

O.A. No. 567/2017

(S.B.)

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

Dated : 7th December 2018.

Heard Shri A.Z. Jibhkate, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent Nos. 1 and 2. Shri A. Parihar, Adv. for R. 3 and 4. Shri G.K. Bhusari, Adv. holding for Shri D.M. Kakani, Adv. for R.5.

Closed for orders.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 876/2017

(S.B.)

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

Dated : 7th December 2018.

MCA No.31/2018.

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

Issue notice to the applicant returnable in **two weeks.**

Hamdast granted.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 422/2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri K. Manwatkar, Adv. holding for Shri S.N. Gaikwad, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondent No.1.

Await service to R.2.

Today reply is filed on behalf of R. 1 and 2.

The learned counsel for the applicant submitted that the applicant has to file rejoinder.

S.O. two weeks.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 828/2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri A.S. Ambatkar, the learned counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

Ld. P.O. requested for time to submit reply.

S.O. **two weeks.**

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 403/2018

(S.B.)

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

Dated : 7th December 2018.

C.A. No.344/2018.

Applicant and his counsel are absent. Heard Shri P.N. Warjekar, the learned P.O. for the respondents.

Ld. P.O. has filed reply of R.2.

Matter is admitted and kept for final hearing in due course.

Shri P.N. Warjekar, the learned P.O. waives notice for the respondents.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 497/2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri T.U. Tathod, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents 1 to 3. Shri K. Manwatkar, Adv. holding for Shri S.N. Gaikwad, Adv. for R.4.

Ld. P.O. submitted that the applicant is now transferred in the office of Divisional Commissioner, Amravati as Leave Reserved Chief Officer. It is submitted by the learned P.O. that in the event the applicant joins at Amravati, the department will pay his outstanding salary at Amravati. The learned counsel for the applicant submitted that liberty be

given to the applicant to challenge his transfer to Amravati, O.A. may be disposed of.

In this background, liberty is given to the applicant to amend the O.A. to claim intended relief and in the meantime, the applicant may resume duty at Amravati. The learned counsel for the applicant submitted that the will make a statement whether to join at Amravati on Monday.

S.O. **10.12.2018.**

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 541/2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri A.M. Tirukh, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

2. Reply is filed by respondent No.3.

3. The learned counsel for the applicant submitted that he has challenged the order of punishment by preferring an appeal which is pending before the respondent No.1. It is submitted that if direction is given to respondent No.1 to decide the

appeal within reasonable period, then it would serve ends of justice. As a matter of fact, as per Section 26 of the Administrative Tribunals Act, it was necessary for the applicant to prefer an appeal and accordingly appeal was preferred by him. But as the appeal is not decided by respondent No.1, it is not fault of the applicant. Therefore, the respondent No.1 is directed to decide appeal within a period of three months from the date of this order. O.A. stands disposed of with no order as to costs.

Steno copy be provided to the
Ld. P.O.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 673/2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri Bharat Kulkarni, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

Respondent Nos. 2 to 4 have filed their separate reply.

At the request of Ld. P.O., S.O.
two weeks.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 674/2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri Bharat Kulkarni, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

Respondent Nos. 2 to 4 have filed their separate reply.

At the request of Ld. P.O., S.O.
two weeks.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 676/2018

(S.B.)

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

Dated : 7th December 2018.

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

Ld. P.O. has submitted that he will file reply on behalf of the respondent after vacation.

S.O. after vacation.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 737/2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri M.R. Khan, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

Ld. P.O. has submitted reply of R.3.

One week time is granted to the applicant to submit rejoinder.

S.O. **one week.**

Interim relief to continue till next date.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 863/2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri R.S. Khobragade,
the learned counsel for the applicant
and Shri M.I. Khan, the learned P.O.
for the respondents.

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

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 868/2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri Bharat Kulkarni, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

At the request of the learned counsel for the applicant, S.O. **three weeks.**

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 874/2017

(S.B.)

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

Dated : 7th December 2018.

Heard Shri T.U. Tathod, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The applicant will be at liberty to file rejoinder.

S.O. 8.1.2019.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. Nos. 347 & 394 of 2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri M.A. Sable, the learned counsel for the applicants and Shri A.M. Khadatkhar, the learned P.O. for the respondents 1 to 3. None for R.4 and 5.

ADMIT.

Shri A.M. Khadatkhar, the learned P.O. waives notice for the respondents 1 to 3.

S.O. in due course for final hearing.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 394/2018

(S.B.)

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

Dated : 7th December 2018.

Heard Shri M.A. Sable, the learned counsel for the applicant and Shri the learned P.O. for the respondents.

S.O.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 460/2015

(S.B.)

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

Dated : 7th December 2018.

Heard Shri A.M. Sudame, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

At the request of the learned counsel for the applicant, S.O. **10.10.2018** for final hearing.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 745/2015

(S.B.)

Coram:Shri A.D. Karanjkar,

Member (J)

Dated : 7th December 2018.

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

Matter is three years old. I do not see any reason to adjourn the matter. Hence, the O.A. stands dismissed in default.

Member (J)

Dt. 7.12.2018.
pdg.

O.A. No. 522/2016

(S.B.)

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

Dated : 7th December 2018.

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

The Ld. P.O. submitted that one week time is required to produce material documents.

S.O. one week.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 263/2017

(S.B.)

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

Dated : 7th December 2018.

Heard Shri S.A.. Pathak, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

Arguments are partly heard.

The learned counsel for the applicant made submission that material document was not produced in the enquiry. In this situation, it is necessary to call the record in proceedings in the enquiry for verification.

S.O. **one week.**

Steno copy be provided to the Ld. P.O.

Member (J)

Dt. 7.12.2018.

pdg.

O.A. No. 675/2017

(S.B.)

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

Dated : 7th December 2018.

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

Ld. P.O. to take instructions from the Govt. regarding suspension of the applicant and the matter be kept for hearing in the next week.

S.O. 13.12.2018.

Member (J)

Dt. 7.12.2018.

pdg.

O.A.No. 413/2016. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**
Dated : 07th December 2018.

Shri Chavhan 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 and Shri R.V.Shiralkar holding for Shri A.D.Tote, the Id. counsel for the respondent no. 3.

At the request of Id. counsel for the respondent no. 3, **S.O. two weeks.**

Member(J)
Date:-07/12/2018.
aps.

Member(A)

O.A.No. 154/2018. (D.B.)

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

Dated : 07th December 2018.

Shri A.D.Girdekar, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. & Shri S.A.Deo, the Id. C.P.O. for the respondents.

The Id. counsel for the applicant submits that on 28/03/2018, also the Id. P.O. took four weeks time to file reply. The Id. C.P.O. submitted that as a last chance two weeks time is granted for reply.

At the request of Id. C.P.O., **S.O. two weeks as a last chance.**

Member(J)
Date:-07/12/2018.
aps.

Member(A)

O.A.No. 515/2018. (D.B.)

Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 07th December 2018.

Shri N.D.Thombre, the Id. counsel for the applicant and Shri A.M.Ghogle, the Id. P.O. for the respondent nos. 1 to 3. None for the respondent nos. 4 to 10.

The Id. counsel for the applicant submits that in the last hearing also the Id. P.O. took four weeks time to file reply. Today also the Id. P.O. submits that he needs more four weeks time to file reply.

Since the matter pertains to quashing of G.A.D. circular dated 06/06/2017 on P.B., Pg. No. 39. The Id. P.O. is directed to file reply within four weeks time as a last chance. **S.O. four weeks.**

Member(J)
Date:-07/12/2018.
aps.

Member(A)

O.A.No. 724/2014. (D.B.)

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

Dated : 07th December 2018.

C.A.No.274/2018:-

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

The C.A.No. 274/2018 is for early hearing, the same C.A. i.e. **C.A.No. 274/2018 is allowed.**

S.O. one week.

**Member(J)
Date:-07/12/2018.
aps.**

Member(A)

O.A.No. 950/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**
Dated : 07th December 2018.

Shri S.S.Ghate, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. The Id. counsel for the applicant has pleaded that as per the 6th Pay Commission, some advance increments was given to the Doctors and that amount was to be credited in GPF accounts, as per the G.R. No. Pay-2009/C.R.181/09/Vaiseva-2, Dated 10/11/2009 at P.B., Pg. No. 100. This advance increment amount is going to be recovered by the employee by the Order dated 17/07/2018 at P.B., Pg. No. 95, notice has been issued to the applicants for recovery of those increments amount paid to them.

3. The Id. counsel for the applicant has filed four Judgments and two communications. The same is taken on record. The copy of the same is given to the other side. The Id. counsel for the applicant further relied on the order passed by the Tribunal in O.A. No. 230/2018, the para no. 2 is as below:-

*“The Id. counsel for the applicant pleads for the stay on the ground that Judgment passed by Aurangabad and Bombay Bench of this Tribunal. However, the Id. P.O. seeks four weeks time to file affidavit-in-reply. **Status-quo is granted to the extent of applicant till filing of the reply regarding effect of order at Annexure-A-24 at P.B., Pg. No. 25.**”*

The above same is continued.

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)
Date:-07/12/2018.
aps.

Member(A)

O.A.No. 965/2018. (D.B.)

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

Dated : 07th December 2018.

Shri T.Deshpande, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State.

The Id. P.O. has pointed out that C.A. is yet to be filed. The Id. Counsel for the applicant is directed to remove all the objections within course of the day. **S.O.**
Monday i.e. 10/12/2018.

Member(J)
Date:-07/12/2018.
aps.

Member(A)

O.A.No. 149/2017. (D.B.)

Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 07th December 2018.

Shri M.V.Mohokar, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondent nos. 1 & 2. None for the respondent nos. 3 to 5.

The Id. P.O. filed the affidavit in reply on behalf of the respondent no. 2. The same is taken on record. Copy is served to the other side. He further submits that the reply of respondent no. 2 covers the reply for respondent nos. 1 & 3.

The Id. Counsel for the applicant seeks time to file Rejoinder. **S.O. two weeks.**

Member(J)
Date:-07/12/2018.
aps.

Member(A)

O.A.No. 508/2018. (D.B.)

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

Dated : 07th December 2018.

Shri P.N.Shende, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the Respondents.

The Id. P.O. pointed out the order no. ~~ftfgvuk@vklFl#fu-ifd@898&99@2018~~ which is at P.B., Pg. No. 31. The Id. Counsel for the applicant wants to file certain documents on record.

The Id. P.O. further submits that at P.B., Pg. No. 12, the applicant name is appeared in department letter.

The Id. P.O. seeks three weeks time to file Reply. **S.O. three weeks.**

Member(J)
Date:-07/12/2018.
aps.

Member(A)

O.A.No. 791/2018. (D.B.)

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

Dated : 07th December 2018.

Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

It appears that promotion of handicapped employees is involved and respondent no. 2 is the Chairman of D.P.C. The Id. P.O. is directed to file reply of respondent nos. 2 & 3 within two weeks. If reply is not filed till next date, the matter will be heard on merit.

S.O. 07/01/2019.

**Member(J)
Date:-07/12/2018.
aps.**

Member(A)

O.A.No. 791/2018. (D.B.)

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

Dated : 07th December 2018.

Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

It appears that promotion of handicapped employees is involved and respondent no. 2 is the Chairman of D.P.C. The Id. P.O. is directed to file reply of respondent nos. 2 & 3 within two weeks. If reply is not filed till next date, the matter will be heard on merit.

S.O. 07/01/2019.

**Member(J)
Date:-07/12/2018.
aps.**

Member(A)

O.A.No. 858/2018. (D.B.)

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

Dated : 07th December 2018.

Shri R.S.Khobragade, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State.

The applicant is removed from the service because he has not submitted the 'Caste Validity Certificate' for the S.T. Category.

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

Member(J)
Date:-07/12/2018.
aps.

Member(A)

O.A.No. 303/2016. (D.B.)

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

Dated : 07th December 2018.

Shri S.G.Karmarkar, the Id. counsel for the applicant and Shri A.M.Ghogle, the Id. P.O. for the Respondents.

The Id. Counsel for the applicant wants to withdraw the O.A.. He is directed to file pursis for the same during the course of the day. He is permitted to withdraw the same. **Hence the O.A. is disposed of as withdrawn.**

Member(J)
Date:-07/12/2018.
aps.

Member(A)

O.A.No. 400/2016. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 07th December 2018.**

Shri J.R.Kidilay, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

The Id. Counsel for the applicant submits that just now he gets the reply. Hence the matter is **admitted** and kept for final hearing.

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

S.O. 08/01/2019.

**Member(J)
Date:-07/12/2018.
aps.**

Member(A)

O.A.No. 660/2017. (D.B.)

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

Dated : 07th December 2018.

C.P.No.53/2018:-

Shri Bharat Kulkarni, the Id. counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State. The respondent nos. 3 & 4 in person.

The Id. P.O. submits the reply on behalf of the respondent no. 4. The same is taken on record. Copy is served to the other side.

As per the order dated 06/12/2018, the respondent nos. 3 & 4 are present personally. The respondent nos. 4 submits that they have submitted the proposal of revised pension to A.G. office on 27/11/2018. Yesterday also the respondent no. 4 has taken follow up from the A.G. office and they assured that within two weeks they took necessary action.

S.O. 10/01/2019.

Member(J)

Member(A)

Date:-07/12/2018.

aps.

O.A.No. 272/2014.

(D.B.)

Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 07th December 2018.

Shri Divita Pagey holding for Smt. N.Jog, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

The Hon'ble High Court order dated 23/10/2002 in writ petition no. 5685/2002 on P.B., Pg. No. 29 & 30 (both inclusive). The department has filed an affidavit and Hon'ble High Court has disposed of the petition. It is also pleaded that some relief has been given to the Primary School, Headmaster in Amravati and Thane Circle. However, in Nagpur circle, it is yet to be given. After repeated follow-up, the Id. P.O. does not get any concrete response.

In view of the discussions in forgoing paras, the respondents are directed to comply undertaking given before the Hon'ble High Court in the writ petition no. 5685/2002 order dated 23/10/2002 **within eight weeks** from the date of this order.

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

Member(J)

Member(A)

Date:-07/12/2018.
aps.

O.A.Nos. 777, 778 & 779/2011. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**
Dated : 07th December 2018.

Shri A.I.Sheikh, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the Respondents.

The Id. Counsel for the applicant has submitted one Judgment of MAT, Nagpur Bench in O.A.No.780/2011 delivered on dated 23/09/2015. It is taken on record. Copy is supplied to the other side.

The Id. Counsel for the applicant's O.A. is covered by this Judgment. The Id. P.O. has pleaded that as per the examination Rules, the applicants were required to get 30 % marks i.e. 70 marks out of 200 marks. All the applicants get less than 70 marks.

Para no. 10 of the Judgment delivered by this Tribunal in O.A. No. 780/2011 is below:-

"In view of the above, we find that the applicant's grievance for not being included in the merit list as she had scored less than 70 out of 200 marks is without any substance. Hence the O.A. is devoid of any merit and stands rejected with no order as to costs."

In view of this, the O.A. stands disposed
of with no order as to costs.

Member(J)
Date:-07/12/2018.
aps.

Member(A)

O.A.No. 151/2018. (D.B.)

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

Dated : 07th December 2018.

Shri A.S.Deshpande, the Id. counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the Respondents.

In the impugned order at P.B., Pg. No. 21 dated 08/09/2017 bearing no. i kni vk@okfo@vklFk@cMrQ&i h-dsi h-@17&2984. The para no. 3 is below:-

vkf.A T; kvFhij vkEgh i qM .As I ek/Akuh vkgls dhj oj uem i k'A i fo.A ds'ojko i k; /Au c-u-6573 I /; k fuyfcr ; kph foHkxh; pkcl'Ah dj.As 0; ogkfjd n"VhclksAkru v'AD; vkgS R; kph clkj .AsvkEgh oxGh uknfoysyh vkgS

However, the Id. Counsel for the applicant has placed on record the Hon'ble Supreme Court Judgment in **Prithipal Singh Vs. State of Punjab, (2006) 13 SCC 314 delivered on 19/10/2006.**

In the said Judgment, it is explained about the provisions of Article 311 (2). The respondents in the reply have submitted that applicant has been dismissed in Article 311 (2) and the same has been mentioned in para no. 3 of the impugned order.

However, the Id. P.O. is directed to consult the department as per the Hon'ble Supreme Court order elaborate the para no. 3 of the order and filed the relevant documents before the Tribunal.

If, he so desires, he may produced this in Chamber.

S.O. 14/12/2018.

To be treated as P.H.

Member(J)
Date:-07/12/2018.
aps.

Member(A)