

O.A.No.783/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.

Heard Ms. A.Y.Pardhi, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. The Id. P.O. has placed two documents from the respondents, letter dated 13/02/2019 by D.C.F., Transport and Marketing, Ballarshah and letter dated 07/12/2019 by C.C.F., Gadchiroli. In letter dated 07/12/2019, the Id. P.O. has submitted that applicant at Sr. No. 8, Shri Dharmaiyya Ballaiya Guggarwar age 53 years has been already posted at Ballarshah. He has been regularized and posted at Ballarshah. Respondents are taking decision regarding other respondents from Sr. Nos. 1 to 7 and for that Id. P.O. desires two weeks time to file on record.

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

Vice Chairman

Date:-02/01/2020.

aps.

O.A.No.883/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.

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

2. The Id. P.O. has filed reply of respondent no.
2. It is taken on record. He submits that he will serve
the copy to the other side.

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

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

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

Vice Chairman

Date:-02/01/2020.
aps.

O.A.No.964/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.

There is a leave note of Shri S.P.Palshikar. Shri A.M.Khadatkar, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply for the respondent nos. 1 & 2. It is taken on record. He further submits that he will serve the copy to the other side.

3. In order dated 19/12/2019 in para no. 2 following observations have been made:-

"In order dated 28/11/2019, it was observed that Id. P.O. was directed to file reply within three weeks time. However, today again Id. P.O. is seeking time. It is sad that Id. P.O. is not able to get reply from respondent no. 2 whose order is under challenge in this O.A.. This clearly shows that respondent no. 2 is not serious in filing reply. However, as per the request of Id. P.O. matter is kept on 02/01/2020 for final decision."

4. However, Id. P.O. today submits that the original order was passed by Additional Tribal Commissioner, Nagpur and respondent no. 2 has to decide the order in appeal. So, it was necessary for the applicant to make Nagpur office as one of the respondent, but it was not made and because of that respondents are delayed in filing reply.

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

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

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

Date:-02/01/2020.
aps.

Vice Chairman

O.A.No.631/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.

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

2. As submitted by Id. counsel for the applicant, the applicant was initially appointed as Senior Clerk, Nagpur on 11.03.1985. Subsequently, he was posted under Additional Commissioner, Nashik. Since, applicant has not been given regular increment since initial appointment i.e. 18/04/2008 i.e. after completion of two years of probation period. Agreed with this situation, applicant has approached to this Tribunal. The matter was heard on 21/08/2019, 11/09/2019, 14/10/2019, 05/11/2019 & 28/11/2019 and now matter is listed today. Still reply of respondents is awaited inspite of giving last chance.

3. In view of this inadvertent delay in filing reply, matter is **admitted** and kept for final hearing after two weeks.

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

5. If reply is not filed till next date, respondent are directed to depute any responsible officer from Additional Tribal, Nagpur office to explain the reason

on next date of hearing. Matter will be decided on merit, if reply is not filed till next date of hearing.

6. S.O. two weeks.

7. Steno copy is granted.

Date:-02/01/2020.
aps.

Vice Chairman

O.A.No.820/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.

There is a leave note of Shri S.P.Palshikar. Shri M.I.Khan, the Id. P.O. for the State. Shri H.D.Marathe, Id. counsel for the respondent no. 2 is going to file vakalatnama.

2. As submitted by Id. P.O., the proposal for reinstatement of the applicant had been submitted by respondent no. 2 to Divisional Commissioner, Amravati. It is likely that decision will be taken within four weeks.

3. S.O. 04.02.2020.

Vice Chairman

Date:-02/01/2020.
aps.

O.A.No.919/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.

C.A.No.453/2019:-

Heard Shri R.M.Fating, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State.

2. The Id. counsel for the applicant has filed C.A.No.453/2019 to add respondent nos. 4 & 5. Since they are local officer regarding the issue. In view of this, **C.A. No. 453/2019 for amendment is allowed.** The Id. counsel for the applicant is directed to carry out the amendment within two weeks time.

3. Issue notice to newly added 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:-02/01/2020.
aps.

O.A.No.955/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.**

None for the applicant. Shri V.A.Kulkarni, the
Id. P.O. for the State. Await service of respondent
nos. 2 to 4.

2. **S.O. four weeks.**

Vice Chairman

Date:-02/01/2020.

aps.

O.A.No.946/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 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. The Id. P.O. seeks time to file reply, **S.O. four weeks.**

Vice Chairman

Date:-02/01/2020.
aps.

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

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.**

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

2. **S.O. next week.**

Vice Chairman

Date:-02/01/2020.
aps.

O.A.No.979/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.**

None for the applicant. Shri P.N.Warjekar,
the Id. P.O. for the State. None for the respondent no.
2.

2. **S.O. next week.**

Vice Chairman

Date:-02/01/2020.

aps.

O.A.No.184/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.

None for the applicant. Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. As pointed out by Id. P.O., reply of respondent nos. 1 & 2 has been filed on 03/09/2019. Office is directed to correct the paging of reply pages and further pages also and ensure that the same paging is with Id. P.O. and Id. counsel for the applicant too. As submitted by Id. P.O. in reply of respondent nos. 1 & 2 dated 03/09/2019 on P.B., Pg. No. 72 following table is below:-

Sr. Nos.	Item	Amount	Date of payment
1	G.P.F. 90%	1,84,037/-	20.03.2012
2	G.I.S.	90,320/-	12.06.2012
3	G.P.F. Final	1,77,534/-	10.09.2012
4	D.C.R.G.	2,88,420/-	06.09.2016
5	Pay & allowances	8,25,725/-	19.09.2016
6	Leave encashment	5,00,940/-	24.10.2016
7	Commutation	5,81,601/-	24.10.2016

3. The Id. P.O. has also invited my attention to relief clause by the applicant at P.B., Pg. No. 35 where relief no. 8 (1) has been already granted vide Judgment in order dated 15/09/2015 in O.A. No. 05/2012 and the operative part is on P.B., Pg. Nos. 20 and 21. Accordingly, applicant has been paid as per relief clause no. 8 (1). Applicant's claim of relief regarding interest has not been accepted in the order dated 15/09/2015 in O.A. No. 05/2012. Now applicant has filed separate O.A. and in this O.A. he is claiming again the interest from the department.

4. Prima facie it does not make out any case after the decision has been made in 2015 and which has been complied by the respondents.

5. However, to hear to the Id. counsel for the applicant, **S.O. next week.**

Vice Chairman

Date:-02/01/2020.

aps.

O.A.Nos.126&189/2015 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :02/01/ 2020.

Heard Shri G.K.Bhusari holding for Shri N.R.Saboo, 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. next week.**

Vice Chairman

Date:-02/01/2020.
aps.

O.A.Nos.393 to 401 of 2017 & 495 to 497 of
2017 **(SB)**

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

Dated : 02/01/2020.

Heard Shri N.D. Thombre, learned counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned P.O. submitted that during the course of day he would file reply and in some of the matters he would file reply before the date of hearing.

3. The learned P.O. submitted that all the matter may be admitted for final hearing and before the date of hearing he would supply copies of the reply to the learned counsel for the applicants.

4. In view thereof, all the matter be admitted and it be kept for final hearing.

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

S.O. in due course.

Member (J)

dnk.

O.A. No. 954/2019 **(SB)**

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

Dated : 02/01/2020.

The applicant in person present. Shri H.K. Pande, Id. P.O. for the respondents.

The learned P.O. seeks time to file reply.

The respondents are directed to make clear whether the Department is paying Provisional Pension continuously to the applicant.

S.O. 23/1/2020.

Member (J)

dnk.

O.A. No. 982/2019 **(SB)**

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

Dated : 02/01/2020.

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.

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

Dated : 02/01/2020.

Shri N.D. Thombre, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2 to 4.

2. The learned counsel for the applicant submitted that all the respondents are served and he will file service affidavit during the course of day.

3. The Id. P.O. requested three weeks time to file reply on behalf of all the respondents. At his request, **S.O. three weeks.**

Member (J)

dnk.

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

Dated : 02/01/2020.

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

S.O. in due course.

Member (J)

dnk.

O.A. No. 527/2017 (SB)

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

Dated : 02/01/2020.

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

S.O. in due course.

Member (J)

dnk.

O.A. No. 374/2018 (SB)

Coram : Hon. Shri A.D. Karanjkar,

Member (J).

Dated : 02/01/2020.

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

The Id. P.O. files return on behalf of R-3. It is taken on record. Copy is served on the applicant.

At the request of Id. counsel for the applicant, **S.O. 9/1/2020.**

Member (J)

dnk.

(SB)

Coram : Hon. Shri A.D. Karanjkar,

Member (J).

Dated : 02/01/2020.

**O.A.Nos.659,660,661,662,663,664, 665,
666,667,668,669 & 670 of 2018.**

Shri J.R. Kidilay, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for R-1 to 3. None for R-4.

At the request of learned counsel for the applicants, **S.O. one week.**

Member (J)

dnk.

O.A. 893/2018 (D.B.)

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

Dated : 02/01/2020.

None for the applicants. Shri A.M. Khadatkar, Id. P.O. for R-1 to 4 and none for R-5 to 8.

At the request of learned P.O., **S.O.**
three weeks.

Put up along with O.As. 932/18 & 228/19.

Member (J)

Vice-Chairman

dnk.

O.A. 932/2018 (D.B.)

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

Dated : 02/01/2020.

None for the applicant. Shri A.M. Khadatkar, ld. P.O. for R-1 & 2 and none for R-3 to 6

At the request of learned P.O., **S.O.**
three weeks.

Put up along with O.As. 893/18 & 228/19.

Member (J)

Vice-Chairman

dnk.

O.A. 228/19 (D.B.)

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

Dated : 02/01/2020.

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

At the request of learned P.O., **S.O.**
three weeks.

Put up along with O.As. 893/18 &
932/18.

Member (J)

Vice-Chairman

dnk.

O.A. 571/16 (D.B.)

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

Dated : 02/01/2020.

None for the applicants. Shri P.N. Warjurkar, Id. P.O. for R-1 to 6. None for other respondents.

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

Member (J)

Vice-Chairman

dnk.

O.A. 1007/18 (D.B.)

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

Dated : 02/01/2020.

C.A. No.01/2020 -

Heard Shri S.C. Deshmukh, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 to 3. None for other respondents except respondent no.82. Shri D.M. Kakani, Id. counsel for R-82.

2. The learned counsel for respondent no.82 submitted that he has moved application for supply copy of the O.A. and documents as per the rules. It is submitted that other respondents are entitled to have copies and legal practitioners are not ready to accept their brief. In this background, the applicant is directed to supply copy of the O.A. and documents to the respondents who are appearing before this Bench.

3. The Registrar is directed to supply copy of the respondents who are appearing in this matter in person.

4. In view thereof, the C.A. 01/2020 stands disposed of.

C.A. 497/2019 -

Heard Shri S.C. Deshmukh, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 to 3. None for other respondents except respondent no.82. Shri D.M. Kakani, Id. counsel for R-82.

For the reasons stated in the application, the C.A.No. 497/2019 is allowed.

O.A. 1007/2018 –

Lateron –

The learned counsel for the applicant and other learned counsel for the respondents agreed with that due to bad weather most of the Xerox machines are closed and it is not possible to the learned counsel for the applicant to supply Xerox copies of the papers to the respondents who are presence before the Tribunal. It is agreed by the respondents that they will collect copies from the registry office and the learned counsel for the applicant will make Xerox within one week's time and keep it with the Registry and the respondents who are present they will collect from the Registry simultaneously.

S.O. four weeks.

Member (J)

dnk.

Vice-Chairman

O.A. 786/2018 (D.B.)

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

Dated : 02/01/2020.

None for the applicant. Shri H.K. Pande,
learned P.O. for R-1. Await service of R-2 to 22.

S.O. four weeks.

Member (J)

Vice-Chairman

dnk.

C.P. 30/19 in O.A. 794/17 (D.B.)

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

Dated : 02/01/2020.

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

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

Member (J)

Vice-Chairman

dnk.

C.P. 39/19 in O.A. 576/2018 (D.B.)

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

Dated : 02/01/2020.

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

2. The Id. P.O. files reply on behalf of R-3&4 to the Contempt Petition. It is taken on record.

3. The learned P.O. has filed the decision of the Government to the effect that Smt. S.M. Charade is not entitled for the pension as provided under Rule 54 & 57 of the Maharashtra Civil Services (Pension) Rules, 1982. The learned P.O. has filed the copy of the letter dated 6/12/2019 written by the Under Secretary, Government of Maharashtra, Food and Civil Supply Department.

S.O. 09/01/2020.

Member (J)

Vice-Chairman

dnk.

O.As.920,921,922,923 & 924 of 2019 (D.B.)

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

Dated : 02/01/2020.

None for the applicants. Shri A.M. Khadatkar, learned P.O. for R-1.

The service affidavits of R-2&3 (in O.As. 920 to 923 of 2019) and service affidavits of respondent nos.2 to 5 (in O.A.924 of 2019) have not filed.

S.O. four weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 927/2019 (D.B.)

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

Dated : 02/01/2020.

None for the applicant and Shri A.M. Khadatkar, learned P.O. for R-1. Await service of R-2&3.

2. Issue fresh notice to R-2 & 3, returnable **in 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. four weeks.**

Member (J)

Vice-Chairman

dnk.

O.A. 942/2019 (D.B.)

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

Dated : 02/01/2020.

None for the applicants. Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

Put up along with O.A.943/19.

Member (J)

Vice-Chairman

dnk.

O.A. 943/2019 (D.B.)

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

Dated : 02/01/2020.

None for the applicants. Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2 to 7.

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

Put up along with O.A.942/19.

Member (J)

Vice-Chairman

dnk.

O.A. 967/2019 (D.B.)

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

Dated : 02/01/2020.

None for the applicants. Shri M.I. Khan,
Id. P.O. for R-1. Await service of R-2.

S.O. three weeks.

Member (J)

Vice-Chairman

dnk.

C.P. 34/19 in O.A. 603/2016 (D.B.)

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

Dated : 02/01/2020.

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

2. The learned counsel for the applicant submitted that the matter is pending before the Hon'ble High Court and therefore he will not press the Contempt Petition in the M.A.T.

3. The learned counsel for the applicant has filed order dated 17/12/2019 passed by the Hon'ble High Court, Bench at Nagpur in Writ Petition No.8256/2019. It is taken on record and marked Exh-X.

S.O. four weeks.

Member (J)

Vice-Chairman

dnk.

C.P. 42/19 in O.A. 694/17 (D.B.)

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

Dated : 02/01/2020.

Shri M.M. Sawang, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2&3.

The learned counsel for the applicant submitted that he will serve respondent nos.2&3 and for that purpose he seeks further time. At his request, **S.O. three weeks.**

Member (J)

Vice-Chairman

dnk.

O.A. 66/2013 (D.B.)

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

Dated : 02/01/2020.

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

The matter is adjourned for hearing in due course.

Member (J)

Vice-Chairman

dnk.

O.A. 487/2018 (D.B.)

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

Dated : 02/01/2020.

None for the applicants. Shri A.M.
Ghogre, Id. P.O. for the respondents.

The learned P.O. submitted that he is not
received the information and therefore he is not
able to comply the order dated 18/12/2019.

S.O. two weeks.

Member (J)

Vice-Chairman

dnk.
