

O.A.No. 113/2017 (S.B.)

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

**Dated : 27.07.2018.**

**C.A.No.547/2017:-**

Shri S.N.Gaikwad, holding for Shri  
R.V.Shiralkar, 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 affidavit-in-reply.

**Member (A)**

aps.

O.A.No. 349/2018 (S.B.)

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

**Dated : 27.07.2018.**

Shri G.G.Bade, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the State. Await service of respondent nos. 2 to 6.

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

**Member (A)**

aps.

O.A.No.566/2018 (S.B.)

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

**Dated : 27.07.2018.**

Shri S.P.Palshikar, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the State.

2. As pointed out by Id. counsel for the applicant in order dated 13/06/2018 on P.B., Pg. No. 64 (Annexure-A-5) in para no. 7, an appeal has been provided for 45 days which will come to an end on tomorrow i.e. 28/07/2018. However, Government has issued order dated 09/07/2018 on P.B. Pg. No. 15 (Annexure-A-1). The Id. counsel for the applicant pleads to stay the order dated 09/07/2018.

3. The Id. C.P.O. has pleaded that the applicant should have preferred through the appeal before 28/07/2018 instead of rushing to the Tribunal.

4. The applicant is at liberty to proceed for the appeal provided in order dated 13/07/2018. The Id. counsel for the applicant pointed out that the applicant has preferred the appeal it has been received by the appellate authority on 23/07/2018 so appeal has been preferred within the time limit dated 13/07/2018. The appellate authority should decide the appeal on its own merits without any impact of decision given by this Tribunal.

5. However, in the interest of Justice to the applicant, notices are issued to the respondents and **till the filing of reply, order dated 09/07/2018 is stayed.**

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

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

8. 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.

9. 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.

10. 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.

11. 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.

12. **S.O. four weeks.**

**Member (A)**

aps.

O.A.No. 567/2018 (S.B.)

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

**Dated : 27.07.2018.**

Shri S.P.Palshikar, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the State.

2. The Id. counsel for the applicant is challenging order dated on Pg. No. 20 (Annexure-A-1) dated 07/07/2018 of Superintendent of Police, Washim i.e. respondent no. 2. However, as pointed out by Id. counsel for the applicant request of interim relief is kept open.

3. Issue notice to R-2, returnable on two weeks. 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. two weeks.**



**Member (A)**

aps.

O.A.No. 330/2018 (S.B.)

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

**Dated : 27.07.2018.**

Shri D.M.Kakani, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

The Id. counsel for the applicant has filed the Rejoinder alongwith the Rejoinder he has attached the applicant's representation to The Secretary, Forest Department dated 02/07/2018. It is taken on record. Copy is served to the other side.

Since, pleadings are complete and matter is **admitted** and it will be listed for final hearing. However, respondents are directed to consider the applicant's representation dated 02/07/2018 within three weeks from the date of this order. Meanwhile, Interim order dated 04/06/2018 in para no. 2:- *The G.R. of Forest*

*Department for granting Gold Medals to the officers and considering that choiceposting once in a career. The Gold Medal Certificate is at Pg. No. 18 of the file. Considering the choice given by the applicant at Pg. Nos. 15 & 17, the impugned order dated 31/05/2017 (Annexure-A-7) so far as the applicant is concerned, is stayed till next date of hearing.*

The above same order dated 04/06/2018 is continued till next date of hearing.

**S.O. four weeks.**

**Member (A)**

aps.

O.A.No. 413/2018 (S.B.)

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

**Dated : 27.07.2018.**

**C.A.No. 186/2018:-**

Shri S.V.Khondalay, Id. counsel for the applicant, Shri A.P.Potnis, Id. P.O. for the respondent nos. 1 to 12 and Shri S.Borkar, Id. Counsel for the respondent no. 14. None for respondent nos. 13 & 15.

As per the Tribunal order dated 16/07/2018, the matter is listed on Monday for final hearing. **S.O. Monday i.e. 30/07/2018.**

**Member (A)**

aps.

O.A.No. 494/2018 (S.B.)

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

**Dated : 27.07.2018.**

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

The Id. Counsel for the applicant placed on record certain document which is marked Exh. "X" for the purpose of identification, which prove that the applicant's G.P.F. application has been returned and he has not get the salary from the month of June. However, applicant has join at new place of posting on 27/06/2018. The Id. Counsel for the applicant argue that June salary should be paid to the applicant, appears to be valid. The Id. P.O. seeks three weeks time to file affidavit-in-reply. However, respondents are directed to paid the salary of June to the

applicant within two weeks from the date of  
this order. **S.O. three weeks.**

**Member (A)**

aps.

O.A.No. 565/2018 (S.B.)

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

**Dated : 27.07.2018.**

Heard Shri A.K.Tripathi, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the State.

2. The Id. Counsel for the applicant placed on record the Hon'ble Supreme Court Judgment State of Punjab and Others Vs. Rafiq Masih (White Washer) & Ors. in Civil Appeal Nos. 11527 of 2014 with Nos. 11528, 11530-91, 11593-603, 11605-33, 11636-89, 11713, 11717, 11720-21, 11723-24, 11727, 11729, 11731, 11735, 11741, 11743-44, 11752, 11754-55, 11770, 11772-73, 11790-91, 11794-95, 11798, 11800, 11802, 11806-807, 11810, 11812, 11814, 11816, 11818-19, 11821, 11836-70, 11872-86 of 2014 decided on

December 18, 2014). The same documents are marked Exh. "X" for the purpose of

identification. **Till the filing of reply recovery is stayed.**

3. Issue notice to R-2 & 3, 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.**

**Member (A)**

aps.

O.A.St.No. 140/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.07.2018.**

**C.A.No. 21/2018:-**

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

Today also none for the applicant and on  
previous date i.e. on 28/06/2018, none for the  
applicant. It seems that the applicant is not  
willing to proceed for the O.A.

The Id. P.O. further submits that the  
condonation of delay in on the medical ground  
and no such certificate is submitted by the C.F.  
applicant till date.

In view of the above, the condonation of  
delay is not allowed and C.A. as well as O.A.  
stands dismissed with no order as to costs.

**Member (A)**

O.A.St.No. 734/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.07.2018.**

**C.A.No. 115/2018:-**

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

The Id. P.O. submits that condonation is  
not justified. However, it is requested that Id.  
P.O. should file the affidavit-in-reply.

**S.O. three weeks.**

**Member (A)**

aps.

O.A.No. 309/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.07.2018.**

Heard Shri P.K.Bezalwar, Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent nos. 2 to 4.

Services are yet to be filed. However, in the interest of justice, time is given to Id. Counsel for the applicant to file the service affidavit and examine the relief sought in the O.A.

At the request of Id. Counsel for the applicant, **S.O. four weeks.**

**Member (A)**

aps.

O.A.No. 334/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.07.2018.**

**C.A.No. 150/2018 :-**

Heard Shri N.R.Saboo, Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

The Id. Counsel for the applicant submits that his applicant's transfer order has been modified and he has been posted at Gorewada and he has joined also. In view of this, the applicant prayer is redressed.

Hence, the O.A. alongwith C.A. are disposed off with no order as to costs.

**Member (A)**

aps.

O.A.No. 325/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.07.2018.**

**C.A.No. 173/2018 :-**

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

The Id. Counsel for the applicant pointed out the raid conducted by the applicant and enquiry report by the D.C.P., all these things are on record.

The Id. P.O. has quoted:- 1.Hon'ble Bombay High Court, Writ Petition No. 14200 of 2016 2.Nagpur MAT, O.A. No. 467/2017 3.Hon'ble Bombay High Court Bench at Nagpur, Writ Petition No. 6809 of 2017 and 4.Hon'ble Bombay High Court Bench at Aurangabad, Writ Petition No. 1277 of 2016.

As well as Id. Counsel for applicant has  
filed:-1.AIR 2017 Supreme Court, 2628,  
2.Hon'ble High Court, Nagpur Bench, 2011 (5)  
Mh.L.J.

Closed for order.

**Member (A)**

aps.

O.A.No. 374/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.07.2018.**

Heard Shri S.Sheikh, Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

The Id. Counsel for the applicant submits that he will collect the notice today, he desires two weeks time to file service affidavit. **S.O. two weeks.**

**Member (A)**

aps.



O.A.No. 377/2018 (S.B.)

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

**Dated : 27.07.2018.**

Heard Shri S.N.Gaikwad, Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

As per the request of Id. Counsel for the applicant, he will file service affidavit during the course of the day. **S.O. one week.**

**Member (A)**

aps.

O.A.No. 377/2018 (S.B.)

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

**Dated : 27.07.2018.**

Heard Shri S.N.Gaikwad, Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

As per the request of Id. Counsel for the applicant, he will file service affidavit during the course of the day. **S.O. one week.**

**Member (A)**

aps.

O.A.No. 463/2018 (S.B.)

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

**Dated : 27.07.2018.**

Shri I.G.Meshram, Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

As per the request of Id. Counsel for the applicant, he will file service affidavit during the course of the day or tomorrow. **S.O. three weeks for filing service affidavit.**

**Member (A)**

aps.

O.A.No. 498/2018 (S.B.)

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

**Dated : 27.07.2018.**

Ms.Divya M. Joshi holding for  
Mrs.R.S.Sirpurkar, Id. Counsel for the applicant  
and Shri M.I.Khan, the Id. P.O. for the State.  
Await service of respondent nos. 2 to 4.

As per the request of Id. Counsel for the  
applicant, she will file service affidavit during  
the course of the day as well as Id. P.O. desires  
three weeks time to file affidavit-in-reply. **S.O.**  
**three weeks.**

**Member (A)**

aps.

O.A.No. 80/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.07.2018.**

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

The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent no. 3. The same is taken on record. Copy is served to the other side. He further submits that the reply of respondent nos. 1 and 2 are not necessary. The Id. Counsel for the applicant wants to go through the same. As per his request, **S.O. two weeks.**

**Member (A)**

aps.

O.A.No. 204/2018 (S.B.)

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

**Dated : 27.07.2018.**

Shri S.N.Gaikwad, Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondent nos. 1 to 4. None for respondent no. 5.

The Id. P.O. seeks two weeks time to file affidavit-in-reply. However, it is directed that two weeks for reply as a last chance. **S.O. two weeks.**

**Member (A)**

aps.

O.A.No. 326/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.07.2018.**

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

The Id. P.O. seeks one week time to file affidavit-in-reply, **S.O. one week.**

In order dated 04/06/2018 in para no. 2:- *The impugned order of transfer dated 26/05/2018 (Annexure-A-1) so far as the applicant is concerned, is stayed till reply is filed by the respondents.*

*The above order dated 04/06/2018 is continued till filing of the reply.*

**Member (A)**

aps.

O.A.No. 327/2018 (S.B.)

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

**Dated : 27.07.2018.**

Shri G.K.Bhusari, Id. Counsel for the applicant, Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 1 and 2 and Shri S.N.Gaikwad, Id. Counsel for the respondent no. 3.

The Id. P.O. seeks two weeks time to file affidavit-in-reply. In this O.A. Government reply is necessary. **S.O. two weeks as a last chance.**

In order dated 04/06/2018 in para no. 2:- *The Id. P.O. pointed out the document at Pg. No. 38, it seems that the G.R. No. SRV/prakra. 659/E-9, dated 18/12/2014 at Pg. No. 38 the provisions of Divisional Commissioner has not been taken care of. In view of this, the impugned order is stayed till the reply is submitted justifying the facts by the respondents.*



*The above order dated 04/06/2018 is  
continued till filing of the reply.*

**Member (A)**

aps.

O.A.No. 337/2018 (S.B.)

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

**Dated : 27.07.2018.**

Shri R.J.Kankale, Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

The Id. Counsel for the applicant has consulted his client and he agrees to dispose off the O.A. In view of this O.A. is disposed off with no order as to costs.

**Member (A)**

aps.

O.A.No. 502/2017 (S.B.)

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

**Dated : 27.07.2018.**

Shri S.P.Palshikar holding for Shri M.K.Kulkarni, Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

As per the request of Id. Counsel for the applicant, **S.O. two weeks.**

**Member (A)**

aps.

O.A.No. 559/2017 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.07.2018.**

Shri P.S.Wathore, Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

The Id. P.O. has submitted two Hon'ble Supreme Court Judgments which are marked Exh. "X" and "X-1" for the purpose of identification. Similarly, the Id. P.O. has submitted M.A.T., Nagpur order which is marked Exh. "A" and he further submitted a document dated 23/06/2017 which is marked Exh. "A-1". All the documents are taken on record.

**closed for order.**

**Member (A)**

aps.

O.A.No. 621/2017 (S.B.)

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

**Dated : 27.07.2018.**

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

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

*Put up this matter with O.A. 622/2017.*

**Member (A)**

aps.

O.A.No. 622/2017 (S.B.)

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

**Dated : 27.07.2018.**

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

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

*Put up this matter with O.A. 621/2017.*

**Member (A)**

aps.

O.A.No. 625/2017 (S.B.)

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

**Dated : 27.07.2018.**

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

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

**Member (A)**

aps.

O.A.No. 432/2018 (S.B.)

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

**Dated : 27.07.2018.**

**C.A.No. 171/2018:-**

Shri N.R.Saboo holding Shri K.S.Malokar,  
Id. Counsel for the applicant and Shri  
A.M.Khadatkar, the Id. P.O. for the respondents.  
Shri A.S.Dhore, Id. Counsel for Intervention.

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

**Member (A)**

aps.