

**O.A. (St.) No. 324/2018 (S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

**C.A. No. 45/2018.**

Heard Shri P.P. Khaparde, the  
Ld. counsel for the applicant and Shri  
H.K. Pande, the learned P.O. for the  
respondent Nos 1 to 5. Shri A.P.  
Sadavarte, Adv. for R.6.

Ld. P.O. seeks time to file reply.

S.O. **four weeks.**

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

O.A. No. 80/2017

(S.B.)

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri S.D. Shukla, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

Ld. P.O. has filed reply of R. 1 to 3 and of R.2. It is taken on record and the copies thereof are supplied to the Ld. counsel for the applicant. The Ld. counsel for the applicant seeks time to go through the same and file rejoinder, if necessary.

S.O. **four weeks** for filing rejoinder.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

O.A. No. 649/2018

(S.B.)

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri J.C. Shukla, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O. **after vacation** for filing reply on behalf of all the respondents.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No. 702/2018**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

2. The applicant is working on the post of Livestock Development Officer at Kamargaon, Tehsil-Karanja (Lad), District Washim, in view of order dated 20.11.2015. He has made representation on the ground that his wife was pregnant and, therefore, he may be posted in Gondia district. Copies of such representations are filed on record at page Nos. 20 to 24. However, no decision has been taken on any of his representations. The Ld. counsel for the applicant has placed reliance on the judgment in

O.A. Nos. 991,992, 993 and 994 of 2017 and in O.A. No.84/2018 delivered by this Tribunal on 9.3.2018 and the respondents were directed to consider the representation filed by various applicants in similar circumstances. Copy of the said judgments is at A.1. The Ld. counsel for the applicant submits that the application can be disposed of if such directions are issued to the respondents, for which Ld. P.O. has no objection. Hence, the following order:-

**ORDER**

- (i) O.A. stands disposed of with directions to respondent No.2 to consider representation filed by the applicant under Rule 12 (B) as per its own merits for change of their Revenue Division.
- (ii) Such a decision shall be taken within four weeks from the date of this order

and the same shall be  
communicated to the  
applicant in writing.

(iii) No order as to costs.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No. 734/2018**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

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

At the request of Ld. P.O., S.O.  
**3.1.2019** as a last chance.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

O.A. No. 861/2018

(S.B.)

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri A.P. Sadavarte, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondent Nos 1 and 2. Shri A. Deshpande, Adv. for R.3.

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

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.



**O.A. No. 884/2018**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

**C.A. No. 349/2018 in C.A. No. 884/2018.**

Heard Shri M.I. Dhattrak, the Ld. counsel for the applicant and Shri D.M. Kakani, the learned Special Counsel for the respondents. Shri S. Borkar, learned Adv. for the Intervener.

2. The Ld. counsel for the applicant has objected the application for Intervention i.e. C.A. No.349/2018 filed on behalf of the Municipal Council, Saoner through its President, since it is filed through its President and not through the Chief Officer as per Section 8 of the Maharashtra Municipalities and Nagar Panchayat Industrial Township Act, 1965.

3. Original record is produced on record. Minutes of the meeting are also placed on record by Shri Kakani, learned Spl. Counsel for the respondents.

4. Closed for orders.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No. 974/2018**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri A.D. Patil, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

2. Vide impugned order dated 16.10.2018 (A-3), the respondents are recovering the amount of Rs. 3,47,153/- from the salary of the applicant in 60 instalments. The amount of Rs. 5838/- should be recovered as first instalment and Rs. 5785/- for rest of the 59 instalments on the ground that the pay fixation was wrongly done and the amount has been paid in excess to the applicant. The learned counsel for the applicant submits that no show

cause notice was even issued to the applicant before such recovery. The applicant is a Class-III employee and, therefore, in the interest of justice, recovery for alleged so-called excess payment is stayed till further orders.

3. In the meantime, issue notice to rest of the respondents returnable in four weeks.

4. Shri S.A. Deo, the learned C.P.O. waives notice for the respondent No.1. Hamdast granted.

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

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

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

O.A. No. 894/2018

(S.B.)

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri S.U. Nemade, the  
Ld. counsel for the applicant and Shri  
A.M. Ghogre, the learned P.O. for the  
respondents.

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

Put up with O.A. No.919/2018.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No. 872/2018**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri S.M. Bhagde, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

2. The applicant, a Craft Instructor, has been kept under suspension vide order dated 13.5.2016 on the ground that he was kept in police custody remand for more than 48 hours and, therefore, was deemed to be under suspension. Though the suspension order is passed on 13.5.2016, the applicant has been kept under suspension from 8.5.2016 i.e. from the date of his arrest.

3. Admittedly no charge-sheet was filed within 90 days. But subsequently chargesheet has been filed on

26.2.2018. Admittedly, enquiry is still pending. From the record, it seems that earlier the applicant filed representation for revocation of his suspension. But the same was rejected on 25.11.2016. Thereafter nothing has been done to the suspension.

4. In reply affidavit, the respondents tried to justify the suspension, but submitted that the proposal for revocation of suspension of the applicant has been initiated and the same will be considered by the Competent Committee. The Ld. P.O. has also placed on record the copy of said recommendation which is marked "X" for identification. The Ld. P.O. submits that the Competent Committee's meeting is scheduled once in a quarter and the same is likely to be taken place at the end of December 2018. In any case, applicant's proposal has already been moved, there is no reason as to why the decision is not being taken on such proposal. The Ld. counsel for



the applicant has also placed reliance on the judgment in **O.A. No. 35/2018 delivered by Principal Bench of this Tribunal at Mumbai in case of Dilip Jagannath Ambilwade V/s State of Maharashtra and others** and also in **W.P. No. 11987/2015 in case of Dr. Narendra Omprakash Bansal V/s Additional Chief Secretary and others**. Copies of said judgments are placed on record and marked "X-1" and "X-2" for the purpose of identification. In view of the directions given in those judgments, the competent authority can proceed to take a decision on the proposal of revocation of suspension of the applicant. In view thereof, application can be disposed of. Hence, the following order:-

### **ORDER**

- (i) O.A. stands disposed of with directions to respondent Nos. 2 and 3 to see that a decision is taken on the

recommendation of the applicant for revocation of his suspension within a period of two weeks from the date of this order and the same shall be communicated to the applicant in writing.

(ii) No order as to costs.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. Nos. 282 & 283 of 2018  
(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

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

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No. 444/2018**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent Nos 1 to 3. None for R.4.

The applicant has filed representation dated 19.6.2018, a copy of which is at page No.63. The said representation is not yet decided. Admittedly, the applicant is more than 50 years of age (At present 54 yrs.) and as per G.R. dated 15.3.2017, a person crossing the age of 50 years, shall not be posted in wildlife area. It is not known as to why said G.R. has not been followed. Ld. P.O. is requested to contact respondent No.2 and take instructions as to whether

applicant's representation dated  
19.6.2018 can be considered.

S.O. **21.12.2018** for taking  
instructions.

To be treated as part heard.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No. 702/2015**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

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

The Ld. counsel for the applicant filed a G.R. dated 1.4.2010 which is marked "X" for identification. Ld. P.O. seeks time to produce on record the minutes of Promotion Committee dated 11.12.2014 as referred in Annexure A-6.

**S.O. 21.12.2018.**

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

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No. 40/2018**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri S. Kotwal, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents 1 and 2. Shri H.D. Marathe, Ld. Adv. for R.3.

The Ld. P.O. has filed on record reply of R.1, it is taken on record and a copy thereof is supplied to Ld. counsel for the applicant.

After hearing the matter for a considerable time, it is noticed that as per directions given in O.A. No. 488/2016, the respondent No.1 was directed to take a decision on the submission dated 6.7.2015 as referred in the impugned

communication dated 28.4.2016.  
The said communication is, however,

not placed on record. Ld. P.O. is, therefore, directed to place on record the submission dated 6.7.2015 and communication dated 28.4.2016. It was further directed that the respondent No.1 shall consider the representation of the applicant dated 1.4.2016.

At the request Ld. counsel for both the parties, S.O. **21.12.2018**.

To be treated as part heard.

Vice-Chairman(J)

Dt. 18.12.2018.  
pdg.



**O.A. No. 226/2017**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

**C.A. No. 110/2017**

Heard Shri R.S. Khobragade, the Ld. counsel for the applicant and Shri A.M. Khadatkhar, the learned P.O. for the respondents 1 and 2. Shri A.M. Kukde, Ld. Adv. for R.3 & 4.

The Ld. Adv. for R.3 & 4 requested time to file reply to the O.A. In the interest of justice, S.O. **10.1.2019** for filing reply to the O.A.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No. 518/2017**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Miss Diwita Pagey, Adv. holding for Mrs. Neeta Jog, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

The applicant is also present in person. The applicant is seeking permission to withdraw the O.A. Permission is granted. O.A. stands disposed of as withdrawn with no order as to costs.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No. 742/2015**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri D.R. Rupnarayan,  
the Ld. counsel for the applicant and  
Shri S.A. Sainis, the learned P.O. for  
the respondents 1 and 2. None for  
R.3.

At the request of both the  
parties, S.O. **7.1.2019.**

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No. 743/2015**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri D.R. Rupnarayan, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

2. It seems that the applicant was granted deemed date of promotion to the post of P.S.I. w.e.f. 10.3.2011 vide order dated 31.5.2013. However, the said order came to be modified vide order dated 6.12.2013 and it was intimated to the applicant that he was not granted monetary benefit from 10.3.2011 for the post. Vide communication dated 3.1.2014, it was intimated to the applicant that the

deemed date of promotion i.e. 10.3.2011 was granted only for the purpose of seniority and not for

monetary benefits. The applicant wants to challenge those orders dated 6.10.2013 and 3.1.2014. However, there seems to be a mistake in the prayer clause. The Ld. counsel for the applicant seeks permission to amend the O.A. by incorporating averments in the application and prayer clause. It is stated that the date of order in prayer clause 10 (i) is also wrongly printed. In the interest of justice, the applicant is allowed to file such application within one week.

S.O. **one week.**

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No.282 of 2018**

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri R.V. Shiralkar, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents.

With liberty to file rejoinder, matter is admitted and kept for final hearing in **second week of January 2019.**

Shri S.A. Deo, the learned C.P.O. waives notice for the respondents.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A. No.283 of 2018 (S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri R.V. Shiralkar, the  
Ld. counsel for the applicant and Shri  
S.A. Deo, the learned C.P.O. for the  
respondents.

With liberty to file rejoinder,  
matter is admitted and kept for final  
hearing in **second week of January**  
**2019.**

Shri S.A. Deo, the learned  
C.P.O. waives notice for the  
respondents.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

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

**(S.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents.

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.



O.A. No. /2018

(S.B.)

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

**Dated : 18<sup>th</sup> December 2018.**

Heard Shri, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondent Nos 1 to 5. Shri A.P. Sadavarte, Adv. for R.6.

S.O. **four weeks.**

Vice-Chairman(J)

Dt. 18.12.2018.

pdg.

**O.A.Nos. 705, 706, 707 & 708/2018. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

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

The matter pertains to the appointment of Assistant Teacher in the school of Social Welfare Department. The Id. P.O. already taken time on 20/11/2018 and 30/11/2018. Now, today he pleads for three weeks time to file reply.

**S.O. three weeks as a last chance.**

**Member(J)  
Date:-18/12/2018.  
aps.**

**Member(A)**

**O.A.No. 293/2018. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Shri A.P.Sadavarte, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

The Id. counsel for the applicant submits that there is much more delay in filing the reply. However, the Id. P.O. submits that proposal has been submitted to the Government for approval. He seeks time to file reply. If Id. P.O. didn't file reply after two weeks, the matter will be heard on merit.

**S.O. 04/01/2019.**

**Member(J)**  
**Date:-18/12/2018.**  
aps.

**Member(A)**

**O.A.No. 392/2016. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**  
**Dated : 18<sup>th</sup> December 2018.**

Shri N.R.Saboo, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

The matter pertains to the selection of Assistant Motor Vehicle Inspector. The similar matter is also pending in Principle Bench of MAT as well as Aurangabad Bench of this Tribunal. Since the reply of Respondent no. 2 is filed. The matter is **admitted** and kept for final hearing in due course of time.

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

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

**Member(J)**  
**Date:-18/12/2018.**  
aps.

**Member(A)**

**O.A.No. 761/2018. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Shri N.R.Saboo, the Id. counsel for the applicant, Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

The Id. counsel for the applicant submits that for the different cadre, Principle Bench of MAT has decided that candidates should be treated in service from the date of Joining training in **O.A. No. 576/2015 in Ashok Prahlad Vs. State of Maharashtra,** this order has been confirmed by the Hon'ble High Court. The Id. counsel for the applicant is requested to file Judgment of Hon'ble High Court on record. This policy has been implemented by the department. In this case the cadre is different. However, prayer is similar. The Id. P.O. is directed to file reply within three weeks as a last chance. If reply is not file, matter will be heard on merit.

**S.O. three weeks.**

**Member(J)**  
**Date:-18/12/2018.**  
aps.

**Member(A)**

**O.A.No. 189/2010. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

**M.C.A.33/2018:-**

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

2. The Id. Counsel for the applicant has pointed out that on 31/10/2018, the board was not published. It was checked and published on Hon'ble High Court and MAT website too. However, issue notice to the respondents.

3. Notice on M.C.A. to Respondent nos. 2 to 4 be issued returnable in **four weeks**.

4. Shri A.M.Khadatkar the learned P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. 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:-18/12/2018.**  
aps.

**Member(A)**



**O.A.No. 194/2017. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

**M.C.A.Nos.29 & 30/2018:-**

Shri A.A.Syed, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

The Id. Counsel for the applicant has submitted that on many occasions previous counsel didn't appeared. Therefore, the M.C.A. for condonation of delay as well as M.C.A. for Restoration **are allowed**. The Id. P.O. has no objection for the same.

**S.O. four weeks.**

**Member(J)**  
**Date:-18/12/2018.**  
aps.

**Member(A)**

**O.A.No. 277/2018. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Shri A.S.Tiwari, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. P.O. for the respondent nos. 1 to 3. None for the respondent no. 4.

The Id. C.P.O. submits that he needs three weeks time to file reply.

The Id. Counsel for the applicant submits that the O.A.No. 281/18 is connected to the O.A.277/2018. So, *put up this matter along with the O.A. 281/2018.*

**S.O. three weeks.**

**Member(J)  
Date:-18/12/2018.  
aps.**

**Member(A)**

**O.A.No. 722/2018. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

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

The Id. Counsel for the applicant has submitted Judgment of Principle Bench, MAT, Mumbai in O.A. No. 204/2018. He relied on the operative part of the Judgment. He is directed to supply the same to the Id. P.O..

The Id. P.O. seeks three weeks time to file Reply on behalf of the respondent nos. 3 and 4. At his request, **S.O. three weeks for reply.**

**Member(J)**  
**Date:-18/12/2018.**  
aps.

**Member(A)**

**O.A.No. 728/2018. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

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

The Id. Counsel for the applicant has invited my attention to the G.R. No. 1010/536/188/120/17/2016 on P.B., Pg. No. 8 (Annexure-A-1) and seeks direction for decision of representation by the said committee. However, the Id. P.O. pleads time for filing reply.

**S.O. two weeks for reply.**

**Member(J)  
Date:-18/12/2018.  
aps.**

**Member(A)**

**O.A.No. 710/2018. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

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

The Id. P.O. filed the affidavit-in-reply on behalf of the respondent nos. 1 to 4. The same is taken on record. Copy of the same is supplied to the other side.

**S.O. four weeks for Rejoinder, if any.**

**Member(J)  
Date:-18/12/2018.  
aps.**

**Member(A)**

**O.A.No. 749/2016. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Shri N.S.Warulkar, 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 placed on record the G.R. No. Lokl d&1413@i z d z 228@16&v] fnukd 28@02@2014 on P.B., Pg. No. 27 and 28 (both inclusive). In the said G.R., the G.R. No. I h, u, I &1087@499@d-ua12@16&v] fnukd 04-03-1991 is also mentioned.

The Id. Counsel for the applicant has approached to this Tribunal against the communication at P.B., Pg. No. 23, bearing No. d z x g d k ; & 15 1/2 @ I h v k j - d z 100 - d l f o 131 @ 2015] fnukd 18-11-2015] from Collector, Nagpur to the applicant.

We have heard, the Id. Counsel for the applicant and Id. P.O. and after discussion, the G.R. No. [I d h. & 1003 @ i z d z & 16 @ 2003 @ 13 & v \] fnukd 19-11-2003](#) and G.R. No. Lokl d&1413@i z d z 228@16@v] fnukd 28-02-2014- Respondents are directed to take necessary steps, as per the provisions of G.R. No. Lokl d&1413@i z d z 228@16@v] fnukd 28-02-2014 and G.R. No.

I h, u, l & 1087@499@d-ua12@16&v] fnukd 04-03-1991- They take the decision on the applicants application. The decision should be taken and communicated to the applicant **within six weeks** from the date of this order.

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

**Member(J)**  
**Date:-18/12/2018.**  
aps.

**Member(A)**

**O.A.No. 275/2012. (D.B.)**

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

**Dated : 18<sup>th</sup> December 2018.**

Shri N.R.Saboo, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

The Id. Counsel for the applicant has invited out attention on P.B., Pg. No. 34 (B), the Government order no. d&v; , I V&2008@i&d& 140@m |k&3] fnukd 26@07@2016 in para no. 4 (2) on P.B., Pg. No. 34 (C) it is mentioned:-

orufuf' prhp i&; {A ykHA ink&uhrtP; k i nkoj : tq  
>K; P; k fnukd ki kl u vuKs gky-

The Id. Counsel for the applicant has contested on the above line only. The applicant is a retired person. The matter relates to the Government, M.P.S.C. & Finance department only.

The Id. P.O. seeks two weeks time to file reply. **S.O. two weeks.**

**Member(J)**

**Date:-18/12/2018.**

aps.

**O.A.No. 644/2013. (D.B.)**

**Member(A)**



**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**  
**Dated : 18<sup>th</sup> December 2018.**

Shri A.Mardikar, 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 challenged the order No. dt  
ilel #13@22@12%elqj & o/W/@152@2012] dated  
09/11/2012 on P.B., Pg. No. 16 (Annexure-A-1) by Additional D.G. (Administration). It is said that, the applicant was absent from duty without permission and for that S.P., Wardha has imposed certain punishment. The applicant has gone in appeal to Special I.G.P. and again the applicant has gone in appeal to Additional D.G. (Administration), Additional D.G. (Administration) has rejected the second appeal.

The Id. P.O. submits that from department the applicant has preferred an appeal before the Government, there is no record available with department. The Id. P.O. is directed to file on record all the relevant papers including proof that applicant has preferred an appeal against this order to the Government and details of D.E..

**S.O. after winter vacation.**

**Member(J)**  
**Date:-18/12/2018.**  
aps.

**Member(A)**

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

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

**Dated : 18<sup>th</sup> December 2018.**

Smt. Shiba Thakur holding for Shri P.S.Sahare, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

At the request of Id. Counsel for the applicant, **S.O. after winter vacation.**

**Member(J)**  
**Date:-18/12/2018.**  
aps.

**Member(A)**

O.A.No. 258/2018. (D.B.)

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

**Dated : 18<sup>th</sup> December 2018.**

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

At the request of Id. P.O., **S.O. after  
winter vacation.**

**Member(J)  
Date:-18/12/2018.  
aps.**

**Member(A)**