

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

C.A.No.366/2018:-

Heard Shri A.Gajbhiye, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. Notice on C.A. to R.2 to 5 be issued returnable in **three weeks.**

3. Shri P.N.Warjekar, the learned P.O. waives notice for respondent no.1. Hamdast granted.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.

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

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

Vice Chairman

Date:-08/01/2020.

aps.

O.A.No.864/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

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

2. Issue notice to R-1 to 3, returnable on three weeks. Learned P.O. waives notice for R-4. 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. three weeks.

Vice Chairman

Date:-08/01/2020.
aps.

O.A.Nos.06/2019,903&904/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

Heard Shri A.P.Gase holding for Shri V.B.Bhise, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. The Id. P.O. requested time to file reply in O.A. No. 06/2019, **S.O. four weeks.**

Vice Chairman

Date:-08/01/2020.
aps.

Rev.26/19inO.A.1004/18withRev.27/19inO.A.

1005/18withRev.28/19inO.A.1006/18 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.**

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

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

Vice Chairman

Date:-08/01/2020.
aps.

O.A.No.642/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

Heard Shri V.Anand, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. The Id. P.O. filed the reply on behalf of the respondent no. 4. It is taken on record. Copy is served to the other side.

3. Matter is **admitted** and kept for final hearing.

4. The Id. P.O. waives notices for the respondent nos. 1 to 4.

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

Vice Chairman

Date:-08/01/2020.

aps.

O.A.No.992/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

Heard Shri A.M.Tirukh, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

2. The Id. counsel for the applicant submits that service affidavit will be filed within three days.

3. **S.O. 1st Week of February, 2020.**

Vice Chairman

Date:-08/01/2020.

aps.

O.A.No.981/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

M.C.A.01/2020:-

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

2. The Id. counsel for the applicant pointed out order of this Tribunal dated 16/12/2019 in para no. 4 following observations was made:-

*"In view of above discussions and facts, respondents are directed to take decision regarding revoking the suspension of applicant **within one week** from the date of this order. Respondents are directed to decide the order in D.E. within four weeks from the date of this order; since enquiry officer report is pending with respondent no. 2 only."*

3. However, today the Id. counsel for the applicant submits that the suspension order has not been revoked till today i.e. even after three weeks order has not been complied by respondents. Therefore, the suspension order dated 07/12/2018 (Annexure-A-1, P.B., Pg. No. 13) is quashed and set aside with immediate effect. Respondents are directed to issue necessary order of reinstatement with immediate effect and give applicant posting at the appropriate place within one week from the date of this order.

4. With the above directions, **M.C.A. No. 01/2020 stands disposed of with no order as to costs.**

Vice Chairman

Date:-08/01/2020.
aps.

O.A.No.793/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 16.01.2020.**

Vice Chairman

Date:-08/01/2020.
aps.

O.A.No.53/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

Heard Shri S.K.Thengri, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant relied on two G.Rs., one G.R. is dated 24/11/2000 (Annexure-A-7, P.B., Pg. No. 309) and another G.R. dated 24/04/2001 (Annexure-A-8, P.B., Pg. No. 313). However in both the G.Rs., nowhere it is mentioned that these G.Rs. will be effective from any retrospective date. The Id. counsel for the applicant has also relied on Hon'ble High Court Judgment at Annexure-A-4, P.B., Pg. No. 303 in W.P.No.4669/2005, in this Judgment also nowhere it is mentioned that these employees will be entitled for old pension scheme. The Id. P.O. has also invited my attention on applicant's regularization dated 10/04/2015 (Annexure-R-1, P.B., Pg. No. 111) in which at P.B., Pg. No. 113, condition no. 16 is below:-

"egjk"Vª 'kkI u] foRr foHkkx] 'kkI u fu.kZ dz vfu; 1005@126@l 4] fnukd 31-10-2005 e/ky rj rphul kj o 'kkI u oGh vksk nby R; kud kj vknku fuorhoru ; kst uk ylxq jkfgy-"

3. In view of this situation, it is not possible that applicant can be made entitled for old pension scheme. The Id. P.O. further relied on G.R. dated 22/10/2019 (P.B., Pg. No. 297) bearing no. voeku&2014@i:dz166@iki&15 and G.R. dated

22/10/2019 (P.B., Pg. No. 300) bearing no. voeku&2014@izd&166@iki&15] but nowhere in both the G.Rs. it is mentioned that employees will be entitled for old pension scheme. Reliance put by the Id. counsel for the applicant is not related to the pension scheme.

4. However, **S.O. 23/01/2020** for producing some more documents by the Id. counsel for the applicant.

Vice Chairman

Date:-08/01/2020.

aps.

O.A.Nos.178&302/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 16.01.2020.**

3. *Put up this matter along with the O.A. No. 253/2019.*

Vice Chairman

Date:-08/01/2020.
aps.

O.A.No.915/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

Heard Shri V.Anand, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. As submitted by Id. counsel for the applicant the advertisement was published for the appointment of Police Patil 2018 on (Annexure-A-1, P.B., Pg. No. 17) and in the advertisement at P.B., Pg. No. 23 following conditions are mentioned:-

"eyk[kr]hpk fnukad o menokj kph dlxni =sri kl .k&

IkfyI i kVhy i nkdjhrk rMh i fj {kk %eyk[kr]½ fnukad 06-04-2018 i kl u fnukad 21-04-2018 ; k dkyko/khr i fj f'k'V&3 e/; s fnukd kps l elj n'kzo.; kr vkyY; k xkokps dzekud kj R; k R; k fno'kh ?ks; kr ; bdy- eyk[kr]hps fno'khp i fke menokj kph eG dlxni =s ri kl .; kr ; rhy vkf.k dlxni =k; k ri kl .khe/; s ik= BjyY; k menokj kph i R; {k eyk[kr] ?ks; kr ; bdy-"

3. As per the above conditions, if applicant remains absent for interview he will not become illegible for final selection as per P.B., Pg. No. 24, village wise interview date is published at Sr. No. 11. The interview date is from 06/04/2018 to 21/04/2018.

4. As per P.B., Pg. No. 25, Annexure-A-8, in para no. 3 it is mentioned:-

"3- gk Vkldu uaj ?kmu menokj eyk[kr] l ferhl elj mi fLFkr jkghy o Lor?P; k] jkgy ua] uko] xkokpk mYys[k l ferhl elj dj .kkj ukgh- R; kpi zek.kuko o xkokph fopkj .kk eyk[kr] l ferhdMmu gskkj ukgh-"

5. The applicant had applied for village Zadgaon, Sr. No. 29 at P.B., Pg. No. 26 (Annexure-A-9), as per the time table published, it is mentioned that Zadgaon village date of Interview was 11/04/2018. As admitted by the respondents in there reply in para no. 3, the respondent no. 5 was interviewed on 12.04.2018 that means he didn't appeared as per the scheduled published by the respondents and in the process he violates the condition given on the P.B. Pg. No. 23 of the advertisement regarding appearance in the interview on given date. As submitted by Id. P.O., at P.B. Pg. No. 23, the last two lines are mentioned below:-

fuom i dth; e/; s mi jhgk; Z dkj .kkgS ; sk&; k rkd=d fdok
vMp.kh mnHkoY; kl fuom i dth; e/; sfdok oGki =dke/lscny dj.; kl
l ok/kdkj fuom l ferhyk jkghy-

6. The Id. P.O. has invited my attention to the reply in para no. 6 at P.B., Pg. No. 37 where following reply has been given by the respondents:-

"The only objection of the applicant is that why the respondent no. 5 was interviewed on 12.04.2018 and not on 11.04.2018. It was clarified and answered by the answering respondent that the respondent no. 5 has already informed the respondents that he could not be available for the interview on 11.04.2018 and instead his interview be taken on 12.04.2018. Nothing harm in this if the request of respondent is considered."

7. The Id. P.O. has also submits that last date of raising objection was 16.03.2018. However, applicant participated in the whole process and get less marks then respondent no. 5 and then he raised

objection on 25/04/2018 (P.B., Pg. No. 14, Annexure-R-1). The Id. P.O. has also pointed out marks obtained by respondent no. 5 and applicant which is in para no. 5 of the reply at P.B., Pg. No. 36, respondent no. 5 scored written examination marks 57 and oral marks 18, total 75 marks. However, applicant scored 51 marks in written and 16 marks in oral, total marks 67. So applicant has got less marks than respondent no. 5.

8. The Id. counsel for the applicant has pointed out on P.B., Pg. No. 24 as per the scheduled given by the respondents final list to be published village wise dated 23/04/2018. So any aggrieved persons can be raised objection after 23.04.2018.

9. However, Id. P.O. needs to clarify following points:-

- A. Application made by the respondent no. 5 that he was unavailable for interview on 11/04/2018 and he should be available on 12/04/2018.
- B. Minutes of meeting of committee deciding for change the date of interview for respondent no. 5 as per last line of P.B., Pg. No. 23 of the advertisement.

10. S.O. 23.01.2020.

11. Matter be treated as P.H.

Vice Chairman

Date:-08/01/2020.

aps.

O.A.No.917/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

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

2. At the request of Id. counsel for the applicant, **S.O. 15/01/2020.**

Vice Chairman

Date:-08/01/2020.
aps.

O.A.No.924/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :08/01/ 2020.

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

2. The Id. counsel for the applicant has placed on record today letter written by Dean, Government Medical College and Hospital, Nagpur to Director, Medical Education and Research, Mumbai, dated 05/07/2019 which is marked Exh. "A" for the purpose of identification. He has recommended the case of the applicant in para no. 7 which is below:-

"Jh Hkkmjko ekeydj gsfm- 29-05-2005 gk ekfuo fnukad feG.; kl ik= vI Y; keGs R; luk I nj ekfuo fnukad eatj dj.; kl iLrkfor dj.; kr ; s vkgS rI p R; k I dLrkpk iLrko ; k I kcr tLkMu vki ysi f-y dk; dkgH djhrk I knj dj.; kr ; s vkgS"

3. Since applicant is a Class-IV employee as per the records on P.B., Pg. No. 8 and 8-A, the applicant belongs to the cadre of "Chowkidar". The whole case of the applicant has been mentioned by Dean, Government Medical College, Nagpur in his letter dated 05/07/2019 to Director, Medical Education and Research, Mumbai and it appears that applicant was appointed as per the records on P.B., Pg. No. 8-A in the cadre of Chowkidar which is Class-IV employee and since confirmation order has been also issued by Dean vide his letter dated 05/01/2016 (Annexure-A-7, P.B., Pg. No. 23). So it is very clear that Dean is the competent authority to

take decision regarding deemed date to be given to the applicant. However, Dean has recommended the case to the Director, Medical Education and Research, Mumbai vide his letter dated 05/07/2019.

4. In view of this situation, Respondent no. 2 i.e. Dean, Government Medical College and Hospital, Nagpur and Respondent no. 3 i.e. Director, Medical Education and Research, Mumbai are directed to take the decision on the letter dated 05/07/2019 by Dean, Government Medical College and Hospital, Nagpur **within four weeks** from the date of this order and issue specific order regarding deemed date of seniority of applicant.

5. Respondent nos. 2 & 3 are at liberty to decide the case as per the law and if they find any hurdle then they should file the reason before the Tribunal through Id. P.O..

6. S.O. 12/02/2020

7. Matter be treated as P.H.

Vice Chairman

Date:-08/01/2020.
aps.

O.A. No. 59/2019 (SB)

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

Dated : 08.01.2020

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

2. The applicant is now transferred to Nagpur. It is submitted that now there nothing remains in the application, therefore, the O.A. stands disposed of. No order as to costs.

Member (J)

dnk.

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

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

Dated : 08.01.2020

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

The Id. P.O. files reply on behalf of R-1 to 4. It is taken on record.

Heard. Admit.

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

S.O. in due course.

Member (J)

dnk.

O.A. No. 715/2019 (SB)

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

Dated : 08.01.2020

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. one week** for filing reply.

Member (J)

dnk.

O.A. No. 716/2019 (SB)

Coram : Hon. Shri A.D. Karanjkar,

Member (J).

Dated : 08.01.2020

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. one week** for filing reply.

Member (J)

dnk.

O.A. No. 885/2019 (SB)

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

Dated : 08.01.2020

C.A. 426/2019 -

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

The learned P.O. submitted that he has received parawise comments and he would file reply within two weeks.

S.O. two weeks for filing reply as a last chance.

Member (J)

dnk.

O.A. No. 895/2019 **(SB)**

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

Dated : 08.01.2020

Shri S.P. Palshikar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1&2. None for R-3.

S.O. two weeks for filing reply.

Member (J)

dnk.

O.A. No. 1016/2019 **(SB)**

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

Dated : 08.01.2020

None for the applicant. Shri V.A.
Kulkarni, Id. P.O. for R-1.

Notice of R-2&3 is not collected.

S.O. two weeks.

Member (J)

dnk.

O.A. No. 715/2019 **(SB)**

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

Dated : 08.01.2020

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. one week** for filing reply.

Member (J)

dnk.

O.A. No. 816/2019 **(SB)**

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

Dated : 08.01.2020

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

The learned P.O. seeks two weeks time to file reply.

The respondents to file reply within two weeks.

S.O. two weeks.

Member (J)

dnk.

O.A. No. 154/2019 **(SB)**

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

Dated : 08.01.2020

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

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

Member (J)

dnk.

O.A. No. 923/2017 **(SB)**

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

Dated : 08.01.2020

Ms. S.S. Dhone, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1&2 and Shri S. Majid, Id. counsel for R-3&4.

2. The learned counsel for R-3&4 has filed Pursis along with copies of OPD Register and MLC (inquiry report) Registers of the month of April,2017. Same are taken on record.

3. The learned counsel for the applicant submitted that she has to seek some instruction from the client.

S.O. 15/1/2020.

Member (J)

dnk.

O.A. No. 421/2016 **(SB)**

Coram : Hon. Shri A.D. Karanjkar,

Member (J).

Dated : 08.01.2020

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 17/1/2020**

Member (J)

dnk.

O.A. Nos. 596 & 597 of 2017 **(SB)**

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

Dated : 08.01.2020

Shri Prateek Sharma, Id. counsel holding for Shri P.C. Marpakwar, learned counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of learned counsel for the applicants, **S.O. two weeks.**

Member (J)

dnk.

O.A. No. 21/2019 **(SB)**

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

Dated : 08.01.2020

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

At the request of learned counsel for the applicant, **S.O. Next week.**

Member (J)

dnk.

O.A. No. 686/2019 **(SB)**

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

Dated : 08.01.2020

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

2. In para-4 of the reply, it is mentioned that two representations are made by the applicant one is dated 25/4/2019 and the second is dated 29/7/2019 and both the representations are forwarded to Member Secretary of the Police Establishment Board No.1 and Additional

Director General of Police (Establishment) for consideration.

3. In this situation, the respondents are directed to take decision on both the representations within a period of two weeks from the date of receipt of this order.

S.O. 20/1/2020.

Member (J)

dnk.

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

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

Dated : 08.01.2020

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

The learned counsel for the applicant submitted that the applicant's request is considered by the Department and the applicant is posted at Akola and he has received this information on Telephone, but written order is not received.

S.O. one week.

Member (J)

dnk.

O.A. 566/2013 (D.B.)

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

Dated : 08/01/2020.

Shri P.P. Khaparde, Id. counsel holding
for Shri G.G. Bade, Id. counsel for the
applicants, Shri H.K. Pande, Id. P.O. for R-1 to 3
and none for other respondents.

At the request of Id. counsel for the
applicants, **S.O. four weeks.**

Member (J)

Vice-Chairman

dnk.

O.A. 217/2018 (D.B.)

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

Dated : 08/01/2020.

Shri Shubhamkar Phadnis, Id. counsel holding for Shri N.C. Phadnis, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

Member (J)

Vice-Chairman

dnk.

O.A. 26/19 with C.A. 176/19 (D.B.)

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

Dated : 08/01/2020.

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

2. The learned counsel for the applicant submitted that the orders passed by this Bench are set aside by the Hon'ble High Court, Bench at Nagpur. The applicant is intending to challenge that orders before the Hon'ble Apex Court, therefore, three weeks be granted.

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

Put up along with C.P. 19/19 in O.A.26/19.

Member (J)

Vice-Chairman

dnk.

C.P. 19/19 in O.A.26/19 with C.A.212/19 (D.B.)

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

Dated : 08/01/2020.

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

2. The learned counsel for the applicant submitted that the orders passed by this Bench are set aside by the Hon'ble High Court, Bench at Nagpur. The applicant is intending to challenge that orders before the Hon'ble Apex Court, therefore, three weeks be granted.

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

Put up along with O.A. 26/19 with C.A.176/19.

Member (J)

Vice-Chairman

dnk.

Rev. A. 17/17 in O.A. 96/16 (D.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,**

Member(J)

Dated : 08/01/2020.

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

Closed for orders.

Member (J)

Vice-Chairman

dnk.

O.A. St.3035/17 (D.B.)

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

Dated : 08/01/2020.

C.A. 567/2017 -

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

2. For the reasons stated in the application, the delay is condoned and the C.A. 567/2017 is allowed. The O.A. be registered.

O.A.St. 3035/2017 -

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

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

Member (J)

Vice-Chairman

dnk.

O.A. St. 431/18 (D.B.)

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

Dated : 08/01/2020.

C.A. 66/2018 -

Heard Shri R.V. Shiralkar, Id .counsel holding for Shri S.D. Zoting, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the State.

2. The Id. P.O. seeks time to file reply on C.A. Time is granted.

3. In the meantime, Notice on C.A. to respondent no.1 be issued returnable in **two weeks**.

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

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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the

date fixed by this Tribunal. 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. two weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 547/2019 (D.B.)

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

Dated : 08/01/2020.

Shri P. Sharma, Id. counsel holding for
Shri P.C. Marpakwar, Id. counsel for the

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

The Id. P.O. files reply on behalf of R-1&2. It is taken on record. Copy is served on the applicant.

Heard. Admit.

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

S.O. in due course.

Member (J)

Vice-Chairman

dnk.

O.A. 972/2019 (D.B.)

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

Dated : 08/01/2020.

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

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

3. In order dated 9/12/2019 in para-2 the interim relief has been granted wherein it was mentioned that the respondents are directed to keep on post vacant in Open Sport category. The respondents were also directed to take decision within four weeks. However, reply is yet not filed by the learned P.O.

4. In view thereof, last chance is given to the Id. P.O. to file reply.

S.O. three weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 697/2019 (D.B.)

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

Dated : 08/01/2020.

Shri S.P. Palshikar, Id .counsel for the applicant, Shri H.K. Pande, Id.P.O. for R-1 to 3, Shri S.G. Jagtap, Id. counsel for R-4 and Smt. Saboo, Id .counsel for R-5.

At the request of Id. counsel for R-5, **S.O. one week** for filing reply. It is made clear that if the reply is not filed till the next date, the matter will be heard on merits.

S.O. one week.

Member (J)

Vice-Chairman

dnk.

O.A. 962/2018 (D.B.)

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

Dated : 08/01/2020.

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

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

Member (J)

Vice-Chairman

dnk.

O.A. 464/2018 (D.B.)

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

Dated : 08/01/2020.

Shri T. Parmar, Id .counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1&2 and Ms. M. Dodani, Id. counsel holding for Shri R. Joshi, Id. counsel for R-3.

2. The Id. P.O. has filed letter dated 7/1/2020. It is taken on record and marked

Exh-X. Copies of the same are given to the other sides.

3. The learned P.O. seeks further time to file the documents on record. Time is granted as a last chance.

S.O. 15/1/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 508/18 with C.A. 213/19 (D.B.)

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

Dated : 08/01/2020.

Heard Shri P.N. Shende, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned P.O. submitted that as per the order dated 09/12/2019 the relevant documents mentioned in para-2 of the order are

brought before the Tribunal. The documents will be kept with office.

3. The learned counsel for the applicant should examine the documents as per his desire within two weeks in presence of learned P.O. in the Chamber of Deputy Registrar before next date of hearing.

S.O. two weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 157/19 (D.B.)

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

Dated : 08/01/2020.

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

2. The learned P.O. submitted that three weeks time is required to produce the record and proceeding of the disciplinary inquiry.

S.O. 22/1/2020.

Member (J)

Vice-Chairman

dnk.

O.As. 492,493,525,529 & 542 of 2013 (D.B.)

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

Dated : 08/01/2020.

Heard Shri S.P. Palshikar, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

Closed for orders.

Member (J)

Vice-Chairman

dnk.

O.A. 806/2015 (D.B.)

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

Dated : 08/01/2020.

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

Closed for orders.

Member (J)

Vice-Chairman

dnk.
