

**O.A.No.990/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

Heard Smt. Joshi, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

2. The Id. counsel for the applicant submits that applicant desires to withdraw this O.A.. The Id. counsel for the applicant permitted to withdraw this O.A..

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

**Vice Chairman**

**Date:-24/02/2020.**

aps.

**O.A.No.79/2020 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents. Shri B.R.Gite (Dy. S.P., Buldana) personally present on behalf of the department.

2. Shri B.R.Gite (Dy. S.P., Buldana) personally present on behalf of the department and submitted the letter dated 23.02.2020 in which respondents requires further time to file reply. Since after giving a clear cut observation in order dated 10.02.2020, the respondents are delayed in filing reply. The Id. P.O. on instructions of Shri Gite submitted that till now chargesheet is not issued to applicant; issue is clearly covered by the G.R. dated 09.07.2019 by Government of Maharashtra. So, the request for seeking time to file reply is rejected.

3. In this situation, In view of various Judgments which is below:-

(i) The Apex Court in Civil Appeal No. 1912 of 2015 (arising out of SLP No.31761 of 2013) in the case of Ajay Kumar Chaudhary Vs. Union of India through its Secretary and another in its Judgment dated 16/02/2015 in para no. 14, it has observed that :-

*14 We, therefore, direct that the currency of a Suspension Order should not extend beyond three months if within this period the Memorandum of Charges/Chargesheet is not served on the delinquent*

*officer/employee; if the Memorandum of Charges/Chargesheet is served a reasoned order must be passed for the extension of the suspension. As in the case in hand, the Government is free to transfer the concerned person to any Department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The Government may also prohibit him from contacting any person, or handling records and documents till the stage of his having to prepare his defence. We think this will adequately safeguard the universally recognized principle of human dignity and the right to a speedy trial and shall also preserve the interest of the Government in the prosecution. We recognize that previous Constitution Benches have been reluctant to quash proceedings on the grounds of delay, and to set time limits to their duration. However, the imposition of a limit on the period of suspension has not been discussed in prior case law, and would not be contrary to the interests of justice. Furthermore, the direction of the Central Vigilance Commission that pending a criminal investigation departmental proceedings are to be held in abeyance stands superseded in view of the stand adopted by us.*

(ii) The Hon'ble Apex Court in its Judgment in Civil Appeal No. 8427-8428 of 2018 (Arising out of S.L.P. (Civil) No. 12112-12113 of 2017) in the case of **State of Tamil Nadu Vs. Pramod Kumar IPS and Anr. delivered on 21/08/2018** in its para no. 23 had observed as follows:-

*23. This Court in **Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291** has frowned upon the practice of protracted suspension and held that suspension must necessarily be for a short duration. On the basis of the material on record, we are convinced that no useful purpose would be served by continuing the first Respondent under suspension any longer and that his reinstatement would not be a threat to a fair trial. We reiterate the observation of the High Court that the Appellant State has the liberty to appoint the first Respondent in a non sensitive post.*

(iii) The Principal Bench of Maharashtra Administrative Tribunal Mumbai Bench in O.A. No. 35/2018 Judgment delivered on 11/09/2018 has also rejected continuation of suspension beyond 90 days.

(iv) The Hon'ble High Court of Bombay, Bench at Nagpur in W.P. No. 7506/2018, Judgment delivered on 17.07.2019, where same principle has been adopted. It is observed in para no. 2 that facts of this case is squarely covered by the Government Resolution dated 09.07.2019.

(v) The Government of Maharashtra issued G.R. dated 09/07/2019.

4. Hence, the following orders:-

#### **ORDER**

1. So far as applicant is concerned i.e. Nilesh S. Daberao, the impugned order dated 21.03.2019 (Annexure-A-1, P.B., Pg. No. 15) is quashed and set aside.
2. Applicant must be reinstated forthwith and suitable posting order should be issued to the applicant **within two weeks** from the date of this order.
3. No order as to costs.

**Vice Chairman**

**Date:-24/02/2020.**

aps.



**O.A.No.81/2020 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents. Shri B.R.Gite (Dy. S.P., Buldana) personally present on behalf of the respondent no. 2.

2. Shri B.R.Gite (Dy. S.P., Buldana) personally present on behalf of the respondent no. 2 and submitted the letter dated 23.02.2020 in which respondents require further time to file reply. Since after giving a clear cut observation in order dated 10.02.2020, the respondents have delayed in filing reply. The Id. P.O. on instructions of Shri Gite submitted that till now chargesheet is not issued to applicant; issue is clearly covered by the G.O.M., G.A.D. G.R. dated 09.07.2019 by Government of Maharashtra. So, the request for seeking time to file reply is rejected.

3. In this situation, In view of various Judgments which is below:-

(i) The Apex Court in Civil Appeal No. 1912 of 2015 (arising out of SLP No.31761 of 2013) in the case of Ajay Kumar Chaudhary Vs. Union of India through its Secretary and another in its Judgment dated 16/02/2015 in para no. 14, it has observed that :-

*14 We, therefore, direct that the currency of a Suspension Order should not extend beyond three months if within this period the Memorandum of*

*Charges/Chargesheet is not served on the delinquent officer/employee; if the Memorandum of Charges/Chargesheet is served a reasoned order must be passed for the extension of the suspension. As in the case in hand, the Government is free to transfer the concerned person to any Department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The Government may also prohibit him from contacting any person, or handling records and documents till the stage of his having to prepare his defence. We think this will adequately safeguard the universally recognized principle of human dignity and the right to a speedy trial and shall also preserve the interest of the Government in the prosecution. We recognize that previous Constitution Benches have been reluctant to quash proceedings on the grounds of delay, and to set time limits to their duration. However, the imposition of a limit on the period of suspension has not been discussed in prior case law, and would not be contrary to the interests of justice. Furthermore, the direction of the Central Vigilance Commission that pending a criminal investigation departmental proceedings are to be held in abeyance stands superseded in view of the stand adopted by us.*

(ii) The Hon'ble Apex Court in its Judgment in Civil Appeal No. 8427-8428 of 2018 (Arising out of S.L.P. (Civil) No. 12112-12113 of 2017) in the case of **State of Tamil Nadu Vs. Pramod Kumar IPS and Anr. delivered on 21/08/2018** in its para no. 23 had observed as follows:-

*23. This Court in **Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291** has frowned upon the practice of protracted suspension and held that suspension must necessarily be for a short duration. On the basis of the material on record, we are convinced that no useful purpose would be served by continuing the first Respondent under suspension any longer and that his reinstatement would not be a threat to a fair trial. We reiterate the observation of the High Court that the Appellant State has the liberty to appoint the first Respondent in a non sensitive post.*

(iii) The Principal Bench of Maharashtra Administrative Tribunal Mumbai Bench in O.A. No. 35/2018 Judgment delivered on 11/09/2018 has also rejected continuation of suspension beyond 90 days.

(iv) The Hon'ble High Court of Bombay, Bench at Nagpur in W.P. No. 7506/2018, Judgment delivered on 17.07.2019, was also on same principle. It is observed in para no. 2 that facts of this case are squarely covered by Government Resolution G.A.D. dated 09/07/2019.

(v) The Government of Maharashtra issued G.R. dated 09/07/2019.

4. Hence, the following orders:-

#### **ORDER**

1. So far as applicant is concerned i.e. Ganesh Ramkisan Jadhav, the impugned order dated 01.04.2019 (Annexure-A-1, P.B., Pg. No. 15) is quashed and set aside.
2. Respondents are directed to issue reinstatement order forthwith and issue suitable posting order to the applicant **within two weeks** from the date of this order.
3. No order as to costs.



**Date:-24/02/2020.**  
aps.

**Vice Chairman**

**O.A.No.81/2020 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :24/02/ 2020.**

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

2.

**Vice Chairman**

**Date:-24/02/2020.**  
aps.

**O.A.No.1002/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

Heard Ms. P.Agrawal, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State. Await service of respondent nos. 2 to 5.

2. As requested by Id. counsel for the applicant, Issue fresh notice to R-2 to 5, returnable on three 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. three weeks.**

**Vice Chairman**

**Date:-24/02/2020.**  
aps.

**O.A.No.566/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

Heard Shri A.P.Sadavarte, the Id. Counsel for the applicant, Shri A.P.Potnis, the Id. P.O. for the respondent nos. 1 to 3 and Shri M.Shaikh, the Id. counsel for the respondent nos. 4 & 5.

2. The Id. counsel for the respondent nos. 4 & 5 has placed on record letter dated 20.02.2020 by District Health Officer, Z.P., Nagpur. As per his letter, the service book of applicant has been sent to pay verification unit for verification; so that further procedure can be done. Respondent no. 4 is directed to follow with the pay verification unit and get it verified; so that relief of applicant can be granted.

3. **S.O. 16.03.2020.**

**Vice Chairman**

**Date:-24/02/2020.**

aps.

**Rev.No.03/20 in O.A.No.84/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

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

2. The Id. counsel for the applicant has relied upon Judgment of MAT Nagpur Bench in O.A. No. 238/2015 delivered on 02.11.2016 on Pg. No. 2 last two lines have been mentioned is the same issue which is in this O.A. and in para no. 4 of Pg. No. 3 of the Judgment again Rule 70 (4) and (5) of Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal) Rules, 1981 (in short Joining Time Rules). Rule 70 of the Joining Time Rules is applicable when issue of regularization of pay and allowances and the period of absence from duty where dismissal, removal or compulsory retirement is set aside as a result of appeal or review and such a Government servant is reinstated.

3. The Id. counsel for the applicant submitted that this Judgment is as per the Hon'ble Supreme Court Judgment only which he has relied during last hearing in Civil Appeal No. 3339/2019 arising out of SLP (Civil) No. 100/2016 and order delivered on 01<sup>st</sup> April 2019. The Id. counsel for the applicant is also marked relevant para nos. 2, 6 and 7. The Id. counsel for the applicant further submitted that in this case D.E. has not been started against the applicant and,

therefore, it fully covers with the Judgment of Hon'ble Supreme Court.

4. The Id. P.O. Shri H.K.Pande and Id. C.P.O. Shri S.A.Deo are personally requested to study this whole issue i.e. Hon'ble Supreme Court and Judgment of MAT which have been relied by Id. counsel for the applicant and contradiction in M.C.S. Rules too.

5. **S.O. 05.03.2020.**

6. **Steno copy is granted.**

**Vice Chairman**

**Date:-24/02/2020.**  
aps.

**O.A.No.1062/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

None for the applicant. 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:-24/02/2020.**  
aps.

**O.A.No.1075/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

Heard Shri B.J.Lonare, 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:-24/02/2020.**  
aps.

**O.A.No.123/2020 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

Heard Shri R.Dhore, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State.

2. Issue notice to R-1 to 3, returnable on four weeks. Learned C.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. four weeks.**

**Vice Chairman**

**Date:-24/02/2020.**  
aps.

**O.A.No.985/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :24/02/ 2020.**

None for the applicant. Shri S.A.Sainis, the Id.  
P.O. for the respondent nos. 1 & 2 and Shri  
S.N.Gaikwad, the Id. counsel for the respondent no. 3.

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

**Vice Chairman**

**Date:-24/02/2020.**  
aps.

**O.A.No.178/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

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

2. The Id. counsel for the applicant has pointed out the G.R. dated 03.11.2009 (Annexure-A-2, P.B., Pg. No. 14) were on P.B., Pg. No. 15 in para no. 2 (Sr. Nos. 4, 5, 6 & 7) Officer have been given benefits of G.R. dated 03.11.2009. Applicants were not given on the ground that they were working in A.C.B. nor in the field but in G.R. dated 03.11.2009 employees working in Dy. S.P., Additional S.P., S.P. and even I.G. office they were also not working in the field but they were working in the office only.

3. As per the G.R. dated 11.01.2010 (Annexure-A-3, P.B., Pg. No. 16) the employees are getting this benefits from 01.01.2010 to 31.12.2011 and then it has been continued from time to time. It appears that Government itself realise the duty of the applicants as per the offices listed in G.R. dated 03.11.2009 and granted them benefits by corrigendum dated 26.10.2016 (Annexure-A-6, P.B., Pg. No. 28).

4. The Id. P.O. submits that since applicants offices are not mentioned in the G.R. dated 03.11.2009, they were not entitled. It appears that Government realised its mistake and it has been corrected by corrigendum dated 26.10.2016

(Annexure-A-6, P.B., Pg. No. 28) in which G.R. dated 03.11.2009 is also mentioned in reference no. 2.

5. In view of this, it has been mentioned that applicants deprived from the genuine benefits vide G.R. dated 03.11.2009 and aggrieved with this discrimination they approached to this Tribunal. The impugned order is at Annexure-A-9, P.B., Pg. No. 69 which is discriminatory and in this order G.R. dated 01.04.2016 is mentioned by which applicants have been treated equally with other employees. Respondents have filed their reply and as suggested by Id. P.O. para nos. 3 & 4 have justified the issue.

6. Considering the whole issue, order dated 02.01.2018 (Annexure-A-9, P.B., Pg. No. 69) is quashed and set aside and in the interest of justice and equity relief sought at P.B., Pg. No. 9 in para no. 7 (A), (B) and (C) are allowed and respondents are directed to pay the applicants benefits granted to other similarly placed employees as per the G.R. dated 03.11.2009 till they were given the benefits as per the G.R. dated 26.10.2016 **within three months** from the date of this order.

7. **S.O. after three months.**

8. **Matter be treated as P.H..**

9. **Steno copy is granted.**

**Vice Chairman**

**Date:-24/02/2020.**

aps.



**O.A.No. 302/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

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

2. The Id. counsel for the applicant has pointed out the G.R. dated 03.11.2009 (Annexure-A-2, P.B., Pg. No. 19) were on P.B., Pg. No. 20 in para no. 2 (Sr. Nos. 4, 5, 6 & 7) Officer have been given benefits of G.R. dated 03.11.2009. Applicants were not given on the ground that they were working in Motor Transport Department nor in the field but in G.R. dated 03.11.2009 employees working in Dy. S.P., Additional S.P., S.P. and even I.G. office they were also not working in the field but they were working in the office only.

3. As per the G.R. dated 11.01.2010 (Annexure-A-3, P.B., Pg. No. 21) the employees are getting this benefits from 01.01.2010 to 31.12.2011 and then it has been continued from time to time. It appears that Government itself realise the duty of the applicants as per the offices listed in G.R. dated 03.11.2009 and granted them benefits by Circular dated 03.10.2016 (Annexure-A-7, P.B., Pg. No. 82).

4. The Id. P.O. submits that since applicants offices are not mentioned in the G.R. dated 03.11.2009, they were not entitled. It appears that Government realised its mistake and it has been

corrected by letter dated 03.10.2016 (Annexure-A-7, P.B., Pg. No. 82).

5. In view of this, it has been mentioned that applicants deprived from the genuine benefits vide G.R. dated 03.11.2009 and aggrieved with this discrimination they approached to this Tribunal. The action of the respondents is therefore, discriminatory and in this letter dated 03.10.2016 (Annexure-A-7, P.B., Pg. No. 82) by which applicants have been treated equally with other employees. Respondents have filed their reply and as suggested by Id. P.O. para nos. 5 & 6 have justified the issue.

6. Considering the whole issue, it is declared that the action of the respondents is illegal and in the interest of justice and equity relief sought at P.B., Pg. No. 10 in para no. 7 (A), (B) are allowed and respondents are directed to pay the applicants benefits granted to other similarly placed employees as per the G.R. dated 03.11.2009 till they were given the benefits as per the Circular dated 26.10.2016 **within three months** from the date of this order.

7. **S.O. after three months.**

8. **Matter be treated as P.H..**

9. **Steno copy is granted.**

**Vice Chairman**

**Date:-24/02/2020.**

aps.

**O.A.No.253/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

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

2. The Id. counsel for the applicant has pointed out the G.R. dated 03.11.2009 (Annexure-A-2, P.B., Pg. No. 48) were on P.B., Pg. No. 49 in para no. 2 (Sr. Nos. 4, 5, 6 & 7) Officer have been given benefits of G.R. dated 03.11.2009. Applicants were not given on the ground that they were working as Armed Police Constables not in the field but in G.R. dated 03.11.2009 employees working in Dy. S.P., Additional S.P., S.P. and even I.G. office they were also not working in the field but they were working in the office only.

3. As per the G.R. dated 11.01.2010 (Annexure-A-3, P.B., Pg. No. 50) the employees are getting this benefits from 01.01.2010 to 31.12.2011 and then it has been continued from time to time. It appears that Government itself realise the duty of the applicants as per the offices listed in G.R. dated 03.11.2009 and granted them benefits by Circular dated 03.10.2016 (Annexure-A-8, P.B., Pg. No. 69).

4. The Id. P.O. submits that since applicants offices are not mentioned in the G.R. dated 03.11.2009, they were not entitled. It appears that Government realise its mistake and it has been

corrected by letter dated 03.10.2016 (Annexure-A-8, P.B., Pg. No. 69).

5. In view of this, it has been mentioned that applicants deprived from the genuine benefits vide G.R. dated 03.11.2009 and aggrieved with this discrimination they approached to this Tribunal. The action of the respondents is thus discriminatory. The similarly placed employees which are working are getting special allowances but the applicants have been treated unequally with other employees. Respondents have filed their reply and as suggested by Id. P.O. para nos. 5 & 6 have justified the issue.

6. Considering the whole issue, the action of the respondents is illegal and discriminatory and in the interest of justice and equity relief sought at P.B., Pg. No. 13 in para no. 7 (A), (B) are allowed and respondents are directed to pay the applicants benefits granted to other similarly placed employees as per the G.R. dated 03.11.2009 till they were given the benefits as per the Circular dated 26.10.2016 **within three months** from the date of this order.

7. **S.O. after three months.**

8. **Matter be treated as P.H..**

9. **Steno copy is granted.**

**Vice Chairman**

**Date:-24/02/2020.**

aps.

**O.A.No.744/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

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

2. The Id. counsel for the applicant has pointed out the G.R. dated 03.11.2009 (Annexure-A-4, P.B., Pg. No. 19) were on P.B., Pg. No. 20 in para no. 2 (Sr. Nos. 4, 5, 6 & 7) Officer have been given benefits of G.R. dated 03.11.2009. Applicants were not given on the ground that they were working on different posts in Police Department and not in the field but in G.R. dated 03.11.2009 employees working in Dy. S.P., Additional S.P., S.P. and even I.G. office were also not working in the field they were working in the office only but they were given benefits of G.R. dated 03.11.2009.

3. As per the G.R. dated 11.01.2010 (Annexure-A-5, P.B., Pg. No. 21) the employees are getting this benefits from 01.01.2010 to 31.12.2011 and then it has been continued from time to time. It appears that Government itself realised the duty of the applicants as per the offices listed in G.R. dated 03.11.2009 and granted them benefits by Circular dated 03.10.2016 (Annexure-A-10, P.B., Pg. No. 35).

4. The Id. P.O. submits that since applicants offices are not mentioned in the G.R. dated 03.11.2009, they were not entitled. It appears that Government realise its mistake and it has been

corrected by Circular dated 03.10.2016 (Annexure-A-10, P.B., Pg. No. 35).

5. In view of this, it has been mentioned that applicants deprived from the genuine benefits vide G.R. dated 03.11.2009 and aggrieved with this discrimination they approached to this Tribunal. The action of the respondents is thus discriminatory. The similarly placed employees which are working are getting special allowances but the applicants have been treated unequally with other employees. Respondents have filed their reply and as suggested by Id. P.O. para nos. 7 & 8 have justified the issue.

6. Considering the whole issue, the action of the respondents is illegal and discriminatory and in the interest of justice and equity relief sought at P.B., Pg. No. 09 in para no. 7 (A), (B) are allowed and respondents are directed to pay the applicants benefits granted to other similarly placed employees as per the G.R. dated 03.11.2009 till they were given the benefits as per the G.R. dated 26.10.2016 **within three months** from the date of this order.

7. **S.O. after three months.**

8. **Matter be treated as P.H..**

9. **Steno copy is granted.**

**Vice Chairman**

**Date:-24/02/2020.**

aps.

**O.A.No.840/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

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

2. The Id. P.O. has pointed out reply filed by Senior Treasury Officer on P.B., Pg. No. 186 to 192. However, Id. counsel for the applicant submitted that Nagpur Treasury is only looking about the fixation of 06<sup>th</sup> pay commission whereas wrong pay fixation is did by the office in 5<sup>th</sup> Pay Commission.

3. 5<sup>th</sup> Pay Commission was started from 01.01.1996 and 6<sup>th</sup> Pay Commission was started from 01.01.2006. As agreed by Id. counsel for the applicant, Senior Treasury Officer, Nagpur is directed to examine the whole issue as per Treasury Rules and Regulations from 5<sup>th</sup> Pay Commission till the date of retirement of applicant and this fixation be done and explained to the applicant and applicant's signature should be taken about his presence during explanation to him **within three months** from the date of this order.

4. With the above directions, **O.A. is disposed of with no order as to costs.**

**Vice Chairman**

**Date:-24/02/2020.**

aps.

**O.A.No.698/2019 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman  
Dated :24/02/ 2020.**

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

2. At the request of Id. P.O., **S.O. 28.02.2020.**

**Vice Chairman**

**Date:-24/02/2020.**  
aps.



**O.A.No.923/2018 (S.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :24/02/ 2020.**

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

2. As requested by Id. counsel for the applicant, the records of D.E. should be produced by Id. P.O..  
**S.O. three weeks.**

**Vice Chairman**

**Date:-24/02/2020.**  
aps.

O.A. No. 824/2018 **(SB)**

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

**Dated : 24.02.2020**

Heard Shri Ishwar, Id .counsel holding for Shri G.G. Bade, Id .counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

The Id. P.O. files reply on behalf of R-1 to 3. It is taken on record. Copy is served on the applicant.

The matter is admitted and it be kept for final hearing.

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

**S.O. four weeks**

**Member (J)**

dnk.

O.A. No. 776/2019 **(SB)**

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

**Dated : 24.02.2020**

None for the applicant. Shri M.I. Khan, Id.  
P.O. for R-1. Await service of R-2&3.

Service affidavit of R-2&3 is not filed.

**S.O. four weeks.**

**Member (J)**

dnk.

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

**Dated : 24.02.2020**

Shri G.N. Khanzode, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

**Member (J)**

dnk.

O.A. No. 811/2019 (SB)

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

**Dated : 24.02.2020**

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

The Id. P.O. files separate reply on behalf of R-2&3 & 4. It is taken on record. Copies are served on the applicant.

The matter is admitted and it be kept for final hearing.

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

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

**Member (J)**

dnk.

Rev. A. 04/20 in O.A. No. 138/2015 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,**

**Member (J).**

**Dated : 24.02.2020**

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

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 12/2020 **(SB)**

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

**Dated : 24.02.2020**

Shri Kaslikar, Id .counsel holding for Shri D.P. Dapurkar, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1&2. None for R-3.

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

**Member (J)**

dnk.

O.A. No. 163/2018 **(SB)**

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

**Dated : 24.02.2020**

Ms. Neha Khune, Id .counsel holding for Shri R.R. Dawda, Id .counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 and none for R-2.

The matter is of the year 2018, no just reason is shown for not filing the reply, therefore, the O.A. be taken up for final hearing after three weeks. In the meantime, the respondents may submit their reply.

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

**Member (J)**

dnk.

O.A. No. 116/2020 (SB)

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

**Dated : 24.02.2020**



Heard Shri Kaslikar, Id. counsel holding for Shri P.S. Patil, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. Issue notice to the respondents, returnable **after three 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.

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

**Member (J)**

dnk.

O.As. 483/18, 255/19,256/19,257/19 & 258/19  
**(SB)**

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

**Dated : 24.02.2020**

Shri Y.P. Kaslikar, Id. counsel for the  
applicants and Shri A.M. Ghogre, Id. P.O. for the  
respondents.

At the request of Id. counsel for the  
applicants, **S.O. 9/3/2020.**

**Member (J)**

dnk.

O.A. No. 665/2019 **(SB)**

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

**Dated : 24.02.2020**

**C.A. 65/2020 -**

Heard Smt. Priyanka Suryawanshi, Id. counsel holding for Shri Charlewar, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1&2 and Shri D.R. Bhoyar, Id .counsel for R-3.

2. The learned counsel for the applicant is directed to supply copy of C.A. for amendment to the other sides.

**S.O. two weeks.**

Put up along with O.A. 126/2017

**Member (J)**

dnk.

O.A. No. 126/2017 (SB)

**Coram : Hon. Shri A.D. Karanjkar,**

**Member (J).**

**Dated : 24.02.2020**

Heard Smt. Priyanka Suryawanshi, Id. counsel holding for Shri Charlewar, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1&4 and Shri Majithia, Id. counsel for R-2&3.

**S.O. two weeks.**

Put up along with O.A. 665/2019

**Member (J)**

dnk.

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O.A. 91/2017 (D.B.)

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

**Dated :** 24/02/2020.

Shri S.P. Palshikar, learned counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

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

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 419/2019 (D.B.)

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

**Dated : 24/02/2020.**

Shri R.V.Shiralkar, learned counsel for the applicants and Shri , Id. P.O. for the respondents.

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

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 28/2019 (D.B.)**

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

**Dated : 24/02/2020.**

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

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

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. St.2649/19 (D.B.)**



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

**Dated : 24/02/2020.**

**C.A. 493/2019 -**

Shri Sadar, Id. counsel holding for Shri V.A. Kothale, learned counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

3. At the request of learned counsel for the applicant, **S.O. 02/03/2020** for filing rejoinder.

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 935/2019 (D.B.)**

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

**Shri A.D. Karanjkar,  
Member(J)**

**Dated : 24/02/2020.**

Shri C.H. Sharma, learned counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 32/2020 (D.B.)**

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

**Dated : 24/02/2020.**

Smt. K.N. Saboo, learned counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 32/2020 (D.B.)**

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

**Dated : 24/02/2020.**

Smt. K.N. Saboo, learned counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

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

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 192/2019 (D.B.)**

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

**Dated : 24/02/2020.**

Shri S.P. Palshikar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&2 and Shri S.N. Gaikwad, Id .counsel for R-3.

2. It appears from the record that notice was issued in the month of July,2019 and thereafter the respondents have prayed for time continuously for filing reply. In this situation, the matter would be heard finally on the next date. In the meantime, the liberty is given to the respondents to file reply.

**S.O. three weeks.**

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 193/2019 (D.B.)**

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

**Dated : 24/02/2020.**

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

The learned P.O. files reply on behalf of respondent no.2. It is taken on record. Copy is served on the applicant. The learned P.O. seeks further time to file reply on behalf of other respondents. Time is granted as prayed for. In the meantime, the record and proceeding of the disciplinary inquiry be filed.

**S.O. three weeks.**

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 448/2019 (D.B.)**

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

**Dated : 24/02/2020.**

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

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

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 36/2020 (D.B.)**

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

**Dated : 24/02/2020.**

**C.A. Nos. 21/2020 & 63/2020**

Heard Shri B. Kulkarni, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the State.

2. Notice on applications be issued returnable **after three weeks**.

3. Shri A.M. Ghogre 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. Applicants are 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. Applicants are directed to file Affidavit of compliance and notice.

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



**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 127/2020 (D.B.)**

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

**Dated : 24/02/2020.**

**C.A. 62/2020 -**

Heard Shri B. Kulkarni, learned counsel  
for the applicants and Shri A.P. Potnis, 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. 127/2020** –

Heard Shri B. Kulkarni, learned counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the State.

2. Issue notice to the respondents, returnable **after 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.

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

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 125/2020 (D.B.)**

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

**Dated : 24/02/2020.**

Heard Shri R.S. Parsodkar, learned counsel for the applicant and Shri S.A. Deo, learned CPO for the State.

2. It is grievance of the applicant that vide order dated 27/01/2020, the service conditions of the applicant are now changed and he is given temporary appointment for a period of 11 months. In similar matter this Tribunal has

granted interim relief, therefore on the ground of the parity, the impugned order dated 27/01/2020 be stayed so far as the applicant is concerned till filing of the reply.

3. Issue notice to the respondents, returnable **after four 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.

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

**Member (J)**

**Vice-Chairman**

dnk.

(D.B.)

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

**Dated : 24/02/2020.**

**C.A.No.56/2020 in O.A. No. 58/2020, C.A.No.  
57/2020 in O.A. No. 59/2020, C.A. No. 58/2020  
in O.A. No. 61/2020, C.A. No. 59/2020 in O.A.  
No.62/2020 & C.A.No.60/2020 in O.A.  
No.63/2020.**

Heard Ms. P. Rane, learned counsel for  
the applicants and Shri S.A. Deo, learned CPO  
for the State.

2. The learned counsel for the applicants  
submitted that this Bench has passed the interim

order and directed not to terminate the services of the applicants. It is submitted that as per the impugned order, the terms and conditions of the services of applicants are now changed and therefore it is necessary in the interest of justice to modify the order as passed by the Hon'ble High Court and direction be given to stay the impugned order.

3. In view of this, we direct that the operation of the impugned order giving 11 months appointment to the applicants be stayed till further orders.

4. In view thereof, the C.As. stand disposed of. No order as to costs.

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 90/2020 (D.B.)**

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

**Dated : 24/02/2020.**

**C.A. 64/2020 in O.A. 90/2020 -**

Heard Shri S.N. Gaikwad, learned counsel for the applicants and Shri S.A. Deo, learned CPO for the State.

2. The learned counsel for the applicant submitted that this Bench has passed the interim order and directed not to terminate the services of the applicant. It is submitted that as per the impugned order, the terms and conditions of the services of applicant are now changed and therefore it is necessary in the interest of justice to modify the order

as passed by the Hon'ble High Court and direction be given to stay the impugned order.

3. In view of this, we direct that the operation of the impugned order giving 11 months appointment to the applicant be stayed till further orders.

4. In view thereof, the C.A. stand disposed of. No order as to costs.

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 126/2020 (D.B.)**

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

**Dated : 24/02/2020.**

Heard Shri S.P. Palshikar, learned counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. We have perused the impugned order which is at Annex-A-3. It is submitted that the applicant is summarily dismissed from the service after exercising powers under Article 311 (2) (b) of the Constitution of India. It is grievance of the applicant that there was no circumstance to exercise the power under Article



311 of the Constitution of India, therefore, it was mandatory to conduct the disciplinary inquiry as contemplated in the service rules.

3. The learned counsel for the applicant has invited our attention to the Judgment delivered in O.A.356/2019 on 22/11/2019. It is submitted that one Rajratan Khadase was also dismissed in similar fashion. He challenged that order and that order came to be quashed by this Bench on the ground that there was no reason to dispense with the inquiry as contemplated in the service rules. In view of this and as no reason is given in the impugned order disclosing the circumstances which were rendering the disciplinary inquiry reasonably not practicable, therefore, the impugned order cannot be sustained. Consequently, the impugned order is hereby quashed. Liberty is given to the respondents to proceed against the applicant as per the service rules and the respondents shall pay 50% back wages to the applicant. The respondents to comply the order within 30 days.

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

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 124/2020 (D.B.)**

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

**Dated : 24/02/2020.**

Heard Shri R.S. Parsodkar, learned counsel for the applicant and Shri S.A. Deo, learned CPO for the State.

2. We have perused the letter written by the Deputy Conservator of Forests, Bramhapuri Forest Division, Bramhapur to the Chief Conservator of Forests, Chandrapur dated 25/7/2019. In this letter, the case of the applicant is recommended and request was made to appoint the applicant in service on the post of Forest Guard in N.T. (B) category.

3. The learned counsel for the applicant submitted that now certificate is issued that the

applicant is of N.T. (B) category and Caste Validity Certificate is also issued. In this background, in our opinion it is suitable for the Chief Conservator of Forest, Chandrapur Forest Division to take a decision in view of the decision taken in the meeting held on 28/8/2014 on the recommendation made by the Deputy Conservator of Forests within two months from the date of this order. Liberty is given to the applicant to challenge if any adverse order is passed against him. With this observation, the O.A. stand disposed of. No order as to costs.

Steno copy be supplied to the P.O.

**Member (J)**

**Vice-Chairman**

dnk.

**O.As. 128,129,130 & 131 of 2020 (D.B.)**

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

**Dated : 24/02/2020.**

Smt. P.T. Joshi, learned counsel for the applicants and Shri S.A. Deo, learned CPO for the State.

At the request of the learned counsel for the applicants, **S.O. 26/02/2020.**

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 105/2016 (D.B.)**

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

**Dated : 24/02/2020.**

Heard Shri G.R. Sadar, learned counsel for the applicant, Shri M.I. Khan, learned P.O. for respondent nos.1&2 and Shri S.P. Palshikar, learned counsel for R-3.

2. The learned P.O. has filed letter dated 18/2/2020 received from the Joint Secretary, Child Development Department (M.S.). It is mentioned in the letter that the matter is in control of the GAD and for considering the case of the applicant for promotion, his case is required to be examined by the Establishment Board No.2 headed by the Additional Chief Secretary, GAD. In this situation, we direct that the decision be taken in this matter within 30 days from the date of this order.

**S.O. after 30 days.**

Steno copy be supplied.

**Member (J)**

**Vice-Chairman**

dnk.

**O.A. 846/2012 (D.B.)**

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

**Dated : 24/02/2020.**

Smt. N. Thete, learned counsel holding for Shri S. Borkar, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the respondents.

2. The learned P.O. submitted that now the provisional pension is sanctioned till finalisation of the judicial proceeding. In view of this, the applicant shall visit the Treasury and assist the Department for complying the order.

3. The learned P.O. is directed to comply the order dated 5/2/2020.

**S.O. three weeks.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 431/2018 (D.B.)

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

**Dated :** 24/02/2020.

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

**S.O. three weeks.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 601/2018 (D.B.)

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

**Dated :** 24/02/2020.

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

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

**Member (J)**

**Vice-Chairman**

dnk.



**O.A. 95/2019 (D.B.)**

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

**Dated : 24/02/2020.**

Heard Shri K.V. Bhoskar, learned counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. As the applicant was appointed in service vide order dated 29/4/2015, therefore, it is necessary to peruse the G.R. dated 2/5/2014. The learned P.O. is directed to place this G.R. on record.

**S.O. two weeks.**

**Member (J)**

**Vice-Chairman**

dnk.

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