

O.A. No. 437/2019 (SB)

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

Dated : 26.02.2020

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

At the request of learned counsel for the applicant, **S.O. 9/3/2020.**

Member (J)

dnk.

O.A. No. 735/2018 (SB)

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

Dated : 26.02.2020

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

At the request of learned counsel for
the applicant, **S.O. 4/3/2020.**

Member (J)

dnk.

O.A. No. 838/2019 (SB)

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

Dated : 26.02.2020

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

At the request of learned P.O., **S.O.**
9/3/2020.

Member (J)

dnk.

O.A. No. 479/2019 (SB)

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

Dated : 26.02.2020

Smt. V. Padhye, Id. counsel holding for Shri R.D. Dharmadhikari, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the respondents.

At the request of learned counsel for the applicants, **S.O. 11/3/2020.**

Put up alongwith O.As. 470,477 & 478 of 2019.

Member (J)

dnk.

O.A. Nos. 470,477 & 478 of 2019 **(SB)**

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

Dated : 26.02.2020

Smt. V. Padhye, Id. counsel holding for Shri R.D. Dharmadhikari, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the respondents.

At the request of learned counsel for the applicants, **S.O. 11/3/2020.**

Put up alongwith O.A.479/2019.

Member (J)

dnk.

O.A. No. 866/2019 (SB)

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

Dated : 26.02.2020

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

The Id. P.O. files reply on behalf of the respondents. It is taken on record.

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

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

S.O. 11/3/2020.

Member (J)

dnk.

O.A. No. 24/2020 (SB)

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

Dated : 26.02.2020

Shri Girdekar, Id. counsel holding for
Shri V.N. Patre, Id. counsel for the applicant,
M.I. Khan, Id. P.O. for R-1&4 and Smt. Alkari,
Id. counsel for R-2 &3.

At the request of Id .counsel for R-2
&3, **S.O. four weeks** for filing reply.

Member (J)

dnk.

O.A. No. 56/2020 (SB)

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

Dated : 26.02.2020

Smt. K.N. Saboo, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2&3.

At the request of Id. counsel for the applicant, **S.O. two weeks** for filing service affidavit.

Member (J)

dnk.

O.A. No. 791/2019 (SB)

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

Dated : 26.02.2020

Shri B. Kulkarni, Id .counsel holding for Shri N.D. Thombre, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The Id. P.O. files separate reply on behalf of R-1 to 3 & 4. 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. 11/3/2020.

Member (J)

dnk.

O.A. No. 913/2019 (SB)

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

Dated : 26.02.2020

Heard Shri S.K. Hatwar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 and Smt. Alkarni, Id. counsel for R-2 to 5.

The respondents are directed to comply the direction in letter dated 25/2/2020 within 15 days. The applicant is directed to cooperate.

S.O. 16/3/2020.

Member (J)

dnk.

O.A. No. 194/2019 (SB)

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

Dated : 26.02.2020

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

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

Member (J)

dnk.

O.A. No. 1071/2019 (SB)

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

Dated : 26.02.2020

Heard Shri S.K. Wankhade, 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.

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

Member (J)

dnk.

O.A. No. 133/2019 (SB)

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

Dated : 26.02.2020

Shri A.S. Deshpande, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of learned counsel for the applicant, **S.O. 11/3/2020.**

Member (J)

dnk.

O.A. No. 954/2019 (SB)

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

Dated : 26.02.2020

Heard the applicant in person and Shri H.K. Pande, Id. P.O. for the respondents.

2. It seems that the charge sheet is served on the applicant on 20/6/2017 and it is also under challenge. As the charge sheet is challenged, therefore, the matter is required to be heard by the Division Bench. It be kept before the Division Bench on 12/3/2020.

3. The applicant is directed to supply the second set of the application.

S.O. 12/3/2020.

Member (J)

dnk.

O.A.No.468/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/02/2020.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant, Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. The Id. P.O. has filed reply on behalf of the respondent no. 1. It is taken on record. Copy is served to the other side.

3. Hence, matter is **admitted** and kept for final hearing.

4. The Id. P.O. waives notices for the respondents.

5. **S.O. 12.03.2020.**

Vice

Chairman
Date:-26/02/2020.
aps.

O.A.No.778/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/02/2020.

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

2. The Id. P.O. has filed reply on behalf of the
respondent no. 4. It is taken on record. He
submits that he will serve the copy to the other
side. He further submits that it is sufficient to
decide the O.A..

3. Hence, matter is **admitted** and kept for
final hearing.

4. The Id. P.O. waives notices for the
respondents.

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

Chairman
Date:-26/02/2020.
aps.

Vice

O.A.No.803/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/02/2020.

Heard Shri S.M.Pande holding for Shri N.D.Thombre, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply on behalf of the respondent nos. 1, 2 & 3. It is taken on record. Copy is served to the other side.

3. Hence, matter is **admitted** and kept for final hearing.

4. The Id. P.O. waives notices for the respondents.

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

Vice

Chairman
Date:-26/02/2020.
aps.

O.A.No.134/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/02/ 2020.

Heard Smt. N.R.Saboo, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. Issue notice to R-2 & 3, returnable on four weeks. Learned C.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:-26/02/2020.

aps.

O.A.No.702/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/02/2020.

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

2. The Id. counsel for the applicant has filed Hon'ble High Court Mumbai, Bench at Nagpur Judgment in W.P. No. 6676/2017 delivered on 06.02.2020. He has mainly relied on para nos. 7 & 8 of the Judgment and submits that as he has filed other Hon'ble High Court Judgment and MAT Judgment of this Judgment have already covered issue involved in this O.A..

3. **Closed for orders.**

Chairman
Date:-26/02/2020.
aps.

Vice

O.A.No.927/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/02/2020.

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

2. The Id. P.O. submits that applicant's case along with the other similar employees are in process under Government Table and he is expected decision shortly.

3. In view of that, he desires six weeks time to file decision of the Government before this Tribunal. **S.O. 08.04.2020.**

Vice

Chairman
Date:-26/02/2020.
aps.

O.A.No.278/2018 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/02/ 2020.**

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

2. As per the Annexure-A-9, P.B., Pg. No. 32 in para no. 3 it appears that applicant has approached to Id. Lokayukta and in Id. Lokayukta letter in para no. 3 following observations have been made regarding G.P.F. which is below:-

"Hkfo"; fuokjfu/kf% [krs dclad ABN/16829 vl u
egly[kckj ulxij i= da
fu/k&1@, Q&1@14&15@361@377@08@01 fnulad 16-06-2014
: 11]87]566&00 Qk; uy folMky eatj dys rkyplk d"th
vf/kckjh] l dkyh ; kuh nku eghus foyckus fn- 21@8@2014 yk
i nku dsys"

3. The Id. counsel for the applicant has filed the chart which is marked Exh.1 for the purpose of identification. It is taken on record. Copy is supplied to the other side.

4. On P.B., Pg. Nos. 32 and 34 regarding all the payments Hon'ble Lokayukta has passed the order about the delay and specific amounts. Accordingly, applicant will be entitled for interest on those amounts and then delayed realisation of payments for the delayed period at the rate of 6 %.

5. The Id. P.O. is directed to file on record that whether applicant has made any application before retirement to withdraw his G.P.F. amount?

6. **S.O. two weeks.**

Vice

Chairman

Date:-26/02/2020.

aps.

O.A.No.231/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/02/ 2020.

Heard Shri R.V.Shiralkar holding for Shri A.C.Dharmadhikari, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. **S.O. four weeks.**

Chairman
Date:-26/02/2020.
aps.

Vice

**O.A.726/17withC.A.549/17withC.A.69/20(S.
B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :26/02/2020.**

Heard Shri A.P.Sadavarte, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 1 to 3. None for the respondent no. 4.

2. The Id. counsel for the applicant has filed condonation of delay application C.A. 549/2017 and he further submits that this O.A. has filed by his Id. friend and now he is appearing in this case. So in view of this, **C.A. No. 549/2017 for condonation of delay is allowed.**

3. He further filed C.A. No. 69/2020 for amendment, the same **C.A. No. 69/2020 is allowed.** The Id. counsel for the applicant is directed to carry out the amendment within two weeks. He is directed to supply the copy of the same to the Id. P.O. along with this Registry.

4. **S.O. three weeks.**

Chairman
Date:-26/02/2020.
aps.

Vice

O.A.No.571/2016
(D.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
and
Shri A.D.Karanjkar, Member(J)
Dated :26/02/ 2020.**

None for the applicant. Shri P.N.Warjekar,
the Id. P.O. for the respondents. None for the
V.I.D.C..

2. The Id. P.O. filed reply on behalf of the
respondent no. 4. It is taken on record. He further
submits that he will serve the copy to the other
side.

3. **S.O. three weeks.**

Member(J)
Chairman
Date:-26/02/2020.
aps.

Vice

O.A.No.647/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

Heard Shri A.P.Tathod, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondent nos. 1 to 3. None for the respondent no. 4.

2. The Id. P.O. filed reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side.

3. The Id. P.O. further seeks time to file reply on behalf of the respondent nos. 1 & 2, **S.O. two weeks.**

**Member(J)
Chairman
Date:-26/02/2020.**

aps.

Vice

O.A.No.1049/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

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

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

**Member(J)
Chairman**

Date:-26/02/2020.

aps.

Vice

O.A.No.790/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

Heard Shri S.S.Gupta holding for Smt.P.Rane, 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. two weeks.**

**Member(J)
Chairman**

Date:-26/02/2020.

aps.

Vice

O.A.No.852/2017 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

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

2. The matter is **admitted** and kept for final hearing.

3. The Id. P.O. waives notices for the respondents.

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

**Member(J)
Chairman**

Date:-26/02/2020.

aps.

Vice

C.P.35/2019 in O.A.859/2012 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

Heard Shri B.D.Pandit, the Id. Counsel for the applicant, Shri H.K.Pande, the Id. P.O. for the respondents and Shri N.Gadre (Principal Secretary) Finance.

2. We have perused the order dated 24.02.2020 passed by the Government. We have also heard submission of Id. Principal Secretary of the Department; in paragraph no. 3 of the order direction is given to the Director, Accounts and Treasury, Mumbai to fix the pay after giving notional increments to the applicant w.e.f. 14.03.2012. Similarly, in paragraph no. 2 of the order; the matter is referred for concurrence of M.P.S.C.. We hope that the M.P.S.C. would take the decision within reasonable time; so as the Director, Accounts and Treasury would be in a position to comply the directions given in paragraph no. 3 of the order and, therefore, we direct that this shall be done **within a period of two months.**

3. **S.O. after two months.**

Member(J)
Chairman
Date:-26/02/2020.
aps.

Vice

O.A.No.534/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

Heard Shri A.P.Sadavarte, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents. None for the respondent nos. 16 & 17 (Intervenor) and none for the respondent nos. 5, 7 & 8.

2. Issue notice to newly added respondents, 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.**

Member(J)
Chairman
Date:-26/02/2020.
aps.

Vice

**O.A.Nos.128, 129, 130, 131/2020
(D.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman
and
Shri A.D.Karanjkar, Member(J)
Dated :26/02/ 2020.**

Heard Shri G.N.Khanzode, the Id. Counsel for the applicant and Shri S.A.Dev, the Id. C.P.O. for the State.

2. The applicant is challenging the order dated 31.12.2019 issuing appointment order to the applicant for 11 months. It is submitted that the applicant is in service since long and all of a sudden the impugned order is passed and the terms and conditions of the services are modified and appointment is given for 11 months; it is in violation of Law.

3. Similarly, the applicant has also challenged the G.R. dated 21.12.2019. In similar matters this Bench has stayed the similar impugned orders, therefore, on the ground of parity, we direct that till filling reply by the respondents, the impugned order dated 31.12.2019 be stayed.

4. Issue notice to R-2 to 4, returnable on four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

10. **S.O. four weeks.**

11. **Steno copy is granted.**

Member(J)
Chairman
Date:-26/02/2020.
aps.

Vice

O.A.No.610/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

Heard Shri R.V.Shiralkar holding for Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

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

**Member(J)
Chairman**

**Date:-26/02/2020.
aps.**

Vice

O.A.No.411/2017 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. Put up along with the O.A. No. 22/2016 (Single Bench Matter).

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

**Member(J)
Chairman**

Date:-26/02/2020.

aps.

Vice

O.A.No.22/2016 (S.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

Heard Shri R.V.Shiralkar holding for Shri S.P.Palshikar, the Id. Counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2. None for the Intervenor.

2. Put up along with the O.A. No. 411/2017 (Division Bench Matter).

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

**Member(J)
Chairman**

Date:-26/02/2020.

aps.

Vice

O.A.No.90/2018 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

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

2. At the request of Id. counsel for the applicant, **S.O. 16.03.2020.**

**Member(J)
Chairman**

**Date:-26/02/2020.
aps.**

Vice

O.A.No.217/2018 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

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

2. At the request of Id. counsel for the applicant, **S.O. 09.03.2020 as a last chance.**

**Member(J)
Chairman**

Date:-26/02/2020.

aps.

Vice

O.A.Nos.535 & 536/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 to 3 and Shri A.L.Deshpande, the Id. counsel for the respondent no. 4.

2. The Id. P.O. has made submission that the responsible officer of the Government would clarify what would be the fate of the Rules after 31.03.2020.

3. **S.O. 11.03.2020.**

**Member(J)
Chairman**

Date:-26/02/2020.

aps.

Vice

O.A.No.821/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/2020.

Heard Dr. B.K.Meshram, the applicant in person and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. The Id. P.O. desires to go through the D.E. report and make argument in next week.

3. **S.O. 06.03.2020.**

**Member(J)
Chairman**

Date:-26/02/2020.

aps.

Vice

O.A.948/2018withC.A.312/2019(S.B.
)

**Coram:Shri Shree Bhagwan, Vice Chairman
and
Shri A.D.Karanjkar, Member(J)
Dated :26/02/2020.**

Heard Dr. B.K.Meshram, the applicant in person, Shri A.M.Ghogre, the Id. P.O. for the respondent nos. 1 to 3 and Shri A. Parihar, the Id. counsel for the respondent no. 4.

2. The applicant agreed to file the pursis to withdraw the O.A. No. 948/2018 along with the C.A. No. 312/2019..

**Member(J)
Chairman
Date:-26/02/2020.
aps.**

Vice

O.A.769/2018withC.A.375/2019

(D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :26/02/ 2020.

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

2. Vide order dated 31.05.2011; the applicant was promoted as Junior Clerk in Class-III cadre. When applicant was promoted it was apprehension of the respondents that the applicant was ~~HK-t-M~~ candidate and, therefore, she was promoted on the post reserved for that category. Later on it came to the notice of the respondents that the applicant was candidate of ~~HK-t-v~~ category and consequently vide order dated 10.04.2018 the promotion order was cancelled and the applicant was reverted. This order of cancellation of promotion is under challenge in this original application. It is also contended by the applicant that she was not given the benefits of A.C.P. and during course of the hearing submission was made by the respondents that benefits of A.C.P. would be given to the applicant and it is now given.

3. Now, the only question remains; whether directions can be given to the respondents to

promote the applicant on the post which is reserved for Hk-t-M- when applicant is not belonging to that category? In our opinion it will illegal to issue such direction, therefore, it is suitable to refer the case to the Government for sympathetic consideration as it is cleared by the respondents that no Hk-t-M- candidate is available in the department to be posted on that vacant post.

4. On perusal of letter dated 15/06/2019 written by Headmaster, Technical and Secondary School, Rajura, it seems that the applicant was working on the relevant date as a Class-IV employee and she was directed to receive the charge of the post of Senior Clerk of Smt. M.S.Dorkhande.

5. In our view the Government will take into consideration all these aspects while considering the representations of the applicant.

6. In view of this, we permit the applicant to make representation and such representation be decided by the respondents **within a period of two months from the date of her representation.**

7. With these Directions, **O.A. is disposed of with no order as to costs.**

**Member(J)
Chairman**

Vice

Date:-26/02/2020.
aps.