

**O.A.No.792/2016. (S.B.)**

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J)**

**Dated : 21<sup>st</sup> January 2019.**

**C.A. No. 538/2017.**

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

Ld. P.O. has filed affidavit in reply on behalf of R.3 in the C.A., it is taken on record.

Since nobody is present for the applicant, put up for argument on the C.A. **in due course.**

Vice-Chairman(J)

Dt. 21.1.2019.

pdg.

**O.A.No.226/2018.**

**(S.B.)**

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J)**

**Dated : 21<sup>st</sup> January 2019.**

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

The Ld. counsel for the applicant submits that he could not amend the O.A. inadvertently. He wants to amend the O.A. during the course of the day. He is allowed to amend the O.A. Copy of amended O.A. be supplied to the Ld. P.O. Ld. P.O. submits that there is no need to file reply affidavit to the amended O.A. Since the pleadings are complete, matter be heard finally as early as possible.

At the request of both the parties, S.O. **5.2.2019** for final hearing.

Vice-Chairman(J)

Dt. 21.1.2019.

pdg.

**O.A.No.29/2019.**

**(S.B.)**

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J)**

**Dated : 21<sup>st</sup> January 2019.**

1. Heard Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri S.A. Deo, the learned CP.O. for the respondent No.1.

2. Issue notice to R.2 returnable on **4.2.2019.**

3. Shri S.A. Deo, the learned CP.O. waives notice for the respondent No.1. Hamdast granted.

3-A. 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 **seven 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. **4.2.2019**.

Vice-Chairman(J)

Dt. 21.1.2019.

pdg.

**O.A.Nos.445,446 & 447 of 2015.  
(S.B.)**

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J)**

**Dated : 21<sup>st</sup> January 2019.**

Heard Shri Arpit Gajbhiye, Adv. holding for Shri N.B. Bargat, the Ld. counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents 1, 2, 3, 4 and 5.. None for R.4

The Ld. P.O. has placed on record the judgments in W.P. No.45233/2017 with W.P.(St.) No.9386/2017 delivered by the Hon'ble High Court of Bombay on 5.7.2018 which is marked "X" for identification and the judgment in W.P. No. 2562/2017 with W.P.Nos.2563 and 2564 of 2017 passed by the Hon'ble High Court of Bombay on 16.4.2018 which marked "X-1" for identification. He submits that similar matters have been

remanded by the Hon'ble High Court of Bombay to this Tribunal. The Ld. counsel for the applicants submits that he wants to go through it and seeks time.

Ld. P.O. is also requested to go through the rules mentioned in the said judgments and place on record copies of those rules.

S.O. **two weeks.**

Vice-Chairman(J)

Dt. 21.1.2019.

pdg.

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

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member (A)  
Dated : 21<sup>st</sup> January 2019.**

**R.A. No. 17/2018.**

Shri S.S. Bajwa, Adv. holding for Smt. N. Gautam, Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent No.1.

2. Issue notice to R.2 to 4 returnable in **four weeks.**

3. Shri P.N. Warjekar, the learned P.O. waives notice for the 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 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 seven 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 four weeks.

Member (A) Vice-Chairman(J)

Dt. 21.1.2019.

pdg.

**O.A.No.760/2014. (D.B.)**

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member (A)  
Dated : 21<sup>st</sup> January 2019.**

Shri N.D. Thombre, Ld. counsel  
for the applicant and Shri S.A.  
Sainis, the learned P.O. for the  
respondent No.1.

**S.O 7.2.2019.**

Member (A) Vice-Chairman(J)

Dt. 21.1.2019.

pdg.

**O.A.No. 761/2017. (D.B.)**

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

**Dated : 21<sup>st</sup> January 2019.**

**C.A.No.306/2018:-**

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

**The C.A.No. 306/2018 for early hearing is allowed.**

The Id. counsel for the applicant pointed out Caste Scrutiny Committee Certificate at P.B., Pg. Nos. 45 & 46 (both inclusive), (Annexure-A-4) as per the decision of the Hon'ble Apex Court in SLP No. 16372/1985.

The Id. counsel for the applicant also directed to file lists of S.T. categories in Maharashtra State as per the Government policy.

**S.O. 30/01/2019.**

**Member(J)  
Date:-21/01/2019.  
aps.**

**Member(A)**

**O.A.No. 936/2017. (D.B.)**

**Coram: Shri Shree Bhagwan,**  
**Member (A) and**  
**Shri A.D.Karanjkar, Member(J)**  
**Dated : 21<sup>st</sup> January 2019.**

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

2. It appears that neither respondent no. 2 nor respondent no. 3 have done anything as per the correspondence dated 27/12/2017 at P.B., Pg. No. 99 bearing no. tk-dzvKLFK-4@mi gkj@fopkfyu@43424&27- Even after observations of this Tribunal on 03/01/2019. They are directed to decide the issue within two week's time and file the action taken report through the Id. P.O. within next date of hearing. The Id. P.O. is also directed to supply the name of the enquiry officer to the Id. counsel for the applicant. The Id. counsel for the applicant is at liberty to make the same employee also as a respondent.

**S.O. three weeks.**

**Member(J)**

**Date:-21/01/2019.**

aps.

**O.A.No. 313/2018.**

**Member(A)**

**(D.B.)**

**Coram: Shri Shree Bhagwan,**

**Member (A) and  
Shri A.D.Karanjkar, Member(J)  
Dated: 21<sup>st</sup> January 2019.**

Shri R.V.Shiralkar, 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 is directed to file on record Government Resolution making applicability of 5<sup>th</sup> Pay Commission to the Government Employee of the State. The Id. P.O. is also directed to seek instructions from the respondents that why discrimination have been made between Police Department and Jail Department.

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

**Member(J)  
Date:-21/01/2019.  
aps.**

**Member(A)**

O.A.No. 897/2018. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)  
Dated : 21<sup>st</sup> January 2019.**

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

2. The Id. C.P.O. submits that he has received the parawise reply. However, he further seeks time to file reply on record.

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

**Member(J)**  
**Date:-21/01/2019.**  
aps.

**Member(A)**

O.A.No. 581/2018. (D.B.)

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

**Dated : 21<sup>st</sup> January 2019.**

Heard Shri Vishal Anand, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. The Id. P.O. submits that the reply is ready. However, he further seeks time to file reply on record.

3. **S.O. one week.**

**Member(J)**  
**Date:-21/01/2019.**  
aps.

**Member(A)**

O.A.No. 946/2018. (D.B.)

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

**Dated : 21<sup>st</sup> January 2019.**

**C.A.No.392/2018:-**

Heard Shri R.S.Kalangiware, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State. Notice not collected by respondent nos. 2 & 3.

2. In case of respondent no. 2, it should be made party through the Secretary, M.P.S.C. not through the Chairman. The Id. counsel for the applicant is directed to amend the O.A., accordingly within a week's time.

3. The Id. counsel for the applicant submits that he will prefer to delete the respondent no. 3. He is directed to amend the same. However, after suitable amendment, O.A. will be listed.

4. **S.O. two weeks.**

**Member(J)  
Date:-21/01/2019.  
aps.**

**Member(A)**



**O.A.No. 472/2017. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**  
**Dated : 21<sup>st</sup> January 2019.**

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents.

2. It appears that respondent nos. 2 & 3 are from the Commissioner of Police, Mumbai. The respondent no. 2 i.e. Joint Commissioner of Police (Administration), Mumbai has done the recruitment process. So matter should be refer to the Principle Bench, Mumbai. However, the Id. counsel for the applicant pleaded that one week's time is given. The Id. counsel for the applicant further submits that he will seek instructions from the candidate that what is the current position of the O.A. which has already been filed by some of the applicant in Principle Bench, Mumbai. He further prayed to tag with the same O.A. which has already been filed in the Principle Bench, Mumbai. Considering these aspect, the MAT, Nagpur Bench has no Jurisdiction.

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

**Member(J)**  
**Date:-21/01/2019.**  
aps.

**Member(A)**

O.A.No. 110/2018. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)  
Dated : 21<sup>st</sup> January 2019.**

Heard Shri A.S.Nikose, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondent nos. 1 to 4. None for the respondent nos. 5 & 6.

Since, pleadings are completed. The matter is **admitted** and kept for final hearing.

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

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

**Member(J)**  
**Date:-21/01/2019.**  
aps.

**Member(A)**

O.A.No. 858/2009. (D.B.)

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

**Dated : 21<sup>st</sup> January 2019.**

Heard Shri Bharat Kulkarni, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the Respondent nos. 1 to 3. None for the respondent nos. 4 to 8.

**Closed for orders.**

**Member(J)  
Date:-21/01/2019.  
aps.**

**Member(A)**

O.A.No. 520/2018. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)  
Dated : 21<sup>st</sup> January 2019.**

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

2. The Id. C.P.O. pointed out that the same matter is heard before the Hon'ble High Court, Mumbai bench at Aurangabad and Judgment has been delivered. However, he seeks two weeks time to file the same Judgment on record. At his request, **S.O. 05/02/2019.**

**Member(J)**  
**Date:-21/01/2019.**  
aps.

**Member(A)**

O.A.No. 180/2018. (D.B.)

**Coram: Shri Shree Bhagwan,**  
**Member (A) and**  
**Shri A.D.Karanjkar, Member(J)**  
**Dated : 21<sup>st</sup> January 2019.**

Heard Shri D.M.Kakani, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. During last occasion, it was submitted that D.E. has been completed. It is directed that Enquiry Officer should submit the report within a week's time from the date of this order. Within two weeks time, it should be decided and place before the Tribunal, otherwise this Tribunal pass the order.

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

4. **Steno copy is granted.**

Member(J)  
Date:-21/01/2019.  
aps.

Member(A)

O.A.Nos. 459 & 503/2017. (D.B.)

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

**Dated : 21<sup>st</sup> January 2019.**

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

**Closed for orders.**

**Member(J)  
Date:-21/01/2019.  
aps.**

**Member(A)**

O.A.No. 427/2016. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)  
Dated : 21<sup>st</sup> January 2019.**

Shri R.S.Kalangiware holding for Shri P.S.Chawhan, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the Respondents.

The Id. counsel for the applicant submits to postponed the matter. At his request, **S.O. next week.**

**Member(J)**  
**Date:-21/01/2019.**  
aps.

**Member(A)**



O.A.St.No. 140/2018 (SB)

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

**Dated : 21/01/2019.**

**Rev.A.14/2018 in C.A.21/2018 in  
O.A.St.140/2018**

Heard Shri B.N. Jaipurkar, learned counsel for the applicant and Shri H.K. Pande, learned P.O. for the respondents.

2. The learned counsel for the applicant has requested for restoration of the O.A.(St.). However in question to condone the delay of 360 days. Though he has pleaded that the applicant was suffering from paralysis, but no medical document is produced at the time of O.A. (St.) and even at the time of Review Application also no such document is filed. Hence, Review Application cannot be entertained.

3. The applicant is at liberty to file fresh O.A. along with the documentary evidence for condonation of delay.

4. With this observation, the Review Application stands disposed of.

**Member (A).**

dnk.

Rev.A. 15/2018 in O.A.St.No. 974/17 **(SB)**

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

**Dated : 21/01/2019.**

Heard Shri N.S. Warulkar, learned counsel for the applicant and Shri V.A. Kulkarni, learned P.O. for the respondents.

2. The learned P.O. files reply-affidavit on behalf of respondent no.4, i.e. the Accountant General, Nagpur. It is taken on record. Copy is given to the learned counsel for the applicant.

3. The learned counsel for the applicant has invited my attention to copy of orders dated 09/09/2016 (Annex-A-3, P-17) and 23/05/2017 (Annex-A-2,P-16) in which both the persons i.e. Shri Milind T. Kale and the applicant Shri Sanjay P. Chahande were promoted vide same order No.b, I Vh 112013/3/2 V(2), dated 17/04/2013 (Annex-R-1,P-34) in which the applicant is at Sr.No.37 and Shri M.T. Kale is at Sr.No.36. It appears that the person is at sr.no.36 Shri M.T. Kale's pension has been fixed at Rs.6970/- as per order dated 09/09/2016 (A-3,P-17) whereas the applicant's pension is fixed Rs.5940/- as per order dated 23/05/2017 (A-2,P-16). Since both the persons have been promoted by the same order there should not be this kind of discrepancy in the Pension fixation. The learned P.O. submits that he desires one week time to take instructions from the concerned department about this discrepancy.

4. The learned P.O. is directed to take instructions from the respondents reasons beyond this kind of discrepancy of both these persons. The respondents are also directed to file any document if base on that such kind of discrepancy has been made.

**S.O. one week.**

**Member (A).**

dnk.

Rev.A. 16/18 in O.A. No. 332/2018 **(SB)**

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

**Dated : 21/01/2019.**

Heard Shri S.M. Vaishnav, learned counsel for the applicant and Shri H.K. Pande, learned P.O. for the respondents.

2. The matter was listed on 10/07/2018 and 24/07/2018 but none appeared for the applicant. Again the matter was listed on 06/08/2018 none appeared for the applicant but lateron the learned counsel for the

applicant appeared on that day and matter was restored. Again the matter was listed on 27/08/2018 and since nobody appeared for the applicant on the same day the O.A. was dismissed. Now in Review Application the learned counsel for the applicant requested for restoration of the O.A. vide prayer clause nos. 1 to 3 as follows :-

*“(i) Allow the application thereby recalling the order dated 27/08/2018 dismissing the O.A. in default and further restoring the same to its file, in the interest of justice and fair play.*

*(ii) Allow the application and continue the interim relief granted by this Hon’ble Tribunal on 04/06/2018 with kind consideration and in the interest of justice and fair play.*

*(iii) Grant any other relief, which may be deemed fit in the facts and circumstances of the case”.*

3. However, only prayer clause no. (i) is allowed and the matter is restored to its original file and the matter be hearing in due course.

4. However, interim relief granted in para-2 of the order dated 04/06/2018 is not continued.

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

dnk.

**Member (A).**

O.A.No. 33/2019 (DB)

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

**Dated : 21/01/2019.**

**C.A.No. 25/2019 -**

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

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.33/2019 -**

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

2. It is submitted that the applicants were promoted vide order dated 24/12/2018 and immediately later on second order came to be issued for reverting the applicants. According to the applicants, this is apparent illegality and misconduct of justice. Our

attention is invited to letters at Annex-A-3, A-5 and A-27 and after reading A-27 it seems that the Deputy Director of Health Services, Akola Circle, Akola wrote letter to the Joint Director of Health Services, Pune and sought guidance. It is mentioned in the letter on 31/12/2018 direction was given to the Joint Director on telephone to arrange the Health Assistants and they be given posting by counselling. The Deputy Director was very much confused because he was not aware to promote by counselling. The learned counsel for the applicants submitted that till today the applicants are working on the promotional posts and keeping reliance on his words it is directed to maintain status-quo till next date of hearing.

3. The learned CPO submitted that he is waiving notice on behalf of respondent no.1. The learned CPO is directed to seek necessary instructions and submit his reply on the next date. In the meantime issue notice to R-2 to 5,

returnable in **one week**. 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. one week.**

10. Steno copy is granted.

**Member(J).**  
dnk.

**Member (A).**

O.A.No. 32/2019 **(DB)**

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

**Dated : 21/01/2019.**

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

2. We have heard submissions of learned counsel for the applicant. It is submitted that the impugned order dated 10/1/2019 passed by the Collector, Chandrapur and by this impugned order the Collector, Chandrapur directed to retire the applicant compulsorily from the service. It is submitted that the order is yet not served on the applicant and therefore it is in the interest of justice to protect the applicant till hearing the respondents in this matter.

3. It is contention of the learned counsel for the applicant that it was duty of the Collector who was Disciplinary Authority on record his independent findings as to the misconduct and whether it was proved. It is contended that that Collector, Chandrapur did not record any reason why he was accepting the findings recorded by the Inquiry Officer. The second submission is that the rules contemplate that the Disciplinary Authority has to record own reasons even for accepting the report from the Inquiry Officer and as it is not done, therefore, there is illegality in the procedure.

4. It is submitted by the learned CPO that other efficacious remedy is made available by the service rules to the applicant and therefore the bar under section 20 of sub section 1 of the

Maharashtra Administrative Tribunal Act,1985 is applicable.

5. After going section 20 sub section 1, it seems that the Tribunal shall be satisfied that the applicant had availed all the remedies made available to him in the relevant service rules for the redressal of the grievance. In the present case it is contention of the applicant that the Appellate Authority has no jurisdiction of stay the operation of the order and therefore there is no question to avail that remedy in the service rules.

6. After hearing the submission, we do not see any merit in the submission that the Appellate Authority has no jurisdiction to grant stay to the order. The departmental appeal is provided and the applicant could have approached the appellate authority that for the relief.

7. Keeping in view this background and the fact that the retirement of the applicant is only after 3-4 months, therefore, it is also not in the interest of the applicant himself to grant any relief. If the O.A. is allowed the applicant would get the pay and allowances

for his remaining service. In view of this discussion, in our opinion this is not fit case for granting interim relief but in the interest of justice we direct that the notice be served to the respondents expeditiously and matter would be listed for final hearing after submission of the reply by the respondents.

8. Issue notice to R-2 and 3, returnable in **two weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

10. 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.

11. 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.

12. 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.

13. 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).**  
dnk.

**Member (A).**