

O.A. 220/2017 (DB)

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

**Dated : 16.03.2018**

**C.A. 33/2018**

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

The Division Bench will be available from 1<sup>st</sup> week of April, 2018 and therefore matter be kept before Division Bench for final hearing. In view thereof, the C.A. for early hearing is allowed.

**O.A.220/2017 –**

The matter be kept **on 16/04/2018** for final hearing.

**Vice Chairman (J)**

dnk.

O.A. 852/2017 (DB)

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

**Dated : 16.03.2018**

None for the applicant.

Shri H.K. Pande, Id. P.O. for the  
respondent no.1. Await service of R-2.

At the request of learned P.O.,  
**S.O. 13/04/2018** for filing reply of R-1.

**Vice Chairman (J)**

dnk.

O.A. 581/2017 (DB)

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

**Dated : 16.03.2018**

Smt. K.N. Saboo, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondent nos. 1 to 3. None for R-4.

The learned P.O. files reply on behalf of R-1 to 3. Same is taken on record. Copy is served on the applicant.

**S.O. 06/04/2018** for filing rejoinder, if any.

**Vice Chairman (J)**

dnk.

O.A. 607/2017 (DB)

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

**Dated : 16.03.2018**

Shri S.M. Khan, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondent nos. 1 to 3 &5. Shri J.S. Mokadam, Id. counsel appears and submits that he will file vakalatnama on behalf of respondent no.4.

The learned P.O. files reply on behalf of R-1. Same is taken on record. Copy is served on the applicant.

At the request of learned counsel for the applicant, **S.O. 23/03/2018**.

**Vice Chairman (J)**

dnk.

O.A. 611/2017 (DB)

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

**Dated : 16.03.2018**

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

At the request of learned P.O.,  
**S.O. 06/04/2018** for filing reply.

**Vice Chairman (J)**

dnk.

O.A. 768/2017 (DB)

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

**Dated : 16.03.2018**

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

The learned P.O. files reply on behalf of R- 3. Same 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.

The matter be kept before regular Division Bench for final hearing on **16/04/2018**.

**Vice Chairman (J)**

dnk.

O.A. 780/2017 (DB)

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

**Dated : 16.03.2018**

Shri Rohan Lilhare, Id. counsel holding for Shri S.S. Dhengale, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1. None for R-2.

2. The learned P.O. submits that the G.R. which is challenged in this O.A. is already stayed by the Hon'ble High Court. He will file the copy of the said order. The learned counsel for the applicant also seeks time to take instructions from the applicant whether to withdraw the O.A.

**S.O. 06/04/2018.**

**Vice Chairman (J)**

dnk.

O.A. 864/2017 (DB)

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

**Dated : 16.03.2018**

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondent no.1. None for R-2.

At the request or learned P.O.,  
**S.O. 13/04/2018** for filing reply.

**Vice Chairman (J)**

dnk.



O.A. 889/2017 (DB)

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

**Dated : 16.03.2018**

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

The learned P.O. files reply-affidavit on behalf of R-2. It is taken on record. He submits that reply of R-1 is not necessary.

**S.O. 06/04/2018** for filing rejoinder, if any.

**Vice Chairman (J)**

dnk.

**O.A. No. 499/2016.**

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

**Dated : 19<sup>th</sup> March 2018.**

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

Closed for orders.

Vice-  
Chairman(J)

pdg

**O.A. No. 755/2014.**

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

**Dated : 19<sup>th</sup> March 2018.**

Heard Shri S.P. Palshikar,  
Ld. counsel for the applicant and  
Shri S.A. Sainis, the learned P.O.  
for respondents.

Closed for orders.

Vice-  
Chairman(J)

**O.A. No. 138/2018.**

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

**Dated : 19<sup>th</sup> March 2018.**

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

S.O. 20.3.2018 for withdrawal of the O.A.

Vice-  
Chairman(J)

**O.A. No. 18/2018.**

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

**Dated : 19<sup>th</sup> March 2018.**

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

S.O. **20.3.2018** for production  
of original record.

Vice-  
Chairman(J)

pdg

**O.A. No. 701/2015.**

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

**Dated : 19<sup>th</sup> March 2018.**

Heard Shri R.S.Thengne, Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for respondents.

S.O. **21.3.2018** as a last chance.

Vice-  
Chairman(J)

pdg

**M.C.A.No.07/18            in            O.A.  
No.484/2016.**

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

**Dated : 16<sup>th</sup> March 2018.**

**M.C.A. No.07/2018.**

None for the applicant.  
Shri V.A.Kulkarni, the learned P.O.  
for respondents.

On 14/02/2018, the detailed  
order was passed. Nobody is  
attending for the applicant from  
16/03/2017. In view thereof, M.C.A.  
stands dismissed in default.

Vice-  
Chairman(J)

aps

**C.A.No.64&65/18 in O.A.  
No.717/17.**

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



**Vice-Chairman (J).**

**Dated : 16<sup>th</sup> March 2018.**

**C.A. No.64 & 65/2018.**

Ms.M.P.Munshi, the Id. counsel for the applicant and Shri A.P.Potnis, the learned P.O. for the respondents.

The Id. P.O. submits that he will file reply to the Civil Application on 09/04/2018. The similar matters are posted on 09/04/2018 and, therefore, this matter also be placed on 09/04/2018.

**S.O. 09/04/2018** for reply.

Vice-  
Chairman(J)

aps

**O.A. No.923/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

Mrs.V.Chimurkar, the Id. counsel for the applicant, Shri A.P.Potnis, the learned P.O. for the respondent nos. 1, 2 & 5. None for respondent nos. 3 & 4.

At the request of Id. counsel for the applicant, **S.O. 23/03/2018** for filing some documents on record.

Vice-  
Chairman(J)

aps

**O.A. No.211, 350, 351, 483, 741 to  
753/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

Shri S.E.Raghote holding for  
Shri D.M.Kakani, the Id. counsel for  
the applicant, Shri A.M.Ghogre, the  
learned P.O. for the State. Await  
service of respondent nos. 2 & 3.

The Id. P.O. submits that he  
will file the reply during the course  
of the day.

**S.O. 27/03/2018** for reply.

*Put up alongwith other  
connected matters.*

Vice-  
Chairman(J)

aps

**O.A. No.166 to 181, 210, 212 to 214, 227 to 239, 347 to 349, 463, 464, 484, 485, 831, 857, 858, 882 & 902/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

Shri S.E.Raghote holding for Shri D.M.Kakani, the Id. counsel for the applicant, Shri A.M.Ghogre, the learned P.O. for the respondents.

The Id. P.O. submits that he will file the reply during the course of the day.

**S.O. 27/03/2018** for reply.

*Put up alongwith other connected matters.*

Vice-  
Chairman(J)

aps

**O.A. No.182/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

Shri S.E.Raghote holding for Shri D.M.Kakani, the Id. counsel for the applicant, Shri A.M.Ghogre, the learned P.O. for the respondents.

The Id. P.O. submits that he will file the reply during the course of the day. The Id. counsel for the applicant files rejoinder. The same is taken on record. Copy is served to the other side.

**S.O. 27/03/2018** for reply.

*Put up alongwith other  
connected matters.*

Vice-  
Chairman(J)

aps

**O.A. No.182/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

Shri S.E.Raghote holding for  
Shri D.M.Kakani, the Id. counsel for  
the applicant, Shri A.M.Ghogre, the  
learned P.O. for the respondents.

The Id. P.O. submits that he  
will file the reply during the course  
of the day. The Id. counsel for the  
applicant files rejoinder. The same  
is taken on record. Copy is served  
to the other side.

**S.O. 27/03/2018** for reply.

*Put up alongwith other  
connected matters.*

Vice-  
Chairman(J)

aps

**O.A. No.723/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

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

The Id. C.P.O. seeks time to  
file reply.

**S.O.06/04/2018** for reply.

Vice-  
Chairman(J)

aps

**O.A. No.758/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

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

The Id. P.O. seeks time to file reply.



**S.O.13/04/2018** for reply.

Vice-  
Chairman(J)

aps

**O.A. No.08/2018.**

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

**Dated : 16<sup>th</sup> March 2018.**

Shri A.Ramteke, Id. counsel  
for the applicant and Shri S.A.Deo,  
the learned C.P.O. for the  
respondents.

The Id. C.P.O. files the reply on behalf of the respondent nos. 1 & 2. The same is taken on record. Copies are served to the other side.

**S.O.27/03/2018** for final hearing.

Vice-  
Chairman(J)

aps

**O.A. No.839/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

None for the applicant. Shri A.P.Potnis, the learned P.O. for the respondent nos. 1 & 2. None for respondent no. 3.

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

**S.O.13/04/2018.**

Vice-  
Chairman(J)

aps

**O.A. No.617/2016.**

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

**Vice-Chairman (J).**

**Dated : 16<sup>th</sup> March 2018.**

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

Closed for order.

Vice-  
Chairman(J)

aps

**O.A. No.892/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

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

At the request of Id. P.O.,  
**S.O.13/04/2018.**

Vice-  
Chairman(J)

aps

**O.A. No.985/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

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

At the request of Id. P.O.,  
**S.O.06/04/2018** for reply.

Vice-  
Chairman(J)

aps

**O.A. No.13/2018.**

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

**Dated : 16<sup>th</sup> March 2018.**

Shri Dhore, the Id. counsel for the applicant and Shri Khadatkar, the learned P.O. for the respondents.

At the request of Id. P.O.,  
**S.O.13/04/2018** for reply.

Vice-  
Chairman(J)

aps

**O.A. No.755/2014.**

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

**Dated : 16<sup>th</sup> March 2018.**

Shri S.P.Palshikar, the Id. counsel for the applicant and Shri S.A.Sainis, the learned P.O. for the respondents.

At the request of Id. Counsel for the applicant, **S.O. Monday i.e. 19/03/2018.**

Vice-  
Chairman(J)



aps

**O.A. No.376/2016.**

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

**Dated : 16<sup>th</sup> March 2018.**

Leave note of Shri R.V.Shiralkar. Shri A.M.Ghogre, the learned P.O. for the respondents.

At the request of Id. P.O.,  
**S.O. 23/03/2018.**

Vice-  
Chairman(J)

aps

**O.A. No.360/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

None for the applicant. Shri A.P.Potnis, the learned P.O. for the respondent nos. 1 to 6. None for the respondent no. 7.

Nobody appears for the applicant from 05/03/2018, 09/03/2018 and, therefore, the matter was kept for dismissal. Since nobody appears today also. The O.A. stands dismissed in default.

Vice-  
Chairman(J)

aps

**O.A. No.568 & 569/2017.**

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

**Dated : 16<sup>th</sup> March 2018.**

Shri O.Y.Kashid, the Id. counsel for the applicant and Shri M.I.Khan, the learned P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 13/04/2018.**

Chairman(J) Vice-

aps

**O.A. No.915/2017.**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 16<sup>th</sup> March 2018.**

None for the applicant. Shri M.I.Khan, the learned P.O. for the respondent nos. 1 to 4. Shri Vilas Dongre, the Id. counsel for respondent no. 5.

At the request of Id. P.O.,  
**S.O. 22/03/2018.**

Vice-  
Chairman(J)

aps

**O.A. No.772/2014.**

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

**Dated : 16<sup>th</sup> March 2018.**

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

2. In this O.A., the applicant is  
claiming relief as under :-

B. To hold and declare that the applicant  
is entitled for the time scale from 31/05/1991  
and to get the exemption from passing  
departmental/ professional examination in  
view of crossing of age of 45 yrs. in view of  
the Government Resolution dated 01/11/1977  
and to be absorbed on the post of Civil  
Engineering Assistant.

C. To hold and declare that the applicant  
is entitled to get the benefits of time bound  
promotion scale/ Assured progressive  
Scheme of the post of Civil Engineer  
pursuant to the crossing of age of 45 yrs. i.e.  
on 31/05/1991 in view of the G.R. dated  
01/11/1977.

D. To direct the respondent no. 1 to grant  
the benefits of time bound promotion scale/  
Assured progressive scheme of the post of  
Civil Engineering Assistant to the applicant  
and to extend all the consequential benefits.

3. The Id. P.O. has invited my attention to the affidavit-in-reply and

particularly para no. 3 of the reply, which reads as under:-

Without prejudice the right of respondents to give detail reply on merit the preliminary objection regarding the maintainability of the original application on the ground of limitation. It is humbly submitted that the original application is hopelessly time barred as the applicant is praying for promotion right from 1991 that to in the year, 2015. That, it shows there is a delay on 24 yrs. and same has not been explained by the applicant therefore the original application is dismissed on this count alone. Merely receiving information later on or made representations doesn't if so fact extend the time of limitation as claim by the applicant. It is admittedly the applicant was retired from service before approaching to this Hon'ble Tribunal on 31.05.2004 therefore, the original application otherwise also not maintainable before this Hon'ble Tribunal as no action or order of the respondents have been challenged in the present original application.

4. From the aforesaid facts, it is clear that the applicant is claiming time bound promotion on the basis of same G.R. w.e.f. 31/05/1991. He attended the age of 45 yrs. on that date. The applicant, since had already retired from the

Government services and after 24 yrs. he has filed this O.A. In spite of specific objection that the application was hopelessly barred by the limitation, no application for

condonation of delay was also preferred. Considering all these aspects, I am satisfied that the application is hopelessly barred by limitation and no relief can be granted to the applicant as claimed.

5. In view thereof, the O.A. stand dismissed with no order as to costs.

Vice-  
Chairman(J)



aps