

O.A. 113/2017 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

C.A. 547/2017 -

Heard Shri N.R. Shiralkar, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel or the applicants and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. one week** for filing reply on C.A.

Member (J).

dnk.

O.A. 373/2017 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

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

Member (J).

dnk.

O.A. 477/2018 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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. 859/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

2. The learned P.O. files reply of R-1 to 3. It is taken on record and copy is given to the Id. counsel for the applicant.

3. As per the submission of learned counsel for the applicant, the applicant has challenged the impugned order before the Hon'ble Governor. The appeal is pending. Therefore, he prayed to dispose of this O.A. subject to outcome of the appeal pending before the Hon'ble Governor of Maharashtra.

4. Hence, the O.A. is disposed off with liberty subject to outcome of the appeal pending before the Hon'ble Governor of Maharashtra. No order as to costs.

Member (J).

dnk.

O.A. 254/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

None for the applicants. Shri M.I. Khan,
Id. P.O. for R-1&2 and Shri T.M. Zaheer, Id.
counsel for R-3.

At the request of Id. counsel for R-3, **S.O.**
three weeks for filing reply.

Member (J).

dnk.

O.A. 271/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Shri N.R. Saboo, Id. counsel for the applicants, Shri A.M. Khadatkar, Id. P.O. for R-1 to 5 and Shri S.Y. Deopujari, Id. counsel for R-6 to 9 (Intervener).

2. The learned counsel for R-6 to 9 (Intervener) prayed to vacate the stay granted by this Tribunal.

3. The learned counsel for the applicant pointed out the Judgment of this Tribunal at Annex-A-7.

4. The learned P.O. seeks time to file reply. Two weeks time is granted for filing reply. Thereafter, the matter will be decided finally.

S.O. two weeks.

Member (J).

dnk.

O.A. 105/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

C.A. No. 99/2021

Heard Shri A.K. Waghmare, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

2. As per the submission of learned counsel for the applicant, there is no delay is caused, therefore, particular delay is not mentioned in this application.

3. The Id. C.P.O. has submitted that once the application is filed, it is to be mentioned how much delay is caused.

4. Looking to the submission of the learned counsel for the applicant, the C.A. No.99/2021 is allowed.

C.A. 35/2021-

Heard Shri A.K. Waghmare, Id. counsel or the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

2. As per submission of the Id. counsel for the applicants, both the applicants are similarly situated and they are praying the same relief. Hence, the C.A. for filing Jt. O.A. is allowed.

C.A. 100/2021

Heard Shri A.K. Waghmare, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

2. For the reasons stated in the application, the C.A. for amendment is allowed.

O.A. 105/2021 -

Heard Shri A.K. Waghmare, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

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

Member (J).

dnk.

O.A. 461/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Shri P.S. Patil, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2 to 4.

2. The Id. counsel for the applicant submits that the respondent nos.2&4 are served and service affidavit is filed to that effect.

3. At the request of Id. counsel, issue fresh notice to R-3, returnable on 17/12/2021. 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. The Id. CPO seeks time to file reply of R-2&4. Time is granted as prayed for.

S.O. 17/12/2021.

Member (J).

dnk.

O.A. 467/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

At the request of Id. P.O., **S.O. After
Winter Vacation** for filing reply.

Member (J).

dnk.

O.A. 541/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Ms. Rashmi N. Gaikwad, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. In the prayer clause-2, the applicant prayed for direction to the respondent no.3 to decide the representation dated 12/11/2020 at Annex-A-5.

3. Looking to the prayer clause-2 in this O.A., the O.A. is disposed off with a direction to the respondent no.3 to decide the applicant's representation dated 12/11/2020 at Annex-A-5 within a period of three months from the date of receipt of this order. No order as to costs.

Member (J).

dnk.

O.A. 683/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

2. The Id. counsel submits that the respondents are served and service affidavit is filed on record.

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

Member (J).

dnk.

O.A. 830/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Shri P.P. Khaparde, Id. counsel holding for Shri G.G. Bade, Id. counsel or the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

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

Member (J).

dnk.

O.A. 835/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

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

Member (J).

dnk.

O.A. 840/2021 (S.B.)

Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).

Dated : 06/12/2021.

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

At the request of Id. P.O., **S.O. After
Vacation** for filing reply.

Member (J).

dnk.

O.A. 860/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Shri P.V. Thakre, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

At the request of Id. C.P.O., **S.O. After Vacation** for filing reply.

Member (J).

dnk.

O.A. 864/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

2. The learned counsel for the applicant pointed out the letter at Annex-A-8 and submitted that the Principal, ITI, Wani, District Yavatmal constituted committee of three members.

3. The Id. P.O. is directed to get instructions and submit that whether the Committee is constituted or not.

S.O. 17/12/2021.

Member (J).

dnk.

O.A. 958/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Shri P.V. Thakre, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2 to 5.

The Id. counsel submits that all the respondents are served and he will file service affidavit today itself.

At the request of Id. P.O., **S.O. After Vacation** for filing reply.

Member (J).

dnk.

O.A. 962/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Shri P.P. Khaparde, Id. counsel holding for Shri G.G. Bade, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1.

Await service of R-2&3.

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

Member (J).

dnk.

O.A. 1009/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

2. The Id. P.O. has pointed out the order dated 3/12/2021, from which it appears that the suspension of the applicant is revoked and he is reinstated. It is stated that the applicant is directed to join the place of posting. Copy of the order is taken on record and marked Exh-X for identification.

3. In view of the order dated 3/12/2021, the O.A. become infructuous. Hence, the O.A. is disposed off. No order as to costs.

Member (J).

dnk.

O.A. 335/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

The reply is already filed.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for the respondents.

S.O. in due course.

Member (J).

dnk.

O.A. 986/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Shri D.M. Totey, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. As per submission of the learned counsel for the applicant, the applicant is placed under suspension from 8/7/2021 and till date no departmental enquiry is initiated.

3. The Id. P.O. is directed to get instructions as to whether departmental enquiry is started or not.

4. Issue notice to the respondents returnable on 16/12/2021. Learned P.O. waives notice for 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. 16/12/2021.

Member (J).

dnk.

O.A. 10/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Shri N.Z. Pathan, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The Id. counsel for the applicant wants to file relevant citations on record.

S.O. 8/12/2021.

Member (J).

dnk.

O.A. 97/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

With the consent of both the parties, **S.O.**
07/12/2021.

Member (J).

dnk.

O.A. 164/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

2. The Id. P.O. files reply of R-3. It is taken on record. Copy is given to the Id. counsel for the applicant.

3. At the request of Id .counsel for the applicant, **S.O. After Winter Vacation.**

Member (J).

dnk.

O.A. 641/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Shri S.N. Gaikwad, 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. one week.**

Member (J).

dnk.

O.A. 229/2016 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

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

S.O. 15/12/2021 (PH).

Member (J).

dnk.

O.A. 904/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard Shri Barhate, Id. counsel holding for Shri N.R. Saboo, Id. counsel or the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. After Vacation.**

Member (J).

dnk.

O.A. 772/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Member (J).**

Dated : 06/12/2021.

Heard 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, **S.O. After Vacation** for filing rejoinder.

Member (J).

*dnk.

O.A.No.192/2017 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

C.A.No.108/2019:-

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

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

3. The Id. P.O. has filed reply on behalf of the respondent no. 1. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the O.A..

4. Hence, O.A. is **admitted** and kept for final hearing.

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

6. **S.O. four weeks.**

7. *Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.272/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

None for the applicant. Shri S.A.Sainis, the Id. P.O. for the respondents. None for the respondent no. 3.

2. The Id. P.O. has filed reply on behalf of the respondent no. 1. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the O.A..

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. due course.**

6. *Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.561/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

Heard Shri J.S.Wankhede, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. four weeks to file reply as a last chance.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.635/2019 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 06/12/ 2021.

Heard Shri S.U.Ghude, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. The Id. P.O. has filed reply on behalf of the respondent nos. 2 to 4. It is taken on record. Copy is served to the other side. It is sufficient to decide the O.A..

3. Hence, O.A. is **admitted** and kept for final hearing.

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

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

6. *Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.158/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 06/12/ 2021.

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

2. Office is directed to issue fresh notice to Respondent no. 2, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week.

Applicant is directed to file Affidavit of compliance and notice.

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

8. **S.O. four weeks.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.288/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

None for the applicant. Shri S.A.Deo, the Id.
C.P.O. for the respondents.

2. At the request of Id. C.P.O., **S.O. four weeks
to file reply.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.07/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

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

2. The Id. counsel for the applicant submits that he has already filed Rejoinder and supplies it to the other side.

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

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

5. **S.O. after vacation.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.296/2021&851/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent nos. 2 to 4 (O.A. No.296/2021).

2. At the request of Id. C.P.O., **S.O. three weeks.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.382/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

None for the applicant. Shri S.A.Sainis, the Id.
P.O. for the respondents. None for the respondent
nos. 3 & 4..

2. At the request of Id. P.O., **S.O. two weeks to
file reply.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.563/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 06/12/ 2021.

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

2. The Id. P.O. has filed reply on behalf of the respondent nos. 1 to 4. It is taken on record. Copy is served to the other side.

3. Hence, O.A. is **admitted** and kept for final hearing.

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

5. **S.O. after vacation.**

6. *Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.645/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/2021.

Heard Shri A.J.Kadu, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. As submitted by Id. counsel for the applicant, applicant has filed representation dated 04.02.2019 (A-1, Pg. NO. 14) to the respondents. As submitted by Id. counsel for the applicant, the representation is pending with the Government. So, **respondent no. 1 is directed to decide the representation within 45 days from the date of receipt of this order.**

3. With this direction, **O.A. is disposed of with no order as to costs.**

4. **Steno copy is granted.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.723/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

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

2. At the request of Id. P.O., **S.O. four weeks to
file reply.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.786/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

Heard Shri A.Barahate holding for Shri N.R.Saboo, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. after winter vacation to file reply.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.809/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)

Dated : 06/12/ 2021.

C.A.No.380/2021:-

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

2. The matter was heard on 15.11.2021 and para no. 2 of the said order is reproduced below:-

"2. As submitted by Id. C.P.O., the applicant retired on Medical ground on 10.08.2009 (afternoon) as per documents (A-2, Pg. No. 18) but as per synopsis the date is shown 30.04.2021 u/s 47(1) of Disabilities Act, 1995. Now, the applicant is agitating to get the benefits under Disability Act, 1995 u/s 47 (1)."

3. It is now almost 12 years have been lapsed. Hence, Id. P.O. is directed to file reply on condonation of delay, **S.O. after vacation.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.905/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 06/12/ 2021.

C.A.Nos.341&342/2021:-

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

2. In C.A. No. 342/2021 at pg. no. 3 & 4 (para nos. 7.12, 7.13 & 7.14) to be included in relief clause, he is permitted to do so. Hence, **C.A. No.342/2021 for amendment is allowed.** The Id. counsel for the applicant is directed to carryout the amendment within one week. He is further directed to supply the same to the other side.

3. Since applicant belongs to Physically Challenged Category and the Id. counsel for the applicant submits that applicant is still continuing at the present post. Hence, **Status-quo is granted to the applicant till filing of the reply.**

4. C.A. No. 341/2021 along with O.A. No. 905/2021 will be heard at next hearing, **S.O. after four weeks.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.Nos.909&910/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 06/12/ 2021.

Heard Shri P.K.Dhomne, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. Earlier order was passed by this Tribunal to stay the appointment on supernumerary post of the applicant till filing of the reply. Today, the Id. P.O. has filed reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side.

3. Hence, the matter is **admitted** and kept for final hearing.

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

5. During pleading he further submitted that earlier matter is pending before Hon'ble High Court Mumbai and it bench at Aurangabad. Since, previously stay was granted till filing of the reply only the same will be continued till next date of hearing.

6. **S.O. four weeks.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No. 911/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

Heard Shri P.K.Dhomne, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

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

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.925/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 06/12/ 2021.

Heard Shri S.A.Marathe, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

2. The Id. counsel for the applicant submits that he has served the notice.

3. In this original application, two applicants are involved :-

A. Dnyaneshwar Ramkrishna Raut

B. Abhimanyu Raghoba Takle.

4. Both have filed Joint Application dated 01.02.2021 for mutual transfer. As submitted by the Id. counsel for the applicant, Director Medical Education and Research Mumbai has recommended mutual transfer of Shri D.R.Raut and Shri A.R.Takle vide his letter dated 31.05.2021 (A-11, Pg. No. 33) to respondent no. 1. **Respondent no. 1 is directed to decide the recommendation sent by Director Medical Education and Research dated 21.05.2021 (A-11, Pg. No. 33) within 45 days from the date of receipt of this order.**

5. With this direction, **O.A. is disposed of with no order as to costs.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.977/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

C.A.No.390/2021:-

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

2. The Id. counsel for the applicant has filed C.A. No. 390/2021 and as per prayer in the C.A. it is almost near to the decision in the O.A..

3. Hence, O.A. along with C.A. will be heard on 05.01.2022. **S.O. 05.01.2022.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.St.No.2387/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

C.A.Nos.501,502&503/2019:-

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

2. At the request of Id. P.O., **S.O. four weeks to
file reply.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.St.Nos.1773&1775/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

C.A.Nos.282&283/2021:-

Heard Shri N.R.Shiralkar, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. At the request of Id. C.P.O., **S.O. four weeks to file reply on condonation of delay.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.St.No.2166/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

C.A.Nos.365&366/2021:-

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

2. The applicant was appointed by respondent no. 3 i.e. Collector, Buldana vide order dated 20.09.2011 (A-7, Pg. No. 46) by which two increments were stopped with permanent effect. Applicant approached to the Divisional Commissioner i.e. respondent no. 2 vide order dated 19.12.2011 (A-14, Pg. No. 65) issued order for maintaining status-quo. Then matter was heard and respondent no. 2 passed the order on 24.09.2012 (A-16, Pg. No. 74) increasing the punishment to stop three increments with permanent effect by modification of order passed by R-3 dated 19.12.2011.

3. Meanwhile, applicant approached to the Industrial Court also and Industrial Court in its order dated 27.11.2012 (A-18, P. No. 102) in para no. 2 stayed the order passed by appellate authority i.e. 17.10.2012. However, there is no order existing on record by appellate authority which has dated 17.10.2012.

4. It was specifically asked to the Id. counsel for the applicant and as pointed out by Id. C.P.O., now final order was passed by Respondent no. 2 on 24.09.2012. Since, there is no question on any appeal order on 17.10.2012. By the record, it appears that appellate authority was never before Industrial Court and the Id. counsel for the applicant is unnecessary bringing Industrial Court Judgment and proceedings before this Tribunal and creating confusion.

3. Issue Notice on C.As. to Respondents be issued returnable in **four weeks**.

4. Shri S.A.Deo, the learned C.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:-06/12/2021.
aps.

Vice Chairman

O.A.No.622/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

Heard Shri A.C.Dharmadhikari, the Id.
Counsel for the applicant and Shri A.M.Ghogre, the
Id. P.O. for the respondents.

2. At the request of Id. P.O., **S.O. four weeks to
file reply.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.702/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

Heard Ms.P.Bodhankar, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. It appears that pension has been granted to the applicant. However, interest part has not been granted but as pointed out by Id. P.O.; the Id. counsel for the applicant has not sought relief regarding interest part of the pension. The Id. counsel for the applicant is directed to amend the O.A. regarding the above same and supply the copy to the Id. P.O. after that S.O. four weeks to file reply.

3. **S.O. four weeks.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.1082/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 06/12/ 2021.

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

2. As submitted by Id. counsel for the applicant, the applicant has been compulsorily retired after completion of D.E.. In view of this, Issue notice to Respondents, returnable on four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week.

Applicant is directed to file Affidavit of compliance and notice.

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

8. **S.O. four weeks.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.810/2015 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

Heard Shri A.C.Dharmadhikari, the Id.
Counsel for the applicant and Shri H.K.Pande, the Id.
P.O. for the respondents. None for the R-5 to 22.

2. At the request of Id. P.O., **S.O. next week.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.756/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

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

2. The Id. P.O. desires two weeks time to take instructions from the department regarding rejoinder filed by the applicant. **S.O. two weeks.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.940/2020 with C.A.No.315/2021
(D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**
Dated : 06/12/2021.

Heard Shri J.M.Shamkuwar, the Id. Counsel
for the applicant and Shri A.M.Ghogre, the Id. P.O. for
the respondents.

2. At the request of both the counsels, **S.O.**
after vacation.

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.291/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

Heard Shri G.I.Dipwani, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 30.12.2021.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.Nos.686,704&888/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

Heard Shri A.M.Borkar, the Id. Counsel for the applicant, Shri A.M.Ghogre, the Id. P.O. for the respondents, Shri H.D.Marathe, the Id. counsel for the respondent no. 2 and Shri Akhilesh Potnis holding for Shri M.M.Sudame, the Id. counsel for the respondent no. 4.

2. The Id. P.O. has pointed out two documents:-

A. At Annexure-A-1, Pg. No. 18, where applicant was appointed on purely temporary basis vide order dated 01.07.1996.

B. Order at Annexure-A-5, Pg. No. 40, where applicant has been regularly appointed on 01.02.2001.

3. The Id. counsel for the applicant is required to place on documents which justify his claim that period between 01.07.1996 to 01.02.2001 should be counted for seniority, if there is any supportive documents or Judgment.

4. **S.O. four weeks.**

5. **Matter be treated as P.H.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.Nos.1092, 1099 & 1100/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)

Dated : 06/12/ 2021.

Heard Shri G.G.Bade and Shri A.P.Potnis, the Id. P.O. for the State. None for Caveator in Caveat Application No. 40/2021 in O.A. No. 1099/2021.

2. As submitted by Id. counsel for the applicant, present O.A. is squarely cover by order in O.A. No. 1090/2021 order passed on 03.12.2021 in para no. 6 following directions was given:-

"6. The Respondents shall not relieve the applicant from the post of First Clerk presently held by him till reply is filed to this application by the respondents."

3. *Since, the present O.A. squarely covers the same O.A. on the parity of justice and equity the same is passed in this O.A. also.*

4. The Id. counsel for the applicant as well as Id. P.O. are directed that they should supply the copy to the respondents and make it clear that since the matter is subjudice no further action be taken without directions from the Tribunal.

5. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. 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.

11. **S.O. four weeks.**

12. **Steno copy is granted.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

O.A.No.893/2012 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/12/ 2021.

C.A.No.397/2021:-

Heard Shri S.A.Marathe, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the Respondents.

2. The Id. counsel for the applicant is relying on order dated 17.12.2020 in which following order was passed:-

ORDER

A. Respondents are directed to decide the letter dated 26.11.2020 (Annexure-A-5, P.B. Pg. No. 47) written by Dean, Vasantnao Naik, Government Medical College and Hospital, Yavatmal **within three weeks** from the date of this order.

B. Till filing of the reply, status-quo be maintained.

3. The Id. P.O. has filed reply of respondent nos. 1 to 3. It is taken on record. Copy is served to the other side. The Id. counsel for the applicant desires to go through the reply.

4. The Id. counsel for the applicant has filed C.A. No. 397/2021 and in prayer clause he has mentioned prayer clause nos. 1, 2 & 3. The Id. P.O. is directed to take instructions on the C.A. as prayed in

clause nos. (i), (ii) and (iii) and submit report in next week.

5. The Id. counsel for the applicant further submits that as per P.B., Pg. No. 22, **candidate Ms. Neha Kumari is likely to join despite status quo granted in order dated 17.12.2020.**

6. **Respondents are directed not to interfere with the order dated 17.12.2020 till outcome of the O.A. and not to allow anybody to join till deciding the O.A..**

7. **S.O. next week along with C.A. No. 397/2021.**

8. **Steno copy is granted.**

Member (J)
Date:-06/12/2021.
aps.

Vice Chairman

Rev.No.15/2021 in O.A.No.818/2017 (S.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 06/12/ 2021.

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

2. At the request of Id. P.O., **S.O. 07.01.2022.**

Vice Chairman

Date:-06/12/2021.
aps.

Rev.No.03/2021 in O.A.No.184/2019 (S.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 06/12/ 2021.**

Heard Shri N.S.Warulkar, the Id. Counsel for the applicant, Shri H.K.Pande, the Id. P.O. for the respondents and Shri S.Majid, the Id. counsel for the respondent no. 3.

2. At the request of Id. P.O., **S.O. 15.12.2021.**

Vice Chairman

Date:-06/12/2021.
aps.

Rev.No.18/2021 in O.A.No.94/2021 (S.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 06/12/ 2021.

None for the original applicant. Shri V.A.Kulkarni, the Id. P.O. for the applicants (original respondents P.W.D. Department) and Shri T.M.Zaheer, the Id. counsel for the R-4.

2. The Id. P.O. has filed review application on behalf of the P.W.D. Department i.e. applicant no. 1 in Original Application no. 94/2021. The Id. P.O. has also filed letter from District Collector, Nagpur dated 03.12.2021. It is marked Exh. 'X' for the purpose of identification.

3. According to this letter, Collector had requested for two more weeks to file some clarification. R-5 is granted two weeks time to file his clarification.

4. The Id. P.O. submits that P.W.D. is ready to complete the order dated 28.06.2021 but since some clarification is required and in the background of that clarification he submits that in order dated 28.06.2021 para no. 3 (ii) needs to be modified to the extent of time limit only. It should be modified as per the seniority in the waiting list of compassionate ground candidates.

5. However, P.W.D. is directed to get all the clarifications and try to accommodate the applicant as early as possible.

6. As per the order dated 26.03.2021, it appears that in para no. 2, it is mentioned that as per correspondence dated 04.01.2021 written by the Superintending Engineer Nagpur by Respondent no. 3 i.e. Shri Executive Engineer, Irrigation Project Division, Nagpur and in para no. 7 it has been mentioned that out of 22 candidates 19 candidates have been obtained marks 20 and 3 posts are still vacant. It is further submits that proper action has not been taken by the respondent no. 3 office. It appears that respondent no. 3 office has shown total carelessness in this issue despite warning given by Superintendent Engineer, P.W.D. vide his letter dated 04.01.2021.

7. The Id. counsel for the applicant appearing for V.I.D.C. is directed to examine the records of his office and see the letter dated 04.01.2021 written by Superintendent Engineer, P.W.D., Nagpur to this office and find out what action has been taken by his office in this regard after receipt of this letter.

8. The Id. P.O. is directed that as he submits that as per Collector's letter appointment was made for 19 candidates out of 22 candidates. He further submits that this appointment was made in the year 2016. Since, compassionate appointment is continuous process and hence after 2016 there must have vacancies occurred in 2016-2017, 2017-2018, 2018-2019, 2019-2020 and 2020-2021. By record it appears that Superintendent Engineer P.W.D. had warned by letter dated 04.01.2021 (A-15, Pg. No. 75 in O.A.) while during all these vacancies how many

candidates were appointed on compassionate ground.

9. Since, the Id. counsel for the applicant (Original Applicant) is not present and since the matter pertains to compassionate grounds, **S.O. 17.01.2022.**

10. Steno copy is granted.

11. Considering the issue of compassionate appointment & involvement of three government departments i.e. PWD, VIDC & Revenue, Id. C.P.O. is directed to co-ordinate with all three departments & make common submission/pleading before Bench during next date of hearing in Review application.

Date:-06/12/2021.
aps.

Vice Chairman

Rev.No.01/2021 in O.A.No.100/2020 (S.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 06/12/ 2021.

Heard Shri H.K.Pande, the Id. P.O. for the applicants (original respondents) and Shri G.K.Bhusari, the Id. Counsel for the respondents (original applicant).

2. The Review Application No. 01/2021 has been filed by Home Department against order dated 24.12.2020 in O.A. No. 100/2020. The original order is dated 24.12.2020 which was passed by Hon'ble Shri Anand Karanjkar, as Member (J). He retired from M.A.T. in January, 2021. Now as per precedence Review Application has to be heard by the same Bench.

3. Since this Bench has not heard the original application, review application cannot be heard by this Bench. Member of this Bench is now sitting in D.B.

4. The Id. P.O. has filed C.A. 398/2021 for amendment that also is pending for the review application.

5. The review application no. 01/2021 be placed before Single Bench. Office is directed to do the needful.

Vice Chairman

Date:-06/12/2021.

aps.

