

O.A. 169/2020 (D.B.)

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

Dated : 25/06/2020

C.A. 159/2020 -

Heard Shri R.V. Shiralkar, Id. counsel holding for Shri V.B. Bhise, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. For the reasons stated in the application, the C.A.No. 159/2020 is allowed. The O.A. be amended within one week and amended copies be supplied to the learned P.O.

O.A. 169/2020 –

After amendment, issue notices to the respondents returnable **after three weeks**. Learned P.O. waives notice for the State Hamdast allowed.

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

3. 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.

4. 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.

5. 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.

6. 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)

Vice-Chairman

dnk.

O.A. 28/2019 (D.B.)

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

Dated : 25/06/2020

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The Id. P.O. files separate reply on behalf of R-6&7. Same are taken on record. Copies are served on the applicant.

3. The Id. counsel for the applicant submitted that some of the respondents are not necessary for adjudication of this matter and he would delete their names. He is permitted to do so.

S.O. three weeks.

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 : 25/06/2020

Shri A.S. Dhore, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-3. Await service of R-1&2.

2. The learned counsel for the applicant submitted that he would file service affidavit of respondent nos.1&2.

3. The Id. P.O. seeks three weeks time to file reply.

S.O. three weeks.

Member (J)

Vice-Chairman

dnk.

Rev. A. 10/2020 in O.A. 769/2018 (D.B.)

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

Dated : 25/06/2020

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

The matter be kept **on 29/06/2020 for order.**

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 : 25/06/2020

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

The applicant has filed rejoinder to the reply submitted by the respondent no.3. It is taken on record.

The Id. P.O. submitted that he will have to seek instructions from the respondents.

S.O. 9/7/2020.

Member (J)

Vice-Chairman

dnk.

C.P. 14/2020 in O.A. 58/2019 (D.B.)

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

Dated : 25/06/2020

Shri N.S. Khandewale, Id .counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-3. Await service of R-1&2.

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

Member (J)

Vice-Chairman

dnk.

O.A. 276/2020 (D.B.)

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

Dated : 25/06/2020

Shri A.S. Dhogre, Id .counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2 to 4.

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

Member (J)

Vice-Chairman

dnk.

O.A. 265/2020 (D.B.)

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

Dated : 25/06/2020

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

2. The Id. Counsel for the applicant is directed to remove necessary office objections. He is directed to file legible copy of page no.21 which is relevant in this matter.

3. After removing necessary office objections, issue notices to the respondents, returnable **after three weeks**. Learned P.O. waives notice for the 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 three weeks.

Member (J)

Vice-Chairman

dnk.

O.A. Nos. 959/19 & 11/2020 (D.B.)

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

Dated : 25/06/2020

Heard Shri S.P. Palshikar, Id. counsel for the applicants, Shri H.K. Pande, Id. P.O. for R-1 and Smt. J.J. Alkari, Id. counsel for R-2.

2. The learned counsel for respondent no.2 is directed to produce any Judgment delivered by the Hon'ble Apex Court. After the Judgment in case of *Premnath Bali* which permits grant of time to complete the departmental inquiry after expiry of one year. The matter be kept on the next date only for filing Judgment.

S.O. 9/7/2020.

Member (J)

Vice-Chairman

dnk.

O.A. 856/2019 (D.B.)

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

Dated : 25/06/2020

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

2. The matter is partly heard. The Id. P.O. to satisfy is there legal justification in support of their action to set aside a promotion though offence was registered against the applicant after the promotion.

S.O. 2/7/2020 (PH).

Member (J)

Vice-Chairman

dnk.

C.P. 19/2020 in O.A. 874/2019 (D.B.)

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

Dated : 25/06/2020

Heard the applicant in person and Shri H.K. Pande, Id. P.O. for the State.

2. As per the order dated 4/11/2019 the MPSC was directed to decide the applicant's representation.

3. As per the order dated 18/11/2019 the applicant has received correspondence from the MPSC. Subsequently the applicant submitted his application to the respondent no.2 (A-1F, P-24). The Dean, Govt. Medical College, Chandrapur vide letter dated 30/12/2019 (A-1E,P-22) has submitted documents to the respondent no.2. However, till today no communication is received by the applicant from the respondent no.2.

4. Issue Notice to the respondents returnable after **four weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

5. Shri H.K. Pande, the learned P.O. waives notice for the State. Hamdast granted.

S.O. after four weeks.

Member (J)

Vice-Chairman

dnk.....

O.A. No.271/2020 (SB)

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

Dated : 25.06.2020

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

2. In view of the letter dated 24/6/2020 received from the RDC, Chandrapur three weeks time is granted to the respondents to file their reply.

S.O. three weeks.

Member (J)

dnk.

O.A. No.211/2019 **(SB)**

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

Dated : 25.06.2020

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. P.O., **S.O. 2/7/2020.**

Member (J)

dnk.

O.A. No.310/2020 **(SB)**

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

Dated : 25.06.2020

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

2. After reading the Section 15 (2) of the Administrative Tribunals Act,1985 in absence of any notification issued by the State Government, it is not possible to accept that this Tribunal has jurisdiction to entertain the present O.A.

3. The learned counsel for the applicant fairly conceded to this position of law and submitted that he is withdrawing the O.A.

4. In view thereof, the O.A. stands disposed of as withdrawn. No order as to costs.

Member (J)

dnk.

O.A. No.313/2020 (SB)

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

Dated : 25.06.2020

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

2. The learned P.O. submitted that he has to collect instructions from the respondents whether the applicant is relieved from the Panchayat Samiti, Deoli, District Wardha. In view of this, the matter be kept on 2/7/2020.

3. It is cleared that if the applicant is on duty at Panchayat Samiti, Deoli, District Wardha that till 2/7/2020, he shall not be relieved.

4. Issue notices to the respondents returnable **on 2/7/2020**. 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. 2/7/2020.

Member (J)

dnk.

O.A. 221/2020 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 25/06/2020

Shri N.R. Saboo, 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. two weeks.**

Vice-Chairman

dnk.

O.A. 275/2020 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 25/06/2020

Shri N.R. Saboo, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2 to 5.

S.O. four weeks.

Vice-Chairman

dnk.

O.A. 280/2020 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 25/06/2020

Shri N.R. Saboo, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 3. None for other respondents.

At the request of Id. P.O. **S.O., 6/7/2020**
for filing reply.

Vice-Chairman

dnk.

O.A. 281/2020 (S.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman.

Dated : 25/06/2020

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

2. The Id. P.O. files reply on behalf of R-2. 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. 6/7/2020.

Vice-Chairman

dnk.

O.A. 71/2017 with C.A. 41/2017 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 25/06/2020

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

The Id. P.O. has filed Pursis on behalf of the respondents. It is taken on record.

S.O. 6/7/2020.

Vice-Chairman

dnk.

Rev. A. 19/17 in O.A. 710/2014 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 25/06/2020

Shri G.G. Bade, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id .counsel for the applicant, **S.O. 2/7/2020.**

Vice-Chairman

dnk.

O.A. 13/2020 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 25/06/2020

Shri G.G. Bade, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id .counsel for the applicant, **S.O. 2/7/2020.**

Vice-Chairman

dnk.