

**O.A. Nos.983 & 984 of 2012. (D.B.)**

**Coram:Shri Shree Bhagwan,  
Member (A) & Shri A.D. Karanjkar,  
Member (J)  
Dated : 27<sup>th</sup> March 2019.**

Shri N.S. Ingale, Adv. holding for Shri P.S. Wathore, the Ld. counsel for the applicants and Shri V.A. Kulkarni, the learned P.O. for the respondents.

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

**Member (J)**

**Member (A)**

Dt. 27.3.2019.  
pdg.

**O.A. Nos.03 & 04 of 2017. (D.B.)**

**Coram:Shri Shree Bhagwan,  
Member (A) & Shri A.D. Karanjkar,  
Member (J)  
Dated : 27<sup>th</sup> March 2019.**

Shri K.A. Mishra, Adv. holding for Shri N.B. Bargat, Ld. counsel for the applicants and Shri H.K. Pande, the learned P.O. for the respondents.

At the request of the Ld. P.O.,S.O.  
**29.3.2019.**

**Member (J)**

**Member (A)**

Dt. 27.3.2019.  
pdg.

**O.A. No.331 of 2007. (D.B.)**

**Coram:Shri Shree Bhagwan,  
Member (A) & Shri A.D. Karanjkar,  
Member (J)  
Dated : 27<sup>th</sup> March 2019.**

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

The Ld. counsel for the applicant submits that his file is missing and he will search his file and argue the mater on the next date.

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

**Member (J)**

**Member (A)**

Dt. 27.3.2019.  
pdg.

O.A. No.861 of 2012. (D.B.)

**Coram:** Shri Shree Bhagwan,  
Member (A) & Shri A.D. Karanjkar,  
Member (J)  
**Dated :** 27<sup>th</sup> March 2019.

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

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

**Member (J)**

**Member (A)**

Dt. 27.3.2019.  
pdg.

O.A. No.500 of 2015.

(D.B.)

**Coram:Shri Shree Bhagwan,  
Member (A) & Shri A.D. Karanjkar,  
Member (J)  
Dated : 27<sup>th</sup> March 2019.**

Shri S.N. Gaikwad, Ld. counsel for  
the applicant and Shri V.A. Kulkarni, the  
learned P.O. for the respondents.

S.O. **29.3.2019.**

**Member (J)**

**Member (A)**

Dt. 27.3.2019.  
pdg.

O.A. No.32 of 2016.

(D.B.)

**Coram:** Shri Shree Bhagwan,  
Member (A) & Shri A.D. Karanjkar,  
Member (J)  
**Dated :** 27<sup>th</sup> March 2019.

None for the applicant. Shri S.A.  
Sainis, the learned P.O. for the respondents.

S.O. **29.3.2019.**

**Member (J)**

**Member (A)**

Dt. 27.3.2019.  
pdg.

O.A. No.761 of 2017.

(D.B.)

**Coram:Shri Shree Bhagwan,**  
**Member (A) & Shri A.D. Karanjkar,**  
**Member (J)**  
**Dated : 27<sup>th</sup> March 2019.**

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

At the request of both parties, S.O.  
**29.3.2019.**

**Member (J)**

**Member (A)**

Dt. 27.3.2019.  
pdg.

O.A. Nos.459 & 503 of 2017. (D.B.)

**Coram:Shri Shree Bhagwan,  
Member (A) & Shri A.D. Karanjkar,  
Member (J)  
Dated : 27<sup>th</sup> March 2019.**

Shri Praful Kangale, Adv. holding for  
Shri R.V. Shiralkar, Ld. counsel for the  
applicants and Shri H.K. Pande, the learned  
P.O. for the respondents.

At the request of the Ld. counsel for  
the applicants, S.O. **one week.**

**Member (J)**

**Member (A)**

Dt. 27.3.2019.  
pdg.



O.A. No.197/2017

(D.B.)

**Coram:**Shri Shree Bhagwan,  
Member (A) & Shri A.D. Karanjkar,  
Member (J)  
**Dated :** 27<sup>th</sup> March 2019.

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

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

**Member (J)**

**Member (A)**

Dt. 27.3.2019.  
pdg.

O.A. No.32/2016

(D.B.)

**Coram:** Shri Shree Bhagwan,  
Member (A) & Shri A.D. Karanjkar,  
Member (J)  
**Dated :** 27<sup>th</sup> March 2019.

None for the applicant. Shri S.A.  
Sainis, learned P.O. for the respondents.

S.O. **29.3.2019.**

**Member (J)**

**Member (A)**

Dt. 27.3.2019.  
pdg.

O.A. No. 866/2018 **(SB)**

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

**Dated : 27.03.2019**

Shri K.J. Khanorkar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. one week** for filing reply as a last chance.

**Member (J)**

dnk.

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

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

**Dated : 27.03.2019**

None for the applicants. Heard Shri H.K. Pande, Id. P.O.for R-1&2 and Shri P.V. Ghare, Id .counsel for R-3 to 5.

2. Since the pleadings are complete, the matter is admitted and be kept for final hearing.

3. The learned P.O. as well as Id. counsel for R-3 to 5 waives respective notices.

**S.O. 10/04/2018.**

**Member (J)**

dnk.

O.A. No. 72/2019 (SB)

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

**Dated : 27.03.2019**

None for the applicant. Shri S.A. Deo,  
Id. CPO for R-1. Await service of R-2.

**S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 81/2019 (SB)

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

**Dated : 27.03.2019**

Heard Shri S.N. Gaikwad, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 to 3. None for R-4. None for Intervener.

2. The applicant is permitted to amend the O.A. by inserting name of Intervener.

**S.O. two weeks.**

**Member (J)**

dnk.

O.A. No. 99/2019 (SB)

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

**Dated : 27.03.2019**

**C.A. 86/2019 -**

Shri P.K. Mishra, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1 to 5. None for R-6.

**S.O. 29/03/2019.**

**Member (J)**

dnk.

O.A. No. 129/2019 **(SB)**

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

**Dated : 27.03.2019**

Ms. S.P. Agrawal, Id. counsel holding for Shri S.V. Bhutada, Id .counsel fort he applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2.

2. Perused the order passed in Writ Petition No.1769/2019 on 01/03/2019 in which the Hon'ble High Court has disposed of the O.A. itself, therefore, the proceeding is closed. No order as to costs.

**Member (J)**

dnk.

**(SB)**

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

**Dated : 27.03.2019**

**C.A.73/19 in O.A.134/19, C.A.74/19 in  
O.A.135/19, C.A.75/19 in O.A.136/19 &  
C.A.76/19 in O.A.137/19**

None for the applicants.

Shri S.A. Deo, Id. CPO for the respondents.

**S.O. three weeks.**



**Member (J)**

dnk.

O.A. No. 565/2018 **(SB)**

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

**Dated : 27.03.2019**

Shri A.K. Tripathi, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

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

**Member (J)**

dnk.

O.A. No. 158/2018 **(SB)**

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

**Dated : 27.03.2019**

Shri N.C. Phadnis, Id. counsel for the applicants 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. 122/2017 **(SB)**

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

**Dated : 27.03.2019**

Shri D.I. Charlewar, Id. counsel for the applicnat and Shri A.P.Potnis, Id. P.O. for R-1 to 3. None for R-4.

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

**Member (J)**

dnk.

O.A. No. 502/2017 **(SB)**

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

**Dated : 27.03.2019**

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

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 527/2017 **(SB)**

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

**Dated : 27.03.2019**

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

**S.O. three weeks.**

**Member (J)**

dnk.

O.A. No. 452/2018 (SB)

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

**Dated : 27.03.2019**

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

**S.O. 08/04/2019** for filing citations on record.

**Member (J)**

dnk.

O.A. No. 974/2018 (SB)

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

**Dated : 27.03.2019**

Shri A.D. Patil, 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. one week**.

**Member (J)**

dnk.

O.A. No. 29/2019 **(SB)**

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

**Dated : 27.03.2019**

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

The matter be treated as **P.H.** and it be kept on board on **01/04/2019**.

**Member (J)**

dnk.



Rev. A. 15/18 in O.A. No. 974/17 (SB)

**Coram : Hon'ble Shri Shree Bhagwan,  
Member (A).**

**Dated : 27.03.2019**

Heard Shri N.S. Warulkar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The learned P.O. has filed communication dated 19/02/2019 received from the office of A.G. in which it is mentioned that the A.G. had raised objection on pension papers of the applicant vide their letters dated 23/05/2017 and 08/01/2018 to the Superintendent, State Excise, Wardha. The Superintendent, State Excise had communicated to the Up-Lok Ayukta, M.S., Mumbai vide letter dated 23/10/2018 and copy of order is endorsed to A.G. by the said communication. These facts were not brought to the notice of the Bench when the order dated 26/07/2018 was passed and the O.A. was disposed off since the learned counsel for the applicant was absent. However, in the interest of justice the O.A. needs to be re-heard

before proper Bench. In view of these facts, it appears that regular ad-hoc promotion of the applicant was pending with the Commissioner of State Excise, M.S., Mumbai and unless that ad-hoc promotion is regularized, the applicant's pension cannot become at par with other officers who were also given ad-hoc promotion along with the applicant. When the O.A. was disposed of on 26/07/2018 the learned counsel for the applicant was not present. Hence, the following order –

**ORDER**

- (i) The Review Application is allowed.
- (ii) The Judgment in O.A. 974 of 2017 delivered by this Tribunal on dated 26/07/2018 is quashed and set aside and the case will be considered afresh on merits.

(iii) The applicant is at liberty to make Commissioner, State Excise, M.S., Mumbai as respondent in the O.A.

(iv) The O.A.No. 974 of 2017 stands restored to its original number and it be heard on merits.

(v) **S.O. 04/04/2019.**

**Member (A)**

dnk.

O.A.No. 858/2018.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

**Dated: 27<sup>th</sup> March 2019.**

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

Pleadings are over. Matter is **admitted** and kept for final hearing.

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

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

**Member(A)**

**Date:-27/03/2019.**

aps.

O.A.No. 692/2014.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

**Dated : 27<sup>th</sup> March 2019.**

**C.A.Nos. 374 & 375/2017:-**

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

**C.A. No. 374/2017 for early hearing is allowed.**

Matter will be put up before regular Division Bench.

**S.O. 09/04/2019.**

**Member(A)**

**Date:-27/03/2019.**

aps.

O.A.No. 92/2017.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> March 2019.**

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

The Id. P.O. submits that the reply of respondent no. 4 is not filed. He further seeks time to file reply on behalf of the respondent nos. 1 to 3.

**S.O. two weeks.**

**Date:-27/03/2019.**  
aps.

**Member(A)**

O.A.No. 205/2017.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

**Dated : 27<sup>th</sup> March 2019.**

None for the applicant. Shri V.A.Kulkarni, the Id. P.O. for the respondent no. 1. Await service of respondent nos. 2 to 4.

**S.O. two weeks.**

**Member(A)**

**Date:-27/03/2019.**

aps.

O.A.No. 254/2017.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

**Dated: 27<sup>th</sup> March 2019.**

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

As suggested by Id. P.O., matter is  
**admitted** and kept for final hearing.

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

The Id. Counsel for the applicant is at  
liberty to file Rejoinder, if any.

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

*Put up before regular Division Bench.*

**Member(A)**

**Date:-27/03/2019.**  
aps.



O.A.No. 34/2018.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> March 2019.**

None for the applicant. Shri H.K.Pande,  
the Id. P.O. for the respondent nos. 1 to 4.  
None for the respondent no. 5.

The Id. P.O. seeks time to file reply.

**S.O. four weeks.**

**Date:-27/03/2019.**  
aps.

**Member(A)**

O.A.No. 34/2018.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> March 2019.**

None for the applicant. Shri H.K.Pande,  
the Id. P.O. for the respondent nos. 1 to 4.  
None for the respondent no. 5.

The Id. P.O. seeks time to file reply.

**S.O. four weeks.**

**Date:-27/03/2019.**  
aps.

**Member(A)**

O.A.No. 217/2018.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> March 2019.**

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

The Id. P.O. seeks time to file reply.

**S.O. three weeks.**

**Date:-27/03/2019.**  
aps.

**Member(A)**

O.A.No. 217/2019.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

**Dated : 27<sup>th</sup> March 2019.**

**C.A.108/2019:-**

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

**2. C.A. No. 108/2019 for Jt. O.A. is allowed.**

3. If any promotion given as per the seniority list published as on dated 01/01/2018 by respondent no. 2, shall be subject to the outcome of the O.A..

4. Issue notice to R-2 & 3, returnable on four weeks. Learned 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(A)**

**Date:-27/03/2019.**  
aps.

O.A.No. 174/2016.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

**Dated: 27<sup>th</sup> March 2019.**

None for the applicant. Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent nos. 3 & 4.

2. As submitted by Id. P.O., reply of respondents as well as intervenor has been filed.

3. Hence, matter is **admitted** and kept for final hearing before regular Division Bench. Meanwhile, the applicant as well as intervenor are at liberty to file Rejoinder, if any.

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

5. **S.O. four weeks.**

**Member(A)**

**Date:-27/03/2019.**

aps.

O.A.No. 638/2017.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

**Dated: 27<sup>th</sup> March 2019.**

Shri R.Joshi, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. None for the respondent no. 2.

2. The Id. C.P.O. seeks time to file reply on behalf of the respondent no. 1, which is necessary in this case.

3. **S.O. two weeks.**

**Member(A)**

**Date:-27/03/2019.**

aps.





O.A.No. 579/2018.

(D.B.)

**Coram: Shri Shree Bhagwan, Member(A)**

**Dated : 27<sup>th</sup> March 2019.**

Shri D.M.Kakani, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

2. As per the order dated 03/01/2019, the Id. P.O. has filed reply on behalf of the respondent nos. 1 & 2, which is taken on record. Copy is served to the other side.

3. However, the Id. Counsel for the applicant has pointed out that the order dated 03/01/2019 in the last para, following observations have been made:-

*"Respondents are directed that if at all promotions are given, required number of posts for the applicants should be kept vacant before issuing further promotion."*

4. The above same should be continued till disposal of this O.A..

5. **S.O. two weeks for filing Rejoinder, if any.**

**Member(A)**

**Date:-27/03/2019.**

aps.

