

O.A. Nos. 636&637 of 2018 **(SB)**

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

**Dated : 10.07.2019**

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

It seems that the rejoinders are not filed by the applicants.

**Heard. Admit.**

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

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

**Member (J)**

dnk.

O.A. No. 875 of 2018 **(SB)**

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

**Dated : 10.07.2019**

Shri N.R. Saboo, Id .counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1,2,4&5 and Shri B.N. Jaipurkar, Id. counsel for R-3.

The Id. counsel for R-3 files submissions on behalf of R-3. It is taken on record.

The learned counsel for R-3 is directed to supply the copy of submissions to the other sides.

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

**Member (J)**

dnk.

O.A. No. 928 of 2018 **(SB)**

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

**Dated : 10.07.2019**

Shri Sunil Pande, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

The learned P.O. files reply on behalf of R-4. It is taken on record. Copy is supplied to the applicant.

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

**Member (J)**

dnk.

O.A. No. 956 of 2018 **(SB)**

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

**Dated : 10.07.2019**

Shri Chauhan, Id. counsel holding for Shri S.N. Gaikwad, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2&3.

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

**Member (J)**

dnk.

O.A. No. 467 of 2019 **(SB)**

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

**Dated : 10.07.2019**

Shri S.P. Chavhan, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2 to 4.

At the request of Id. counsel for the applicant **S.O. two weeks** for filing service affidavit.

**Member (J)**

dnk.

O.A. No. 462 of 2019 **(SB)**

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

**Dated : 10.07.2019**

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

It seems that notices are not collected to serve R-2&3. On failure of the applicant to collect the notices within two weeks, the matter would stand dismissed without reference to this Tribunal.

**S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 751 of 2015 **(SB)**

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

**Dated : 10.07.2019**

Shri M.R. Khan, 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. 17/07/2019**.

**Member (J)**

dnk.

O.A. No. 842 of 2015 **(SB)**

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

**Dated** : **10.07.2019**

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

**S.O. three weeks.**

**Member (J)**

dnk.



O.A. No. 698 of 2017 **(SB)**

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

**Dated : 10.07.2019**

Shri S.C. Deshmukh, Id. counsel  
for the applicants and Shri A.M.  
Khadatkar, Id. P.O. for the respondents.

At the request of Id. counsel for the  
applicant, **S.O. 24/07/2019**.

**Member (J)**

dnk.

O.A. No. 959 of 2017 **(SB)**

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

**Dated : 10.07.2019**

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

2. It appears that the first request for correction of the date of birth was made by the applicant on 14/2/2017. As per the service record of the applicant, his date of retirement was 28/2/2017. As no steps were taken for rectification of the date of birth within five years from joining the service, consequently there appears no merit in this application.

3. Hence, the O.A. stands dismissed with no order as to costs.

**Member (J)**

dnk.

O.A. No. 538 of 2019 (SB)

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

**Dated : 10.07.2019**

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

2. It is submitted that in the general transfer order the applicant was not transferred and thereafter vide order dated 4/7/2019 the applicant came to be transferred to Balapur, District Akola on vacant post and the respondent no.4 is appointed on the post hold by the applicant and this exercise is done by issuing separate order. As the transfer is mid-term and as the applicant is yet not relieved, therefore, transfer orders of the applicant and the respondent no.4 are stayed till filing of the reply by the respondents.

3. Issue notice to R-2 to 4, returnable **after three 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.

**S.O. after three weeks.**

Steno copy is granted.

**Member (J)**

dnk.

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O.A.No.14/2019 (S.B.)

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

**Dated : 10<sup>th</sup> July 2019.**

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

2. The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent nos. 1 to 4. It is taken on record. He further submits that he will serve the copy to the other side.

3. As requested by Id. P.O., matter is **admitted** and kept for final hearing.

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

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

6. *The applicant or applicant's counsel is at liberty to file rejoinder, if any.*

**Vice**

**Chairman**

**Date:-10/07/2019.**

aps.

O.A.No.923/2018 (S.B.)

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

**Dated: 10<sup>th</sup> July 2019.**

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

2. The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent no. 3. It is taken on record. He submits that he will serve the copy to the other side. He further submits that the reply of respondent no. 3 will suffice the purpose of respondent no. 2 also.

3. As requested by Id. P.O., matter is **admitted** and kept for final hearing.

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

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

6. *The applicant or applicant's counsel is at liberty to file rejoinder, if any.*

**Vice**

**Chairman**

**Date:-10/07/2019.**

aps.





O.A.No.353/2019 (S.B.)

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

**Dated: 10<sup>th</sup> July 2019.**

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

2. The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent nos. 2 & 3. It is taken on record. He submits that he will serve the copy to the other side. He further submits that the reply of respondent nos. 2 & 3 will suffice the purpose of respondent no. 1 also.

3. As requested by Id. P.O., matter is **admitted** and kept for final hearing.

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

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

6. *The applicant or applicant's counsel is at liberty to file rejoinder, if any.*

**Vice**

**Chairman**

**Date:-10/07/2019.**

aps.



O.A.No.836/2018 (S.B.)

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

**Dated: 10<sup>th</sup> July 2019.**

Shri A.M.Tirukh, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent no. 3. It is taken on record. The copy of the same is supplied to the other side. The Id. counsel for the applicant submits that the reply of respondent no. 3 is not required.

3. As requested by Id. P.O., matter is **admitted** and kept for final hearing.

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

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

6. *The applicant or applicant's counsel is at liberty to file rejoinder, if any.*

**Chairman**  
**Date:-10/07/2019.**

**Vice**

aps.

**O.A.No.499/2017 (S.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

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

2. Admittedly by reply, the applicant was appointed in 13.07.1981 as Police Constable in State Reserve Police Force, Group – IV, Nagpur, as per the reply at P.B., Pg. No. 45 at para no. 3, applicant completed 12 years of service in the July, 1993. However, Government policy of granting time bound promotion came in 1995 and effect was given from 1994. In this situation, the applicant should have been considered proceeding to 1994 for five years confidential records i.e. 1994-1993, 1993-1992, 1992-1991, 1991-1990 & 1989-1990. Whether, these C.Rs. are considered and meeting took place and applicant was considered or not fit for promotion that record should be placed by Id. P.O..

3. The Id. P.O. must produce these documents i.e. C.Rs. of 1989-1990, 1990-1991, 1991-1992, 1992-1993 and 1993-1994 along with the minutes of meeting of the same.

4. As requested by Id. P.O., **S.O. two weeks.**

**Vice**

**Chairman**  
**Date:-10/07/2019.**  
aps.

O.A.No.329/2019 (S.B.)

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

**Dated: 10<sup>th</sup> July 2019.**

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

The Id. C.P.O. seeks four weeks time to file reply. At his request, **S.O. four weeks.**

**Chairman**  
**Date:-10/07/2019.**  
aps.

**Vice**

O.A.No.463/2019 (S.B.)

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

**Dated : 10<sup>th</sup> July 2019.**

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

2. The Id. counsel for the applicant submits that he has served the notice on 27.06.2019 to the respondents and he has filed the service affidavit in the office today only.

3. The Id. counsel for the applicant has filed the G.R. No. ' 'kkI u fu.kz dz fuivk&1118@i:dz11@11v] fnukd 09-07-2019. In the said G.R. at Para no. 2 (ii), it is clearly mentioned that if chargesheet has not been served within three months period., then there is no other option to revoke the suspension order in view of Hon'ble Apex Court Judgment.

4. However, the Id. P.O. seeks one week time to file reply and details about chargesheet and review committee



meeting. The suspension order was issued on 06.01.2019 (Annexure-A-1, P.B., Pg. No. 14), it means that it is more than six months.

**5. S.O. 17.07.2019.**

**Chairman**  
**Date:-10/07/2019.**  
aps.

**Vice**

O.A.No.685/2018 (S.B.)

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

**Dated: 10<sup>th</sup> July 2019.**

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

The Id. P.O. seeks two weeks time to file reply. At his request, **S.O. 24.07.2019.**

**Chairman**  
**Date:-10/07/2019.**  
aps.

**Vice**

O.A.No.464/2019 (S.B.)

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

**Dated : 10<sup>th</sup> July 2019.**

Heard Shri S.P.Palshikar, the Id. counsel for the applicant and Shri A.M.Khadatkar, 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 the notice on 27.06.2019 to the respondents and he has filed the service affidavit in the office today only.

3. The Id. counsel for the applicant has pointed out that applicant was suspended vide order dated 06.01.2019 (Annexure-A-1, P.B., Pg. No. 14), in this O.A. also more than six months period has been lapsed.

4. The Id. counsel for the applicant has filed the G.R. No. ' 'kkI u fu.kz dz fuiMk&1118@i:dz11@11v] fnukd 09-07-2019. In the said G.R. at Para no. 2 (ii), it is clearly mentioned that if chargesheet has not been served within three months period., then there is no other option to revoke the

suspension order in view of Hon'ble Apex Court Judgment.

5. However, the Id. P.O. seeks one week time to file reply and details about chargesheet and review committee meeting. The suspension order was issued on 06.01.2019 (Annexure-A-1, P.B., Pg. No. 14), it means that it is more than six months.

**6. S.O. 17.07.2019.**

**Chairman**  
**Date:-10/07/2019.**  
aps.

**Vice**

O.A.No.354/2019 (S.B.)

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

**Dated: 10<sup>th</sup> July 2019.**

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

2. Objections pointed out regarding Pg. Nos. 22, 24, 29, 32 & 40 are not legible are yet to be complied.

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

**Chairman**  
**Date:-10/07/2019.**  
aps.

**Vice**

**C.A.No.35/19 in O.A.No.544/2018  
(S.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

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

2. The Id. P.O. submits that as per the P.B., Pg. No. 2 of the O.A., the applicant desires promotion from 01.04.2006 in the pay scale of Rs.9300-34800/- with G.P. Rs. 4300/-. However, applicant was retired on 28.02.2010.

3. **S.O. three weeks.**

**Chairman** **Vice**  
**Date:-10/07/2019.**  
aps.

O.A.No.649/2017 (S.B.)

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

**Dated: 10<sup>th</sup> July 2019.**

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

2. As pointed out by Id. P.O., O.A. No. 649/2017 is treated as P.H. before other Single Bench. So, it should be place before Hon'ble Member (J).

3. **S.O. 24.07.2019.**

**Chairman**  
**Date:-10/07/2019.**  
aps.

**Vice**

O.A.No.871/2017 (S.B.)

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

**Dated: 10<sup>th</sup> July 2019.**

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

2. As pointed out by Id. counsel for the applicant, connected matter is listed in D.B. today along with the O.A. No. 113/2018. So, O.A. No. 871/2017 should be heard today itself before D.B. along with the O.A. No. 113/2018.

**Vice**

**Chairman**

**Date:-10/07/2019.**

aps.



O.A.No.292/2018 (S.B.)

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

**Dated: 10<sup>th</sup> July 2019.**

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

2. As per the request of Id. counsel for the applicant, **S.O. 24.07.2019.**

**Chairman**  
**Date:-10/07/2019.**  
aps.

**Vice**

O.A. No.777 /2012.

(D.B.)

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

**Dated : 10<sup>th</sup> July 2019.**

**R.A. No. 17/2015.**

Heard Shri P.A. Jibhkate, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

The Ld. counsel for the applicant submits that he has filed service affidavit of newly added respondent No.4 yesterday in the office. Ld. P.O. seeks two weeks time to file reply.

S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

O.A. No.89/2018.

(D.B.)

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

**Dated : 10<sup>th</sup> July 2019.**

Heard Shri R.V. Shiralkar, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondent No.1.

2. At the request of the Ld. counsel for the applicant, issue fresh notice to respondent No.2 returnable after **three weeks.**

3. Shri H.K. Pande, the learned P.O. waives notice for the respondent No.1. Hamdast granted.

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. three weeks.

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. (St.) No.829 /2019.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

**C.A. 155/2019.**

Heard Shri P.V. Thakre, the Ld. counsel for the applicants and Shri S.A. Sainis, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, since service is awaited, S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. No. 204/2019.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

**C.A. 101/2019.**

Heard Shri A.C. Dharmadhikari, the Ld. counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents 1 and 2. Shri N.S. Khubalkar, Advocate for R. 3 to 127.

The Ld. counsel for R 3 to 127 has vehemently pleaded against the maintainability of the O.A. itself. However, the Ld. counsel for the applicants wants to make submission which will be taken in the next week.

Pursis is filed by the Ld. counsel for the applicants. It is submitted that the private

respondents were relieved from the posts in pursuance of the promotion order. But due to interim relief, they are unable to join the promotional posts. In view of this situation, the respondent Nos. 1 and 2 are permitted to post the respondents mentioned in the pursis to their original posts before promotion.

S.O. 16<sup>th</sup> July 2019.

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. Nos. 490,491, 492 & 493 of 2019.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

Heard Shri S.M. Vaishnav, the Ld. counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondents.

At the request of Ld. CPO, S.O.  
**15<sup>th</sup> July 2019.**

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. No.18/2008.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

**R.A. No. 08/2018.**

Heard Shri G.G. Bade, the Ld.  
counsel for the applicant and Shri P.N.



Warjekar, the learned P.O. for the respondents 1 and 3 and 4.

Await service of notice to R.2.

At the request of Ld. P.O. and Ld. counsel for the applicant, S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. No.19/2008.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

**R.A. No. 09/2018.**

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

Ld. P.O. has filed reply of R.1, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

At the request of Ld. P.O. and Ld. counsel for the applicant, S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. No.20/2008.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

**R.A. No. 10/2018.**

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

Ld. P.O. has filed reply of R.1, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

At the request of Ld. P.O. and Ld. counsel for the applicant, S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. No.223 & 224 of 2018.**

**(D.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)  
Dated : 10<sup>th</sup> July 2019.**

Heard Shri R.V. Shiralkar, the Ld. counsel for the applicants and Shri P.N. Warjekar, the learned P.O. for the respondents.

Ld. P.O. has filed reply of R.2, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

**ADMIT.**

Shri P.N. Warjekar, the learned P.O. waives notice for the respondents.

S.O. **in due course** of final hearing.

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. No.639/2018.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

Heard Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondent No.2. None for R. 1 and 3.

The Ld. counsel for the applicant submits that he is yet to receive reply from the State. After receiving reply, the Ld. P.O. is directed to supply copy of reply to the Ld. counsel for the applicant.

S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. No.26/2019.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

**C.A. No.176/2019.**

Heard Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

2. As submitted by the Ld. counsel for the applicant, documents placed on record on page Nos. 92 and 93 show that the complaint has been made by Shri

Choupane, Govt. Contractor, Vidarbha Housing Society, Yavatmal. He is present today before this Tribunal and he admits that he has not signed this document. Ld. P.O. filed letter dated 9.7.2019 which is marked "X-1" for identification, by which the Govt. desires two weeks time to file reply.

3. Many documents placed on record have been pointed out by the Ld. counsel for the applicant, are not signed and they are undated or specific post of the signing authority is not mentioned. All these things are creating lot of confusion. The Govt. is directed to file reply within one week and also depute the responsible person to explain before this Tribunal about all the documents and who were responsible to file such kind of documents.

S.O. **18<sup>th</sup> July 2019.**

Steno copies be provided to both the parties.

Place this matter alongwith C.P. No. 19/2019 with C.A. 212/2019.

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. No.799/2011.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

Heard Shri R.V. Shiralkar, the Ld.  
counsel for the applicant and Shri H.K.



Pande, the learned P.O. for the respondents 1 to 3. None for R.4.

At the request of Ld. P.O., S.O.  
**15<sup>th</sup> July 2019.**

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

O.A. No.604/2010.

(D.B.)

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

**Dated : 10<sup>th</sup> July 2019.**

Heard Shri M.Y. Wadodkar, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents 1 to 3. None for R.4.

The Ld. counsel for the applicant has placed on record a letter from the Government dated 4.12.2018 (P.131). By this letter, the Government has committed that within two weeks, promotion process will be completed. The Govt. has also filed Govt. Gazette dated 1<sup>st</sup> June 2019 by which rules and regulations are finalized. In view of this Gazette, it seems that the rules and regulations will be in existence till 31.3.2020. Now, since rules are gazetted on 1<sup>st</sup> June 2010, so the Govt. of Maharashtra is directed to complete the process as per their own letter dated 4.12.2018 on or before 31.8.2019.

S.O. **three weeks.**

Member (J)  
Chairman

Vice-

Dt. 10.7.2019.

pdg.

**O.A. No.530/2018.**

**(D.B.)**

**Coram:Shri Shree Bhagwan,**  
**Vice-Chairman and**  
**Shri A.D. Karanjkar,**  
**Member(J)**  
**Dated : 10<sup>th</sup> July 2019.**

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

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

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. No.113/2018.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

Heard Shri S.N. Gaikwad, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents 1 and 2. None for R.3.

**S.O. 17<sup>th</sup> July 2019.**

Put up this matter with O.A. No.871/2017.

Both the OAs will be heard in the D.B.

Member (J)

Vice-Chairman

Dt. 10.7.2019.

pdg.

**O.A. No.653/2017.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

Heard Shri A.D. Mohgaonkar, the Ld. counsel for the applicants and Shri P.N. Warjekar, the learned P.O. for the respondents.

2. In order dated 3.4.2019, three questions were asked by the department. These questions have been reply vide Exh.3. Questions raised, have been replied by the department vide No. आस्था-२०१७/ न्याप्र/का-४ (१)/२९१४ on 15.4.2019 (P.233), by which it is clear that Assistant Project Officer's pay scale is 9300-34800 plus grade pay of Rs. 4400/-. Head Master's pay scale is Rs. 9300-34800 plus grade pay of Rs. 4800/-. However, the pay scale of Secondary School Teacher is 9300-34800 plus grade pay of Rs. 4300/-. In all these posts, pay scales are same. But there is difference in grade pay. First is 4400/, then 4800/- and then 4300/-. By pleading, it appears that the Secondary

School Teachers have been appointed temporarily as Assistant Project Officer and they are overriding of the Head Master, whose grade pay is Rs. 4800/-, which is bad in law. The department should take note of it and the department should avoid junior persons to be promoted on senior post. The department may decide giving charge of the post of Assistant Project Officer (Education) to the Head Master whose pay scale is Rs. 9300-34800 plus grade pay of Rs. 4800/-.

3. The Head Master's pay scale remained protected while working as Assistant Project Officer. The department or the Government is directed to frame rules for the post of Assistant Project Officer as early as possible, maximum within a period of six months. Till that time, whatever arrangement as has been directed, it be made. With this direction the O.A. is disposed of.

Member (J)

Vice-Chairman

Dt. 10.7.2019.  
pdg.

**O.A. No.26/2019.**

**(D.B.)**

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

**Dated : 10<sup>th</sup> July 2019.**

**C.P. 19/2019 with C.A. 212/2019.**

Heard Shri S.P. Palshikar, the Ld.  
counsel for the applicant and Shri P.N.

Warjekar, the learned P.O. for the respondents.

**S.O. 18<sup>th</sup> July 2019.**

Member (J)  
Chairman

Vice-

Dt. 10.7.2019.  
pdg.