given Class-III position.

3. In order dated 07.05.2019 in O.A. No. 343/2019 it was observed that:- *"As pointed out by Id. counsel for the applicant G.R. dated 08.06.1995 (Annexure-A-2, Para-E). As per this G.R. Class-IV employees even if they are given higher pay but remained in Class-IV category, their retirement age would be 60 years. The impugned order dated 09.04.2019 (Anexure-A-1, P.B., Pg. NO. 14) shows that Tartanri (Wireman) category employees has been asked to retire on 30.06.2019 after completion of age of 58 years. However, neither the Id. counsel for the applicant or the Id. P.O. has placed any record which shows that Tartantri (Wireman) is Class-IV or Class-III. They are directed to file such record."*

4. The applicant relied on G.R. dated 17.04.2012 (Annexure-A-6, P.B., Pg. No. 27) where it

was mentioned that though applicant was given status of Class-III, the retirement age will be as per Group-D employees.

5. Subsequently, respondents have filed along with reply, G.R. dated 07.12.2012 by which G.R. dated 17.04.2012 has been cancelled as per para no. 4 of G.R., further it has been clearly mentioned in para no. 3 of the same G.R. that whatever temporary posts were created as per G.R. dated 29.09.2003, those employees retirement age will continue to be 58 years only. Hence, the grievance of the applicant does not survive and O.A. stands dismissed.

6. However, as submission made by Shri Suresh P. Gedam, the Id. counsel for the applicant is absent due to lockdown in Amravati. He will present on 12.03.2021.

7. **S.O. 12.03.2021.**

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

**Vice Chairman**

**Date:-04/03/2021.**

aps.

O.A.No.346/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

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

2. At the request of Id. P.O., **Put up this matter  
before regular D.B.**

**Date:-04/03/2021.**  
aps.

**Vice Chairman**

O.A.No.436/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman**  
**Dated : 04/03/ 2021.**

Shri Tripathi holding for Shri A.P.Chaware,  
the Id. counsel for the applicant and Shri M.I.Khan,  
the Id. P.O. for the Respondents.

2. At the request of Id. P.O., **Put up this matter  
before regular D.B.**

**Date:-04/03/2021.**  
aps.

**Vice Chairman**