

O.A. No. 670/2019(SB)

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

**Dated : 20.12.2019.**

Heard Shri B.J. Lonare, learned counsel for the applicant and Shri M.I. Khan, learned Presenting Officer for respondents.

2. At the request of learned counsel for the applicant, **S.O. to 09.01.2020.**

**Member (J)**

kpb.

O.A. No. 630/2019(SB)

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

**Dated : 20.12.2019.**

Heard Shri R.V. Shiralkar, learned counsel holding for Shri M.M. Sudame, learned counsel for the applicant and Shri M.I. Khan, learned Presenting Officer for respondents.

2. At the request of learned counsel for the applicant, **S.O. to 09.01.2020.**

3. The present matter be kept along with O.A. No. 592/2019.

**Member (J)**

kpb.

O.A. No. 538/2017(SB)

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

**Dated : 20.12.2019.**

Heard Shri Shubhankar Phadnis, learned counsel holding for Shri N.C. Phadnis, learned counsel for the applicant and Shri A.P. Potnis, learned Presenting Officer for respondents.

2. At the request of learned counsel for the applicant, **S.O. to 13.01.2020.**

**Member (J)**

kpb.

O.A. No. 430/2018(SB)

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

**Dated : 20.12.2019.**

Heard Shri A. Upasni, learned counsel for the applicant and Shri M.I. Khan, learned Presenting Officer for respondent Nos. 1 and 3 and Shri Shubhankar Phadnis, learned counsel holding for Shri H.D. Marathe, learned counsel for respondent No. 2.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and copy thereof has been served on the other side.

3. Learned counsel for the applicant has submitted that Shri H.D. Marathe, counsel for respondent No. 2 is not present today.

4. The present matter would be heard on **07.01.2020**.

**Member (J)**

kpb.

O.A. No. 953/2017(SB)

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

**Dated : 20.12.2019.**

Heard Ms. Aarti Singh, learned counsel for the applicant and Shri M.I. Khan, learned Presenting Officer for respondents.

2. At the request of learned counsel for the applicant, **S.O. to 10.01.2020.**

**Member (J)**

kpb.

O.A. No. 477/2018(SB)

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

**Dated : 20.12.2019.**

Heard Shri D.R. Rupnarayan,  
learned counsel for the applicant and Shri  
A.M. Khadatkar, learned Presenting  
Officer for respondents.

2. Learned Presenting Officer seeks  
time for filing affidavit in reply. Time  
granted.

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

**Member (J)**

kpb.

O.A. No. 871/2018(SB)

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

**Dated : 20.12.2019.**

Heard Shri R.V. Shiralkar, learned counsel holding for Shri S.N. Gaikwad, learned counsel for the applicant and Shri S.A. Sainis, learned Presenting Officer for respondents.

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

**Member (J)**

kpb.

O.A. No. 391/2019(SB)

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

**Dated : 20.12.2019.**

Heard Shri K.P. Mahalle, learned counsel for the applicant and Shri P.N. Warjurkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

3. **S.O. to 09.01.2020.**

**Member (J)**

kpb.



O.A. No. 403/2019(SB)

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

**Dated : 20.12.2019.**

Heard Shri N.R. Saboo, learned counsel for the applicant and Shri V.A. Kulkarni, learned Presenting Officer for respondents.

2. At the request of both the parties, matter be taken up for hearing on **03.01.2020.**

**Member (J)**

kpb.

O.A. No. 606/2019(SB)

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

**Dated : 20.12.2019.**

Heard Shri M. Patil, learned counsel for the applicant and Shri H.K. Pande, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted as a last chance.

3. **S.O. to 06.01.2020.**

**Member (J)**

kpb.

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

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

**Dated : 20.12.2019.**

Heard Shri R.V. Shiralkar, learned counsel for the applicant and Shri S.A. Sainis, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and copy thereof has been served on the other side.

3. The present O.A. is admitted and it be kept for final hearing on **08.01.2020**.

**Member (J)**

kpb.

O.A. No. 736/2019(SB)

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

**Dated : 20.12.2019.**

Heard Shri A.M. Bhagde, learned counsel for the applicant and Shri A.M. Khadatkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

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

**Member (J)**

kpb.

O.A. No. 913/2019(SB)

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

**Dated : 20.12.2019.**

Heard Shri S.K. Hatwar, learned counsel for the applicant and Shri A.P. Potnis, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

3. **S.O. to 13.01.2020.**

**Member (J)**

kpb.

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

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

**Dated : 20/12/2019.**

Shri A.M. Kukday, 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. **3/1/2020** for filing reply.

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 542/2019 (D.B.)**

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

**Dated : 20/12/2019.**

Heard Shri B.D. Pandit, Id .counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3 and Shri A.S .Deshpande, Id. counsel for R-4 to 6.

The Id. P.O. files reply on behalf of R-1 to 3. It is taken on record. Copies are served to the other sides.

**Heard. Admit.**

The Id. P.O. waives notice for R-1 to 3.

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

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

**Member (J)**  
**Chairman**

**Vice-**

dnk.

O.A. No. 900/2019 (D.B.)

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

**Dated : 20/12/2019.**

Shri M.M. Sawang, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The learned counsel for the applicant submitted that all the respondents are served.

At the request of Id .P.O., **S.O. After Vacation** filing reply.

**Member (J)**  
**Chairman**

**Vice-**

dnk.



**O.A. No. 902/2019 (D.B.)**

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

**Dated : 20/12/2019.**

Shri S.P. Palshikar, Id .counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2.

The learned counsel for the applicant submitted that the respondent no.2 is served and he will file service affidavit to that effect.

At the request of Id. P.O., **S.O. After Vacation** for filing reply.

**Member (J)**  
**Chairman**

**Vice-**

dnk.

O.A. No. 908/2019 (D.B.)

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

**Dated :** 20/12/2019.

Shri A.B. Bambal, Id .counsel holding  
for Shri N.R. Saboo, 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. After Vacation.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

O.A. No. 909/2019 (D.B.)

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

**Dated : 20/12/2019.**

Shri A.B. Bambal, Id .counsel holding  
for Shri N.R. Saboo, 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. After Vacation.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 945/2019 (D.B.)**

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

**Dated : 20/12/2019.**

Heard Shri P.S. Chawhan, Id. counsel  
for the applicant and Shri S.A. Sainis, Id. P.O.  
for R-1 to 3. None for R-4.

The Id. P.O. files reply on behalf of  
R-2&3. It is taken on record.

**Heard. Admit.**

The Id. P.O. waives notice for R-1 to  
3.

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

**Member (J)  
Chairman**

**Vice-**

dnk.

O.A. No. 957/2019 (D.B.)

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

**Dated : 20/12/2019.**

Shri A.B. Bambal, Id .counsel holding  
for Shri N.R. Saboo, Id .counsel for the  
applicant and Shri S.A. Sainis, Id .P.O. for R-  
1&2 and Shri M. Shaikh, Id .counsel for R-3.

At the request of Id. counsel for the  
applicant, **S.O. After Vacation.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

O.A. No. 958/2019 (D.B.)

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

**Dated : 20/12/2019.**

Shri S.C. Deshmukh, Id .counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1. Await service R-2&3.

The Id. counsel for the applicant submitted that the respondents are served and he will file service affidavit to that effect.

**S.O. After Vacation.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 937/2019 (D.B.)**

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

**Dated : 20/12/2019.**

**C.A. 475/2019 -**

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

The learned counsel for the applicant submitted that he is withdrawing the C.A.No.475/2019. He is permitted to do so.

In view of this, the C.A. stands disposed of as withdrawn.

**O.A. 937/2019 –**

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

The Id .P.O. has filed letter dated 19/12/2019 received from the Under Secretary to Government of Maharashtra. It is taken on record and marked Exh-X.

At the request of Id. P.O., S.O. After Vacation for filing reply.

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. No. 507/2018 (D.B.)**

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

**Dated : 20/12/2019.**

Heard Shri A.B. Bambal, Id .counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. It is brought to our notice that the representations Annex-A-7 and Annex-A-10 are not yet decided by the Collector, Chandrapur and necessary direction be issued to decide the same. The Collector, Chandrapur is directed to decide the representations Annex-A-7 and Annex-A-10 within a period of two months from the date of this order.

3. In view thereof, the O.A. stands disposed of. No order as to costs.

**Member (J)**  
**Chairman**

**Vice-**

dnk.



**O.A. No. 881/2009 (D.B.)**

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

**Dated : 20/12/2019.**

**C.A. Nos. 491 & 492 of 2019 -**

Heard Mrs. R.S. Sirpurkar, Id .counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

The legal representatives of deceased applicant be substituted. Abetment is set aside. The C.A. Nos.491 & 492 of 2019 are allowed.

**C.A.Nos. 260,261,262 & 263 of 2018 –**

Heard Mrs. R.S. Sirpurkar, Id .counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. All the C.As. are disposed of accordingly.

**O.A. 881/2009 –**

Heard Mrs. R.S. Sirpurkar, Id .counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. It is brought to our notice that on the basis of the Chart submitted by the respondents that it is mentioned at sr.no.4 that suspension period from 22<sup>nd</sup> October,2003 to 3<sup>rd</sup> September,2009 was treated as duty period and salary from 4<sup>th</sup> September, 2009 for a period of three years (50% salary) was already paid. It is contention of the learned counsel for the applicant that the salary after that period is not paid and similarly the deceased was entitled for the increments during this period. It appears from the facts that the deceased died on 15/7/2014, consequently, he was entitled for a salary till his death, therefore, the respondents are directed to pay the salary from 4<sup>th</sup> September,2009 till 15<sup>th</sup> July,2014. The deceased was also entitled for the increments during this period. The respondents shall accordingly fix the salary of the deceased and accordingly his pension be revised. This direction be complied within three months.

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

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 667/2019 (D.B.)**

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

**Dated : 20/12/2019.**

Shri S.S. Ghate, 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.**  
**21/1/2020** for filing reply.

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 668/2019 (D.B.)**

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

**Dated : 20/12/2019.**

Shri S.S. Ghate, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1. Await service of R-2.

The Id. counsel for the applicant submitted that the respondent no.2 is served and he will file service affidavit within one week.

**S.O. After Vacation.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 906/2019 (D.B.)**

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

**Dated : 20/12/2019.**

Shri Bharat Kulkarni, Id .counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 to 3. None for R-4 to 6.

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

Put up the matter along with O.A.907/2019.

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 907/2019 (D.B.)**

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

**Dated : 20/12/2019.**

Shri Bharat Kulkarni, Id .counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 to 3. None for R-4 to 6.

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

Put up the matter along with O.A.906/2019.

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. St. No. 2334/19 (D.B.)**

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

**Dated : 20/12/2019.**

**C.A. 436/2019 -**

Smt. V. Thakre, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1. Await service of R-2&3.

The learned counsel for the applicant submitted that all the respondents are served and she will file service affidavit to that effect.

At the request of Id. P.O., **S.O. After Vacation** for filing reply.

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**C.P. 35/2019 in O.A. 859/2012 (D.B.)**

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

**Dated : 20/12/2019.**

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

2. The learned P.O. files reply on behalf of R-1. It is taken on record.

3. The learned P.O. submitted that the Writ Petition is filed and it was for hearing yesterday. In this background, it is cleared that on failure of the respondents to produce stay order till next date, the Contempt Petition would be heard.



**S.O. 16/1/2020.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**Rev.A. 35/19 in O.A. No. 581/17 (D.B.)**

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

**Dated : 20/12/2019.**

Shri D.R. Karnik, Id. counsel for the applicant (Original respondent no.4), Shri A.P. Potnis, Id .P.O. for R-2 to 4 (Org. Respondents) and none for respondent no.1 (Original applicant).

2. The learned P.O. pointed out that the respondent no.1 (original applicant) has not been served the notice. Hence, issue notice to the respondent no.1 (original applicant),

returnable After Vacation. Hamdast  
allowed.

**S.O. After Vacation.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**C.P. 40/19 in O.A. No. 590/2017 (D.B.)**

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

**Dated : 20/12/2019.**

Shri A.R. Ingole, 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.**  
**03/01/2020.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 1025/2019 (D.B.)**

( A.M. More Vs. State of Mah. & Ors. )

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

**Dated : 20/12/2019.**

Heard Shri S.M. Khan, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the State.

2. It is submitted that the impugned order Annex-A-2 is passed by the Collector, Washim on 24/4/2017 and by this order the Collector, Washim was pleased to suspend the applicant and directed disciplinary inquiry. It is contention of the applicant that the

Collector, Washim was not neither Appointing Authority of the applicant nor Disciplinary Authority and therefore the Collector, Washim was not empowered to suspend the applicant and direct disciplinary inquiry.

3. We have perused the order passed by the Appellate Authority, the Commissioner, Agriculture (M.S.), Pune on 24/5/2019. In this order it is observed that the applicant was suspended by the Collector, Amravati and the Appellate Authority confirmed the suspension. It seems that the applicant was in service of Agriculture Department and therefore we are unable to understand how the Collector, Washim was empowered to suspend the applicant. Under these circumstances, we direct that no action shall be taken on the basis of findings recorded by the Inquiry Officer on 30/7/2018 till filing of reply by the respondents.

4. Issue notice to R-2 to 4, returnable **after four weeks.** Learned P.O. waives notice for R-1. Hamdast allowed.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. 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.

7. 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.

8. 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.

9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

**S.O. after four weeks.**

Steno copy is granted to the P.O...

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**C.P. 47/19 in O.A. No. 685/2010 (D.B.)**

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

**Dated : 20/12/2019.**

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

2. Issue Notice to the respondent Nos. 2  
to 4 returnable **after three weeks** under  
Rule 8 of the MAT (Contempt of Courts)

Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. Shri V.A. Kulkarni, the learned P.O. waives notice for respondent No.1. Hamdast granted.

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

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 105/2016 (D.B.)**

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

**Dated : 20/12/2019.**

Shri Gulhane, Id .counsel holding for Shri G.R. Sadar, Id .counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1&2 and Shri S.P. Palshikar, Id. counsel for R-3.

At the request of Id. counsel for the applicant, **S.O. After Vacation.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 769/18 with C.A. 375/2019  
(D.B.)**

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

**Dated : 20/12/2019.**

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



2. The learned P.O. is directed to produce the Service Book of the applicant and to give information whether due to promotion of the applicant in Hk-t- ¼M½ category any other candidate of that category is deprived of promotion. The learned P.O. is also directed to take instructions from the Department whether case of the applicant to grant relief of ACP is considered or not considered.

**S.O. 06/01/2020.**

Steno copy is granted to the P.O...

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 490/2017 (D.B.)**

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

**Dated : 20/12/2019.**

Shri G.G. Bade, Id. counsel holding  
for Shri S.N. Gaikwad, Id. counsel for the

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

At the request of Id. counsel for the  
applicant, **S.O. After Vacation.**

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 48/2019 (D.B.)**

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

**Dated : 20/12/2019.**

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

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

**Member (J)**  
**Chairman**

**Vice-**

dnk.

**O.A. No. 502/2016 (S.B.)**

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

**Dated : 20/12/2019.**

**MCA 78/2019**

Heard Shri S.C. Deshmukh, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. Along with the MCA 78/2019, the learned counsel for the applicant has filed copy of applicant's appointment order dated 24<sup>th</sup> May, 1966 issued by the Chief Executive Officer, Zilla Parishad, Nagpur in which it is shown that the applicant joined in the service on 2/6/1966 Forenoon.

3. Accordingly in the order dated 03/12/2019 in para-3 the applicant's joining date was mentioned as 2/6/1965, it be corrected as 2/6/1966.

4. The Registry is directed to make necessary correction in the order dated 3/12/2019.

In view thereof, the M.C.A. stands allowed.

**Chairman** **Vice-**

dnk.\*\*\*

O.A.No.701/2017 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

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

2. **S.O. after winter vacation.**

**Chairman**  
**Date:-20/12/2019.**  
aps.

**Vice**

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

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

Heard Shri N.R.Saboo, 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. after winter vacation for reply.**

**Chairman**  
**Date:-20/12/2019.**  
aps.

**Vice**

**O.A.St.No.1719/2019**

**(S.B.)**

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

**Dated :20/12/ 2019.**

**C.A.No.319/2019:-**

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

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

**Vice**

**Chairman**

**Date:-20/12/2019.**  
aps.

O.A.No.901/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 & 2. Await service of respondent no. 3.

2. The Id. counsel for the applicant submitted that he will file service affidavit during the course of the day. **S.O. 15/01/2020.**

**Vice**

**Chairman**  
**Date:-20/12/2019.**  
aps.



**O.A.Nos.910 & 911/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

Heard Shri N.R.Saboo, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the State. Await service of respondent no. 2.

2. At the request of Id. P.O., **S.O. 16/01/2020 for reply.**

**Chairman**  
**Date:-20/12/2019.**  
aps.

**Vice**

O.A.No.941/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

None for the applicant. Shri P.N.Warjekar, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

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

**Chairman**  
**Date:-20/12/2019.**  
aps.

**Vice**

**O.A.No.984/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

**C.A.No.468/2019:-**

Heard Shri S.M.Bhagde, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. As per the order dated 19/12/2019 (Respondent no. 4) i.e. Principal, Government Polytechnic, Sakoli, Bhandara is personally present and he submits that the applicant's behaviour is not proper and he creates many hurdles in working.

3. The Id. counsel for the applicant has also placed on record his affidavit dated 20.12.2019. He has also placed letter dated 18/12/2019, by Principal to Joint Director regarding behaviour of applicant. However, in last line, he has mentioned about sending applicant on compulsory leave. It is illegal as per M.C.S. (D&A) Rules, 1979; the same was pointed out to respondent no. 4.

4. After hearing both the parties, Principal was directed that he is acting beyond the power given to him under Maharashtra Civil Services (discipline and appeal) Rules, 1979. There is no provision to send any employee on compulsory leave. However, he is also informed that he is at liberty to take action against any officer working under him under Section 8 or under Section 10 of

Maharashtra Civil Services (discipline and appeal) Rules, 1979.

5. The respondent no. 4 further submitted that by Monday applicant can report to the institute and he will get him to joined on duty. He is also directed that if he feels that still the applicant's behaviour is not proper he is at liberty to take proper action as per the M.C.S. (discipline and appeal) Rules, 1979 and award appropriate punishment.

6. The Id. P.O. seeks time to file reply. At his request, **S.O. 15/01/2020 for reply.**

**Vice**

**Chairman**

**Date:-20/12/2019.**

aps.

**O.A.Nos.1028,1029,1030,1031,1032,1033,  
1034,1035,1036/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :20/12/ 2019.**

**C.A.Nos.482,483,484,485,486,487,488,489,  
490/2019**

Heard Shri N.R.Saboo, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. Since the grievances are same, therefore, **C.A.Nos.482,483,484,485,486,487,488, 489 & 490/2019 for Jt. O.A. are allowed.**

3. As submitted by Id. counsel for the applicant, applicant's were one stage higher pay as per Government G.R. dated 06/08/2002 bearing no. f\vkj, Q&2000@i zdt:3@cljk. However, again there pay has been revised in O.A. No. 1028/2019 as per Annexure-A-4(a to k), P.B., Pg. No. 35 to 36, O.A. No. 1029/2019 as per Annexure-A-4(a to k), P.B., Pg. No. 38 to 59, O.A. No. 1030/2019 as per Annexure-A-4(a to m), P.B., Pg. No. 38 to 63, O.A. No. 1031/2019 as per Annexure-A-4(a to j), P.B., Pg. No. 39 to 58, O.A. No. 1032/2019 as per Annexure-A-4(a to m), P.B., Pg. No. 41 to 66, O.A. No. 1033/2019 as per Annexure-A-4(a to m), P.B., Pg. No. 39 to 63, O.A. No. 1034/2019 as per Annexure-A-4(a to j), P.B., Pg. No. 38 to 56, O.A. No. 1035/2019 as per Annexure-A-4(a to p), P.B., Pg. No. 52 to 83, O.A. No. 1036/2019 as per Annexure-A-4(a to q), P.B., Pg. No. 49 to 81 and there pay scale has been

changed only by increasing basic in grade pay. Aggrieved with this order, applicant has approached to this Tribunal. Respondents are directed not to revise this pay-scale mentioned above till filing of the reply. The Id. P.O. is directed to collect information from other department like Police, Revenue, Education and Tribal Department that what is procedure they are adopted. Particularly with the Police and Tribal Department. The Id. counsel for the applicant is advised to make the pay-verification-unit as a respondent in all the O.As..

4. Issue notice to R-2 to 5, returnable on last week of January, 2020. Learned C.P.O. waives notice for R-1. Hamdast allowed.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. 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.

7. 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.

8. 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.

9. 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.

10. **S.O. last week of January, 2020.**

11. *Put up this matter along with the O.A. Nos. 330/2019.*

**Vice**

**Chairman**  
**Date:-20/12/2019.**  
aps.

O.A.No.330/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

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

2. S.O. last week of January, 2020 for reply.
3. *Put up this matter along with the O.A.Nos. 1028,1029,1030,1031,1032,1033,1034,1035&1036 /2019.*

**Chairman**  
**Date:-20/12/2019.**  
aps.

**Vice**



**O.A.No.1026/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

**C.A.No.480/2019:-**

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

2. **C.A.No.480/2019 for Jt. O.A. is allowed.**

3. Issue notice to R-2 to 7, returnable on **18.01.2020**. Learned C.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. 18.01.2020.**

**Vice**

**Chairman**

**Date:-20/12/2019.**

aps.

**O.A.No.1027/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

**C.A.No.481/2019:-**

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

2. **C.A.No.481/2019 for Jt. O.A. is allowed.**

3. Issue notice to R-2, 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:-20/12/2019.**

aps.

O.A.No.912/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

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

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

**Chairman**  
**Date:-20/12/2019.**  
aps.

**Vice**

O.A.No.916/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the State. Await service of respondent nos. 2 to 5.

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

**Chairman**  
**Date:-20/12/2019.**  
aps.

**Vice**

**O.A.No.867/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

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

2. Issue notice to R-2, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. four weeks.**

**Vice**

**Chairman**

**Date:-20/12/2019.**

aps.



**O.A.No.868/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

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

2. Issue notice to R-2 & 3, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. four weeks.**

**Vice**

**Chairman**

**Date:-20/12/2019.**

aps.

**O.A.Nos.1039,1040&1041/2019**

**(S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

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

2. Issue notice to R-2 & 3, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry

within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. four weeks.**

**Vice**

**Chairman**

**Date:-20/12/2019.**

aps.

**O.A.Nos.1043&1044/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

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

2. In O.A.No. 1043/2019, the Id. counsel for the applicant has invited my attention on P.B., Pg. No. 7 (Annexure-A-1) order dated 20/06/2019 by which applicant has placed under suspension. Applicant has also shown various representations given by him dated 20/09/2019, 02/10/2019 & 07/11/2019 (P.B., Pg. Nos. 14 to 16)

3. In O.A.No. 1044/2019, the Id. counsel for the applicant has invited my attention on P.B., Pg. No. 7 (Annexure-A-1) order dated 03/09/2019 by which applicant was placed under suspension. Applicant has also submitted representation dated 11/12/2019 (P.B., Pg. Nos. 09 to 11).

4. The Id. P.O. is directed to take instructions regarding D.E. and progress of court cases. In view of the various Judgments of Hon'ble Apex Court, Hon'ble High Court and Tribunal. Respondents are at liberty to decide the representations of applicant.

5. Issue notice to R-2, returnable on 01<sup>st</sup> week of January, 2020. Learned P.O. waives notice for R-1. Hamdast allowed.

6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

7. 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.

8. 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.

9. 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.

10. 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.

11. **S.O. 01<sup>st</sup> week of January, 2020.**

**Vice**

**Chairman**

**Date:-20/12/2019.**

aps.

O.A.No.702/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

Heard Shri N.R.Saboo, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the Respondents.

2. At the request of Id. P.O., **S.O. 2<sup>nd</sup> week of January, 2020.**

**Chairman**  
**Date:-20/12/2019.**  
aps.

**Vice**



**O.A.No.339/2017 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :20/12/ 2019.**

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

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

**Chairman**  
**Date:-20/12/2019.**  
aps.

**Vice**

O.A. No. 1042/2019(SB)

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

**Dated : 20.12.2019.**

Heard Shri A.D. Girdekar, learned counsel for the applicant and Shri A.P. Potnis, learned Presenting Officer for respondent No. 1.

2. The applicant is challenging the transfer order dated 18.09.2019 (Annexure A-4). It is submitted that the it is a mid-term transfer in view of the statutory provisions and yet the applicant is not relieved. I have perused the impugned order of transfer issued by the Commissioner, Social Welfare, Maharashtra State, Pune. After reading the said transfer order, it seems that the approval of the higher authority was not sought before issuing the said transfer order. As per the Section 4 Sub Section 5 of the Transfer Act, 2005, it was necessary in case of premature transfer that the transferring authority shall seek permission of its higher authority. After reading the said transfer order, it seems that it is nowhere mentioned that the

approval of the higher authority was sought. It is stated on oath by the applicant that till today he is not relieved from Akola.

3. In these circumstances, the parties are directed to maintain status-quo as on today till filing of the affidavit in reply by the respondents.

4. Issue notice the respondents, returnable on **13.01.2020**. Hamdast allowed.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. 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.

7. 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.

//3//

8. 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.

9. 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.

10. **S.O. to 13.01.2020.**

**Member (J)**

kpb.

O.A. No. 1037/2019(SB)

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

**Dated : 20.12.2019.**

Heard Shri A.V. Muley, learned counsel for the applicant and Shri V.A. Kulkarni, learned Presenting Officer for respondent No. 1.

2. I have perused the order dated 22.11.2019 (Annexure A-9). Apparently, it is not possible to accept that the Annexure A-9 amounts to transfer, therefore, keeping open the point of interim relief, issue notices to the respondents, returnable on **13.01.2020**. 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. to 13.01.2020.**

**Member (J)**

kpb.

O.A. No. 1038/2019(SB)

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

**Dated : 20.12.2019.**

Heard Shri A.V. Muley, learned counsel for the applicant and Shri A.M. Ghogre, learned Presenting Officer for respondent No. 1.

2. I have perused the order dated 22.11.2019 (Annexure A-6). Apparently, it is not possible to accept that the Annexure A-6 amounts to transfer, therefore, keeping open the point of interim relief, issue notices to the respondents, returnable on **13.01.2020**. 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. to 13.01.2020.**

**Member (J)**

kpb.



O.A. No. 634/2019 with C.A.  
No. 433/2019(SB)

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

**Dated : 20.12.2019.  
C.A. No. 433/2019**

Heard Shri R.V. Shiralkar, learned counsel for the applicant and Shri M.I. Khan, learned Presenting Officer for respondent Nos. 1, 2 & 4. None present for respondent No. 3.

2. In paragraph No. 4 of the affidavit in reply to the C.A. No. 433/2019 it is admitted by the respondent No. 1 that the salary of the applicant for 22 days is stopped for the reason that the applicant did not reply to the show cause notice dated 26.09.2019. Learned Presenting Officer is unable to show any legal provision which empowers to take such grave action.

3. In view thereof, the respondent No. 1 is directed to release the withheld salary of the applicant till next date.

4. Accordingly, C.A. No. 433/2019 is disposed of with no order as to costs.

**O.A. No. 634/2019**

5. **S.O. to 09.01.2020** for hearing.

**Member (J)**

kpb.