

O.A. 227/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

C.A.86/2018 -

Shri R.R. Rathod, Id. counsel for the applicants, Shri A.M. Khadatkar, Id. P.O. for R-1 and A.P. Sadavarte, Id. counsel holding for Shri M.M. Sudame, Id. counsel for R-2. Await service of R-11. None for remaining respondents.

2. The learned counsel for the applicants submits that all the respondents except respondent no.11 have been served and he will take instructions regarding serving of resp.no.11 and for that purpose he seeks further time.

3. The learned P.O. submits that the applicants are not Government employees and therefore the O.A. is

not tenable. The learned counsel for the applicant submits that he will take instructions in this regard.

4. At the request of learned counsel for the applicants, **S.O.** **05/07/2018** for taking instructions.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 285/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

Shri M.R. Rajgure, Id. counsel for the applicant and Shri A.M. Ghogre, Id. PO for R-1. Await service of R-2.

2. The learned counsel for the applicant submits that he will file service affidavit of R-2 during the course of day.

3. The learned P.O. seeks time to file reply-affidavit. At his request, S.O. **four weeks.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 286/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

Shri M.R. Rajgure, Id. counsel for the applicant and Shri A.M. Ghogre, Id. PO for R-1. Await service of R-2.

2. The learned counsel for the applicant submits that he will file service affidavit of R-2 during the course of day.

3. The learned P.O. seeks time to file reply-affidavit. At his request, S.O. **four weeks.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 288/2018 (D.B.)

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

Dated : 04/07/2018

C.A.107/2018 -

Heard Shri V.N. Patre, Id. counsel for the applicants and Shri A.P. Potnis, 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. 288/2018 -

Heard Shri V.N. Patre, Id. counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the State.

2. Issue notice to R-2 to 10, returnable in **two 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. In the meantime, the learned P.O. to file reply-affidavit.

9. **S.O. two weeks.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 479/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

Ms. A.K. Shah, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

At the request of learned counsel for the applicant, **S.O.**
05/07/2018.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 785/2017 (D.B.)

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

Dated : 04/07/2018

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

The learned P.O. files reply-affidavit on behalf of R-3. It is taken on record. Copy is served on the applicant. It is stated that reply of other respondents is not necessary.

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

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

S.O. in due course.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 704/2017 (D.B.)

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

Dated : 04/07/2018

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

It appears that the rejoinder is not filed.

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

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

S.O. in due course.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 310/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

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

2. After hearing the matter for some time, with the consent of both the sides, the matter is kept on **17/07/2018** for hearing.

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

Member(A)

Vice-Chairman(J)

dnk.

O.A. 48/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

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

The learned counsel for the applicant seeks further time as his senior counsel is not available.

S.O. in due course.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 487/2018 (D.B.)

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

Dated : 04/07/2018

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

2. The applicant has challenged the show cause notice and the charge sheet dated 20th July,2017 (Annex-A-1,P-20) and also the letter appointing Inquiry Officer dated 27th April,2018 (Annex-A-2,P-27) in this O.A. From the facts on record, it seems that it has been alleged that the applicant was unauthorisedly absent for 567 days during the period from 01/06/2010 to 19/12/2011. The departmental inquiry in this regards has been however initiated in the year 2017 by serving charge sheet dated 20th July,2017 and now the Inquiry Officer has been appointed vide letter dated 27th April,2018. The learned counsel for the applicant submits that the Inquiry Officer is from Pune Division and the applicant

will have to appear before the Inquiry Officer at Pune, whereas the applicant is serving at Nagpur.

3. The learned counsel for the applicant submits that the inquiry has been initiated with malafide intention since the applicant has filed O.A.No.358/2009 before the Tribunal Bench at Nagpur and the order was passed in his favour in the said O.A. The learned counsel for the applicant also placed reliance on the Judgments of the Hon'ble Apex Court reported in **AIR 2001 SCC,343 in the case of State of Punjab Vs. V.K. Khanna & Ors., (1998) 4 SCC, 154 in the case of State of A.P. Vs. N. Radhakishan** and **(2005) 6 SCC,636 in the case of P.V. Mahadevan Vs. MD, T.N. Housing Board.**, and submits that the Hon'ble Apex Court has also observed a catena of cases that delay in inquiry defeats the purpose of inquiry. It is not known as to whom is responsible for delay in initiating the departmental inquiry and for that purpose the reply of the respondents will have to be obtained.

4. In such circumstances, issue notice to R-2, returnable in **four weeks**.

Learned P.O. waives notice for R-1.
Hamdast allowed.

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

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

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

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

week. Applicant is directed to file Affidavit of compliance and notice.

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

10. In the meantime, the respondent no.1 is directed not to proceed with further departmental inquiry as per the letter dated 27th April,2018.

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

Member(A)

Vice-Chairman(J)

dnk.

O.A. 253/2016 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

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

2. On perusal of the record, we find that the applicant as well as the respondents have placed on record documents which cannot be read. The Sheristear seems to have committed negligence in not verifying the documents which were to be placed on record. The applicant and the P.O. are therefore directed to go through the record and to replace the documents which are not readable.

S.O. two weeks.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 413/2016 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

Shri S.P. Palshikar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&2. None for R-3.

2. No reply to the amended O.A. has been filed by the respondent no.3. The respondent nos.1&2 have already filed their reply-affidavit. In view thereof, the matter be heard on merits since the respondent no.3 has not filed reply to the amended O.A.

3. **S.O. 18/07/2018.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 749/2016 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

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

2. In the rejoinder filed by the applicant to the reply-affidavit filed by respondent nos. 2&3, it is stated that in so many cases the Government has appointed the nominees of the Freedom Fighter directly without their being any competitive examination. The applicant has also placed on record the copies of such appointments letters. The learned P.O. is therefore requested to go through it and to file a short affidavit making clear as to whether the nominee of the Freedom Fighter is required to appear for the competitive examination for the post and whether

he can be considered only on preference to the other candidates. The learned counsel for the applicant is also directed to go through the various G.Rs. mentioned in the G.R. dated 4/3/1991 and place it on record.

S.O. two weeks.

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

Member(A)

Vice-Chairman(J)

dnk.

O.A. 400/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

C.A.152/2018 -

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

2. The applicant got retired on 30/04/2018. It is stated that even though the charge sheet is dated 24/04/2018, the same has been served on the applicant on 7/5/2018. The inquiry is initiated under Rule 8 of the Maharashtra Civil Services (Discipline & Appeal) Rules,1979 and therefore such inquiry cannot be initiated. The learned counsel for the applicant submits that as the most an inquiry against the retired employee can be initiated under Rule 27 of the Maharashtra Civil Services (Pension) Rules. The Inquiry Officer has been

appointed vide letter dated 25/06/2018. Considering the objection regarding the legality of the proceedings as raised by the applicant, the respondents are directed not to proceed further with the inquiry till C.A. is decided.

3. In the meantime, issue notice on C.A. to R-2 and 3, returnable in **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.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 184/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

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

2. In this application, the applicant is claiming a direction to respondent no.3 to supply the requisite documents as demanded by him vide Annex-A-19 to reply the Article of charge and also for preparation of defence. The learned P.O. has filed reply-affidavit on behalf of respondent no.4 along with the documents. It seems from the document (A-R-1) filed by the respondent that the documents demanded by the applicant have been supplied to him, but the applicant refused to give acknowledgment. The report of the Serving Officer has been

placed on record in this regard at P.B. page nos. 191&192. The application has therefore become infructuous since the grievance has been redressed. The O.A. therefore stands disposed of accordingly. No order as to costs.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 371/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

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

2. The learned P.O. files reply-affidavit on behalf of the respondents. It is taken on record. Copy is served on the applicant .

3. **Heard. Admit.**

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

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

Member(A)

Vice-Chairman(J)

dnk.

O.A. 710/2016 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 04/07/2018

Heard Shri R.S. Kothari, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1 to 5. None for R-6.

2. The Hon'ble High Court vide order dated 12/01/2018 in Writ Petition No.2884/2017 was pleased to set aside the order passed by this Tribunal in this O.A. on 19/04/2017 and the matter was remanded for deciding the O.A. filed by respondent no.6. In that Petition the respondent no.6 who was the Petitioner has undertaken to appear before the Tribunal on 5/2/2018. Accordingly, on 5/2/2018 Shri N.S. Autkar, learned counsel appeared for respondent no.6 and seeks one week time. The applicant seeks one week time for

adding respondent no.1, Shri Barkhat K.A. Khan as respondent no.6. Accordingly, newly added respondent waives the notice and sought two weeks time to file reply-affidavit and matter was therefore kept on 27/02/2018. On 27/02/2018 no reply was filed and matter was posted on 15/3/2018 and on that date also the respondent no.6 did not file reply-affidavit and therefore the matter was kept for final hearing on 4/4/2018 with liberty to file reply-affidavit in case the newly added respondent no.6 wants to file reply. However, the matter was listed on 5/4/2018 and on 5/4/2018 again the learned counsel for R-6 sought one week time to file reply-affidavit. The matter is thereafter placed for final hearing, but till today no reply-affidavit has been filed by respondent no.6. in fact, the matter was remanded back only on the ground that respondent no.6 was necessary party and should have been given opportunity to file reply. In view of above, it seems that the respondent no.6 is not taking any

efforts to file reply-affidavit once the matter has been remanded. The matter is to be decided within four months from the date of order passed by the Hon'ble High Court. The said period has already been lapsed. However respondent no.6 has not taken any steps and therefore the matter will be heard finally on **12/07/2018**.

Member(A)

Vice-Chairman(J)

dnk.

O.A.No.484/2018.

(S.B.)

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

Dated : 4th July 2018.

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

2. The applicant, a Talathi has
been kept under suspension vide
impugned order dated 31.1.2018.
Reason for suspension is that, the
Crime bearing No. 10/2018 U/s 7,
13(1) (d) and 13 (2) of the
Prevention of Corruption Act, 1988
has been registered against the
applicant. Almost six months are
over and till today, neither charge-
sheet is filed against the applicant
or any departmental action has

been taken. The applicant has, therefore, moved representation on 94.2018 (Annexure A-2 to A-4) (both inclusive) to the various authorities. But no decision has yet been taken as regards revocation of his suspension. The applicant only wants that the directions may be issued to the competent authority to consider his representation on its own merits within a stipulated period. In view thereof, O.A. stands disposed with a direction to respondent No.4 to take a decision on the representation of the applicant as regards the revocation of his suspension. The said decision shall be taken **within four weeks** from the date of this order. No order as to costs.

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

Vice-Chairman
(J)

pdg.

O.A.No.488/2018.

(S.B.)

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

Dated : 4th July 2018.

Heard Shri G.G. Bade, the
Ld. counsel for the applicant and
Shri A.M. Ghogre, the learned
P.O. for respondent Nos.1 to 3.

2. The applicant, a Forest Guard has been transferred from Lakhanwada Beat, Khamgaon Region, District Buldana to Vasali Beat, Akot Wild Life, District Akola. According to the applicant, he has given 10 options for his transfer. But the said options are not considered. Options given by the applicant are mentioned at Page No. 39 (B) of the O.A. It is further stated that the applicant's wife is serving in Forest Department itself at Buldana and directions in the G.R. whereby husband and wife are to be adjusted at one place or nearby place, have not been followed. The applicant has also filed representation for getting choice posting at Buldana as per Annexure A-5 on 6.6.2018 and the same has been recommended by the Deputy Conservator of Forests, Buldana. In view of this, the Ld. counsel for the applicant submits that the application may be

disposed of with a direction to the competent authority to decide his representation. The Ld. counsel for the applicant also submits that the applicant has not yet been relieved. However, the Ld. P.O. submits that as per oral instructions received by him, the applicant has been relieved in 2nd week of June 2018. In view of this, I pass the following order:-

ORDER

- (i) The O.A. stands disposed with a direction to the Chief Conservator of Forests, Amravati to take a decision on the representation filed by the applicant dated 6.6.2018 within a period of **four weeks** from the date of this order.
- (ii) In case the applicant has been relieved, he

would not be insisted to join the place of his transfer till decision on his representation is taken.

(iii) In case he is not relieved, he may not be relieved.

(iv) No order as to costs.

Vice-Chairman

(J)

pdg.

O.A.No.489/2018.

(S.B.)

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

Dated : 4th July 2018.

Heard Shri G.G. Bade, the
Ld. counsel for the applicant and
Shri A.M. Ghogre, the learned
P.O. for the respondent No.1.

2. Issue notice to respondents 2
to 5 returnable in **four weeks.**

3. Shri A.M. Ghogre, the learned
P.O. waives notice for R. 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

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. In case notice is not collected within seven days, and if service report on affidavit is not filed within three days before returnable date, O.A. shall stand dismissed without reference to the Tribunal and papers be consigned to record.

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

Vice-Chairman
(J)

O.A.No.490/2018.

(S.B.)

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

Dated : 4th July 2018.

Heard Shri S.N. Gaikwad, the
Ld. counsel for the applicant and
Shri S.A. Sainis, the learned P.O.
for the respondent/State.

The Ld. counsel for the
applicant submits that the applicant
wants to withdraw the O.A. and
hence he seeks permission for the
same. Accordingly, O.A. stands
disposed of as withdrawn with no
order as to costs.

Vice-Chairman
(J)

pdg

O.A.No.795/2009.
(D.B.)

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

Dated : 4th July 2018.

Heard Shri P.V. Thakre, the
Ld. counsel for the applicant and
Shri H.K. Pande, the learned P.O.
for the respondents 1 to 3. None for
R.4.

2. The applicant is claiming that
he was appointed on the post of
Clerk from Open category. The
document (A-1) is placed on record
in this regard which is a typed copy
of service book of the applicant. It
is the case of the respondents that,
this document is tampered. If it is
so, it is also stated in the reply
affidavit that there needs scrutiny
to consider whether this document
is tampered or not. However, no
further progress has been made in
this regard since 2010 i.e. after
filling of reply affidavit. It is

admitted in the reply affidavit that the applicant has been promoted to the post of Accountant from Open category. Considering this aspect, the Ld. P.O. is requested to place on record the service book of the applicant and if possible, also the order of promotion of the applicant to the post of Accountant.

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

4. To be treated as part heard.

Vice-Chairman (J)

pdg

O.A.No.331/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 04.07.2018.

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

As per the Id. counsel for the applicant, the matter will be kept on Friday.

S.O. Friday i.e. 06/07/2018.

Member

(A)

aps.

O.A.No.352/2018 (S.B.)

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

Dated : 04.07.2018.

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

The Id. P.O. files the affidavit-in-reply on behalf of the respondent no. 4. It is taken on record. Copy is served to the other side. In this affidavit-in-reply at pg. no. 68 at para no. 9, it is pointed out that recovery of Rs. 4,373/- from the month of Feb., 2018 is after the reinstatement of the applicant on 21/12/2017. The applicant is reinstated on 21/12/2017 and recovery is from Feb., 2018, so it is from salary not from the subsistence allowances during suspension period.

However, the Id. Counsel for the applicant, desires stay on Superintendent of Police, Washim order at Pg. No. 21 (Annexure-

A-1). The respondent no. 4 is directed to clarify or revised the order dated 21/12/2017 on Pg. No. 21 of the O.A. On hearing dated 06/06/2018 in para no. 2 stay was granted on the presumption that recovery was from subsistence allowances during suspended period of the applicant but as Id. P.O. points out today that affidavit-in-reply on Pg. No. 68, para no. 9, recovery is not from the subsistence allowances during suspended period, it is from the regular salary. In view of this, the stay of recovery granted on 06/06/2018 in para no. 2 needs to be vacated. The Id. Counsel for the applicant desires time to file Rejoinder on the Id. P.O. affidavit-in-

reply. The matter will be listed on 09/07/2018. However, the Id. Counsel for the applicant takes the objection on the affidavit-in-reply filed by the Id. P.O.

In view of this, matter will be listed on 09/07/2018, till that time the stay granted in

para no. 2 of order dated 06/06/2018 continuous till next date of hearing.

S.O. 09/07/2018 for final disposal.

Member

(A)

aps.

O.A.No.87/2018 (S.B.)

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

Dated : 04.07.2018.

Heard Shri S.N.Gaikwad, Id. Counsel
for the applicant and Shri S.A.Sanis, Id. P.O.
for the State. Await service of respondent
nos. 2 & 3.

The Id. P.O. files affidavit-in-reply on
behalf of the respondent nos. 1 to 3. The

same is taken on record. Copy is served to the other side. The Id. Counsel for the applicant submits that he will file the service affidavit in the office. He seeks two weeks time for the same. At his request, **S.O. two weeks.**

Member

(A)

aps.

O.A.No.678/2017 (S.B.)

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

Dated : 04.07.2018.

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

The Id. P.O. files affidavit-in-reply on behalf of the respondent nos. 1 and 2. The same is taken on record. Copy is served to the other side. The Id. Counsel for the applicant wants to go through the same.

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

Member

(A)

aps.

O.A.No.984/2017 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 04.07.2018.

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

The Id. P.O. files affidavit-in-reply on behalf of the respondent nos. 1 to 4. The same is taken on record. Copy is served to the other side. The Id. Counsel for the applicant wants to go through the same.

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

Member

(A)

aps.

O.A.No.927/2017 (S.B.)

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

Dated : 04.07.2018.

Heard Shri P.P.Kotwal, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

The Id. Counsel for the applicant files Rejoinder, it is taken on record. The matter is **admitted** and kept for final hearing. However, the Id. P.O. submits that the point of limitation is kept open.

S.O. two weeks.

Member

(A)

aps.

O.A.No.333/2018 (S.B.)

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

Dated : 04.07.2018.

Heard Mrs.K.N.Saboo, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondent nos. 1 and 2. None for respondent no. 3. Await service of respondent no. 4.

S.O. two weeks for filing service affidavit as a last chance.

Till that time the order dated 04/06/2018 in para no. 2 the stay is continued till next date.

Member

(A)

aps.

O.A.No.339/2018 (S.B.)

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

Dated : 04.07.2018.

Heard Shri P.P.Khaparde, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the State. Await service of respondent nos. 2 and 3.

The Id. Counsel for the applicant submits that he will file service affidavit in the office. The Id. P.O. seeks two weeks time to file affidavit-in-reply.

S.O. 18/07/2018 for reply as a last chance.

Till that time the order dated 05/06/2018 in para no. 2 the stay is continued till next date.

Member

(A)

aps.

O.A.No.349/2018 (S.B.)

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

Dated : 04.07.2018.

Heard Shri P.P.Khaparde, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the State. Await service of respondent nos. 2 to 6.

The Id. Counsel for the applicant seeks one week time to file service affidavit. At his request, **S.O. one week.**

Member

(A)

aps.

O.A.No.426/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 04.07.2018.

Heard Shri G.K.Bhusari, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the State. Await service of respondent nos. 2 and 3. Dr. Rajkumar D. Gahlot in person for respondent no. 4.

The Id. Counsel for the applicant as well as the applicant in person for respondent no. 4 seeks three weeks time,

S.O. three weeks.

In order dated 18/06/2018 in para 2 stay granted is continued till next date.

Member

(A)

aps.

O.A.No.664/2017 (S.B.)

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

Dated : 04.07.2018.

Heard Shri G.K.Bhusari holding for Shri R.V.Shiralkar, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

The Id. P.O. submits that he had filed the affidavit-in-reply on behalf of the respondent nos. 2 and 3. However, the affidavit-in-reply of respondent no. 1 is necessary.

At the request of Id. P.O., **S.O. two weeks** for reply of respondent no. 1.

Member

(A)

aps.

O.A.No.880/2017 (S.B.)

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

Dated : 04.07.2018.

Heard Shri N.R.Saboo, Id. Counsel
for the applicant and Shri P.N.Warjurkar,
Id. P.O. for the respondents.

The matter is **admitted** and kept for
final hearing after two weeks. **S.O. two
weeks.**

Member

(A)

aps.

O.A.No.250/2018 (S.B.)

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

Dated : 04.07.2018.

Heard Shri S.N.Gaikwad, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the State. Await service of respondent nos. 2 and 3.

2. At the request of Id. Counsel for the applicant issue fresh notices to the respondent nos. 2 and 3.

3. Issue notice to R-2 and 3, returnable on after two 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. two weeks.**

Member

(A)

aps.