

O.A. No. 252/2019 (SB)

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

Dated : 03.03.2020

Shri S.S. Gupta, Id. counsel holding for Shri S.S. Ghate, Id .counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 3. Await service of R-4.

At the request of Id. counsel for the applicant, **S.O. one week** for filing service affidavit of R-4.

Member (J)

dnk.

Rev. A. 33/19 in O.A. No. 702/19 **(SB)**

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

Dated : 03.03.2020

There is a leave note from Shri S.P. Palshikar, Id. counsel for the applicant (original respondent no.3), Shri V.A. Kulkarni, Id. P.O. for R-1&2 and Smt. K.N. Saboo, Id. counsel for R-3 (original applicant).

S.O. two weeks.

Member (J)

dnk.

O.A. No.720/2017 (SB)

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

Dated : 03.03.2020

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

S.O. in due course.

Member (J)

dnk.

O.A. No. 149/2020 (SB)

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

Dated : 03.03.2020

Heard A.D. Kolhe, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The applicant is challenging the order dated 18/1/2019 by which punishment is awarded by the Disciplinary Authority to the applicant and direction is given to deduct 2/3 pension of the applicant. As the applicant is challenging the major punishment, the matter is required to be heard by the Division Bench. The Registry is directed to transmit this matter to the Division Bench.

S.O. one week.

Member (J)

dnk.

O.A. No. 636/2019 (SB)

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

Dated : 03.03.2020

Heard Shri P.A. Jibhkate, Id .counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 4. None for R-5.

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

The Id. P.O. waives notice for R-1 to 4.

S.O. next week.

Member (J)

dnk.

O.A. No. 77/2020 (SB)

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

Dated : 03.03.2020

There is a leave note from Shri S.P. Palshikar, Id. counsel for the applicant. Heard Shri A.M. Ghogre, Id. P.O. for R-1&2. None for R-3.

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

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

The Id. P.O. waives notice for R-1 &2.

S.O. two weeks.

Member (J)

dnk.

O.A. No. 875/2019 (SB)

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

Dated : 03.03.2020

Heard Smt. K.N. Saboo, Id .counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The learned P.O. files reply on behalf of R-2&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. one week.

Member (J)

dnk.

O.A. No. 871/2019 (SB)

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

Dated : 03.03.2020

Heard Shri Bharat Kulkarni, learned counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 and Smt. J.J. Alakarni, Id. counsel for R-2 to 6.

2. The applicant stood retired on attaining age of superannuation on 31/12/2018 and till today his pension is not released. The learned counsel appearing on behalf of R-2 to 6 submitted that the service book of the applicant is not completed and therefore Department is facing difficulties in preparing the pension case. It seems that even after expiry of one year after the retirement, no steps were taken by the respondent to release the pension of the applicant. There is no dispute about the facts that no departmental inquiry is pending against the applicant and he is not facing any criminal trial. As a matter of fact, it was necessary for the Department to prepare the pension case within six months before the date of retirement, it is not done. Even after expiry of one year, the department is blowing the same trumpet that the service book of the

applicant is incomplete. As per the rules, it was necessary for the respondents to maintain the service book of their employees. It was none of the business of the applicant to maintain his service book, therefore, the applicant is not responsible for this fault. In view of this, in my opinion it is not suitable to give any time to the respondent nos.2 to 6 to file reply. It is just killing of the time. Hence, the following order-

ORDER

- (i) The O.A. is allowed.
- (ii) The respondents are directed to release the pension of the applicant within three months from the date of this order and the respondents shall pay the interest for the delay as per the Rules 129A & 129B of the Maharashtra Civil Services (Pension) Rules, 1982. This order be complied within three months from the date of this order.
- (iii) No order as to costs.

Member (J)

dnk.

O.A. No. 299/2019 (SB)

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

Dated : 03.03.2020

Heard the applicant in person and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The applicant submitted that previously the O.A.No. 214/2000 was filed by her husband. It was decided in his favour. That order was challenged by the respondents in the Writ Petition and latter on the Writ Petition was dismissed by the Hon'ble High Court. It is contention of the learned P.O. that the interim stay was granted by this Tribunal in O.A. 707/2014 and as it was operating, therefore, the recovery could not be made earlier. The learned P.O. is directed to place on record the copy of the interim stay order. The applicant is directed

to submit the copy of Judgment in the Writ
Petition and O.A. 214/2000.

S.O. two weeks.

Member (J)

dnk.

O.A. No. 523/2019 (SB)

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

Dated : 03.03.2020

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

2. The matter is partly heard. The
learned P.O. is directed to file affidavit of the
Principal, Government Engineering College,
Yavatmal to the effect that there is no post
available for the applicant to accommodate in
the College.

S.O. one week (PH).

Member (J)

dnk.

O.A. No. 541/2017 (SB)

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

Dated : 03.03.2020

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

S.O. two weeks.

Member (J)

dnk.

O.A.St.No.495/2018
(S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/2020.

C.A.No.78/2018:-

None for the applicant. Shri M.I.Khan, the
Id. P.O. for the State. Await service of respondent
nos. 2 & 3.

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

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.941/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

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

2. The Id. P.O. has filed reply of respondent nos. 3 & 4. It is taken on record. He further submits that he will serve the copy to the other side.

3. The Id. P.O. pointed out the applicant place of resident which is under Jurisdiction of Aurangabad Bench or Principle Bench.

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

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.335/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/2020.**

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

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

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.768/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/2020.

Heard Shri A.P.Sadavarte, the Id. Counsel
for the applicant and Shri , the Id. P.O. for the
respondents.

2.

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.43/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

None for the applicant. Shri M.I.Khan, the
Id. P.O. for the State. Await service of respondent
nos. 2 & 3.

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

Vice

Chairman
Date:-03/03/2020.
aps.

O.A.No.113/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

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

2. The Id. counsel for the applicant submits that O.A. was filed on 12.02.2019 and applicant is going to retire in two months.

3. In view of this, Id. P.O. is directed to file reply within three weeks as a last chance; otherwise matter will be heard on merit. **S.O. three weeks.**

Vice

Chairman

Date:-03/03/2020.

aps.

O.A.No.119/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

Heard Shri S.N.Gaikwad, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. In order dated 20.02.2020 in para no. 2 (iii) following observations was made:-

“(iii) further be pleased to direct the no. 3 i.e. The Deputy Director of Land Record, Nagpur Region to identify the vacant post of Group-D and further offer the appointment to the applicant immediately.”

3. However, today after hearing both the sides, it appears that department has not submitted yet vacancy position of Group-D category and position of applicant.

4. In view of this, Id. P.O. is directed to produce within week time vacancy position in Group-D and posts available in appointment on compassionate ground and seniority of applicant in a compassionate ground list.

5. **S.O. 11.03.2020.**

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.860/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

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

2. The Id. P.O. desires three weeks to file reply as a last chance. **S.O. three weeks.**

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.51/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

None for the applicant. Shri M.I.Khan, the
Id. P.O. for the State. Await service of respondent
nos. 2 to 4.

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

Vice

Chairman
Date:-03/03/2020.
aps.

O.A.No.66/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/2020.

Heard Shri D.M.Kakani, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State. Await service of respondent nos. 2 & 3.

2. The Id. counsel for the applicant submitted that all the respondents have been served. The Id. P.O. desires time to file reply; **S.O. four weeks.**

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.541/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

C.A.No.523/2019:-

Heard Shri P.N.Shende, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State. Await service of respondent no. 2.

2. The Id. counsel for the applicant has placed on record letter dated 06.08.2019 by Divisional Agriculture, Joint Director, Amravati Division, Amravati. It is taken on record. Copy is supplied to the other side. By which it appears that, applicant has been reinstated as per the G.R. dated 09.07.2019. Respondents are directed to start salary of the applicant from the date of the reinstatement and as mentioned in the revocation of the suspension order they should complete the D.E. **within six months from the date of this order.**

3. With this direction, **O.A. along with C.A. are disposed of with no order as to costs.**

Vice

Chairman

Date:-03/03/2020.

aps.

O.A.No.919/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

Heard Shri R.M.Fating, 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 invited my attention on P.B., Pg. No. 36 (Annexure-A-7) where it is mentioned that there was no D.E. pending against the applicant and as per the letter dated 10.06.2014 (Annexure-A-9, P.B., Pg. No. 43) officers junior to applicant were promoted and applicant was denied promotion in said order. Respondents in their reply in para no. 4 have admitted following observations (P.B., Pg. No. 68):-

"In the aforesaid peculiar facts and circumstances the answering respondents respectfully submitted that, upon verifying eligibility of the applicant regarding promotion w.e.f. 10.06.2014 the respondent would take appropriate decision and would be communicated to the applicant within a period of 03 months. In aforesaid state of affairs the grievance of the applicant could be sorted out if the applicant is otherwise eligible for promotion."

3. In view of this, it appears that not much documents are needed to scrutinize. Hence, as

per reply submitted by respondents in para no. 4, respondent no. 2 is directed to decide the issue of deemed date of applicant **within one month** from the date of this order and consequent to that all financial and other benefits should be also decided for the applicant as per existing rules and regulations.

4. With this direction, **O.A. is disposed of with no order as to costs.**

Vice

Chairman

Date:-03/03/2020.

aps.

O.A.No.657/2015 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

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

2. At the request of Id. P.O., **S.O. four weeks**
to file reply on additional affidavit filed by
applicant.

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.122/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

Heard Shri D.I.Charlewar, the Id. Counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 to 3 and Shri J.Mokadam, the Id. counsel for the respondent no. 4.

2. The Id. counsel for the applicant has submitted that in O.A. at P.B., Pg. No. 9 para no. 7.6 the relevant sentences are reproduced below:-

“That the applicant submits that at no point of time, the departmental enquiry was ever initiated against the husband of the applicant during the suspension period”

However, Id. P.O. desires two weeks time which is granted as a last chance to produce on record. Whether D.E. has been initiated against the applicant or not ? If it is not produced then matter will be decided as per para no. 7.6 of the O.A..

3. The Id. counsel for the respondent no. 4 submits that as per the order dated 11.10.2019, copy of the O.A. was not supplied to him. However, the Id. counsel for the applicant submits that he will supply the copy today itself.

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

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.603/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

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

2. The Id. P.O. has shown letter dated 02.03.2020 by Desk Officer, Revenue and Forest Department. It is taken on record. Copy is served to the other side. As per this letter committee under A.C.S. Revenue has recommended revocation of suspension of the applicant and file is submitted to Hon'ble Minister Revenue.

3. The Id. P.O. desires two weeks time to get the order. The respondent no. 1 is directed to ensure for taking the decision and communicate **within two weeks** time to the Tribunal through Id. P.O..

4. **Steno copy is granted.**

5. **S.O. 17.03.2020.**

Vice

Chairman
Date:-03/03/2020.
aps.

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

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

2. As submitted by Id. counsel for the applicant earlier counsel has withdrawn his power from this case and he desire one week time to study and make certain amendment in prayer clause of the O.A.

3. **S.O. 19.03.2020.**

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.486/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/2020.

Heard Shri R.A.Haque, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. P.O. has placed on record circular dated 28/29.01.2016 by Chairman, M.A.T., Mumbai and as per Sr. No. 13; seniority list should be put up before Division Bench. This issue is also related to the seniority list.

3. The Id. counsel for the applicant is directed to supply the second copy of the O.A.. So that matter can be heard in D.B..

4. S.O. 24.03.2020.

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.354/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

Heard Shri S.M.Khan, 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 filed pursis along with the letter dated 06.05.2017 by Desk Officer, Maharashtra State to Dairy Development Commissioner, Maharashtra State, Mumbai and letter dated 28.07.2017 which are taken on record. Copy is supplied to the other side.

3. The Id. P.O. desires to go through these documents, **S.O. 12.03.2020.**

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.611/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

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

2. The Id. counsel for the applicant has relied upon the G.R. dated 01.07.2011 (Annexure-A-5, P.B., Pg. No. 27) and its appendix point No. 5 on P.B., Pg. No. 30; according to this point no. 5 of this G.R., it appears that applicant should have been considered as per his request.

3. In view of this situation, the respondents are directed to consider the case of the applicant for granting first A.C.P. after 12 years as per provisions of G.R. dated 01.07.2011 and provisions of its contained in point no. 5 of its appendix and file on record their decision **within three weeks.**

4. **S.O. 31.03.2020.**

5. **Steno copy is granted.**

Vice

Chairman
Date:-03/03/2020.
aps.

O.A.No.969/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.

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

2. As submission made by Id. P.O., department is not given any instructions regarding initiation of D.E. and serving chargesheet or any court case against the applicant after passing the impugned order dated 04.05.2019 (Annexure-A-4, P.B., Pg. No. 30).

3. In view of this, the applicant case is fully covered under G.R. dated 09/07/2019 and under following Judgments of Hon'ble Supreme Court and Hon'ble High Court which are 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 order:-

ORDER

1. Order dated 04.05.2019 (Annexure-A-4, P.B., Pg. No. 30) is quashed and set aside with immediate effect.
2. Respondents are directed to issue reinstatement order of the applicant and post him on any suitable post as they desire within three weeks from the date of this order.
3. With this direction, **O.A. is disposed of with no order as to costs.**

Chairman
Date:-03/03/2020.
aps.

Vice

**O.A.Nos.747,748,749,750,752&755/2018(S.
B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :03/03/ 2020.**

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

2. The Id. counsel for the applicant submits that he will file synopsis; so that sequence of events and various Judgments which are covered relief clause of the O.A. The Id. counsel for the applicant is directed to supply the copy of the written synopsis to the Id. P.O. before next date of hearing.

3. In view of this, **S.O. 16.03.2020.**

Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.138/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

None for the applicant. Shri S.A.Deo, the
Id. C.P.O. for the respondent nos. 1 to 3 and Shri A.
Parihar, the Id. counsel for the respondent nos. 4
& 5.

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

**Member(J)
Chairman**

Date:-03/03/2020.

aps.

Vice

O.A.No.166/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

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

2. As per the order dated 05.04.2019, the Id. counsel for the applicant is directed to supply the amended copy of the O.A. to the Id. P.O..

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

**Member(J)
Chairman**

Date:-03/03/2020.

aps.

Vice

O.A.No.900/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

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

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

Member(J)

Chairman

Date:-03/03/2020.

aps.

Vice

O.A.No.55/2020 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

Heard Shri W.G.Paunikar, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the State.

2. As per the request of Id. counsel for the applicant, Issue fresh 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.**

Member(J)
Chairman
Date:-03/03/2020.
aps.

Vice

O.A.No.429/2017 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

C.A.No.72/2020:-

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

2. The Id. P.O. desires two weeks time to file
reply on amendment application. **S.O. two
weeks.**

**Member(J)
Chairman**

Date:-03/03/2020.

aps.

Vice

O.A.No.743/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

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

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

Member(J)

Chairman

Date:-03/03/2020.

aps.

Vice

O.A.No.812/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

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

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

Member(J)

Chairman

Date:-03/03/2020.

aps.

Vice

O.A.No.52/2020 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

Heard Shri P.V.Thakre, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. At the request of Id. C.P.O., **S.O. three weeks to file reply.**

**Member(J)
Chairman**

Date:-03/03/2020.

aps.

Vice

O.A.No.950/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

Heard Shri R.D.Karode, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 to 3. None for the respondent no. 4.

2. The Id. P.O. seeks one week time to file reply of respondent no. 1, **S.O. three weeks.**

**Member(J)
Chairman**

**Date:-03/03/2020.
aps.**

Vice

**O.A.Nos.74, 75, 76, 77, 78, 79 & 80/2019
(D.B.)**

**Coram:Shri Shree Bhagwan, Vice Chairman
and
Shri A.D.Karanjkar, Member(J)
Dated :03/03/ 2020.**

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

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

**Member(J)
Chairman
Date:-03/03/2020.
aps.**

Vice

O.A.No.150/2020 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

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

2. It is submitted that the applicant was appointed as Tracer vide order dated 12.06.1997. Thereafter, Government of Maharashtra issued G.R. dated 21.12.2019 and in pursuance of this G.R., the Superintending Engineer, Nagpur Region, Electrical Board issued order on 21.12.2019 and gave appointment to the applicant on the post of Tracer for a period of 11 months. It is submitted that the applicant is challenging the said order and in similar matters interim stay is granted.

3. In view of the submission, as per the parity the impugned order at Annexure-A-1, dated 21.12.2019 be stayed till filing of the reply.

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

Member(J)
Chairman

Date:-03/03/2020.

aps.

Vice

O.A.No.113/2015 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

Heard Shri P.S.Sahare, the Id. Counsel for the applicant, Shri A.M.Ghogre, the Id. P.O. for the respondent nos. 1 to 3 and Shri A.S.Athalye, the Id. counsel for the respondent no. 8.

2. At the request of Id. counsel for the respondent no. 8, **S.O. 11.03.2020.**

**Member(J)
Chairman**

Date:-03/03/2020.

aps.

Vice

O.A.No.464/2018 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

None for the applicant. Shri V.A.Kulkarni,
the Id. P.O. for the respondent nos. 1 & 2. None for
the respondent no. 3.

2. S.O. in due course.

**Member(J)
Chairman**

Date:-03/03/2020.

aps.

Vice

O.A.No.343/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

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

2. The Id. P.O. has pointed out Government letter dated 07/12/2012 by which Government letter dated 17/04/2012 has been cancelled and applicant's retirement age becomes 58 years only.

3. In view of the above, **O.A. is dismissed with no order as to costs.**

**Member(J)
Chairman**

Date:-03/03/2020.

aps.

Vice

O.A.No.32/2016 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

Heard Shri M.D.Ramteke, 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:-03/03/2020.

aps.

Vice

O.A.Nos.917 & 918/2017 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

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

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

Member(J)

Chairman

Date:-03/03/2020.

aps.

Vice

O.A.No.637/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

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

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

**Member(J)
Chairman**

Date:-03/03/2020.

aps.

Vice

O.A.No.972/2019 (D.B.)

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

Shri A.D.Karanjkar, Member(J)

Dated :03/03/2020.

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

2. The Id. P.O. submitted that one original application is filed before Principle Bench, Mumbai in which the appointment of the applicant is under challenged. The Id. P.O. is directed to file copy of the original application day after tomorrow. **S.O. 05.03.2020.**

**Member(J)
Chairman**

Date:-03/03/2020.

aps.

Vice