

O.A. No. 752/2016 (SB)

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

Dated : 11.09.2019

Shri Nayase, Id. counsel holding for Shri G.G. Bade, 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. two weeks.**

Member (J)

dnk.

O.A. No. 717/2019 (SB)

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

Dated : 11.09.2019

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. The learned counsel for the applicant filed affidavit and the copies of the G.Rs. dated 6/4/2018 and 9/9/2019. It is submitted that the applicant is relieved one sided unilaterally and it is illegal and till today the applicant is not received the transfer order and nobody is posted in place of the applicant, therefore, the impugned order be stayed. When the matter was heard on 9/9/2019 after considering the submission that the applicant was relieved and the order was passed for issuing notices to the respondents, as a matter of fact, when the applicant received the transfer order from any source, he became aware that he was transferred and he was relieved. Under these circumstances, it would be more suitable to hear the respondents before passing any order in this matter. Therefore, two weeks time is granted to the respondents to file reply.

S.O. two weeks.

Member (J)

dnk.

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

Dated : 11.09.2019

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

2. It is submitted that vide order dated 31/5/2018 the applicant was posted at Kurha and before completion of the normal tenure in the mid-term the applicant is transferred to special duty at Kharbi, Range Kharbi, Wildlife Division, Pandharkawada. The transfer is premature and mid-term, therefore, the respondents are directed not to relieve the applicant till further orders.

3. Issue notice to the respondents, returnable after two 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 two weeks.

Steno copy is granted.

Member (J)

dnk.

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

Dated : 11.09.2019

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

2. It is submitted that the applicant is physically handicapped person and he was not transferred at the time of general transfers and in the mid-term he is transferred to Social Forestry, Washim. It is submitted that the reasons are not disclosed in the transfer order and yet he is not relieved. In view of this matter, the respondents are directed not to relieve the applicant till further orders.

3. Issue notice to the respondents, 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.

O.A. No. 731/2019 (SB)

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

Dated : 11.09.2019

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. After completion of the Diploma course vide order dated 31/10/2018 the applicant was temporarily posted at Sub District Hospital, Armori, District Gadchiroli. Thereafter vide order dated 6/3/2019 the applicant was posted at Primary Health Center, Mulchera, District Gadchiroli and reason for the posting that the posting was given after completion of the Post Graduation / Diploma course. Thereafter, again on the same ground order dated 29/8/2019 is passed and the applicant is posted at Sub District Hospital, Umarga, District Usmanabad. It is apparent from all these orders that under the guise of posting on completion of higher education on two occasions, the applicant was already transferred and now this is third transfer. It is submission of the applicant that yet he is not relieved from the post and no one is posted in his place. In this situation, the respondents

are directed not to relieve the applicant till further orders.

3. Issue notice to the respondents, 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.

O.A. No. 752/2016 (SB)

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

Dated : 11.09.2019

Shri Nayase, Id. counsel holding for Shri G.G. Bade, 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. two weeks.**

Member (J)

dnk.

O.A. No. 162/2019 (SB)

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

Dated : 11.09.2019

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1&2 and Shri Gawali, Id. counsel holding for Shri S.N. Gaikwad, Id. counsel for R-3&4 and none for R-5.

At the request of Id. counsel for R-3&4, **S.O. four weeks** for filing reply.

Member (J)

dnk.

O.A. No. 502/2017 (SB)

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

Dated : 11.09.2019

Shri M.K. Kulkarni, 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.**

Member (J)

dnk.

O.A. No. 122/2017 (SB)

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

Dated : 11.09.2019

None for the applicant. Shri P.N. Warjurkar, Id. P.O. for R-1 to 3. None for R-4.

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

Member (J)

dnk.

O.A. No. 440/2019 (SB)

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

Dated : 11.09.2019

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&2. None for R-3.

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

Member (J)

dnk.

O.A. No. 402/2016 (SB)

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

Dated : 11.09.2019

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

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

Member (J)

dnk.

O.A. No. 413/18 (SB)

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

Dated : 11.09.2019

Shri S.V. Khondalay, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 12. None for remaining respondents.

The learned P.O. files reply of R-8. It is taken on record. Copy is served on the applicant.

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

Member (J)

dnk.

O.A. No. 297/18 (SB)

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

Dated : 11.09.2019

Shri J.S. Wankhede, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1,4&5. Await service of R-2&3.

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

S.O. after three weeks.

Member (J)

dnk.

O.A. No. 303/2018 (SB)

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

Dated : 11.09.2019

Shri Bhusari, Id. counsel holding for Shri M.R. Khan, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 and none for R-2&3.

At the request of Id. counsel for the applicant, **S.O. one week** for filing rejoinder.

Member (J)

dnk.

O.A. No. 477/18 (SB)

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

Dated : 11.09.2019

D.R. Rupnarayan, 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. two weeks** for filing reply as a last chance.

Member (J)

dnk.

O.A. No. 787/18 (SB)

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

Dated : 11.09.2019

Shri Bhusari, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3, Shri Gawali, Id. counsel holding for shri S.N. Gaikwad, Id. counsel for R-4 and none for R-5.

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

Member (J)

dnk.

O.A. Nos. 890,891 & 892 of 2018 **(SB)**

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

Dated : 11.09.2019

Shri G.K. Bhusari, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

The Id. P.O. files reply on behalf of R-2&4 in O.A.890/18. It is taken on record. Copy is served on the applicant.

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

Member (J)

dnk.

O.A. No. 905/18 (SB)

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

Dated : 11.09.2019

Shri A.S. Dhore, 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. two weeks** for filing reply.

Member (J)

dnk.

O.A. No. 146/19 (SB)

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

Dated : 11.09.2019

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

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

Member (J)

dnk.

O.A. No. 180/19 (SB)

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

Dated : 11.09.2019

Shri I.N. Choudhari, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3 and none for R-4.

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

Interim relief to continue till then.

Member (J)

dnk.

O.A. Nos. 648, 652,653,654 & 655 of 2019 (SB)

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

Dated : 11.09.2019

Heard Shri G.K. Bhusari, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. and other Id. P.Os. for the respondents.

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

Though specific direction was given to file reply, but the direction is not complied. In the interest of justice **one week time** is granted to the respondents for filing reply.

Member (J)

dnk.

O.A. No. 664/19 (SB)

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

Dated : 11.09.2019

Shri V.B. Gawali, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 to 6. None for R-7.

At the request of Id. P.O., **S.O. two one week** for filing reply as a last chance.

Member (J)

dnk.

O.A. No. 636/19 (SB)

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

Dated : 11.09.2019

Shri P.A. Jibhkate, Id. counsel for the applicant and shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2 to 5.

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

Member (J)

dnk.

O.A. No. 93/19 (SB)

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

Dated : 11.09.2019

Shri S.S. Ansari, Id. counsel for the applicant and shri S.A. Sainis, Id. P.O. for the respondents.

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

Member (J)

dnk.

O.A. No. 325/19 (SB)

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

Dated : 11.09.2019

Shri Nayase, 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.

Member (J)

dnk.

O.A. No. 326/19 (SB)

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

Dated : 11.09.2019

Shri Nayase, Id. counsel holding for
Shri G.G. Bade, 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.

Member (J)

dnk.

O.A. No. 976/18 (SB)

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

Dated : 11.09.2019

Heard Ms. P.G. Mirkane, Id. counsel holding for Shri S.I. Khan, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

Heard. Admit.

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

S.O. in due course.

Member (J)

dnk.

O.A. No. 708/19 (SB)

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

Dated : 11.09.2019

Heard Shri M.I. Dhattrak, Id .counsel for the applicant and shri S.A. Sainis, Id. P.O. for the State.

2. The respondents are directed to take decision on the representation dated 18/12/2018 made by the applicant within four weeks.

3. With this, the O.A. stands disposed of. No order as to costs.

Member (J)

dnk.

O.A. No. 760/16 **(SB)**

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

Dated : 11.09.2019

None for the applicants. Shri S.A. Sainis, Id. P.O. for R-1A & 1B. None for R-3.

S.O. four weeks.

Member (J)

dnk.

O.A. No. 42/17 (SB)

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

Dated : 11.09.2019

Heard Ms. S.M. Chandekar, Id
.counsel for the applicant and shri S.A.
Sainis, Id. P.O. for the respondents.

It is submitted that the Government
has informed her that the Government would
consider her case as a special case and letter
received from the Government would be filed
on the next date.

S.O. 3/10/2019.

Member (J)

dnk.

O.A. No. 552/16 **(SB)**

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

Dated : 11.09.2019

Shri Shiralkar, 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. three weeks.**

Member (J)

dnk.

O.A. No. 384/19 (SB)

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

Dated : 11.09.2019

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

The Id. P.O. seeks further time for filing reply. The Id. P.O. submitted that he has received parawise reply, therefore, in the interest of justice, matter be taken up on board on 19/9/2019.

The Id. P.O. to supply copy of the reply to the applicant well in advance.

S.O. 19/9/2019.

Member (J)

dnk.

O.A.No. 58/2014
(D.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
and
Shri A.D.Karanjkar, Member(J)
Dated :11th Sep. 2019.**

Heard Shri Nayse holding for Shri G.G.Bade, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant submits that office have not served to respondent nos. 2 to 8. At the request of Id. counsel for the applicant, **S.O. two weeks** to prepare list of the candidate.

**Member(J)
Chairman
Date:-11/09/2019.
aps.**

Vice

O.A.Nos. 224, 226 & 227/2016
(D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Shri R.S.Khobragade, 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.**
25/09/2019.

**Member(J)
Chairman**

Date:-11/09/2019.
aps.

Vice

O.A.No. 530/2016 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Shri V.B.Bhise, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 1 & 2. Await service of respondent no. 3.

2. The Id. counsel for the applicant desires to withdraw the O.A.. He is permitted to withdraw the same.

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

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 829/2016 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

C.A.NO.13/2017:-

Heard Shri A.P.Tathod, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

2. S.O. 24/09/2019.

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 535/2018 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

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

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

Member(J)

Chairman

Date:-11/09/2019.

aps.

Vice

O.A.No. 850/2018 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

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

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

Later on:-

Ms. Joshi, the Id. counsel for the applicant
and Shri A.M.Khadatkar, the Id. P.O. for the
respondents. **S.O. two weeks.**

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 16/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

C.A.NO.129/2019:-

None for the applicant. Shri
P.N.Warjurkar, the Id. P.O. for the respondent nos.
1 & 2. Await service of respondent no. 3.

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

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 495/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Shri A.P.Tathod, 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. one week.**

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 546/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Shri S.M.Bhagde, 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., **S.O. one week.**

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 579/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Shri S.M.Bhagde, 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., **S.O. two weeks.**

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 635/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Shri B.M.Dafle, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondent nos. 1, 3 & 4.

2. The Id. counsel for the applicant submits that he has served the notices of respondent nos. 3 & 4 and the same is not reflected on board. He further submits to issue fresh notice to respondent no. 2.

3. Issue fresh notice to R-2, returnable on 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.

9. **S.O. three weeks.**

10. *As per the para no. 4 of the order dated 21.08.2019, I.R. will continue till next date of hearing.*

Member(J)
Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No. 656/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

None for the applicant. Shri V.A.Kulkarni,
the Id. P.O. for the State. Await service of
respondent nos. 1, 3 & 4.

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

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 675/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. The Id. counsel for the applicant pointed out at P.B., Pg. No. 1124, where interpretation of order is involved. The Id. C.P.O. desires two weeks time to file reply. In view of this, Id. C.P.O. is given two weeks time regarding interpretation along with the reply. **S.O. 26.09.2019.**

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 206/2017 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

C.A.NO.323/19 in C.P.No.52/2018:-

Heard Shri V.B.Bhise, 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., **S.O.13.09.2019.**

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 620/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

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

2. At the request of Id. C.P.O., **S.O.**
03.10.2019 for filing reply.

Member(J)

Chairman

Date:-11/09/2019.

aps.

Vice

O.A.Nos. 252, 605 & 636/2016
(D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Shri R.S.Khobragade, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondent nos. 1 to 3. None for the respondent no. 4 in O.A. No. 252/2016. None for the respondent nos. 4, 5 & 6 in O.A. No. 605/2016. None for the respondent nos. 4 & 5 in O.A. No. 636/2016.

2. As agreed by both the counsels, the O.As. are **admitted** and kept for final hearing.

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

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

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.Nos. 471, 537, 546, 547/2016
(D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Shri R.S.Khobragade, 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.**
25/09/2019.

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.Nos.490,491,492&493/2019(D.B

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Shri S.M.Vaishnav, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. The Id. counsel for the applicants submitted that the applicants are not interested in prosecuting these applications. It is further submitted that proposal is forwarded by the Divisional Commissioner to the Government of Maharashtra to give deemed date of promotion to the applicants and if directions is given to the Government to take decision within reasonable time, it could suffice. The Id. counsel for the applicant further submitted that he would file the date of the decision taken by the Divisional Commissioner.

3. **S.O. 13.09.2019.**

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 550/2014 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

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

2. The Id. P.O. submits that during the
course of the day he will file Revenue Qualifying
Examination, Rule 1998 as directed on previous
hearing i.e. on 26.08.2019.

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

Member(J)

Chairman

Date:-11/09/2019.

aps.

Vice

O.A.No.436/17withC.A.No.355/19(D.

B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Ms. M.Chandurkar, the Id. Counsel for the applicant and Shri A.M.Ghogle, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant has filed written notes. The Id. counsel for the applicant has filed C.A. No. 355/2019 for amendment. She is permitted to do the amendment forthwith. The Id. counsel for the applicant is further directed to carry out the amendment.

3. Though the amendment is carryout. Hence, the **C.A. No. 355/2019 is allowed.**

4. **Closed for orders.**

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 587/2018 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

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

2. The Id. P.O. is directed to produce before bench, the necessary documents to show when letter dated 28/02/2018 was received by the applicant.

3. **S.O. 23.09.2019.**

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 265/2010 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Ms. Joshi holding for Shri R.S.Sirpurkar, the Id. Counsel for the applicant, Shri P.N.Warjurkar, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

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

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No. 1003/2018 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

Heard Shri N.D.Thombre, the Id. Counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 to 5 and Shri P.D.Meghe, the Id. counsel for the respondent no. 6.

2. **Closed for orders.**

**Member(J)
Chairman**

Date:-11/09/2019.

aps.

Vice

O.A.No.42/19 with C.A.157/19 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :11th Sep. 2019.

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

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

Member(J)

Chairman

Date:-11/09/2019.

aps.

Vice

O.A.No.705/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

C.A.No.74/2018:-

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

2. The Id. counsel for the applicant has relied upon M.C.S. Pension Rule, 1982, Rule 57, Note 1. The Id. P.O. has filed reply on behalf of the respondent nos. 1 to 4. It is taken on record. Copy is served to the other side.

3. The Id. P.O. further desires to file reply on amended part. Since, the Id. counsel for the applicant is not pressing for the remaining relief clause, he is only pressing for the relief clause as amended on 31.08.2019 as clause no. 9 (2). In view of this, **C.A. No. 74/2018 is allowed.**

4. **S.O. three weeks.**

Vice

Chairman
Date:-11/09/2019.
aps.

O.A.No.840/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

C.A.No.229/2018:-

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

2. The main grievances of the applicant is that he has not been paid time bound promotion. However, there is a delay of 7 years, 10 months and 7 days, which is substantial delay and then the O.A. is filed by the applicant. Reply is filed by the respondents, and they have pointed out and opposed about the delay.

3. The Id. P.O. filed letter dated 25.02.2013 by the office of Collector, Chandrapur. It appears that applicant's name appears at Sr. No. 6 of the said letter. It appears that he gets first time bound promotion on 01.12.2009, he is not aware about the same. The Id. P.O. is directed to supply the same to the other side.

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

Chairman
Date:-11/09/2019.
aps.

Vice

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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

2. The Id. P.O. has not get any instructions from the respondents. However, it was pointed out that out of 26 employees, report of 18 employees has already decided by respondent no. 4 and remaining 8 are still waiting.

3. In view of this, Respondent no. 4 is directed to take decision on the report **within two weeks** from the date of this order and communicate the same to the applicant and the Tribunal too through Id. P.O..

4. **S.O. three weeks.**

Vice

Chairman
Date:-11/09/2019.
aps.

O.A.No.823/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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

2. The Id. C.P.O. pointed out at Annexure-A-1, P.B., Pg. No. 8 in para no. 2 following observations has been made by Collector, Nagpur:-

"I kkk; izkk u foHkkx] 'kk u fu.kz da vclak@1000@izdi:20@2000@vkb fnukd 28 ekp] 2001 e/khy dj.; kr vkyy; k rjrmhuq kj fnukd 31 fml ekj] 2001 urj frl js vir; >kyY; k deplk& kb; k dV/c; kd vuclak rRokojhy fu; qDrI kbh ik= l etys tk.kj ukgh] vl suen dj.; kr vkyyys vlgS"

3. The above same has been communicated to the applicant and Tahsildar, Umred too. In view of this, it appears that nothing survives in this O.A.. However, to hear the other side, time is granted. There is already inordinate delay in filing this O.A.

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

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.977/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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

2. S.O. three weeks.

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.72/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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 Id. counsel for the applicant, **S.O. 09.10.2019.**

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.112/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

None for the applicant. Shri S.A.Deo, the
Id. C.P.O. for the respondent nos. 1 & 2. None for
the respondent no. 3.

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

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.297/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

C.A.NO.261/2019:-

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

2. As per the submission of the Id. counsel for the applicant, the applicant was allowed to joined on 17.07.2019. She has joined on Duty.

3. In view of this, **C.A. No. 261/2019 is disposed of.**

4. O.A. is **admitted** and kept for final hearing in due course.

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

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

Vice

Chairman

Date:-11/09/2019.

aps.

O.A.No.426/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

Heard Shri A.P.Sadavarte, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 09.10.2019.**

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.543/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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

2. In order dated 02.08.2019 detailed observations have been made which was pointed out by Id. counsel for the applicant. However, Id. C.P.O. seeks two weeks time to file reply, though he has already received the parawise reply.

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

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.619/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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

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

Chairman
Date:-11/09/2019.
aps.

Vice

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

Heard Shri R.M.Fating, 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. four weeks.**

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.599/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

Heard Shri S.U.Ambagade, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

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

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.250/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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

2. The Id. counsel for the applicant submitted that S.P., Amravati (Rural) had followed the order of this Tribunal dated 09.07.2019 and reinstated the applicant and directed office to post the applicant as directed in para no. 11 of the said order. After the programme of Hon'ble C.M., due to some urgency, S.P. was absent and some communication was made from the office of the S.P. to D.G. Police, Mumbai seeking certain information and guidelines regarding the same para.

3. The above same is not good in the eyes of laws and office staff should have first brought this fact before the S.P., Amravati (Rural) and then should have done the correspondence to the D.G., Police. It is directed to S.P., Amravati (Rural) that he should personally examine the observations made in para no. 11 of the order dated 09.07.2019 regarding applicant and take necessary steps and communicate the applicant as well as this Tribunal through Id. P.O. within two weeks from the date of this order.

4. S.O. 24.09.2019.

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.249/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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

2. The Id. counsel for the applicant submitted that order of 09.07.2019 is complied. Hence, nothing remains in this O.A..

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

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.24/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

Heard Shri P.J.Mehta, 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. 07.10.2019.**

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.70/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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. 25.09.2019.**

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.228/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

Heard Shri N.R.Saboo, the Id. Counsel for the applicant, Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 & 2 and Shri A.Y.Kapgate, the Id. counsel for the respondent no. 3.

2. At the request of Id. counsel for the applicant, **S.O. 03.10.2019.**

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.278/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

Heard Shri A.D.Girdekar, the Id. Counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the respondent nos. 1 & 2. None the respondent no. 3.

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

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.365/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.**

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

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

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.481/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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

2. At the request of Id. counsel for the applicant, **S.O. 07.10.19.**

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.540/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

Heard Shri C.A.Joshi, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 24.09.2019.**

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.805/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

Heard Shri S.Khandekar, 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.**
03.10.2019.

Chairman
Date:-11/09/2019.
aps.

Vice

O.A.No.382/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

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

2. The Id. counsel for the applicant submitted that the applicant was first wrongly fixed in the pay band and then recovery has been made by the Department. However, department has filed document on P.B., Pg. No. 52 (Annexure-R-3) where they have attached comment of Pay-Verification-Unit. As per Pay-Verification-Unit, pay was fixed and accordingly department has started recovery.

3. In view of this, the Id. counsel for the applicant is directed to make party respondent to the Pay-Verification-Unit then proceed in this matter.

4. **S.O. three weeks.**

Vice

Chairman
Date:-11/09/2019.
aps.

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :11th Sep. 2019.

Heard Shri I.G.Meshram, the Id. Counsel for the applicant, Shri P.N.Warjurkar, the Id. P.O. for the State and Shri A.M.Kukday, the Id. counsel for the respondent no. 2.

2. As pointed out by Id. counsel for the applicant that in reply P.B., Pg. No. 17, para no. 3, it has been pointed out that applicant was appointed as Mokadam on 24.08.1984 and retired on 31.08.2015, applicant was given first time bound promotion on 24.08.1996, which has been accepted by Id. counsel for the applicant.

3. As per the reply submitted by respondent no. 2, it is submitted in para no. 3 of the reply that applicant was transferred / Absorbed on the post of Karkoon (Clerical Post) as per Government Resolution dated 29.02.2003 (Annexure-R-2-I, Pg. No. 21). It is further submitted that on 29.09.2003, the post of Karkoon was Class-III post and at this post his pay scale was fixed at 3050-75-3950-80-4590/- as per the Government policy.

4. Since, admittedly applicant had got first time bound promotion on 24.08.1996, he was due for second time bound promotion only after 12 years i.e. in the year 2008. However, since he was promoted as per the G.R. dated 29.09.2003, he

cannot claim time bound promotion because before that he has been promoted. The Id. Counsel for the applicant submits that his absorption as per the G.R. dated 29.09.2003 was not a promotion.

5. In view of this, the Id. counsel for the respondent no. 2 is directed to file on record previous pay slips of the applicant before promotion/absorption as per the G.R. dated 29/09/2003.

6. The Id. counsel for the applicant has filed Rejoinder. It is taken on record. Copy is served to the other side.

7. S.O. 04.10.2019.

8. Steno copy is granted.

9. Matter is treated as P.H.

Vice

Chairman

Date:-11/09/2019.

aps.