

O.A. No. 952/2018 (SB)

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

Dated : 26.04.2019

Shri R.R. Ramteke, Id. counsel holding for Shri O.Y. Kashid, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1&2 and none for R-3&4.

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

Member (J)

dnk.

O.A. No. 292/2016 **(SB)**

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

Dated : 26.04.2019

Shri S.C. Deshmukh, Id. counsel
for the applicant and Shri A.M. Ghogre,
Id. P.O. for R-1 to 3. None for R-4 to 7.

At the request of Id. counsel for the
applicant, **S.O. 11/06/2019**.

Member (J)

dnk.

O.A. No. 457/2018 (SB)

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

Dated : 26.04.2019

Smt. K.N. Saboo, Id. counsel for
the applicant and Shri H.K. Pande, Id.
P.O. for the respondents.

At the request of Id. counsel for the
applicant, **S.O. 30/04/2019.**

Member (J)

dnk.

O.A. No. 284/2018 (SB)

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

Dated : 26.04.2019

C.A.106/2018 -

Heard Shri A.D. Girdekar, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the State.

2. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. stands disposed of accordingly.

O.A. 284/2018 –

Shri A.D. Girdekar, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2 to 4.

The learned P.O. seeks four weeks time to file reply. At his request,

S.O. After Vacation.

Member (J)

dnk.

O.A. No. 812/2018 (SB)

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

Dated : 26.04.2019

Shri G.C. Khond, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1. Await service of R-2 to 5.

2. The learned counsel for the applicant submits that the respondent nos. 3&4 are served. He further submits that the intimation regarding service report of respondent nos. 2&5 is not yet received and for that purpose he seeks further time.

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

Member (J)

dnk.

O.A. No. 822/2018 (SB)

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

Dated : 26.04.2019

Shri P.P. Khaparde, Id. counsel for the applicant and Shri A.P. Potnis, Id .P.O. for R-1. Await service of R-2 to 4.

Service report of R-2 to 4 is yet not filed.

S.O. After Vacation.

Member (J)

dnk.

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

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

Dated : 26.04.2019

None for the applicant. Shri A.P. Potnis, Id. P.O. for R-1 to 3. Await service of R-4.

S.O. After Vacation for filing service affidavit.

Member (J)

dnk.

O.A. No. 170/2019 (SB)

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

Dated : 26.04.2019

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

2. The learned P.O. submitted the copy of letter written by the Joint Director of Health Services, Mumbai to Deputy Director of Health Services, Nagpur Division, Nagpur dated 22/04/2019. The learned P.O. requested for time for seeking necessary instructions from the Deputy Director of Health Services, Nagpur Division, Nagpur as to what action is taken on the basis of this letter.

3. At the request of learned P.O.,
S.O. 29/04/2019.

Member (J)

dnk.

O.A. No. 134/2018 **(SB)**

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

Dated : 26.04.2019

MCA 38/2019 -

Heard Shri M.I. Khan, Id. P.O. for the applicants (Original respondent nos.1&2) and Shri N.W. Almelkar, Id. counsel for the respondent (Original applicant).

2. It is submitted that in order to comply the order dated 25/01/2019 the proposal is forwarded the Finance Department and it will take time. In the interest of justice two months' time is granted to comply the order.

3. In view of this, the MCA stands disposed of. No order as to costs.

Member (J)

dnk.

O.A. No. 943/2017 (SB)

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

Dated : 26.04.2019

Ms. A. Singh, Id. counsel for the applicant, Shri V.A.Kulkarni, Id. P.O. for R-1 to 3 and Shri V.G.Wankhede, Id. counsel for R-4.

2. Shri Wankhede, Id. counsel files pursis on behalf of R-4. It is taken on record.

3. The learned counsel for the applicant seeks further time. At her request, **S.O. After Vacation.**

Member (J)

dnk.

O.A. No. 552/2018 (SB)

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

Dated : 26.04.2019

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

It appears that the reply is already filed.

The matter is **admitted** for final hearing.

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

S.O. in due course.

Member (J)

dnk.

O.A. No. 380/2017 (SB)

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

Dated : 26.04.2019

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

Since the pleadings are complete, the matter is admitted for final hearing.

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

S.O. 17/06/2019.

Member (J)

dnk.

O.A. No. 297/2019 (SB)

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

Dated : 26.04.2019

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

2. The learned P.O. submitted that he would take instructions from the department and the matter may be kept for hearing on 30/04/2019.

3. In view thereof, the matter be kept on **30/04/2019**.

Member (J)

dnk.

O.A. No. 298/2019 (SB)

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

Dated : 26.04.2019

Heard Shri V.B. Bhise, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. It is submitted that vide order dated 23/03/2018 the applicant was placed under suspension and even after expiry of period of one year the suspension is not revoked, therefore, the interim relief be granted.

3. The learned CPO submitted that the offence under the Prevention of Corruption of Act is registered against the applicant and therefore it is necessary to seek instructions from the department. As the applicant is claiming interim relief in fact which is a final relief in the matter, such relief shall be granted only in rarest of the rare cases, therefore, it is suitable to hear the respondents before granting interim relief.

4. Hence, issue notice to R-2 to 4, returnable **After Vacation**. 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. After Vacation.**

Member (J)

dnk.

O.A. No. 299/2019 (SB)

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

Dated : 26.04.2019

Heard Mrs. Maldhure, the applicant in person and Shri A.M. Ghogre, Id. P.O. for the State.

2. My attention is invited to Annex-A-1 order dated 10/09/2014 passed by the A.G. office and that order was challenged in O.A.707/2014 and the Division Bench allowed the application vide order dated 19th September,2018.

3. Thereafter, the Senior Treasury Officer, Nagpur forwarded order dated 29/03/2019 to the applicant which is at Annex-A-3 and by this order it was informed that wrongly pension Rs.13,976/- was paid in lieu of Rs.8,550/- and therefore it was necessary to recover amount Rs.5,55,854/- from the applicant by monthly installments from April,2019 @ Rs.6,000/- p.m. It is submission of the applicant that this action of the respondents is absolutely illegal and unwarranted when the previous O.A. was

contested, the respondents could have raised all these issues, but thereafter this action is initiated by the respondents it will cause prejudice to the applicant and therefore till hearing of this application on merit this order be stayed.

4. On perusal of the documents it seems that without giving opportunity of hearing straight way recovery order is issued and therefore in my opinion this is a fit case to give protection to the applicant till hearing of the respondents in this matter. The impugned order dated 29/03/2019 is stayed till filing of the reply by the respondents.

5. In the meantime, issue notice to R-2 returnable **After Vacation**. 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. After Vacation.**

Member (J)

dnk.

O.A. No. 300/2019 (SB)

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

Dated : 26.04.2019

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

2. It is submitted that the applicant is not yet relieved from the duty. It is grievance of the applicant that his options given for the transfer were not considered and he is considered to Pune. It is submitted that the applicant has personal problem and therefore interim protection be given to the applicant.

3. It is submission of the learned P.O. that the transfer order is issued as per the order issued by the Hon'ble High Court, but the learned P.O. was unable to point out the specific order passed by the Hon'ble High Court to this effect. The learned P.O. requested for time. In this situation, the parties are directed to maintain status-quo till 02/05/2019.

4. Issue notice to R-2, returnable on **02/05/2019**. 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.

10. **S.O. 02/05/2019.**

Steno copy is granted.

Member (J)

dnk.

O.A. No. 701/2015 (SB)

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

Dated : 26.04.2019

Shri R.S. Thengre, Id. counsel for the applicant and shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned P.O. informed that T.A. bill is prepared and it is forwarded to the Competent Authority of the Divisional Head for sanction and it will take time.

S.O. After Vacation (PH).

Member (J)

dnk.

O.A. No. 73/2017 (SB)

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

Dated : 26.04.2019

Shri P.P. Khaparde, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 to 4 and Shri A.Y. Kapagate, Id. counsel for R-5.

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

Member (J)

dnk.

O.A. No. 125/2017 **(SB)**

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

Dated : 26.04.2019

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

S.O. After Vacation.

Member (J)

dnk.

O.A. No. 373/2018 (SB)

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

Dated : 26.04.2019

Heard Shri P.J. Mehta, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

The learned P.O. submitted that he would file the relevant documents on record during the course of day.

S.O. After Vacation.

Member (J)

dnk.

O.A. No. 654/2018 (SB)

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

Dated : 26.04.2019

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

S.O. After Vacation.

Member (J)

dnk.

O.A. No. 301/2019 (SB)

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

Dated : 26.04.2019

Heard Shri P.S. Wathore, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the State.

2. The applicant may resume the duty, the Tribunal will decide this application in due course.

3. Issue notice to R-2, returnable **After Vacation**. 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. After Vacation.**

Member (J)

dnk.

O.A. No. 481/2018 (SB)

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

Dated : 26.04.2019

Heard Shri A.C. Dharmadhikari, Id. counsel for the applicant. Shri P.N. Warjurkar, Id. P.O. for R-1&2, Shri S.P. Palshikar, Id. counsel for R-3 and Ms.Y.J. Mashwari, Id. counsel for R-4.

The matter is partly heard and it is kept on 29/04/2019 for hearing the learned counsel for R-4.

S.O. 29/04/2019 at 3.00 p.m. (PH)
along with other connected matter.

Member (J)

dnk.

O.A. No. 548/18 with C.A. 315/18 **(SB)**

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

Dated : 26.04.2019

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

S.O. 29/04/2019 at 3.00 p.m.
along with other connected matter.

Member (J)

dnk.

O.A. No. 873/2018 (SB)

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

Dated : 26.04.2019

Heard Shri V.D. Raut, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1 to 3 and Shri N.W. Almelkar, Id. counsel for R-4&5.

S.O. 03/05/2019 at 3.00 p.m.

Member (J)

dnk.

O.A. No. 912/2018 (SB)

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

Dated : 26.04.2019

Heard Shri N.L. Jaiswal, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 and Shri A.M. Kukday, Id. counsel for R-2 to 4.

2. The facts of the case are that one Shri Amol Rajas was appointed as Assistant Engineer, Grade-II by the respondent no.1 on 29/12/2014. As per the appointment order Bond was executed by Amol Rajas with a promise to pay the amount incurred by the State Government for his Training in the event his resignation from the service before stipulated period. It is case of the department that Shri Amol Rajas submitted resignation and the applicant was negligent in forwarding the same to the Competent Authority and therefore the Government decided to recover amount of Rs.3,92,000/- from four Officers. During course of argument it is submitted that the order of recovery is

passed by the Government without holding the departmental inquiry as contemplated in the Rules. Even after going through the reply submitted by the respondent nos. 2 to 4 it seems that there is no whisper in the reply that any departmental inquiry was conducted as contemplated under the Rule 8 (10) of the Maharashtra Civil Services (Discipline & Conduct) Rules. In view of this matter, the order passed by the Executive Engineer to recover amount of Rs. 98,000/- from the present applicant is apparently illegal. My attention is also invited to the letter dated 14/11/2018 written by the Executive Engineer, Irrigation Project, Amravati. In this letter the Executive Engineer has himself criticized the order passed by the Superintending Engineer i.e. Circle Office. It is observed by the Executive Engineer that the facts were contradictory and order of recovery was issued by him only to obey that order.

3. In view of this discussion, I am of the view that if the department is permitted to execute the order of recovery dated 13/11/2018, then it would be great injustice to the applicant. In this view it

would be reasonable to give liberty to the respondent nos. 2 to 4 to follow the procedure laid down in the Service Rules and then to pass suitable order.

4. In the result, the impugned order of recovery is quashed. Accordingly, the O.A. stands disposed off. No order as to costs.

Member (J)

dnk.

O.A. No. 42/2019

(DB)

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

Dated : 26th April 2019

C.A.Nos.65 & 157 of 2019.

Heard Mrs. S.N. Saboo, Ld. counsel for the applicant and Shri S.A. Deo, Ld. C.P.O. for the respondents.

Ld. CPO submits that he is filing reply today and will serve copy to the learned counsel for the applicant.

S.O. **29.4.2019** for final hearing.

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A. No. 653/2017

(DB)

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

Dated : 26th April 2019

None for the applicants.

Heard Shri P.N. Warjekar, Ld. P.O.
for the respondents.

Ld. P.O. has filed a letter written by
the Additional Commissioner, Tribal
Development, Nagpur addressed to the
P.O., MAT, Nagpur, it is taken on record.

ADMIT.

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

S.O. **after summer vacation** for
final hearing.

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A. No. 508/2018

(DB)

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

Dated : 26th April 2019

None for the applicant.

Heard Shri P.N. Warjekar, Ld. P.O.
for the respondents.

Rejoinder is already filed by the
Ld. counsel for the applicant on record.

ADMIT.

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

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

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A. No. 722/2018

(DB)

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

Dated : 26th April 2019

None for the applicant.

Heard Shri A.P. Potnis, Ld. P.O.
for the respondents.

The Ld. counsel for the applicant
to verify the point Nos. (i) to (v) in order
dated 24.4.2019 of this Tribunal.

S.O. **after summer vacation.**

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A. No. 704/2015

(DB)

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

Dated : 26th April 2019

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

At the request of both parties, S.O.

10th June 2019.

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A. No.716 /2017

(DB)

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

Dated : 26th April 2019

Heard Shri Amit Tripathi, Adv. holding for Shri T.S. Deshpande, the Ld. counsel for the applicant and Shri A.M. Khadatkar, Ld. P.O. for the respondents 1 and 2. None for R. 3 to 10.

At the request of the Ld. counsel for the applicant, S.O. **after summer vacation.**

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A. No.732 /2017

(DB)

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

Dated : 26th April 2019

Heard Shri Amit Tripathi, Adv.
holding for Shri A.S. Deshpande, the Ld.
counsel for the applicant and Shri A.M.
Khadatkar, Ld. P.O. for the respondents
1 and 2. None for R. 3 to 10.

At the request of the Ld. counsel
for the applicant, S.O. **after summer
vacation.**

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A. No.706 /2014

(DB)

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

Dated : 26th April 2019

Heard Shri D.M. Kakani, the Ld.
counsel for the applicant and Shri A.M.

Ghogre, Ld. P.O. for the respondents 1 to
3. None for R. 4 to 8.

Closed for orders.

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A. No.791 /2013

(DB)

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

Dated : 26th April 2019

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

S.O. **after summer vacation.**

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A. No.897 /2012

(DB)

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

Dated : 26th April 2019

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

S.O. **after summer vacation.**

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A. No.846 /2012

(DB)

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

Dated : 26th April 2019

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

Ld. P.O. submits that the Accountant General, Nagpur has raised objections which are to be clarified on the next date by the office of C.P.O.

S.O. **after summer vacation.**

Member (J)

Member (A)

Dt. 26.4.2019.

pdg

O.A.No.78/2017 (D.B.)

**Coram: Shri Shree Bhagwan,
Member(A)**

Dated : 26th April 2019.

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

2. The Id. P.O. seeks four weeks time to file reply. **S.O. after summer vacation.**

Member(A)
Date:-26/04/2019.
aps.

O.A.No.437/2017 (D.B.)

**Coram: Shri Shree Bhagwan,
Member(A)**

Dated : 26th April 2019.

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the State. None for the respondent no. 5. Await service of respondent nos. 2 to 4.

2. The Id. P.O. seeks four weeks time to file reply. **S.O. after summer vacation.**

Member(A)
Date:-26/04/2019.
aps.

O.A.No.544/2017 (D.B.)

**Coram: Shri Shree Bhagwan,
Member(A)**

Dated : 26th April 2019.

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

2. The Id. C.P.O. filed the reply on
behalf of the respondent no. 1. It is taken
on record. The Id. C.P.O. submits that he
will serve the copy to the other side. The Id.
P.O. further submits that it will suffice the
purpose of other respondents too.

3. **S.O. after summer vacation.**

Member(A)
Date:-26/04/2019.
aps.

O.A.No.218/2018 (D.B.)

**Coram: Shri Shree Bhagwan,
Member(A)**

Dated : 26th April 2019.

Shri V.B.Bhise holding for Shri S.D.Dharaskar, 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 pointed out that respondent no. 2 i.e. Additional Chief Secretary (Agriculture) Mantralaya, Mumbai is not the proper address. So, he wants to amend the respondent no. 2. Amendment is allowed. The Id. Counsel for the applicant was directed to add as respondents:-

- A. Commissioner (Agriculture), Pune.
- B. Agriculture Department, Head Office at

Nagpur.

3. Issue notice to Respondents (after amendment) returnable on S.O. after summer vacation. 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. after summer vacation.**

Member(A)
Date:-26/04/2019.
aps.

O.A.No.217/2019 (D.B.)

**Coram: Shri Shree Bhagwan,
Member(A)**

Dated : 26th April 2019.

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

2. The Id. P.O. submits that he has received the reply of respondent no. 2. He further seeks time to file the same on record.

3. **S.O. after summer vacation for reply.**

Member(A)
Date:-26/04/2019.
aps.

O.A.No.296/2019 (D.B.)

**Coram: Shri Shree Bhagwan,
Member(A)**

Dated : 26th April 2019.

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

2. The Id. Counsel for the applicant is mainly challenging G.A.D. notification dated 28/05/2018 and he submits that the provision of this notification is prospective. However, the Id. C.P.O. has pointed out following points:-

A. *The Maharashtra State Forest Guard and Forester Union are registered Union or not it was not clear. So, relevant documents need to be filed on record by Id. Counsel for the applicant.*

B. *Persons aggrieved are not shown in the O.A. that has to be shown by Id. counsel.*

3. The Id. Counsel for the applicant is directed to file all the above details before next date of hearing.

4. Issue notice to R-2 to 4, returnable after summer vacation. 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. after summer vacation.**

Member(A)
Date:-26/04/2019.
aps.

O.A.No. 130/2019 (D.B.)

**Coram: Shri Shree Bhagwan,
Member(A)**

Dated : 26th April 2019.

C.A.No. 72/2019:-

Shri A.Sambre, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent no. 2.

2. **C.A.No. 72/2019 for Jt. O.A. is allowed.** The Id. C.P.O. has no objection to that point.

3. **S.O. after summer vacation for reply.**

Member(A)
Date:-26/04/2019.
aps.

O.A.No. 168/2019 (D.B.)

**Coram: Shri Shree Bhagwan,
Member(A)**

Dated : 26th April 2019.

C.A.No. 88/2019:-

Shri A.Sambre, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent no. 2.

2. **C.A.No. 88/2019 for Jt. O.A. is allowed.** The Id. C.P.O. has no objection to that point.

3. **S.O. after summer vacation for reply.**

Member(A)
Date:-26/04/2019.
aps.

O.A.No. 215/2019 (D.B.)

**Coram: Shri Shree Bhagwan,
Member(A)**

Dated : 26th April 2019.

Heard Shri S.K.Thengri, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the Respondent nos. 1 to 3.

2. As submitted by the Id. Counsel for the applicant, the applicant has retired on 31/03/2019. The Id. P.O. is directed to file reply as early as possible, in any case within four weeks.

3. **S.O. 10.06.2019 for reply.**

Member(A)
Date:-26/04/2019.
aps.