

O.A. No. 373/2018 (SB)

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

Dated : 19.11.2019

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

At the request of Id. P.O., **S.O.**
21/11/2019.

Member (J)

dnk.

O.A. No. 11/2019 **(SB)**

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

Dated : 19.11.2019

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

At the request of Id. counsel for the applicant, **S.O. 22/11/2019**.

Member (J)

dnk.

O.A. No. 402/2016 **(SB)**

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

Dated : 19.11.2019

Shri P.D. Sharma, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

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

Member (J)

dnk.

O.A. No. 71/2016 **(SB)**

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

Dated : 19.11.2019

Shri S.P. Palshikar, 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. two weeks.**

Member (J)

dnk.

O.A. No. 401/19 with C.A. 240/19 **(SB)**

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

Dated : 19.11.2019

Shri R.V. Shiralkar, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3 and Shri T. Deshpande, Id. counsel holding for Shri S.N. Gaikwad, Id .counsel for R-4 (intervener).

At the request of Id. counsel for R-4 (Intervener), **S.O. two weeks.**

Member (J)

dnk.

O.A. No. 974/2017 (SB)

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

Dated : 19.11.2019

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

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

Member (J)

dnk.

O.A. Nos. 770 & 771 of 2018 **(SB)**

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

Dated : 19.11.2019

Shri S.D. Khati, Id. counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id .counsel for the applicants, **S.O. Next week.**

Member (J)

dnk.

O.A. No. 571/2018 **(SB)**

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

Dated : 19.11.2019

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

Since 24/10/2018 none appeared for the applicant. Today also none appeared for the applicant. Hence, the O.A. stands dismissed in default.

Member (J)

dnk.

O.A. No. 131/2019 **(SB)**

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

Dated : 19.11.2019

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

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

Member (J)

dnk.

O.A. No. 574/2019 **(SB)**

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

Dated : 19.11.2019

Smt. Saboo, Id .counsel for the applicant and Shri A.M. Ghogre, 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. 588/2019 **(SB)**

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

Dated : 19.11.2019

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

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

Member (J)

dnk.

O.A. No. 630/2019 **(SB)**

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

Dated : 19.11.2019

Ms. Rajshree Jogdand, Id .counsel holding for Shri M.M. Sudame, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 to 3 and none for R-4.

The Id. P.O. files reply on behalf of R-2&3. It is taken on record. Copy is served on the applicant. It is submitted that reply of R-2&3 is sufficient to decide the matter.

Heard. Admit.

The Id. P.O. waives notice for R-1 to 3.

S.O. Next week.

Member (J)

dnk.

O.A. No. 670/2019 **(SB)**

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

Dated : 19.11.2019

Shri B.J. Lonare, Id .counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

Heard. Admit.

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

S.O. two weeks.

Member (J)

dnk.

O.A. No. 731/2019 **(SB)**

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

Dated : 19.11.2019

None for the applicant. Shri M.I. Khan,
Id. P.O. for R-1 to 3. None for R-4.

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

Member (J)

dnk.

O.A. No. 761/2019 **(SB)**

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

Dated : 19.11.2019

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

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

Member (J)

dnk.

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

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

Dated : 19.11.2019

None for the applicant. Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2&3.

S.O. three weeks for filing service affidavit.

Member (J)

dnk.

O.A. No. 887/2019 **(SB)**

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

Dated : 19.11.2019

Shri A.P. Sadavarte, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

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

Member (J)

dnk.

O.As. 470,477,478 & 479 of 2019 **(SB)**

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

Dated : 19.11.2019

Ms. Rajshree Jogdand, Id. counsel holding for Shri R.D. Dharmadhikari, Id .counsel for the applicants and shri A.M. Ghogre, Id. P.O. for R-1&4. Await service of R-3.

The learned counsel for the applicants seeks one week time to file service affidavit. The learned P.O. also seeks one week time to file reply. Time is granted.

S.O. one week.

Member (J)

dnk.

O.As. 648,652,653,654 & 655 of 2019 **(SB)**

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

Dated : 19.11.2019

Heard Shri G.K. Bhusari, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

The learned P.O. submitted that he will comply the order dated 7/11/2019.

Heard. Admit.

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

S.O. next week.

Member (J)

dnk.

O.A. No. 265/2017 (SB)

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

Dated : 19.11.2019

Heard Shri N.D. Khamborkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

One week time is granted as a last chance to comply the order dated 5/11/2019.

S.O. Next week (PH).

Member (J)

dnk.

O.A. No. 879/2018 **(SB)**

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

Dated : 19.11.2019

None for the applicant. Shri M.I. Khan,
Id. P.O. for R-1&2. None for R-3 to 5.

S.O. two weeks.

Member (J)

dnk.

O.As. 445,446 & 447 of 2015 **(SB)**

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

Dated : 19.11.2019

None for the applicants. Shri M.I.
Khan, Id. P.O. for R-1 to 3&5. None for R-4.

S.O. three weeks.

Member (J)

dnk.

O.A. No. 432/2017 **(SB)**

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

Dated : 19.11.2019

Shri S.A. Sainis, Id. P.O. for the applicants (Original respondents) and Shri N.D. Thombre, Id. counsel for the respondent (Original applicant).

2. The Id. counsel for the respondent (Original applicant) submitted that the order passed by the Hon'ble High Court in Writ Petition No.4919/2018 is challenged in SLP which is pending before the Hon'ble Apex Court. Under these circumstances, it would be suitable to hear this matter after decision in the SLP.

S.O. three weeks along with other connected matters.

Member (J)

dnk.

O.A. No. 498/2017 (SB)

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

Dated : 19.11.2019

Shri A.M. Ghogre, Id. P.O. for the applicants (Original respondents) and Shri N.D. Thombre, Id. counsel for the respondent (Original applicant).

2. The Id. counsel for the respondent (Original applicant) submitted that the order passed by the Hon'ble High Court in Writ Petition No.4919/2018 is challenged in SLP which is pending before the Hon'ble Apex Court. Under these circumstances, it would be suitable to hear this matter after decision in the SLP.

S.O. three weeks along with other connected matters.

Member (J)

dnk.

O.A. No. 799/2017 (SB)

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

Dated : 19.11.2019

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

2. The Id. counsel for the applicant submitted that the order passed by the Hon'ble High Court in Writ Petition No.4919/2018 is challenged in SLP which is pending before the Hon'ble Apex Court. Under these circumstances, it would be suitable to hear this matter after decision in the SLP.

S.O. three weeks along with other connected matters.

Member (J)

dnk.

O.A. No. 986/2018 (SB)

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

Dated : 19.11.2019

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

2. The Id. counsel for the applicant submitted that the order passed by the Hon'ble High Court in Writ Petition No.4919/2018 is challenged in SLP which is pending before the Hon'ble Apex Court. Under these circumstances, it would be suitable to hear this matter after decision in the SLP.

S.O. three weeks along with other connected matters.

Member (J)

dnk.

O.A. 677/2018 (D.B.)

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

Dated : 19/11/2019.

Shri Raghu Bhandakkar, Id. counsel holding for Shri R.K. Joshi, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

At the request of Id .counsel for the applicant, **S.O.26/11/2019.**

Member (J)
Chairman

Vice-

dnk.

O.A. 194/2017 (D.B.)

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

Dated : 19/11/2019.

C.A. 437/2017 -

Heard Mrs. S.A. Syed, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1&2. None for R-3.

2. The learned counsel for the applicant desires time to file representations submitted by the applicant. At her request, **S.O. two weeks.**

Member (J)
Chairman

Vice-

dnk.

O.A. 663/2017 (D.B.)

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

Dated : 19/11/2019.

Heard Shri J.C. Shukla, Id .counsel for the applicants, Shri H.K. Pande, Id. P.O. for R-1 and Shri G.G. Bade, Id .counsel for R-4,5,9&10. Await service of R-2,3,6,7&8.

2. At the request of learned counsel for the applicants, issue fresh notice to R-2,3,6,7&8, returnable **in four weeks.** 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

Vice-

dnk.

O.A. 787/2017 (D.B.)

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

Dated : 19/11/2019.

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

2. The respondents are directed to pay retiral benefits as per relief clause 7 (iv). The rest of the claims stand dismissed.

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

Member (J)
Chairman

Vice-

dnk.

O.A. St.1688/2018 (D.B.)

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

Dated : 19/11/2019.

C.A. 280/2018 -

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

S.O. three weeks.

Member (J)
Chairman

Vice-

dnk.

O.A. 736/2018 (D.B.)

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

Dated : 19/11/2019.

Mrs. 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.

The learned counsel for the applicant submitted that she will file service affidavit of R-2&3 during the course of day.

S.O. after three weeks.

Member (J)
Chairman

Vice-

dnk.

O.A. 786/2018 (D.B.)

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

Dated : 19/11/2019.

C.A. 293/2018 -

Heard Mrs. K.N. Saboo, Id .counsel for the applicants and Shri H.K. Pande, 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. is disposed of accordingly.

O.A. 786/2018 -

Heard Mrs. K.+N. Saboo, Id .counsel for the applicants and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2 to 22.

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

Member (J)
Chairman

Vice-

dnk.

O.A. 789/2018 (D.B.)

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

Dated : 19/11/2019.

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

2. From the record it is not clear that whether the applicant is working at Nanded or Chandrapur or in the office of respondent no.3 i.e. at Aurangabad. The learned counsel for the applicant desires one week time to take instructions in this regard. In view of this, **S.O. one week.**

Member (J)
Chairman

Vice-

dnk.

O.A. 854/2019 (D.B.)

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

Dated : 19/11/2019.

None for the applicant. Shri P.N. Warjurkar, Id. P.O. for R-1. Await service of R-2 to 4.

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

Member (J)
Chairman

Vice-

dnk.

O.A. 856/2019 (D.B.)

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

Dated : 19/11/2019.

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

The learned counsel for the applicant
submitted that the O.A.157/2019 is decided
on 4/10/2011 by the Principal Bench of MAT

and he wants to file copy of that order on record. He is permitted to do so.

The learned P.O. seeks three weeks time to file reply. At his request, **S.O. three weeks.**

Member (J)
Chairman

Vice-

dnk.

O.A. 48/2019 (D.B.)

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

Dated : 19/11/2019.

Heard Shri N.S. Warulkar, Id .counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

The learned counsel for the applicant submitted that just now he has received copy of reply and he wants to file rejoinder.

Heard. Admit.

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

In the meantime, the applicant is at liberty to file rejoinder, if any.

S.O. 20/12/2019.

Member (J)
Chairman

Vice-

dnk.

**C.As. 418/19 & 375/17 in O.A. 692/14
(D.B.)**

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

Dated : 19/11/2019.

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

At the request of Id. P.O., **S.O.**
06/12/2019.

Member (J)
Chairman

Vice-

dnk.

O.A. 217/2019 (D.B.)

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

Dated : 19/11/2019.

C.A.Nos. 429 & 420 of 2019 -

Heard Shri S.P. Kshirsagar, Id .counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the respondents.

For the reasons stated in the applications, the C.A.Nos.429 & 420 of 2019 are allowed.

O.A.217/2019 –

S.O. 26/11/2019.

Member (J)
Chairman

Vice-

dnk.

C.P. 43/19 in O.A. 600/19 (D.B.)

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

Dated : 19/11/2019.

Heard Shri G.G. Bade, Id. counsel for the applicant and Shri S.A. Sainis, Id .P.O. for the respondents.

The learned counsel has filed rejoinder on behalf of the applicant. It is taken on record. Copy is served to the learned P.O.

At the request of Id. P.O., **S.O. two weeks** for filing reply to the rejoinder.

Member (J)
Chairman

Vice-

dnk.

O.A. Nos. 397 & 398 of 2019 (D.B.)

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

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

Dated : 19/11/2019.

Shri K.S. Malokar, Id .counsel for the applicants and Shri S.A. Sainis, Id .P.O. for the respondents. None for Intervener (In O.A.398/2019).

The learned P.O. submitted that he will file reply during the course of day. He is permitted to do so.

S.O. 28/11/2019

**Member (J)
Chairman**

Vice-

dnk.

O.A. 899/2019 (D.B.)

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

Dated : 19/11/2019.

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

2. Issue notice to R-2 &3, returnable **after three 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. after three weeks.**

Member (J)
Chairman

Vice-

dnk.

O.A. 900/2019 (D.B.)

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

Dated : 19/11/2019.

Heard Shri M.M. Sawang, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2 &3, returnable **after 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. after four weeks.**

Member (J)
Chairman

Vice-

dnk.

O.A. 902/2019 (D.B.)

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

Dated : 19/11/2019.

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2, returnable **after 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. after four weeks.**

Member (J)
Chairman

Vice-

dnk.

C.P. 42/19 in O.A. 694/2017 (D.B.)

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

Dated : 19/11/2019.

Heard Shri M.M. Sawang, Id .counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1.

2. Issue Notice to the respondent Nos. 2&3 returnable **after three weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

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

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

Member (J)
Chairman

Vice-

dnk.

O.A. 447/2017 (D.B.)

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

Dated : 19/11/2019.

Heard Ms. M.M. Sudame, Id .counsel
for the applicant and Shri P.N. Warjurkar, Id.
P.O. for the respondents.

The Id. P.O. has filed copy of
advertisement dated 29/12/2012 and copy of
letter dated 7/12/2012. Same are taken on
record and marked Exh-X.

Closed for orders.

Member (J)
Chairman

Vice-

dnk.

O.A. 696/2013 (D.B.)

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

Dated : 19/11/2019.

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

2. As pointed out by the learned counsel for the applicant that other similar two matters i.e. O.A.No.313/2019 and 356/2019 were listed on 14/11/2019 in which he has filed various Judgments and citations, therefore, this matter also may be heard along with those matters.

3. In view of this, this matter be kept on 20/11/2019 along with O.A.313/2019 and 356/2019.

S.O. 20/11/2019 (PH).

Member (J)
Chairman

Vice-

dnk.

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

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

Dated : 19/11/2019.

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

2. The learned P.O. is directed to file documents related to para-2 mentioned by the Appointing Authority on page no.38, Annex-A-5 that how many candidates were allowed to change their categories in the application forms. The learned P.O. is also

directed to file the application forms of applicant and respondent no.3 on record on the next date.

S.O. three weeks (PH).

Member (J)
Chairman

Vice-

dnk.

O.As. 705,706,707 & 708 of 2018 (D.B.)

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

Dated : 19/11/2019.

Heard Shri P.J. Mehta, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The Social Welfare Department anticipated opening of new Schools and for that advertisement for recruitment for the post of Assistant Teachers was published.

3. Two lists were prepared. The applicants were placed in second list. The first list candidates were given appointment as per requirement of sanctioned Schools. Further no new schools were sanctioned due to non availability of infrastructures and lack of funds.

4. Hence, there was no requirement of further Teachers. The applicants were selected in the waiting list and it was valid for one year only. Now it is not valid also. The Department cannot be forced to take the applicants without requirement and non existence of Schools.

5. In view of above discussions, the O.A. stands dismissed. No order as to costs.

Member (J)

Vice-Chairman

dnk.

O.A. 897/2012 (D.B.)

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

Dated : 19/11/2019.

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

2. The applicant retired from the post of Tahsildar on 31/3/2013. The applicant has submitted application dated 30/7/2012 (A-7, P-53) and again he has submitted application dated 10/09/2012 (P-55).

3. The respondent no.2 is directed to decide the applicant's representations within three months from the date of this order. With this direction, the O.A. stands disposed of. No order as to costs.

Member (J)
Chairman

Vice-

dnk.

O.A. 159/2013 (D.B.)

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

Dated : 19/11/2019.

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

2. As per the order dated 03/10/2019 the Id. P.O. was directed to clarify as to how much amounts were paid to the deceased applicant/ his L.Rs. on account of pension, Gratuity, leave encashment, GIS and GPF, however, he has yet not taken instructions in this regard.

S.O. three weeks to take instructions as per the order dated 3/10/2019.

Member (J)
Chairman

Vice-

dnk.

O.A. 239/2019 (D.B.)

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

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

Dated : 19/11/2019.

Heard Shri P.S. Wathore, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1 to 4 and Shri B.J. Lonare, Id. counsel for R-5.

2. The learned counsel for the applicant submitted that the applicant has applied in the Open category though he belongs to S.C. category. He has filed on record application form which is at Annex-A-6, page nos.46&47. The learned CPO desires three weeks time to take instructions from the MPSC in this regard and to file necessary documents on record.

S.O. three weeks.

**Member (J)
Chairman**

Vice-

dnk.

O.A.No.116/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

Heard Shri S.M.Khan, the Id. Counsel for the applicant, Shri V.A.Kulkarni, the Id. P.O. for the State and Shri H.D.Marathe, the Id. counsel for the respondent nos. 2 & 3.

2. The Id. counsel for the respondent nos. 2 & 3 submits that he will file the reply during the course of the day. He further submits that he will supply the copy to the Id. counsel for the applicant along with the Id. P.O..

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

Vice

Chairman

Date:-19/11/2019.

aps.

O.A.No.819/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

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 applicant was suspended vide order dated 29/04/2019 (Annexure-A-1, Pg. No. 13). Now almost more than 06 months have passed and neither chargesheet has been filed in court nor D.E. has been started. Aggrieved with this position, applicant has approached to this Tribunal.

3. The Id. P.O. requested time for filing reply. However, it appears from the records that applicant has submitted representation as per Annexure-A-2, P.B., Pg. No. 14. It also appears from record that officers in the department have recommended to reinstate the suspension order as per G.O.M., G.A.D. order dated 09/07/2019 para 1 (ii).

4. According to the DoPT No. F.No. 11012/04/2016-Estt.(A) dated 23/08/2016 by Director (E), following directions have been given to all the departments:-

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 person to 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..... 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."

The above said Office Memorandum is written by Director (E) and in the para no. 4 it is clearly mentioned that *"All Ministries/ Departments/ Offices are requested to bring the above guidelines to the notice of all Disciplinary Authorities under their control"*

5. The Id. counsel for the applicant has relied upon the G.O.M., G.A.D. G.R. No. fuidk1118 @id1111v] dated 09/07/2019, the G.R. has also given reference to DoPT letter in reference no. 3.

6. In the said G.R. dated 09/07/2019 in para no. 1 (ii) specific directions is given:-

(ii) fuyfcr 'kkI dh; I ddkk; k T; k i dJ.kh 3 efgU; k; k dkyica/khr foHkxh; pkkd'kh I q d: u nkskkjki i = ctko.; kr vkys ukgh] v'kk i dJ.kh ek- I okp U; k; ky; kps vknsk i kgrk] fuycu I ektr dj.; kf'kok; vU; lk; k; jkgr ukgh- R; keGs fuyfcr 'kkI dh; I ddkckcr foHkxh; pkkd'kph dk; bkgh I q d: u nkskkjki i =

ctko.; kph dk; bkgh fuycu ki kl u 90 fnoI k; k vkr dkVdkg i .ks dsh tkby ; kph n{krk@[kcnkjh?ks ; kr ; koh-

7. The applicant suspension order dated 29/04/2019 (Annexure-A-1, P.B., Pg. No. 13) is more than 90 days and it is covered by G.R. dated 09/07/2019. So, the impugned order dated 29/04/2019 is quashed and set aside forthwith. Respondents are directed to reinstate the applicant and provide suitable posting to the applicant with immediate effect. With these directions, **O.A. is disposed of with no order as to costs.**

Vice

Chairman

Date:-19/11/2019.

aps.

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

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

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

2. The Id. P.O. is directed to file reply within four weeks. If reply is not filed within four weeks, the matter will be heard on merit.

3. **S.O. 19/12/2019.**

Chairman
Date:-19/11/2019.
aps.

Vice

O.A.No.345/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

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

2. The Id. P.O. filed letter dated 07/11/2019 by Joint Director, Public Health Services, Pune. It is taken on record. Copy is supplied to the other side.

3. The Id. counsel for the applicant desires one week time to consult his client. **S.O. one week.**

Vice

Chairman

Date:-19/11/2019.

aps.

O.A.No.35/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

M.C.A. No. 74/2019:-

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

2. Order was passed by this Tribunal on 26/07/2019 in the background of Hon'ble High Court Judgment and three months time was granted to comply the order, three months time was expired on 26/10/2019. However, M.C.A. No. 74/2019 has been filed by Id. P.O. and reason was not explained about the steps taken to comply the order. However, by M.C.A., it appears that department is trying to comply the order. Considering the pension case time is granted for two more months as a last chance to comply the order and communicate the same to the applicant as well as Tribunal too. With these directions, **M.C.A. No. 74/2019 for extension of time is allowed.**

3. **Steno copy is granted.**

4. **S.O. 04.02.2020.**

Chairman
Date:-19/11/2019.

Vice

aps.

O.A.No.691/2018 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

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

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

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

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

Chairman
Date:-19/11/2019.
aps.

Vice

O.A.No.901/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

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

2. As pointed out by Id. counsel for the applicant, the order was passed by this Tribunal on 14/02/2019 and it was directed to comply the enquiry within a period of three months. The Id. counsel for the applicant pointed out that nothing had been happened till now.

3. The Id. C.P.O. points out that the order on P.B., Pg. No. 26 dated 10/12/2008 pertains to that O.A.. Hence, condonation of delay is required. However, in the interest of justice, it is decided that issue notices to the respondents and respondents should file the reply **within four weeks**. As submitted by Id. C.P.O., limitation aspect is kept open.

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.**

Vice

Chairman

Date:-19/11/2019.

aps.

O.A.Nos.126 & 189/2015 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

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

2. As per the request of Id. counsel for the applicant, **S.O. three weeks.**

Chairman
Date:-19/11/2019.
aps.

Vice

O.A.Nos. 463, 464, 465, 466, 467,
468,

469 & 557/2016 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.**

Heard Mrs. R.R.Dawda, the Id. Counsel for the applicant, Shri A.M.Ghogre, the Id. P.O. for the Respondent nos. 1 & 2, Shri A.Girdekar, the Id. counsel for the respondent no. 3 in O.A. No. 463/2016 and Shri S.M.Nafde, the Id. counsel for the respondent no. 3 in O.A. Nos. 464 & 466/2016.

2. S.O. 22/11/2019.

Chairman
Date:-19/11/2019.
aps.

Vice

O.A.No.710/2014 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

Rev.No. 19/2017:-

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the Respondents.

2. S.O. 22/11/2019.

Chairman
Date:-19/11/2019.
aps.

Vice

O.A.No.71/17 with
C.A.No.41/17(S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.**

Heard Shri S.P.Palshikar, the Id. Counsel
for the applicant and Shri A.M.Ghogre, the Id. P.O.
for the Respondents.

2. S.O. 26/11/2019.

Chairman Vice
Date:-19/11/2019.
aps.

O.A.No.394/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

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

2. **S.O. 21.11.2019.**

Chairman
Date:-19/11/2019.
aps.

Vice

O.A.No.528 & 642/2017 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

Heard Shri N.D.Thombre, the Id. Counsel
for the applicant and Shri A.M.Ghogre, the Id. P.O.
for the Respondents.

2. S.O. 28/11/2019.

Chairman
Date:-19/11/2019.
aps.

Vice

O.A.No.14/2019 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :19/11/2019.

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

2. S.O. 21.11.2019.

Chairman
Date:-19/11/2019.
aps.

Vice