

O.A. 707/2014 (D.B.)

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

**Dated : 03/08/2018**

Shri S.R. Charpe, Id. counsel holding for Mrs. B. P. Maldhure the applicant in person. Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of Shri S.R. Charpe, Id. counsel, **S.O. next week.**

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 640/2017 (D.B.)**

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

**C.A.192/2018**

Shri A.M. Sudame, Id. counsel  
for the applicant, Shri S.A. Sainis, Id.  
P.O. for R-1 to 5 and Shri S.C.  
Deshmukh, Id. counsel for R-6.

At the request of Id. counsel for  
the applicant, **S.O. 06/08/2018.**

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 394/2015 (D.B.)**

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

**Dated : 03/08/2018**

None for the applicant.

Heard Shri A.M. Ghogre, Id.  
P.O. for the respondents.

**Heard. Admit.**

The learned P.O. waives notice  
on behalf of the respondents.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 432/2015 (D.B.)

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

**Dated : 03/08/2018**

None for the applicant.

Heard Shri M.I. Khan, Id. P.O.  
for the respondents.

**Heard. Admit.**

The learned P.O. waives notice  
on behalf of the respondents.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 440/2015 (D.B.)

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

**Dated : 03/08/2018**

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

**Heard. Admit.**

The learned P.O. waives notice  
on behalf of the respondents.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 630/2017 (D.B.)

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

**Dated : 03/08/2018**

None for the applicant.

Heard Shri A.M. Ghogre, Id.  
P.O. for the respondents.

Rejoinder is not filed.

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

The learned P.O. waives notice  
on behalf of the respondents.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 654/2017 (D.B.)

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

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

The learned P.O. files reply-affidavit on behalf of R-1 to 3. It is taken on record. Copy is served on the applicant. The learned counsel for the applicant wants to go through the same and seeks time file rejoinder. At his request, **S.O. four weeks** for filing rejoinder.

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 772/2017 (D.B.)

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

**Dated : 03/08/2018**

Shri S.N. Gaikwad, 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** for  
filing rejoinder.

**Member(A)**

**Vice-Chairman(J)**

dnk.



O.A. Nos. 242 & 272 of 2018 (D.B.)

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

**Dated : 03/08/2018**

Shri U.D. Mokasdar, Id. counsel  
for the applicants and Shri P.N.  
Warjurkar, Id. P.O. for R-1&2. None  
ofr R-3.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 271/2018 (D.B.)

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

**Dated : 03/08/2018**

Shri Bharat Kulkarni, Id. counsel  
for the applicant and Shri M.I. Khan,  
Id. P.O. for the respondents.

At the request of learned P.O.,  
**S.O. one week** for filing reply.

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 277/2018 (D.B.)

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

**Dated : 03/08/2018**

A.S. Tiwari, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1 to 3. None for R-4.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 281/2018 (D.B.)

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

**Dated : 03/08/2018**

A.S. Tiwari, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1 to 3. None for R-4&5.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 298/2018 (D.B.)

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

**Dated : 03/08/2018**

None for the applicant. Shri S.A.  
Deo, Id. CPO for the respondents.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 65/2016 (D.B.)

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

**Dated : 03/08/2018**

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

**Closed for orders** along with  
O.A.98/16 with C.A.461/17.

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 98/16 with C.A.146/17 (D.B.)**

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

Heard Shri S.R. Charpe, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondents.

Shri Charpe, Id. counsel files on record affidavit on behalf of the applicants. It is taken on record. Copy is given to the learned P.O.

**Closed for orders** along with O.A.65/2016.

**Member(A)**

**Vice-Chairman(J)**

dnk.

O.A. 790/2009 (D.B.)

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

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

**Closed for orders.**

**Member(A)**

**Vice-Chairman(J)**

dnk.



**O.A. 688/2009 (D.B.)**

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

Shri S.M. Khan, Id. counsel holding for Shri P.C. Marpakwar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned counsel for the applicant submits that the matter may be adjourned. However, from the record it seems that Shri Khan, Id. counsel for the applicant had appeared on 7/9/2016 and 10/04/2018 and thereafter the matter was posted on 1/8/2018 and it was published in the weekly board which was continued from 1/8/2018 to till today. However, nobody appeared for the applicant on 1/8/2018 and thereafter on 2/8/2018 and therefore the matter has been kept today for passing necessary

orders. Today also Shri Khan, Id. counsel is not ready to argue the matter. The matter is of the year 2009. There is no reason as to why Mr.Khan, Id. counsel has not mentioned the matter on 1/8/2018 and 2/8/2018 when it was published on the weekly board. In view thereof, the matter be kept on 6/8/2018 with cost of Rs.1,000/- to be deposited with the Registry of MAT, Nagpur.

**S.O. 6/8/2018** along with  
O.A.931/2012.

**Member(A)**

**Vice-Chairman(J)**

dnk.

**Dated** :- 3/8/2018.

**O.A. 931/2012 (D.B.)**

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

Shri S.M. Khan, Id. counsel holding for Shri P.C. Marpakwar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned counsel for the applicant submits that the matter may be adjourned. However, from the record it seems that Shri Joshi, Id. counsel holding for Shri Maparkawar, Id. counsel for the applicant had appeared on 09/10/2013 and 08/01/2014 and thereafter the matter was posted on 1/8/2018 and it was published in the weekly board which was continued from 1/8/2018 to till today. However, nobody appeared for the applicant on 1/8/2018 and thereafter on 2/8/2018 and therefore

the matter has been kept today for passing necessary orders. Today also Shri Khan, Id. counsel is not ready to argue the matter. The matter is of the year 2012. There is no reason as to why Mr.Khan, Id. counsel has not mentioned the matter on 1/8/2018 and 2/8/2018 when it was published on the weekly board. In view thereof, the matter be kept on 6/8/2018 with cost of Rs.1,000/- to be deposited with the Registry of MAT, Nagpur.

**S.O. 6/8/2018** along with  
O.A.688/2009.

**Member(A)                      Vice-Chairman(J)**

dnk.

**Dated** :- 3/8/2018.

**O.A. 877/2009 (D.B.)**

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

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

2. The matter has come on weekly board for hearing on 1/8/2018 and 2/8/2018, but nobody appeared for the applicant and therefore the matter is kept today. Today also no body appeared for the applicant. It appears that the applicant may not be interest in prosecuting the matter. Hence, the O.A. stands dismissed in default. No order as to costs.

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 881/2009 (D.B.)**

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

Ms. D.M. Joshi, Id. counsel holding for Shri R.S. Sirpurkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. It seems that nobody appeared for the applicant on 8/9/2016 and thereafter the matter was posted on 1/8/2018 and it was published in the weekly board which was continued from 1/8/2018 to till today. However, nobody appeared for the applicant on 1/8/2018 and therefore the matter has been kept today for passing necessary orders. Today also Ms. D.M. Joshi, Id. counsel appeared on behalf of R.S. Sirpurkar, Id. counsel for the applicant and seeks time and requested that matter may be kept on Monday. The matter is of the year 2009. There is no

reason as to why the learned counsel has not mentioned the matter on 1/8/2018 when it was published on the weekly board. In view thereof, the matter be kept on 6/8/2018 with cost of Rs.500/- to be deposited with the Registry of MAT, Nagpur.

**S.O. 06/08/2018.**

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 112/2008 (D.B.)**

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

**Dated : 03/08/2018**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. The learned P.O. files the copies of recruitment rules of Police Constable published on 16<sup>th</sup> June,2011. It is taken on record and marked Exh-X for the purposes of identification.

3. The learned counsel for the applicant also placed on record copy of the order passed by the Hon'ble High Court of Judicature at Bombay, Bench at Aurangabad on 12<sup>th</sup> July,2010 in Writ Petition No. 479/2010 along with Writ Petition Nos.662/2016, 3919/2010, 4010/2010.



Same is marked Exh-X1 for the purposes of identification.

Matter is closed for orders.

**Member(A)**

**Vice-Chairman(J)**

dnk.

Dated :- 3/8/2018.

**O.A. 50/2017 (D.B.)**

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

**C.A.27/2018 -**

Heard Shri P.S. Khubalkar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1&2. None for R-3.

2. The applicant is claiming a direction that he shall be appointed on the post of Talathi and the matter be finally heard. So far as the claim for interim relief is concerned, the same cannot be granted at this stage since whether the applicant is entitled to be appointed or not will have to be seen on merits. However his prayer for final disposal of the O.A. can be considered. The learned P.O. files today reply-affidavit on behalf of R-2 to the C.A. It is taken on record. Copy is served on the applicant. The C.A.

regarding final hearing of O.A. is allowed.

**O.A. 50/2017** –

The matter is admitted and be kept for final hearing.

The learned P.O. waives notice for R-1&2.

**S.O. 27/08/2018.**

**Member(A)**

**Vice-Chairman(J)**

dnk.

**C.P. 31/17 in O.A. 366/2015 (D.B.)**

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

**Dated : 03/08/2018**

Heard Shri S.R. Charpe, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

2. The applicant has filed this application for initiating contempt proceeding for not complying with the order dated 13/4/2017 in O.A.366/2015. The said operative order reads as under:-

*“The O.A. is allowed in terms of prayer clause 7 (a) (ai) and (b) (bi). The respondents are directed to extend the benefit of second time bound promotion to the applicant as per G.R. dated 1/4/2010 and other consequential reliefs as prayed within three months from the date of this order. No order as to costs.”*

3. From the arguments purforth it seems that the respondents have issued the order granting time bound promotion

to the applicant as per the G.R. dated 1/4/2010. The learned counsel for the applicant submits that the consequential reliefs however have not been granted since the applicant has not received the monetary benefits as per said order. The learned P.O. submits that the applicant is occupying the quarter for more than 12 years unauthorizedly after retirement. The applicant has also challenged the order of recovery as regards quarter in separate O.A. and therefore the fact as to whether the respondents will be entitled to recover the amount is under active consideration in another O.A. Therefore, the question of granting consequential reliefs in the form of monetary financial benefits will be considered in another O.A. In view thereof, nothing remains in the application. Hence, the Contempt Petition stands disposed of with no order as to costs.

**Member(A)**

**Vice-Chairman(J)**

dnk.

Dated :- 03/08/2018.

**O.A. No. 193/2017  
(S.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 3<sup>rd</sup> August 2018.**

Heard Shri P.P. Khaparde,  
the Ld. counsel for the applicant  
and Shri S.A. Deo, the learned  
C.P.O. for the respondents.

**ADMIT.**

Shri S.A. Deo, the learned  
C.P.O. waives notice for the  
respondents.

S.O. **last week of August,  
2018.**

Keep this O.A. alongwith O.A.  
No. 89/2017.

Vice-  
Chairman(J)

pdg.

**O.A. Nos. 445, 446 and 447 of  
2015  
(S.B.)**

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 3<sup>rd</sup> August 2018.**

Heard Shri Amrit Gajbhiye,  
Adv. holding for Shri N.B. Bargat,  
the Ld. counsel for the applicants  
and Shri A.M. Ghogre, the learned  
P.O. for the respondent Nos. 1 to 3  
and 5. None for R.4.

S.O. two weeks for filing G.R.  
on record.

To be treated as part heard.

Vice-  
Chairman(J)

pdg.

**O.A. No. 781/2016  
(S.B.)**

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 3<sup>rd</sup> August 2018.**

Heard M.R. Khan, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **8.8.2018.**

Vice-  
Chairman(J)



pdg.

**O.A. No. 760/2017  
(S.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 3<sup>rd</sup> August 2018.**

Heard Mrs. Shatabdi M. Khaire, Adv, holding for Shri S.S. Dhengale, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

The Ld. counsel for the applicant seeks time to go through the reply.

**S.O. four weeks.**

Vice-  
Chairman(J)

pdg.

**O.A. No. 432/2018  
(S.B.)**

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 3<sup>rd</sup> August 2018.**

Heard Shri K.S. Malokar, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents. Shri D.M. Surjuse, the learned counsel for the Intervener.

At the request of the Ld. counsel for the applicant, S.O. **two weeks.**

Vice-  
Chairman(J)

pdg.

**O.A. No. 89/2017  
(S.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 3<sup>rd</sup> August 2018.**

Heard Shri P.P. Khaparde,  
the Ld. counsel for the applicant  
and Shri S.A. Deo, the learned  
C.P.O. for the respondents.

S.O. **last week of August,  
2018.**

Keep this O.A. alongwith O.A.  
No. 193/2017.

Vice-  
Chairman(J)

pdg.

**O.A. 707/2014 (D.B.)**

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

Shri S.R. Charpe, Id. counsel holding for Mrs. B. P. Maldhure the applicant in person. Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of Shri S.R. Charpe, Id. counsel, **S.O. next week.**

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 640/2017 (D.B.)**

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

**Dated : 03/08/2018**

**C.A.192/2018**

Shri A.M. Sudame, Id. counsel  
for the applicant, Shri S.A. Sainis, Id.  
P.O. for R-1 to 5 and Shri S.C.  
Deshmukh, Id. counsel for R-6.

At the request of Id. counsel for  
the applicant, **S.O. 06/08/2018.**

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 394/2015 (D.B.)**

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

**Dated : 03/08/2018**

None for the applicant.

Heard Shri A.M. Ghogre, Id.  
P.O. for the respondents.

**Heard. Admit.**

The learned P.O. waives notice  
on behalf of the respondents.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 432/2015 (D.B.)**

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

**Dated : 03/08/2018**

None for the applicant.

Heard Shri M.I. Khan, Id. P.O.  
for the respondents.

**Heard. Admit.**

The learned P.O. waives notice  
on behalf of the respondents.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 440/2015 (D.B.)**



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

**Dated : 03/08/2018**

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

**Heard. Admit.**

The learned P.O. waives notice  
on behalf of the respondents.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 630/2017 (D.B.)**

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

**Dated : 03/08/2018**

None for the applicant.

Heard Shri A.M. Ghogre, Id.  
P.O. for the respondents.

Rejoinder is not filed.

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

The learned P.O. waives notice  
on behalf of the respondents.

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

**Member(A)                      Vice-Chairman(J)**

dnk.

**O.A. 654/2017 (D.B.)**

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

**Dated : 03/08/2018**

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

The learned P.O. files reply-affidavit on behalf of R-1 to 3. It is taken on record. Copy is served on the applicant. The learned counsel for the applicant wants to go through the same and seeks time file rejoinder. At his request, **S.O. four weeks** for filing rejoinder.

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 772/2017 (D.B.)**

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

**Dated : 03/08/2018**

Shri S.N. Gaikwad, 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** for  
filing rejoinder.

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. Nos. 242 & 272 of 2018 (D.B.)**

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

**Dated : 03/08/2018**

Shri U.D. Mokasdar, Id. counsel  
for the applicants and Shri P.N.  
Warjurkar, Id. P.O. for R-1&2. None  
ofr R-3.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 271/2018 (D.B.)**

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

**Dated : 03/08/2018**

Shri Bharat Kulkarni, Id. counsel  
for the applicant and Shri M.I. Khan,  
Id. P.O. for the respondents.

At the request of learned P.O.,  
**S.O. one week** for filing reply.

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 277/2018 (D.B.)**

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

**Dated : 03/08/2018**

A.S. Tiwari, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1 to 3. None for R-4.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 281/2018 (D.B.)**

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

**Dated : 03/08/2018**

A.S. Tiwari, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1 to 3. None for R-4&5.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 298/2018 (D.B.)**



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

**Dated : 03/08/2018**

None for the applicant. Shri S.A.  
Deo, Id. CPO for the respondents.

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

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 65/2016 (D.B.)**

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

**Dated : 03/08/2018**

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

**Closed for orders** along with  
O.A.98/16 with C.A.461/17.

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 98/16 with C.A.146/17 (D.B.)**

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

**Dated : 03/08/2018**

Heard Shri S.R. Charpe, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondents.

Shri Charpe, Id. counsel files on record affidavit on behalf of the applicants. It is taken on record. Copy is given to the learned P.O.

**Closed for orders** along with  
O.A.65/2016.

**Member(A)                      Vice-Chairman(J)**

dnk.

**O.A. 790/2009 (D.B.)**

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

**Dated : 03/08/2018**

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

**Closed for orders.**

**Member(A) Vice-Chairman(J)**

dnk.

**O.A. 688/2009 (D.B.)**

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

**Dated : 03/08/2018**

Shri S.M. Khan, Id. counsel holding for Shri P.C. Marpakwar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned counsel for the applicant submits that the matter may be adjourned. However, from the record it seems that Shri Khan, Id. counsel for the applicant had appeared on 7/9/2016 and 10/04/2018 and thereafter the matter was posted on 1/8/2018 and it was published in the weekly board which was continued from 1/8/2018 to till today. However, nobody appeared for the applicant on 1/8/2018 and thereafter on 2/8/2018 and therefore the matter has been kept today for passing necessary orders. Today also Shri Khan, Id. counsel is not ready to argue the matter. The matter is of the year

2009. There is no reason as to why Mr.Khan, Id. counsel has not mentioned the matter on 1/8/2018 and 2/8/2018 when it was published on the weekly board. In view thereof, the matter be kept on 6/8/2018 with cost of Rs.1,000/- to be deposited with the Registry of MAT, Nagpur.

**S.O. 6/8/2018** along with O.A.931/2012.

**Member(A) Vice-Chairman(J)**

dnk.

**Dated** :- 3/8/2018.

**O.A. 931/2012 (D.B.)**

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

Shri S.M. Khan, Id. counsel holding for Shri P.C. Marpakwar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned counsel for the applicant submits that the matter may be adjourned. However, from the record it seems that Shri Joshi, Id. counsel holding for Shri Maparkawar, Id. counsel for the applicant had appeared on 09/10/2013 and 08/01/2014 and thereafter the matter was posted on 1/8/2018 and it was published in the weekly board which was continued from 1/8/2018 to till today. However, nobody appeared for the applicant on 1/8/2018 and thereafter on 2/8/2018 and therefore the matter has been kept today for passing necessary orders. Today also Shri Khan, Id. counsel is not ready to

argue the matter. The matter is of the year 2012. There is no reason as to why Mr.Khan, Id. counsel has not mentioned the matter on 1/8/2018 and 2/8/2018 when it was published on the weekly board. In view thereof, the matter be kept on 6/8/2018 with cost of Rs.1,000/- to be deposited with the Registry of MAT, Nagpur.

**S.O. 6/8/2018** along with  
O.A.688/2009.

**Member(A)**

**Vice-Chairman(J)**

dnk.

**Dated** :- 3/8/2018.

**O.A. 877/2009 (D.B.)**



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

**Dated : 03/08/2018**

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

2. The matter has come on weekly board for hearing on 1/8/2018 and 2/8/2018, but nobody appeared for the applicant and therefore the matter is kept today. Today also no body appeared for the applicant. It appears that the applicant may not be interest in prosecuting the matter. Hence, the O.A. stands dismissed in default. No order as to costs.

**Member(A) Vice-Chairman(J)**

dnk.

**O.A. 881/2009 (D.B.)**

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

**Dated : 03/08/2018**

Ms. D.M. Joshi, Id. counsel holding for Shri R.S. Sirpurkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. It seems that nobody appeared for the applicant on 8/9/2016 and thereafter the matter was posted on 1/8/2018 and it was published in the weekly board which was continued from 1/8/2018 to till today. However, nobody appeared for the applicant on 1/8/2018 and therefore the matter has been kept today for passing necessary orders. Today also Ms. D.M. Joshi, Id. counsel appeared on behalf of R.S. Sirpurkar, Id. counsel for the applicant and seeks time and requested that matter may be kept on Monday. The matter is of the year 2009. There is no reason as to why the learned counsel has not mentioned the matter on 1/8/2018 when it was published on the

weekly board. In view thereof, the matter be kept on 6/8/2018 with cost of Rs.500/- to be deposited with the Registry of MAT, Nagpur.

**S.O. 06/08/2018.**

**Member(A)**

**Vice-Chairman(J)**

dnk.

**O.A. 112/2008 (D.B.)**

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

**Dated : 03/08/2018**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. The learned P.O. files the copies of recruitment rules of Police Constable published on 16<sup>th</sup> June,2011. It is taken on record and marked Exh-X for the purposes of identification.

3. The learned counsel for the applicant also placed on record copy of the order passed by the Hon'ble High Court of Judicature at Bombay, Bench at Aurangabad on 12<sup>th</sup> July,2010 in Writ Petition No. 479/2010 along with Writ Petition Nos.662/2016, 3919/2010, 4010/2010. Same is marked Exh-X1 for the purposes of identification.

Matter is closed for orders.

**Member(A)**

**Vice-Chairman(J)**

dnk.

Dated :- 3/8/2018.

**O.A. 50/2017 (D.B.)**

**Coram: J.D. Kulkarni,**

**Vice-Chairman(J) and**

**Shree Bhagwan,Member(A)**

**Dated : 03/08/2018**

**C.A.27/2018 -**

Heard Shri P.S. Khubalkar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1&2. None for R-3.

2. The applicant is claiming a direction that he shall be appointed on the post of Talathi and the matter be finally heard. So far as the claim for interim relief is concerned, the same cannot be granted at this stage since whether the applicant is entitled to be appointed or not will have to be seen on merits. However his prayer for final disposal of the O.A. can be considered. The learned P.O. files today reply-affidavit on behalf of R-2 to the C.A. It is taken on record. Copy is served on the applicant. The C.A. regarding final hearing of O.A. is allowed.

**O.A. 50/2017 –**

The matter is admitted and be kept for final hearing.

The learned P.O. waives notice for R-1&2.

**S.O. 27/08/2018.**

**Member(A)**

**Vice-Chairman(J)**

dnk.

**C.P. 31/17 in O.A. 366/2015 (D.B.)**

**Coram: J.D. Kulkarni,**  
**Vice-Chairman(J) and**  
**Shree Bhagwan,Member(A)**  
**Dated : 03/08/2018**

Heard Shri S.R. Charpe, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

2. The applicant has filed this application for initiating contempt proceeding for not complying with the order dated 13/4/2017 in O.A.366/2015. The said operative order reads as under:-

*“The O.A. is allowed in terms of prayer clause 7 (a) (ai) and (b) (bi). The respondents are directed to extend the benefit of second time bound promotion to the applicant as per G.R. dated 1/4/2010 and other consequential reliefs as prayed within three months from the date of this order. No order as to costs.”*

3. From the arguments purforth it seems that the respondents have issued the order granting time bound promotion to the applicant as per the G.R. dated 1/4/2010. The learned counsel for the applicant submits that the consequential reliefs however have not been granted



since the applicant has not received the monetary benefits as per said order. The learned P.O. submits that the applicant is occupying the quarter for more than 12 years unauthorizedly after retirement. The applicant has also challenged the order of recovery as regards quarter in separate O.A. and therefore the fact as to whether the respondents will be entitled to recover the amount is under active consideration in another O.A. Therefore, the question of granting consequential reliefs in the form of monetary financial benefits will be considered in another O.A. In view thereof, nothing remains in the application. Hence, the Contempt Petition stands disposed of with no order as to costs.

**Member(A)**

**Vice-Chairman(J)**

dnk.

Dated :- 03/08/2018.

O.A.No. 252/2018 (S.B.)

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

**Dated : 03.08.2018.**

Heard Smt. S.S.Dashputre, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the State. Await service of respondent nos. 2 to 4.

The Id. Counsel for the applicant submits that she want to delete the respondent no. 4. Permission granted to the delete the same. She further submits that she will file the service affidavit within a week. **S.O. ten days i.e. 14/08/2018 for filing service affidavit.**

**Member (A)**

aps.

O.A.No. 675/2017 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 03.08.2018.**

Heard Shri R.V.Shiralkar, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

The respondents in there affidavit-in-reply dated 02/04/2018 on P.B., Pg. No.21 in last para, they have submitted that the decision on the suspension of the applicant will be taken after the decision of the Criminal Case pending against the applicant in the Criminal Court. However, the Id. Counsel for the applicant has submitted in para no. 2 of the Judgment dated 12/04/2018 by the District & Session Court:-

*"The facts which are necessary for deciding this revision, are as under:-That, present applicant had moved an application under Section 239 of Criminal Procedure Code before learned Judicial Magistrate, First Class, Court No. 10, Nagpur that he be discharged from Crime No. 107/2010 for the above offence. It is alleged by him that applicant is*

*the Secretary of Apang Niradhar Bahhuddheshiya Kalyankari, Sanstha, Nagpur which is a registered Trust under Bombay Public Trust. Complaint- Tulshiram Atkar was the President of the Trust. He resigned from his post on 30/04/2005 and his resignation was accepted by the Managing Committee. He lodged the report in Police Station- Gittikhadan that applicant was operating the affairs and management of the Trust illegally and posting himself as the Secretary of Trust, prepared false and forged documents, accepted the donations from Government and misappropriated the same. On the basis of the report, Police registered the offences against this applicant."*

In view of the above facts the respondents are directed to decide the suspension period of the applicant within four weeks of this order and the same should be communicated to this Tribunal.

**S.O. four weeks.**

*If, the suspension period is decided than the respondents are further directed to process the pensionary benefits at the earliest.*

**Member (A)**

aps.

O.A.No. 355/2018 (S.B.)

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

**Dated : 03.08.2018.**

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

The Id. P.O. seeks three weeks time  
to file affidavit-in-reply. **S.O. three weeks.**

**Member (A)**

aps.

O.A.No. 377/2018 (S.B.)

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

**Dated : 03.08.2018.**

Heard Shri Manwatkar holding for Shri S.N.Gaikwad, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

The Id. P.O. submits the affidavit-in-reply on behalf of the respondent no. 3. The same is taken on record. Copy serve to the other side. He further submits that the reply of respondent nos. 1 and 2 is not necessary. The Id. Counsel for the applicant seeks time to file Rejoinder. At his request,

**S.O. two weeks.**

**Member (A)**

aps.

O.A.No. 414/2018 (S.B.)

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

**Dated : 03.08.2018.**

Heard Shri S.D.Malke, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

The matter is coming for the first time. At the request of Id. P.O., **S.O. four weeks.**

*Put up this matter alongwith the O.A. Nos. 415, 416 & 417 of 2018.*

**Member (A)**

aps.



O.A.No. 415/2018 (S.B.)

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

**Dated : 03.08.2018.**

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

The matter is coming for the first time. At the request of Id. P.O., **S.O. four weeks.**

*Put up this matter alongwith the O.A. Nos. 414, 416 & 417 of 2018.*

**Member (A)**

aps.

O.A.No. 416/2018 (S.B.)

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

**Dated : 03.08.2018.**

Heard Shri S.D.Malke, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

The matter is coming for the first time. At the request of Id. P.O., **S.O. four weeks.**

*Put up this matter alongwith the O.A. Nos. 414, 415 & 417 of 2018.*

**Member (A)**

aps.

O.A.No. 417/2018 (S.B.)

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

**Dated : 03.08.2018.**

Heard Shri S.D.Malke, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

The matter is coming for the first time. At the request of Id. P.O., **S.O. four weeks.**

*Put up this matter alongwith the O.A. Nos. 414, 415 & 416 of 2018.*

**Member (A)**

aps.

O.A.No. 441/2018 (S.B.)

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

**Dated : 03.08.2018.**

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

Hence, the matter is admitted and  
kept for final hearing. **S.O. two weeks.**

**Member (A)**

aps.

O.A.No. 444/2018 (S.B.)

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

**Dated : 03.08.2018.**

Leave note of the Counsel for the applicant. Shri P.N.Warjurkar, Id. P.O. for the respondents.

The Id. P.O. seeks time to file affidavit-in-reply. At his request, **S.O. one week.**

Interim order dated 22/06/2018 in para no. 3 – *“The Id. P.O. submits that he has no instructions in the matter as to whether the applicant has been relieved. The Id. Counsel for the applicant submits that as per the G.R. dated 15/03/2017, it has been specifically directed that those Forest Guards who have crossed the age of 50 yrs., shall not be transferred in wild life area. The applicant is aged about 54 yrs. Thus, his transfer is in contravention of the provisions of the said G.R. Considering all these aspects, for time being; the respondents are directed to maintain status quo till filling of reply by respondents.”*

The above order dated 22/06/2018  
is continued till further order. **S.O. one**  
**week.**

**Member (A)**

aps.

O.A.No. 496/2018 (S.B.)

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

**Dated : 03.08.2018.**

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

The Id. P.O. seeks four weeks time to  
file affidavit-in-reply. **S.O. four weeks.**

**Member (A)**

aps.