

O.A. 399/2020 (D.B.)

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

Dated : 06/08/2020.

Shri S.,N. Gaikwad, Id .counsel holding for
Shri D.M. Kakani, Id. counsel for the applicant and
Shri M.I. Khan, Id. P.O. for the State.

At the request of Id. counsel for the applicant,

S.O. 10/8/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 413/2020 (D.B.)

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

Dated : 06/08/2020.

Shri S.,N. Gaikwad, Id .counsel holding for
Shri D.M. Kakani, Id. counsel for the applicant and
Shri M.I. Khan, Id. P.O. for the State.

At the request of Id. counsel for the applicant,

S.O. 10/8/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 287/2020 (D.B.)

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

Dated : 06/08/2020.

Shri N.R. Saboo, Id .counsel holding for Shri
A. P. Tathod, 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 to 4.
It is taken on record. Copy is served on the applicant.
The matter is admitted and it be kept for final hearing.

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

S.O. after four weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 405/2020 (D.B.)

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

Dated : 06/08/2020.

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

At the request of Id. P.O., **S.O. 17/8/2020.**

Member (J)

Vice-Chairman

dnk.

O.A. 407/2020 (D.B.)

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

Dated : 06/08/2020.

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

At the request of Id. P.O., **S.O. 17/8/2020.**

Member (J)

Vice-Chairman

dnk.

O.A. 829/2019 (D.B.)

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

Dated : 06/08/2020.

C.A. 189/2020 -

Shri S,.N. Gaikwad, Id .counsel holding for
Shri D.M. Kakani, 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. 13/8/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 948/2017 (D.B.)

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

Dated : 06/08/2020.

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

2. The respondent no.1 has already filed the reply and raised objection that MPSC cannot be sued through its Chairman. The Secretary of MPSC is an authority to defend the legal action.

3. The learned counsel for the applicant submitted that he would take necessary steps within two weeks.

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

Member (J)

Vice-Chairman

dnk.

O.A. 264/2020 (D.B.)

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

Dated : 06/08/2020.

C.A. 181/2020 -

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

2. It is grievance of the applicant that though he retired in May,2019, till today his pension and other retiral benefits are not released and therefore direction may be given. We direct the respondents to show cause why Civil Application should not be allowed. The respondents to file their reply within one week.

S.O. one week.

Member (J)

Vice-Chairman

dnk.

C.P. 13/2020 in O.A. 181/2019 (D.B.)

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

Dated : 06/08/2020.

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

2. The Id. counsel for the applicant submitted that two weeks time is required to seek instructions from the applicant whether any amount is deposited in his account.

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

Member (J)

Vice-Chairman

dnk.

O.A. 1087/2019 (D.B.)

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

Dated : 06/08/2020.

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

2. It is submitted that the applicant is not pressing the interim relief today and he has reserved his right as and when occasion arises.

3 Issue notices to the respondents returnable **after four weeks**. Learned C.P.O. waives notice for State. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. 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.

6. 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.

7. 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.

8. 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.

S.O. after four weeks.

Member (J)

Vice-Chairman

dnk.

O.A. 212/2019 (D.B.)

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

Dated : 06/08/2020.

Shri S.N. Gaikwad, Id. counsel for the applicants and Shri A.P.Potnis, Id. P.O. for the respondents.

The Id. P.O. has filed reply of R-2. It is taken on record. Copy is served on the applicant. The Id. counsel for the applicant wants to go through the same. At his request, **S.O. 17/8/2020.**

Member (J)

Vice-Chairman

dnk.

O.A. 610/2019 (D.B.)

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

Dated : 06/08/2020.

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

Closed for orders.

Member (J)

Vice-Chairman

dnk.

C.P. 15/2020 in O.A. 953/2019 (D.B.)

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

Dated : 06/08/2020.

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

2. The Id. P.O. has produced copy of the letter received from the Under Secretary, Revenue and Forest Department, Government of Maharashtra dated 5/8/2020. It is mentioned in the letter that in pursuance of the order passed by this Bench on 23/7/2020, the case of the applicant was placed before the Establishment Board and the report is forwarded to the GAD for issuing promotion order.

3. In view of this, two weeks time is granted to the respondents to take suitable decision.

S.O. 20/8/2020.

Steno copy be supplied to the P.O.

Member (J)

Vice-Chairman

dnk.

O.A. 414/2020 (D.B.)

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

Dated : 06/08/2020.

C.A. 199/2020 -

Heard Shri N.R. Saboo, Id. counsel for the applicants and Shri P.N. Warjurkar, 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. stands disposed of accordingly.

O.A. 414/2020 –

Heard Shri N.R. Saboo, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the State.

2. It is grievance of the applicants that in terms of the G.R. dated 31/5/2017 (A-1) the options were submitted by the applicants and their names were incorporated in the seniority list of the Executive Engineer/ District Water Conservation Officer. It is grievance of the applicants that disregarding their seniority in the cadre, the respondents are not considering them for the next promotion and letter is issued by the Department to fill 7 posts by deputation.

3. The learned counsel for the applicants invited our attention to Rule 5 (a) & 5 (b) of the Notification dated 31/10/2019. Vide this notification, the rules are brought in force to fill the posts of the Regional Water Conservation Officer and other equivalent Officer and clause (a) said that the posts be filled by promotion on the basis of seniority subject to the fitness if a person holding the post of District Water Conservation Officer and other equivalent post to have completed service more than three years. It is submitted that the applicants have completed service more than three years in the cadre and therefore the applicants are eligible for the promotion. It is contended that Rule-5, Clause (b) controls the Clause (b) of the Rules. It says that a person can be deputed only in the event when no officer is available to promote as provided in clause (a).

4. In view of this, we accept that if the protection is not given to the applicants, then serious prejudice will be caused to them if order of deputation is passed. In view of this situation, we direct that the respondents to maintain status-quo as on today.

5. Issue notice to the respondents returnable on 17/8/2020. Learned P.O. waives notice for State. Hamdast allowed.

6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

7. 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.

8. 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.

9. 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.

10. 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.

S.O. 17/8/2020.

Steno copy be supplied.

Member (J)

Vice-Chairman

dnk.

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O.A. 1001 / 2019 (SB)

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

Dated : 06.08.2020

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri V.A. Kulkarni, 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. 207/2020 (SB)

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

Dated : 06.08.2020

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

2. The learned P.O. seeks time again to file reply.

3. The representation is made by the applicant on 24/02/2020. The learned counsel for the applicant submitted that direction be given to the respondents to consider the representation made by the applicant in pursuance of the G.R. dated 7/7/2020. In view of this, the respondents are directed to consider the representation of the applicant dated 24/2/2020 in view of the guidelines in the G.R. dated 7/7/2020 within 30 days from the date of this order.

4. The O.A. stands disposed off. No order as to costs.

Member (J)

dnk.

O.A. 271/2020 (SB)

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

Dated : 06.08.2020

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

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

Member (J)

dnk.

O.A. 290/2020 (SB)

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

Dated : 06.08.2020

None for the applicant. Shri M.I. Khan, 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. 419/2020 (SB)

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

Dated : 06.08.2020

C.A. 195/2020 -

Heard Shri S.K. Verma, Id. counsel for the applicants and Shri V.A. Kulkarni, 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. stands disposed of accordingly.

O.A. 419/2020 -

Heard Shri S.K. Verma, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the State.

2. The applicants are challenging the impugned order dated 28/11/2019 and some orders are passed on 18/11/2019, 17/10/2019, 3/11/2019 and 16/9/2019. All the orders are passed by the Accountant General (M.S.) directing to recover the excess amount of gratuity, commutation of pension with direction to withdraw one step promotion which was given to the applicants.

3. The learned counsel for the applicants submitted that without giving opportunity of hearing, the impugned orders of recovery are issued. The applicants retired from the services in the years 2012,2011,2014,2013 & 2011 respectively.

4. It is submitted that the impugned orders which are unilateral are bad in law. In view thereof, the said impugned orders of recovery are hereby stayed till filing of the reply by the respondents.

5. In the meantime, issue notices to the respondents returnable after four weeks. Learned P.O. waives notice for the State. Hamdast allowed.

6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

7. Applicants are 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.

8. 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.

9. 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. Applicants are directed to file Affidavit of compliance and notice.

10. 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.

S.O. after four weeks.

Member (J)

dnk.

O.A. 426/2020 (SB)

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

Dated : 06.08.2020

C.A. 196/2020 -

Heard Shri S.K. Verma, Id. counsel for the applicants and Shri V.A. Kulkarni, 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. stands disposed of accordingly.

O.A. 419/2020 -

Heard Shri S.K. Verma, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the State.

2. The applicants are challenging the impugned order dated 10/10/2019 and some orders are passed on 05/11/2019, and 18/11/2019. All the orders are passed by the Accountant General (M.S.) directing to recover the excess amount of gratuity, commutation of pension with direction to withdraw one step promotion which was given to the applicants.

3. The learned counsel for the applicants submitted that without giving opportunity of hearing, the impugned orders of recovery are issued. The applicants retired from the services in the years 2014, 2014 & 2012 respectively.

4. It is submitted that the impugned orders which are unilateral are bad in law. In view thereof, the said impugned orders of recovery are hereby stayed till filing of the reply by the respondents.

5. In the meantime, issue notices to the respondents returnable after four weeks. Learned P.O. waives notice for the State. Hamdast allowed.

6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

7. Applicants are 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.

8. 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.

9. 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. Applicants are directed to file Affidavit of compliance and notice.

10. 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.

S.O. after four weeks.

Member (J)

dnk.

O.A. 406/2020 (SB)

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

Dated : 06.08.2020

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

2. The learned P.O. has filed the copy of letter dated 29/07/2020 written by the Sub Divisional Engineer, P.W.D., Sub-Division, Jalgaon-Jamod. The matter be taken up for hearing on Monday. Till then status-quo as on today be maintained.

S.O. 20/08/2020.

Member (J)

dnk.

O.A. 897 / 2019 (SB)

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

Dated : 06.08.2020

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

2. The Id. P.O. files reply on behalf of R-1 to 3. It is taken on record. Copy is served on the applicant.

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

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

S.O. 28/8/2020.

Member (J)

dnk.

O.A. 1084/2019 (SB)

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

Dated : 06.08.2020

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

S.O. 28/8/2020 for filing reply.

Member (J)

dnk.

O.A. 1085/2019 (SB)

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

Dated : 06.08.2020

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

S.O. 28/8/2020 for filing reply.

Member (J)

dnk.

O.A. 417/2020 (SB)

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

Dated : 06.08.2020

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the State.

2. Issue notice to the respondents returnable **after three weeks**. Learned .P.O. waives notice for the State. 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.

S.O. after three weeks.

Member (J)

dnk.

O.As. 420,421,422,423,424 & 425 of 2020
(SB)

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

Dated : 06.08.2020

Heard Shri S.K. Verma, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the State.

2. Issue notices to the respondents returnable **after four weeks**. Learned .P.O. waives notice for the State. 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. Applicants are 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. Applicants are 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.

S.O. after four weeks.

Member (J)

dnk.

O.A. 427/2020 (SB)

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

Dated : 06.08.2020

Heard Shri V.R. Borkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The applicant retired in the year 2013. It is grievance of the applicant that the Additional Treasury Officer passed the order and to recover the amount of Rs.3,06,114/- by installments. It is contended that the impugned order is passed without hearing the applicant.

3. In view of this, the impugned recovery be stayed till filing of the reply by the respondents.

4. In the meantime, issue notices to the respondents returnable **after four weeks**. Learned P.O. waives notice for the State. 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.

S.O. after four weeks.

Member (J)

dnk.

O.A. 428/2020 (SB)

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

Dated : 06.08.2020

Heard Shri V.R. Borkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The applicant retired in the year 2013. It is grievance of the applicant that the Additional Treasury Officer passed the order and to recover the amount of Rs.2,39,461/- by installments. It is contended that the impugned order is passed without hearing the applicant.

3. In view of this, the impugned recovery be stayed till filing of the reply by the respondents.

4. In the meantime, issue notices to the respondents returnable **after four weeks**. Learned P.O. waives notice for the State. 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.

S.O. after four weeks.

Member (J)

dnk.

O.A. 429/2020 (SB)

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

Dated : 06.08.2020

Heard Shri V.R. Borkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The applicant retired in the year 2012. It is grievance of the applicant that the Additional Treasury Officer passed the order and to recover the amount of Rs.3,60,028/- by installments. It is contended that the impugned order is passed without hearing the applicant.

3. In view of this, the impugned recovery be stayed till filing of the reply by the respondents.

4. In the meantime, issue notices to the respondents returnable **after four weeks**. Learned P.O. waives notice for the State. 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.

S.O. after four weeks.

Member (J)

dnk.

O.A. 430/2020 (SB)

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

Dated : 06.08.2020

Heard Shri V.R. Borkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The applicant retired in the year 2012. It is grievance of the applicant that the Additional Treasury Officer passed the order and to recover the amount of Rs.1,18,604/- by installments. It is contended that the impugned order is passed without hearing the applicant.

3. In view of this, the impugned recovery be stayed till filing of the reply by the respondents.

4. In the meantime, issue notices to the respondents returnable **after four weeks**. Learned P.O. waives notice for the State. 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.

S.O. after four weeks.

Member (J)

dnk.

O.A. 588 / 2019 **(SB)**

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

Dated : 06.08.2020

Shri P.S. Patil, 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. 20/08/2020**.

Member (J)

dnk.

O.A. 764 / 2019 (SB)

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

Dated : 06.08.2020

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

At the request of Id. counsel for the applicant, **S.O. 20/08/2020.**

The matter be treated as **P.H.**

Member (J)

dnk.

* *

O.A.No.407/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/08/ 2020.**

Heard Shri M.K.Mishra, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The Id. P.O. desires three weeks time to file reply. **S.O. 27/08/2020 as a last chance.**

Vice Chairman

Date:-06/08/2020.

aps.

O.A.Nos.976,977&1054/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/08/ 2020.**

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

2. After repeated dates, respondents have failed to file reply.

3. **Closed for orders.**

Vice Chairman

Date:-06/08/2020.
aps.

O.A.No.268/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/08/ 2020.

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. The Id. P.O. desires two weeks time to file reply. **S.O. 20.08.2020 as a last chance.**

Vice Chairman

Date:-06/08/2020.

aps.

O.A.No.418/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/08/ 2020.

C.A.No.197/2020:-

Heard Shri P.K.Mishra, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State.

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

3. Shri H.K.Pande the learned P.O. waives notice for respondent no.1. Hamdast granted.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. 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.

6. 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.

7. 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.

8. 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.

9. **S.O. four weeks.**

Vice Chairman

Date:-06/08/2020.
aps.

O.A.No.415/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/08/ 2020.

C.A.No.198/2020:-

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the State.

2. As agreed by both the counsels; grievances of the applicants are same. In view of this, **C.A. No. 198/2020 for Jt. O.A. is allowed and disposed of.**

3. Issue notice to R-2, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. 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.

6. 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.

7. 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.

8. 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.

9. **S.O. four weeks.**

Vice Chairman

Date:-06/08/2020.

aps.

O.A.No.896/2019 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/08/ 2020.**

None for the applicant. Shri P.N.Warjekar,
the Id. P.O. for the State. Await service of respondent
nos. 2 & 3.

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

Vice Chairman

Date:-06/08/2020.
aps.

O.A.No.416/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/08/ 2020.

Heard Shri N.R.Saboo, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the State.

2. The Id. counsel for the applicant relied upon Government G.R. dated 30.08.2018 (Annexure-A-7, P.B., Pg. No. 36), he had mainly relied on Government decision on P.B., Pg. No. 37; he further submits that the D.P.C. took place on 03.09.2019 and applicant name was kept in sealed envelope; again D.P.C. took place on 16.09.2019. However, the Id. counsel for the applicant has also invited my attention that after three days applicant has made representation to Deputy Director, Land Record, Nagpur vide his representation dated 21.09.2019 (Annexure-A-3, P.B., Pg. No. 19) and applicant case has been recommended by Deputy Director, Land Record Nagpur by his letter dated 24.09.2019 (Annexure-A-4, P.B., Pg. No. 20) and again his case has been recommended by Additional Commissioner, Land Record, Pune vide his letter dated 31.12.2019 (Annexure-A-5, P.B., Pg. Nos. 21 & 22)

3. Issue notice to R-2 & 3, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. 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.

6. 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.

7. 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.

8. 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.

9. In view of the above discussions, Respondents are directed to decide the applicant's case as per the recommendations of Deputy Director, Nagpur and Additional Commissioner, Pune **within four weeks** from the date of this order.

10. S.O. four weeks.

Date:-06/08/2020.
aps.

Vice Chairman

O.A.No.88/2016 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/08/ 2020.

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

2. As per the request of Id. P.O., **S.O.**
10.08.2020.

Vice Chairman

Date:-06/08/2020.

aps.

O.A.No.281/2020 (S.B.)

Coram:Shri Shree Bhagwan, Vice Chairman
Dated :06/08/ 2020.

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

2. The Id. counsel for the applicant has pointed out that in the order dated 27.07.2020 in para no. 5 some typographical mistakes were there, which are get corrected by this order, the same are below:-

A. Date 16.12.2020 needs to be corrected as date 16.04.2020.

B. Annexure-A-2 needs to be corrected as Annexure-A-4.

C. P.B., Pg. No. 18 needs to be corrected as P.B., Pg. No. 25.

Vice Chairman

Date:-06/08/2020.

aps.