

O.A. 873/2019 (S.B.)

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

Dated : 25/10/2021.

Shri T. Darda, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1&2 and Shri S. Khandekar, Id. counsel for R-3.

The Id. P.O. submits that he will file reply on the next date and for that purpose he seeks time.

At the request of Id. P.O., **S.O.**
17/11/2021 for filing reply.

Vice-Chairman

dnk.

O.A. 137/2020 (S.B.)

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

Dated : 25/10/2021.

Shri S.U. Ghude, 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.**
17/11/2021 for filing reply.

Vice-Chairman

dnk.

O.A. 472/2020 (S.B.)

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

Dated : 25/10/2021.

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

2. The learned counsel for the applicant has filed Pursis dated 20/10/2021 mentioning that the applicant wants to withdraw the O.A.

3. In view of Pursis dated 20/10/2021, the O.A. stands disposed off as withdrawn. No order as to costs.

Vice-Chairman

dnk.

O.A. 882/2020 (S.B.)

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

Dated : 25/10/2021.

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

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

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

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

S.O. 15/11/2021.

Vice-Chairman

dnk.

O.A. 418/2021 (S.B.)

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

Dated : 25/10/2021.

Shri S.P. Palshikar, 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.**
15/11/2021 for filing reply.

Vice-Chairman

dnk.

O.A. 443/2021 (S.B.)

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

Dated : 25/10/2021.

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.**
17/11/2021 for filing reply.

Vice-Chairman

dnk.

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

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

Dated : 25/10/2021.

Shri N.S. Bhelkar, 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. After
Vacation** for filing reply.

Vice-Chairman

dnk.

O.A. 489/2021 (S.B.)

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

Dated : 25/10/2021.

Ms. Aarti Singh, Id. counsel holding for Shri P.D. Meghe, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

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

Vice-Chairman

dnk.

O.A. 640/2021 (S.B.)

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

Dated : 25/10/2021.

C.A. No. 230/2021 in O.A. 640/2021 -

None for the applicant. Heard Shri P.N. Warjurkar, Id. P.O. for R-1 to 3 and none for R-4.

The Id. P.O. has filed reply on C.A. and O.A. on behalf of R-3. Same are taken on record.

The matter is admitted and kept for final hearing.

The Id. P.O. waives notice for R-1 to 3.

S.O. four weeks.

Vice-Chairman

dnk.

O.A. 697/2021 (S.B.)

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

Dated : 25/10/2021.

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

2. The learned P.O. has filed reply of R-2. It is taken on record. Copy is served to the Id. counsel for the applicant. It is pointed out that the respondent no.2 in it reply has not brought the fact. On page no.66 of the reply, it is mentioned that the applicant in her form has nowhere mentioned about her husband working as Forest Guard. However, as pointed out by the learned counsel in the applicant's representation dated 15/7/2021 (A-4,P-42) in second para the applicant has mentioned that her husband is working as Forest Guard in Gondia Forest Division. It seems that the respondent no.2 has submitted false submission and it is noted that if the respondent no.2 has tried to circumvent the order of the Tribunal, he will be subjected to contempt of Court. The learned P.O. wants to take necessary instructions in this regard.

3. The matter was heard on 23/8/2021 and detail order was passed. Today, the learned

counsel submits that the post at Fulchur Naka, Gondia Forest Division is still vacant. The applicant is ready to work anywhere in Gondia Division, only problem is that the applicant's husband is working in Gondia and therefore as per Govt. policy the husband and wife should be posted together as far as possible.

4. The respondent no.2 is directed to submit a proposal as per provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as "Transfers Act,2005" for brevity) to his immediate superior authority, i.e., the Chief Conservator of Forests, Nagpur and after taking prior approval post the applicant at Fulchur Naka.

S.O. 29/10/2021 (PH).

Steno copy is granted..

Vice-Chairman

dnk.

O.A. 798/2021 (S.B.)

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

Dated : 25/10/2021.

Shri S.P. Palshikar, 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.**
22/11/2021 for filing reply.

Vice-Chairman

dnk.

O.A. 801/2021 (S.B.)

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

Dated : 25/10/2021.

C.A. 321/2021 -

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

At the request of Id. P.O., **S.O.**
27/10/2021.

Vice-Chairman

dnk.

O.A. 802/2021 (S.B.)

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

Dated : 25/10/2021.

Shri S.P. Palshikar, Id. counsel for the applicants and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O.**
27/10/2021 for filing reply.

Vice-Chairman

dnk.

O.A. 810/2021 (S.B.)

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

Dated : 25/10/2021.

Heard Shri S.C. Deshmukh, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. The learned counsel submits that the applicant has filed Appeal dated 14/1/2021 (A-2,P-10 to 13) which is pending before the respondent no.2, i.e., the Additional Director General of Police & Inspector General of Prison, Pune-1. The respondent no.2 is directed to decide the applicant's appeal dated 14/1/2021 (A-2,P-10 to 13) along with delay the application as per rules and regulations within 45 days from the date of receipt of this order.

3. With this direction, the O.A. stands disposed off. No order as to costs.

Steno copy is granted..

Vice-Chairman

dnk.

O.A. 828/2021 (S.B.)

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

Dated : 25/10/2021.

Shri N.D. Thombre, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

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

Vice-Chairman

dnk.

O.A. 867/2021 (S.B.)

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

Dated : 25/10/2021.

Shri B. Kulkarni, 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. four weeks** for filing reply.

Vice-Chairman

dnk.

O.A. 638/2021 (S.B.)

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

Dated : 25/10/2021.

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

2. The learned P.O. has placed on record letter dated 9/8/2021 by the respondent no.2 and submits that the grievance of the applicant has been solved.

3. Hence, the O.A. stands disposed off. No order as to costs.

Vice-Chairman

dnk.

O.A. 674/2021 (S.B.)

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

Dated : 25/10/2021.

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

2. The learned P.O. has placed on record the Government order dated 13/10/2021 which is marked Exh-X for the purpose of identification. According to the order, in para-4 interim relief of MAT, Nagpur mentioned and the applicant has been posted at DRDA, Nagpur so far as this relief is concerned, it is solved. However, in the order dated 20/9/2021 in para-4 it was also mentioned about the period from the date of relieving and till the date of joining. About that period it has not been clarified in the said order. It seems that the order is partly complied and issue of period is yet to be complied.

3. The respondents are directed to comply order dated 20/9/2021 entirely, particularly direction given in para-4.

S.O. after four weeks.

Steno copy is granted..

Vice-Chairman

dnk.

O.A. 891/2021 (S.B.)

(Dr. D.L. Sonekar Vs. State of Mah. & ors.)

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

Dated : 25/10/2021.

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri A.M. Khadatkar for the State.

2. As submitted by the learned counsel for the applicant, the competent authority of applicant is the Government of Maharashtra as per letter dated 12/02/2009 (A-1,P-11). The applicant has been suspended by the CEO, Zilla Parishad, Nagpur vide order dated 16/9/2021 (A-3,P-18) and head quarter has been placed at Mowad. The applicant has submitted representation dated 21/9/2021 (A-4,P-19) and submitted the health problem and due to health problem he requested for change of headquarter.

3. The respondent nos.2&3 are directed to decide the representation of the applicant dated 21/9/2021 (A-4,P-19) within 30 days from the date of receipt of this order.

4. Issue notice to the respondents returnable **after six weeks.** 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. after six weeks.

Steno copy is granted.

Vice-Chairman

dnk.

O.A. 887/2021 (S.B.)

(B.S. Patekar Vs. State of Mah. & ors.)

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

Dated : 25/10/2021.

Heard Shri P.B. Patekar, Id. counsel for the applicant and Shri A.P. Potnis, Id. PO for the State.

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

Vice-Chairman

dnk.

O.A. 720/2020 with C.A. 321/2020 (S.B.)

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

Dated : 25/10/2021.

Heard Shri M.M. Sudame, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1&2 and Shri S.P. Palshikar, Id. counsel for R-3.

The learned counsel for R-3 submits that he has not received instructions from the concerned and therefore he requested that the matter may be kept on 27/10/2021.

At the request of Id .counsel for R-3, **S.O.**
27/10/2021 high on board.

Vice-Chairman

dnk.

O.A. 508/2020 (S.B.)

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

Dated : 25/10/2021.

Mrs. R.S. Sirpurkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

Shri Khadatkar, Id. P.O. submits that the concerned P.O. Shri M.I. Khan is not available today, therefore, some time may be granted.

At the request of Id. P.O., **S.O.**
29/10/2021.

Vice-Chairman

dnk.

O.A. 155/2018 (S.B.)

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

Dated : 25/10/2021.

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

The learned counsel has filed Pursis dated 25/10/2021. It is taken on record. Copy is supplied to the Id. P.O.

At the request of Id. P.O., **S.O.**
29/10/2021.

Vice-Chairman

dnk.

O.A. 173/2019 (S.B.)

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

Dated : 25/10/2021.

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

2. The learned P.O. has filed Government decision dated 22/10/2021 by which the D.E. has been decided and the order has been passed by the Government in the D.E. It is taken on record and marked Exh-X.

3. Hence, this issue is over and therefore the present O.A. stands disposed off. However, the learned counsel for the applicant is at liberty to challenge the Government order dated 22/10/2021 by separate O.A. if he is aggrieved with this.

Vice-Chairman

dnk.

O.A. 675/2021 (S.B.)

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

Dated : 25/10/2021.

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

With the consent of Id .counsel for both
the parties, **S.O. 17/11/2021.**

Vice-Chairman

dnk.

O.A. 676/2021 (S.B.)

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

Dated : 25/10/2021.

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

With the consent of Id .counsel for both
the parties, **S.O. 17/11/2021.**

Vice-Chairman

dnk.

O.A. 644/2020 (S.B.)

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

Dated : 25/10/2021.

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

With the consent of Id .counsel for both the parties, **S.O. 15/11/2021.**

Vice-Chairman

dnk.

O.A. 646/2020 (S.B.)

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

Dated : 25/10/2021.

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

With the consent of Id .counsel for both the parties, **S.O. 15/11/2021 (PH).**

Vice-Chairman

dnk.

O.A. 965/2021 (S.B.)

(R.Y. Sable Vs. State of Mah. & Ors.)

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

Dated : 25/10/2021.

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

2. The applicant was working as Forester at Sahur, Ashti Range, Wardha Forest Division, Wardha. During that time on 8/3/2019 at 23.20 hrs. the applicant was arrested in FIR bearing Crime no.28/2019 by ACB. The departmental enquiry was conducted by the Department as per enquiry report dated 10/5/2021 at Annex-A-6, P-28. In the enquiry, the Enquiry Officer has recorded evidence and conclusion on page no.37 in para-10.2.0 which is reproduced as under –

*^^ 10-2-0 fu'd' & ojhy ckch fopkjkr ?krk vi pkjh Jh-jktq; knojko l kcGsr- ouiky] vk"Vh ouifj {k=} oufoHkkx o/kkz ; kpojhy nks'kkjki dz1 fl /n gkr ukgh- ***

3. So the applicant was exonerated in the departmental enquiry in this case. After incident dated 8/3/2019, the Department did not place the applicant under suspension and issued departmental enquiry under Rule 8 of the Maharashtra Civil Services (Discipline & Appeal) Rules,1979. The enquiry report submitted on 10/5/2021 (P-28 to 37) and as per enquiry report on page no.37 in para-10.2.0 conclusion is as under –

*^^ 10-2-0 fu'd' & ojhy ckch fopkjkr ?krk vi pkjh Jh-jktq; knojko l kcGsr- ouiky] vk"Vh ouifj {k=} oufoHkkx o/kkz ; kpojhy nks'kkjki dz1 fl /n gkr ukgh- ***

4. The ACB registered only FIR bearing Crime no.28/2019 and after arrest the applicant was released on bail within 48 hrs. The applicant was continued in service without placing him under suspension as per Rule 4 (2) of the Maharashtra Civil Services (Discipline & Appeal) Rules,1979, since the applicant was released within 48 hrs. after his arrest. After registration of FIR, one year and seven months period is lapsed and now the respondent no.2 invoked rule 4 (1) of the Maharashtra Civil Services (Discipline & Appeal) Rules,1979 and he was placed under suspension

vide impugned order dated 20/10/2021 (A-1,P-19). In the said order as reference no.1 the Government order dated 11/10/2021 is mentioned which is at A-8,P-39. The departmental enquiry has been conducted under Rule 8 of Maharashtra Civil Services (Discipline & Appeal) Rules,1979 and the applicant has been already exonerated.

5. In view of this peculiar circumstances, it appears that the suspension of applicant by order dated 20/10/2021 (A-1,P-19) is not justifying since the applicant has been exonerated in the departmental enquiry and ACB has not proceeded the case registered by it in reference to incident occurred on 8/3/2019.

6. Both the orders dated 11/10/2021 (A-8,P-39) and order dated 20/10/2021 (A-1,P-19) appears to be issued with prejudice view and malafide intention.

7. In view of above, the order dated 11/10/2021 (A-8,P-39) issued by respondent no.1 and order dated 20/10/2021 (A-1,P-19) issued by respondent no.2 are stayed till filing of reply.

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

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

10. 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.

11. 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.

12. 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.

13. 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.

Steno copy is granted..

Vice-Chairman

dnk.

O.A. 984/2021 (S.B.)

(Shri Vijay S. Chavhan Vs. State of Mah. & Ors.)

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

Dated : 25/10/2021.

ORDER

Heard Shri G.N. Khanzode, Id. counsel for the applicant and Shri A.M. Khadatkhar, Id. P.O. for the State.

2. The applicant was working as Superintendent under the office of respondent no.3, i.e., the Joint Charity Commissioner, Nagpur Division, Nagpur from 01/09/2016 as per para no.6.1 of the O.A. at page no.4. The applicant was transferred from Amravati to Nagpur on this post. As per order issued by respondent no.2, i.e., the Charity Commissioner (M.S.), Mumbai vide order dated 5/8/2021 (A-1,P-19) the applicant was transferred from Nagpur to Aurangabad in the same capacity. His name appears at Sr.No.8 and subsequently he joined at Aurangabad. As per submission, the respondents had published the list of Superintendents who were due for transfer on page no.34 which was published by the office of respondent no.2. In this list, the applicant's name was not listed. Since the applicant's name was not in the list of Officers to be transferred, the applicant was not expecting any transfer order. However, if at all he was to be transferred, he had given his options of posting as per Govt. G.R. dated 9/4/2018 at page no.37 and 10 choices of applicant are mentioned. Along with the application, the applicant had also attached abstract of G.R. dated 9/4/2018 which relates to posting of husband and wife at one place as far as possible. It is at page no.38. The applicant has also attached Certificate dated 20/8/2021 (A-4,P-42) by the District Supply Officer, Nagpur about his wife Sau. Menka Vijay Chavhan who is working at the establishment of Collector, Nagpur office. As submission made by the learned counsel and document at page no.43, a letter dated 24/9/2021 has been issued by the Law and Judiciary Department to respondent no.2 and in the second para, it is mentioned that regarding decision taken related to transfer of Mr. Chavhan is attached with this letter from page nos.44 to 46, particularly, on page no.46 it is mentioned that " *it is clear from the papers on record that Shri V.S. Chavan, Superintendent, Nagpur office will not come within the bracket of 25% Superintendents who were due for transfer. Had there*

been no cap or limit for effecting the transfers, then Shri V.S. Chavan had no case. In view of these aspects the office of Charity Commissioner ought not to have transferred Shri V.S. Chavan as he was not in the 25% cap of Superintendents due for transfer. The office of Charity Commissioner has to do the needful by cancelling or revoking the transfer of Shri V.S. Chavan effected vide order dated 05/08/2021, from Nagpur to Aurangabad." Pursuant to this direction and observations, the impugned order dated 22/10/2021 (A-9,P-51) was issued and in first part of the letter, it is mentioned that the order dated 5/8/2021 (A-1,P-19) by which Mr. Chavhan was transferred from Nagpur to Aurangabad has been cancelled and revised order is passed. Now in second part of the order, it is mentioned that considering the G.R. dated 9/4/2018 Mr. Chavhan is again posted to Aurangabad only. It is very surprising that in the same order, reference has been taken to previous order dated 5/8/2021 (A-1,P-19) and it has been cancelled, but again in second part the same previous order dated 5/8/2021 (A-1,P-19) is repeated, so the impugned order itself is very much contradictory and faulty in nature. It is also contradictory to directions given by Law and Judiciary Department vide their letter dated 24/09/2021 (P-43).

3. Considering this contradiction in the impugned order about list of names of probable Officers due for transfer, representation of the applicant and also of G.R. dated 9/4/2018 regarding posting of husband and wife together, representation of applicant illustrating all these facts including his options, the order dated 22/10/2021 (A-9,P-51) does not appear to be judicious.

4. In view of this situation, **the impugned order dated 22/10/2021 (A-9,P-51) is stayed with immediate effect till filing of reply by the respondents.**

5. The learned counsel further submits that Nagpur post is still vacant. In view of this contradictory situation, **the respondent no.2 is directed to relieve the applicant from Aurangabad immediately and ask him to join at Nagpur till filing of reply by the respondents.**

6. Issue notice to the respondents returnable **after six weeks**. Learned P.O. waives notice for State. Hamdast allowed.

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

8. 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.

9. 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.

10. 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.

11. 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 six weeks.

Steno copy is granted.

Vice-Chairman

dnk....

O.A.No.1007/2018 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.**

C.A.No.36/2021:-

Shri S.C.Deshmukh, the Id. counsel for the applicant, Shri P.N.Warjurkar, the Id. P.O. for respondent nos. 1 to 3, Shri K.P.Wathore, the Id. counsel for the respondent nos. 5, 6, 8 to 12, 14 to 17 and Shri D.M.Kakani, the Id. counsel for the respondent nos. 19 to 21, 23, 24, 25, 28, 29, 31, 32, 35, 36, 41, 51, 52, 54, 55, 57, 58, 66 to 69, 71 to 73, 75 to 84, 86 to 88, 90, 91, 94, 96 to 100, 104, 108 to 110, 113, 115 to 118, 123, 125, 128, 129, 132, 133, 135 to 137, 139, 140, 143 to 145, 147 to 152, 154, 155, 158, 159, 160, 164 to 166, 170, 173, 174, 178, 181 & 183 to 185, 188, 192, 198, 204, 206, 210, 211, 213, 215, 220, 228, 230, 248, 259, 261, 264. None for other respondents.

2. The Id. Advocate Shri D.M.Kakani has filed pursis by which it appears now he will appear for the Respondent nos. 204, 261, 215, 211, 58, 206, 198, 220, 90, 213, 230, 264, 228, 24, 210, 150, 188, 259, 192, 159, 248, 213. It is taken on record. Copy is supplied to the other side.

3. The Id. counsel for the applicant submits that notices have been served to all the private respondents and he has filed service affidavit in this regard. Office should verify this that whether all the

respondents have been served as submitted by Id. counsel for the applicant.

4. If notices of all the respondents have been served; matter will be placed before regular D.B. as and when it is available for final hearing.

Vice Chairman

Date:-25/10/2021.
aps.

O.A.No.324/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

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

2. The Id. P.O. submits that he will file reply during the course of the day. He further submits that he will serve the copy 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. in due course.**

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

Vice Chairman

Date:-25/10/2021.
aps.

O.A.No.352/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

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

2. The Id. P.O. has filed reply on behalf of the respondent no. 2. 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. as and when D.B. will available.**

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

Vice Chairman

Date:-25/10/2021.
aps.

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

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

Heard Shri S.S.Sharma, 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. three weeks to file reply.**

Vice Chairman

Date:-25/10/2021.

aps.

O.A.No.761/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

Heard Shri B.Kulkarni, 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.**

Vice Chairman

Date:-25/10/2021.
aps.

C.A.Nos.293&294/21inO.A.No.523/21with

O.A.No.524/21withO.A.No.525/21 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.**

Heard Shri V.Dongre and Shri R.V.Shiralkar, the Id. Counsel for the applicants, Shri P.N.Warjekar, the Id. P.O. for the respondents, Shri S.P.Palshikar, the Id. counsel for the Intervenor (O.A. No. 523/2021) and Shri R.M.Fating, the Id. counsel for the Respondent Nos. 6 to 8 & 12 (O.A. No. 525/2021). Await service of respondent nos. 10 to 14 (O.A. No. 523/2021).

2. It was made clear in order dated 11.10.2021 that while filing reply they should also clarify quota wise promotion.

3. In order dated 27.08.2021 in para no. 5 respondents have been directed not to disturb the quota till decision of this O.A.. In the interest of justice, respondents are directed to file reply within three weeks as a last chance and if reply is not filed till next date the O.A. will be decided on merit.

4. As interim order is given in order dated 27.08.2021 that will be decided on merit. The Id. counsel for the applicant submits that he will do necessary changes on behalf of order dated 11.10.2021 forthwith.

5. S.O. 17.11.2021.

6. Steno copy is granted.

Date:-25/10/2021.
aps.

Vice Chairman

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

**Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.**

C.A.No.325/2021:-

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

2. **C.A. No. 325/2021 for Jt. O.A. is allowed.**
3. Issue notice to Respondents, returnable on six 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. six weeks.**

Vice Chairman

Date:-25/10/2021.

aps.

O.A.No.960/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

C.A.No.339/2021:-

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

2. Total no of applicants are 08. However, appointing authority of all the 8 applicants are not same. As submitted by Id. P.O., appointing authority of applicant nos. 1, 2 & 5 are same. In view of this, Joint application is allowed in respect of applicant nos. 1, 2 & 5.

3. The Id. counsel for the applicant is at liberty to file separate C.A. for the remaining applicants Or the Id. counsel for the applicant is directed to amend the O.A. by deleting the remaining applicants.

4. As pointed out by Id. counsel for the applicant, interim relief clause no. 9 of pg. No. 15 of the O.A.; the advertisement published by M.P.S.C. No. 13/2019 (A-4, Pg. No. 27) dated 23.08.2019. It is in respect of Live Stock Development Officer, Maharashtra Animal Husbandry Services.

5. As submitted by Id. P.O., Applicant Nos. 1 & 2 are from O.B.C. Category and applicant no. 5 from N.T.C. Category. As per advertisement (A-4, Pg. No. 27) since applicant nos. 1 & 2 are from O.B.C. category and in the advertisement it is mentioned (89+33) 122 and for NTC total posts mentioned is 05. Respondents can go ahead with the selection process; however, they are directed to make it clear to the selected candidates that their selection and appointment will be subject to outcome of the O.A..

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

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

8. 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.

9. 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.

10. 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.

11. 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.

12. **S.O. four weeks.**

13. **Steno copy is granted.**

Vice Chairman

Date:-25/10/2021.

aps.

C.A.No.283/2021inO.A.St.No.1775/2021 and

**C.A.No.282/2021 in O.A.St.No.1773/2021
(D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.**

C.A.No.283/2021:-

Heard Shri R.V.Shiralkar, 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. for condonation of delay for 635 days. The Id. P.O. desires to file reply on C.A..

3. As submitted by Id. counsel for the applicant, C.A.No.282/2021 in O.A.St.No.1773/2021 is almost similar case. Therefore, put up this matter along with O.A.St.No.1775/2021.

4. Notice on C.As. to Respondents be issued returnable in **six weeks**.

5. Shri V.A.Kulkarni, the learned P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A.

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 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.

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. six weeks.**

Vice Chairman

Date:-25/10/2021.

aps.

C.P.No.45/2020 in O.A.No.1025/2018 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

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

2. As submitted by Id. P.O., the order passed by this Tribunal in O.A. No. 1025/2018 on 03.03.2020 and partially order was complied by respondents. By order dated 05.07.2021, Pg. No. 63 and applicant has been given appointment as well as husband given posting order also as per Pg. No. 70 (Applicant name is at Sr. No. 11). Husband given posting at Desaiganj District Gadchiroli.

3. As submitted by Id. P.O., it is seen that applicant relief clause in O.A. relating to relief sought appointment from back dated as Accountant w.e.f. 08.01.2019 has not been complied by respondents.

4. The Id. P.O. submits that respondents have moved to Law and Judiciary for concurrence. Respondents desire to challenge this part before Hon'ble High Court. The Id. P.O. desires six weeks time to file relevant documents and file reply related the documents that this order has been challenged before Hon'ble High Court.

5. **S.O. after six weeks.**

Vice Chairman

Date:-25/10/2021.

aps.

C.P.No.09/2021inO.A.No.485/2018with

C.P.No.10/2021inO.A.530/2018 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/2021.

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

2. Today the Id. P.O. has placed on record letter by Government dated 22.10.2021 which is marked Exh. X for the purpose of identification. It is taken on record. Copy is served to the other side.

3. According to this letter, D.E. against applicant has been finalized. The Hon'ble Minister has given concurrence and department has submitted the proposal to M.P.S.C. for its approval. It was sent on 20.09.2021 and again on 28.09.2021 reminder was sent to M.P.S.C.; department is waiting for concurrence from M.P.S.C.. The Id. P.O. desires some time to file on record. Final order issued by department after M.P.S.C. concurrence for that matter will be heard.

4. **S.O. 24.11.2021.**

Vice Chairman

Date:-25/10/2021.
aps.

O.A.No.900/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

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

2. The matter pertains to second time bound promotion. Applicant is challenging second time bound promotion to be given from Oct., 2011. As per relief clause; it appears that applicant has not been supplied copy of his A.C.R. pertaining to adverse remarks prior to 2012. Meanwhile, respondents should ensure that A.C.R. pertaining to adverse entry prior to 2012 should be given to applicant. The Id. counsel for the applicant is directed to remove office objection.

3. Issue notice to Respondents, returnable on after 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 on 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. after four weeks.**

Vice Chairman

Date:-25/10/2021.

aps.

O.A.Nos.909,910&911/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

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

2. It is contention of the applicant that he is in service since long and thereafter G.R. dated 21.12.2019 is issued by the Government and in pursuance of the G.R., the respondent no. 2 has passed the order dated 27.11.2020 giving appointment to the applicant only for a period of 11 months. The said order has been passed without giving an opportunity of hearing to the applicant. It is submitted that in similar matters interim relief is granted to the applicants. In view of the facts on the ground of parity **the interim stay is granted to the order dated 27.11.2020 till filing of the reply.**

3. Issue notice to Respondents, returnable on six 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. six weeks.**

Vice Chairman

Date:-25/10/2021.

aps.

O.A.No.948/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman

Dated : 25/10/ 2021.

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

2. The applicant was appointed on 20.11.1996 on the post of Junior Geologist as per recommendation of M.P.S.C. and as per para nos. III, IV and V of O.A. applicant was placed under suspension and D.E. was initiated against him. The applicant preferred O.A. No. 418/2005 order was delivered on 12.01.2006 and operative part of order is at Pg. No. 34 which is reproduced below:-

"If the departmental enquiry is not completed within four months from today suspension order of the applicant, would stand revoked automatically.

With these directions, O.A. stand disposed of, with no order as to costs."

3. After punishment was imposed on applicant vide Government order dated 30.06.2014 (A-3, Pg. No. 35) and it was minor punishment; next increment was stopped without any effect on future pay scale. Applicant preferred an appeal to his Excellency dated 25.08.2014 which is not decided till now. Applicant was recommended by M.P.S.C. as per correspondence dated 28.02.2011 (A-5, Pg. No. 43) for Geologist Group-A post and Government vide order dated 16.09.2016 (A-6, Pg. No. 44) promoted the applicant to Geologist, Group-A with posting order dated 03.11.2016 (A-7, Pg. No. 46). He was posted to Collector Office, Gadchiroli.

4. The seniority list was published on 05.07.2019 (A-8, Pg. No. 48) applicant name is at Sr. NO. 12 at Pg. No. 60. Applicant submitted representation vide letter dated 09.08.2019 (A-9, Pg. NO. 69). Government again published seniority list vide order dated 11.01.2021 (A-10, Pg. No. 70) and applicant was placed at Sr. No. 12. Applicant made again representation dated 23.02.2021 (A-11, Pg. No. 76), he is again submitted representation dated 03.09.2021 (A-12, Pg. No. 77).

5. The Id. counsel for the applicant has also relied on Judgment in O.A. NO. 886/2017 of MAT, Mumbai Bench which was decided on 30.04.2019. The Id. counsel

for the applicant submits that the D.P.C. for future promotion was took place on 23.09.2021 for post of Sr. Geologist and applicant feels that his name will not be considered because of wrong fixation of seniority list and aggrieved with this he has approached to this Tribunal.

6. Meanwhile, **respondents are directed that if any order of promotion to Senior Geologist are issued consequent to D.P.C. dated 23.09.2021 it should be made clear to the concerned officers that the promotion will be subject to decision in this O.A.** It is also observed that applicant had made various representations to The Secretary, Additional Chief Secretary and etc which are yet to be decided that should be also taken into account while filing reply by respondents.

7. Issue notice to Respondents, returnable on six weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

9. 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.

10. 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.

11. 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.

12. 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.

13. **S.O. six weeks.**

14. **Steno copy is granted.**

Date:-25/10/2021.
aps.

Vice Chairman

O.A.Nos.951,952&953/2021 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

Heard Shri P.N.Shende, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State.

2. Issue notice to Respondents, 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.**

Vice Chairman

Date:-25/10/2021.

aps.

C.P.No.48/2021inO.A.No.657/2020 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

Heard Shri B.Kulkarni, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the State.

2. The Id. P.O. has filed correspondence dated 08.10.2021 which is marked Exh. "X" for the purpose of identification. The correspondence is by Department of Dairy Development, Nagpur and addressed to the Id. counsel for the applicant. According to this correspondence; the applicant's salary from 01.12.2020 to 30.09.2021 has been paid and hence nothing survives in this O.A.. **Hence, C.P. stands disposed of with no order as to costs.**

3. However, the Id. counsel for the applicant is at liberty to file separate O.A., if he is aggrieved with any part of letter dated 08.10.2021.

Vice Chairman

Date:-25/10/2021.
aps.

O.A.No.612/2017 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

Heard Shri P.S.Sahare, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents. None for the respondent no. 3.

2. As submitted by Id. counsel for the applicant, after remanding back from Hon'ble High Court; the matter was heard and remanded back. Respondents rejected the appeal on the ground that applicant has not mentioned O.B.C. category in the form of the online application form. Now, the same is challenged before Hon'ble High Court.

3. The Id. counsel for the applicant submits that Hon'ble High Court has issued notices so the matter is before Hon'ble High Court. So, it cannot be decided at this stage.

4. **Put up this matter before regular D.B. as and when available.**

Vice Chairman

Date:-25/10/2021.
aps.

O.A.No.281/2015 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 25/10/ 2021.

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents. None for the respondent nos. 2 & 2 to 5.

2. At the request of Id. counsel for the applicant, **S.O. after diwali vacation.**

Vice Chairman

Date:-25/10/2021.
aps.