

(D.B.)

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

Dated : 23/02/2021.

C.A. 458/2019 in O.A. 926/2019 -

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

2. Since the matter has been heard on many times, the Id. P.O. again desires to file reply on C.A. In this situation, the Id. P.O. is directed to file reply on C.A. as well as on O.A. till the next date.

S.O. 2/3/2021.

Vice-Chairman

dnk.

O.A. 952/2019 (D.B.)

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

Dated : 23/02/2021.

Shri D.M. Surjuse, 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. 26/2/2021.**

Vice-Chairman

dnk.

O.A. 728/2020 (D.B.)

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

Dated : 23/02/2021.

C.A.No. 354/2020 -

Ms. Ragini Zarbade, Id. counsel holding for Shri S.D. Chande, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1 to 4. None for R-5.

2. On 15/1/2021 the C.A.No. 354/2020 was allowed to file documents on record, but till today the same has not been filed by the Id. counsel. Today, the learned counsel for the applicant submits that she will file documents on record as per order dated 15/1/2021 and for that purpose she desires further four weeks time.

2. At the request of Id. counsel for the applicant, **S.O. four weeks** for compliance the order dated 15/1/2021.

Vice-Chairman

dnk.

O.A. 140/2020 (D.B.)

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

Dated : 23/02/2021.

Shri A.Y. Sharma, Id .counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. three weeks** for filing reply as a last chance.

Vice-Chairman

dnk.

O.A. 565/2020 (D.B.)

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

Dated : 23/02/2021.

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

2. The Id. P.O. submits that he has received parawise reply, but due to lockdown at Amravati it is not possible to file reply on record, therefore, further time may be granted. In this situation, three weeks time is granted to file reply.

3. By the consent of learned counsel as well as Id. P.O., the O.A. is admitted and it be kept for final hearing.

4. The learned P.O. waives notice for the respondents.

5. In the meantime, the applicant is at liberty to file rejoinder, if any.

S.O. three weeks.

Vice-Chairman

dnk.

***O.A. 792/2020 (D.B.)**

(J.N. Choudhari Vs. State of Mah. & Ors.)

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

Dated : 23/02/2021.

Heard Shri R.M. Fating, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 4. None for R-5.

2. The Id. P.O. files reply on behalf of R-1 to 4. It is taken on record. Copy is served on the applicant. However, it has been discussed in another O.A. and it was pointed out that the Hon'ble High Court, Nagpur Bench has directed the respondents to fill the post in the Caste Scrutiny Committee, at Nagpur and Amravati on priority. The learned counsel and Id. P.O. are directed to go through that Judgment and file on record.

3. The Id. counsel for the applicant also to study the Judgment of Hon'ble High Court and M.A.T. orders dated 17/12/2020 and 9/2/2021 and in view of the Judgment of Hon'ble High Court and M.A.T. orders, he should make submission as per the existing rules and regulations.

4. The respondents in their reply at para-7 (P-111) mentioned the landmark Judgment dated 2/9/1994 of **Madhuri Patil Vs. Additional Commissioner, Thane** and subsequent to that G.R. was issued dated 14/7/1997 (A-15,P-68) and more Committees related to Scheduled Tribe Certificate Scrutiny Committees were formed. In all the Committees after Chairman, there is a post of Additional Commissioner. The respondents are directed to verify before next date of hearing what is the rank of applicant and what is the rank of present incumbent whom they have posted in capacity of Additional Commissioner, Caste Verification and Scrutiny Committee, Nagpur. Is it as per the G.R. dated 14/7/1997 or there is violation of the G.R ?

5. The learned P.O. submits that there is a Act of 2003 which has come after G.R. dated 14/7/1997 (A-15,P-68). The learned counsel and Id. P.O. are directed to file the abstract of the Act which shows that whether the post has been downgraded or it has been kept as per the G.R. dated 14/7/1997 (A-15,P-68).

6. The grievance of the applicant is that the respondent no.5 Smt. Preeti Bondre who is posted vide order dated 23/7/2020 (A-1,P-30) as Joint Director, Scheduled Tribe Caste Verification and Scrutiny Committee, Nagpur is not the rank of Joint Director which is of the scale of S-23, Rs.67,700-2,08,700/- and vide G.R. dated 23/7/2020 (A-1,P-30) Smt. Preeti Bondre who has been posted as Joint Director is presently Deputy Director rank it means the post has been downgraded to adjust respondent no.5 and it is not as per the G.R. dated 14/7/1997 (A-15,P-68) and thus it is not as per para-7 of the reply filed by the respondents. As per reply filed by the respondents in para-3 (P-109) it is mentioned as below –

“ It is submitted that in view of the provisions of GAD Notification dated 15/6/2017 the applicant was asked by letter dated 28/8/2019 in respect of choice for his posting. So the applicant preferred for the post of Joint Commissioner, Scheduled Tribe Caste Scrutiny Committee, Nagpur by submitting his choice in Nagpur Revenue Division on 28/8/2019 by way of bond.”

7. By submission in para-3 it is crystal cleared that Joint Director level Officer was available for posting as Joint Director, Scheduled Tribe Caste Scrutiny Committee, Nagpur and it is as per the G.R. 14/7/1997 (A-15,P-68) as per para-7 of the reply then what is reason that subsequently vide G.R. dated 23/7/2020 (A-1,P-30) the post was downgraded and Deputy Director rank officer was posted.

8. In view of discussions in above paras, it appears that the G.R. dated 23/7/2020 (A-1,P-30) was not necessary to violated policy decided by the G.R. 14/7/1997(A-15,P-68). Prima facie it appears violation of the G.R. issued subsequent to the Judgment of Hon'ble Apex Court in case of **Madhuri Patil Vs. Additional Commissioner, Thane** .

9. The O.A. is admitted and it be kept for final hearing. The Id. P.O. waives notice for R-1 to 4.

S.O. 23/3/2021.

Steno copy is granted.

Vice-Chairman

dnk.*

O.A. 485/2018 (D.B.)

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

Dated : 23/02/2021.

MCA 02/2021 -

Heard Shri S.M. Khan, Id. Counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. As pointed out by the Id. C.P.O. & P.O., the Judgment of Hon'ble Apex Court in Civil Appeal 102/1997, decided on 6/1/1997 in case of **Director, Elementary Education & Ors. Vs. Pratap Kumar Nayak** has observed that State Administrative Tribunal (SAT) could not give any direction contrary to the direction given in main order. I have perused the main order dated 11/12/2019 and in para-4 following observations have been made-

“4.As per the law laid down by the Apex Court every disciplinary enquiry shall be completed within a period of 6 months or as an outer limit within 1 year. Keeping in view the nature of the charges, in our opinion, at this stage, this enquiry cannot be quashed merely because there is a delay in serving chargesheet but considering the facts that chargesheet is issued on 27-04-2018 (page 8), we think it suitable to direct the respondents to complete the enquiry within a period of 6 months from the date of this

order. O.A. stands disposed of with no order as to costs”.

3. Now in this situation as per the Judgment of Hon'ble Apex Court in Civil Appeal 102/1997, decided on 6/1/1997 in case of **Director, Elementary Education & Ors. Vs. Pratap Kumar Nayak,,** the respondents are directed to complete the inquiry by 31/3/2021 and if inquiry is not completed by that time, the respondents are directed to depute a responsible Officer in 1st week of April,2021 on the date of hearing to appear before this Tribunal and explain the reason and if decision is taken, they should file on record through the P.O.

4. At the same time, the learned counsel for the applicant is also directed that he should direct the applicant to co-operate with the respondents to finalise the D.E. as prescribed by the Judgments.

5. In view of above, the MCA No. 02/2021 is disposed of. No order as to costs.

Vice-Chairman

dnk.*

C.P. 09/2021 in O.A. 485/2018 (D.B.)

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

Dated : 23/02/2021.

Heard Shri S.M. Khan, Id. Counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

S.O. 9/4/2021.

Put up along with C.P. 10/2021 in O.A. 530/2018

Vice-Chairman

dnk.

C.P. 10/2021 in O.A. 530/2018 (D.B.)

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

Dated : 23/02/2021.

Heard Shri S.M. Khan, Id. Counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

S.O. 9/4/2021.

Put up along with C.P. 09/2021 in O.A. 485/2018

Vice-Chairman

dnk.

O.A. 152/2021 (D.B.)

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

Dated : 23/02/2021.

Heard Shri P.S. Chawhan, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the State.

2. The learned counsel for the applicant has relied upon the order dated 3/2/2021 passed by the Principal Bench consisting of Hon'ble Chairperson and Vice-Chairman of the MAT, Bench at Mumbai in O.A. of Aurangabad Bench i.e. St. No. 129/2021 and relying on the same Judgment the applicant in this O.A. is granted relief only to the extent of status-quo of impugned order dated 17/1/2021 (A-5,P-27). On the parity of the same Judgment, the order dated 17/1/2021 (A-5,P-27) has been passed without giving opportunity of hearing to the applicant. The learned P.O. submits that since the order dated 17/1/2021 (A-5,P-27) is passed, the applicant might have been relieved and there may not be vacant post. In view of this, granting a stay to the order dated 17/1/2021 (A-5,P-27) may create chaos in the administration. Hence, the status-quo is granted as on today till filing of reply.

3. Issue notice to the respondents returnable **after four weeks**. Learned P.O. waives notice for State. Hamdast allowed.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. after four weeks.

Vice-Chairman

dnk*

O.A. 609/2020 (D.B.)

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

Dated : 23/02/2021.

Heard Shri V.B. Gawali, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 3. None for other respondents.

2. By way of amendment, the learned counsel for the applicant has added the Secretary, G.A.D., Mantralaya, Mumbai-32 as respondent no.1A. The learned P.O. desires three weeks time to reply on behalf of R-1A.

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

Vice-Chairman

dnk.

**

Rev.No.06/2020inO.A.No.924/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

None for the applicant. Shri A.M.Khadatkar,
the Id. P.O. for the respondents.

2. Notices of Respondent nos. 2 & 3 are yet not served.
3. At the request of Id. P.O., **S.O. four weeks.**

Vice Chairman

Date:-23/02/2021.
aps.

C.A.No.57/2021inO.A.No.982/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

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

2. C.A.No.57/2021 for early hearing is allowed.

3. The Id. P.O. pointed out order sheet dated 25.11.2019 in para no. 3 following observation was made:-

"It seems that applicant's period from 12.01.2007 to 01.01.2008 has been treated as special leave (leave without pay). In view of this, the Id. counsel for the applicant is directed to produce the documents from department which has asked applicant not to resume the duty during this period (12.01.2007 to 01.01.2008)."

4. The Id. counsel for the applicant is again made clear that unless the said documents are not produced before the Tribunal, it will be difficult to decide the matter.

5. S.O. 15.03.2021.

6. Matter be treated as P.H.

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.280/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

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

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

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.17/2021 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 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. At the request of Id. counsel for the applicant, **S.O. 02.03.2021.**

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.67/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the respondents and Ms. S.G.Bhagat, the Id. counsel for the respondent no. 4.

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

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

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

5. **S.O. four weeks.**

6. *Meanwhile, the Id. counsel for the respondent no. 4 is at liberty to file reply.*

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.99/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

Heard Shri M.V.Mohokar, 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. two weeks.**

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.589/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

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

2. As pointed out by Id. counsel for the applicant on Annexure-A-6, P.B., Pg. No. 21, department has calculated amount Rs. 12,43,475/- and total amount is Rs. 14,40,539/-; this letter is address from District Civil Surgeon, Bhandara to Deputy Director, Health Services, Nagpur.

3. The Id. P.O. has filed letter by Deputy Director, Nagpur to Principal Secretary, Public Health Department dated 16.02.2021; which is taken on record. It is marked Exh. 'X' for the purpose of identification. It is taken on record. Copy is served to the other side. This proposal has been forwarded with recommendation for sanction. There is a difference of amount between the correspondence letter from District Civil Surgeon, Bhandara to Deputy Director dated 28.05.2020 (Annexure-A-6, P.B., Pg. No. 21) and letter file by Id. P.O. i.e. by Respondent no. 3 i.e. Deputy Director of Public Health Services, Nagpur to Respondent no. 1 i.e. Principal Secretary, Public Health Department dated 16.02.2021. The Id. counsel for the applicant feels that this calculation is wrong. The Id. counsel for the applicant wants to make certain amendments in this

O.A., he is directed to amend the same within one week time and supply the copy to the other side.

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

Date:-23/02/2021.
aps.

Vice Chairman

O.A.No.630/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

Heard Shri Y.B.Sharma, 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. two weeks.**

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.48/2021 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

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

2. At the request of Id. counsel for the applicant, **S.O. 15.03.2021.**

Vice Chairman

Date:-23/02/2021.

aps.

C.A.No.364/2020inO.A.No.584/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

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

2. C.A.No.364/2020 for documents on record is allowed.

3. The Id. counsel for the applicant is directed to supply the above said documents to the other side after filling.

4. S.O. two weeks.

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.975/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

Heard Shri S.S.Khadse, the Id. Counsel for the applicant, Shri H.K.Pande, the Id. P.O. for the State and Shri S.S.Das, the Id. counsel for the respondent no. 3. Await service of respondent nos. 1 & 2.

2. At the request of Id. counsel for the applicant, **S.O. three weeks to file service affidavit.**

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.116/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

Heard Shri P.S.Patil, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

2. At the request of Id. counsel for the applicant, **S.O. three weeks to file service affidavit.**

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.642/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

Heard Shri I.N.Choudhari, 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. three weeks.**

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.939/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

Heard Shri I.Fidvi, the Id. Counsel for the applicant and Shri A.M.Khadatkar, 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:-23/02/2021.
aps.

O.A.No.150/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

C.A.No.62/2021:-

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

2. C.A. No. 62/2021 for Jt. O.A. is allowed.

3. Issue notice to Respondents, returnable on four weeks. 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.

9. **S.O. four weeks.**

10. *Meanwhile, the Id. counsel for the applicant is directed to remove office objection.*

Vice Chairman

Date:-23/02/2021.

aps.

O.A.Nos.861,915to917,933&934/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

**C.A.Nos.380/2020&21/2021(O.A.
No.915/2020) and C.A. No.44/2021
(O.A.No.916 /2020)**

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents. Shri A.Joshi, the Id. counsel for the Intervenor in O.A. Nos. 915&916/2020.

2. C.A.Nos.380/2020, 21 & 44/2021 for Interventions are allowed.

3. The Id. counsel for the applicant is directed to carry out the amendment within one week and supply the amended copy to the other side.

4. S.O. 05.03.2021.

5. *Put up this matter along with the O.A. Nos. 432/2020, 588/2020, 662/2020 and 679/2020.*

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.904/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

Heard Smt. Saboo, 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 Government letter by Under Secretary, Urban Development Department dated 22.02.2021, by which applicant has been reinstated in service and Id. P.O. further submits that applicant is going to retire on 28.02.2021. Hence, the grievance of the applicant is redressed.

3. Hence, the **O.A. is disposed of with no order as to costs.**

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.79/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

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

2. Applicant stood retired on 30.06.2019. The Id. counsel for the applicant submits that his one increment was due on 01.07.2019 and that was not paid and added to his pension.

3. Issue notice to Respondents, returnable on four weeks. 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.

9. **S.O. four weeks.**

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.151/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

Heard Smt. Saboo, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the State.

2. Applicant stood retired on 30.06.2018 from Z.P., Gadchiroli. **Respondents are directed to pay provisional pension to the applicant and they are at liberty to hear the applicant to solve his grievance.**

3. Issue notice to Respondents, returnable on four weeks. 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.

9. **S.O. four weeks.**

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.157/2021 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

Heard Shri Pathak, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State.

2. The applicant superannuated on 31.12.2018 when he was posted in Gondia District and he was getting benefits of Tribal and Naxal affected area. As per impugned order at Annexure-A-1, P.B., Pg. No. 23 respondents are intending to recover Rs. 2,93,736/- i.e. almost after two years of retirement of applicant. Aggrieved by this order, applicant on 22.02.2021 approached to this Tribunal. **Respondents are directed not to affect further recovery till filing of the reply.**

3. Issue notice to Respondents, returnable on four weeks. 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 on 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. four weeks.**

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.197/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

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

2. **S.O. three weeks.**

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.924/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 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. **S.O. four weeks.**

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.85/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

Heard Shri G.N.Khanzode, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. **S.O. three weeks.**

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.70/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.

Heard Shri P.S.Patil, the Id. Counsel for the applicant, Shri S.A.Sainis, the Id. P.O. for the respondents and Shri V.S.Giramkar, the Id. counsel for the respondent no. 3.

2. **S.O. three weeks.**

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.113/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

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

2. **S.O. three weeks.**

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.896/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

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

2. At the request of Id. counsel for the applicant, **S.O. 15.03.2021.**

Vice Chairman

Date:-23/02/2021.

aps.

O.A.No.511/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

Heard Shri G.N.Khazode, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. **S.O. three weeks.**

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.268/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

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

2. **S.O. two weeks.**

Vice Chairman

Date:-23/02/2021.
aps.

O.A.No.293/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

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

2. **S.O. two weeks.**

Vice Chairman

Date:-23/02/2021.
aps.

**O.A.Nos.809, 810, 811, 812, 813, 814, 815, 816,
817, 818, 819, 820, 821 & 822/2017:- (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :23/02/ 2021.**

Heard Ms. M.Iyer, the Id. Counsel for the applicant, Shri S.A.Sainis, the Id. P.O. for the respondents and Shri H.D.Marathe holding for Shri N.A.Palshikar, the Id. counsel for the respondent no. 3 in O.A. Nos. 817/2017 & 822/2017.

2. S.O. 09.03.2021.

3. The office is strictly directed to keep only this lot on board on 09.03.2021.

Vice Chairman

Date:-23/02/2021.
aps.