

O.A. No. 85/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 13th April 2017.

Heard Shri D.N.Mathur, the Id. counsel for the applicant. Shri A.P.Potnis, the learned P.O. for respondents.

The Id. P.O. seeks time to file reply affidavit. The compassionate family pension has been granted as per order dated 14/01/2014 at the rate of Rs. 330/- per month, but the said amount is not paid till today. Therefore, the applicant has prayed for the amount. The respondents are directed to file a short affidavit as to why the amount has not been paid and to make the statement as to within how many days the said amount will be paid to the applicant.
S.O. two weeks.

Steno copy granted.

Vice-Chairman(J)

aps

O.A. No. 670/2016.

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

Dated : 13th April 2017.

Heard Shri Bharat Kulkarni, the Id. counsel for the applicant, Shri Khadatkar, the learned P.O. for respondents no. 1 & Shri V.G.Palshikar, the Id. counsel for respondents no. 2, 3 & 4.

In this O.A., the applicant has claimed that the order dated 27/10/2015 withholding his one increment vide corrigendum dated 15/12/2015 be quashed and set aside and the respondents be directed to pay unpaid amount from 26/06/2013 to 12/06/2014. He is also claiming direction to R-2 to entertain the appeal submitted on 14/03/2016 and review application dated 26/04/2016 by condoning the delay.

From the reply affidavit, it seems that the departmental appeal and the review application were rejected on technical ground that the same were not within limitation.

The Id. counsel for the applicant placed reliance on the Judgment delivered by this Tribunal at its Mumbai Bench in O.A. No. 1029/2015 on 13/04/2016. The copy of which is marked as exhibit "X" for identification. In the said case, the Tribunal in similar the circumstances, was pleased to direct the appellate authority to condone the delay and to take a decision on appeal on merits. The Id. counsel for the applicant submits that, if similar directions are given, the purpose will be served. The Id. P.O. and the Id. respondents no. 3 & 4 agreed that the appeal was rejected on technical grounds and directions be issued. In view thereof, the following order is passed:-

ORDER:-

The O.A. stands disposed of with direction to R-2 to entertain the appeal dated 14/03/2016 by condoning the delay. Decision in the said appeal will be taken on merit within three months from the date of this order.

No order as to costs.

Vice-Chairman(J)

O.A. No. 223/2013.

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

Dated : 13th April 2017.

Ms. Rucha Pandey holding for Shri S.Ghate, the Id. counsel for the applicant. Smt. Kolhe, the learned P.O. for respondents.

At the request of Id. counsel for the applicant as a last chance, **S.O. Monday i.e. 17/04/2017.**

Vice-Chairman(J)

aps

O.A. No. 787/2016.

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

Dated : 13th April 2017.

Shri M.R.Khan, the Id. counsel for the applicant. Smt. Barabde, the learned P.O. for respondents no. 1 to 4. Mrs. Maldhure, Id. counsel for the R-5.

The Id. counsel for the applicant submits that the O.A. has become infructuous and therefore the same may be disposed off. In view thereof the O.A. stands disposed off as infructuous with no order as to cost.

Vice-Chairman(J)

aps

O.A. No. 617/2016.

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

Dated : 13th April 2017.

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

The Id. P.O. seeks time , **S.O. after summer vacation.**

Vice-Chairman(J)

aps

O.A. No. 626/2016.

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

Dated : 13th April 2017.

Shri S.R.Mendiretta, the Id. counsel for the applicant. Shri P.N.Warjurkar, learned P.O. for respondents.

The Id. P.O. seeks time to file reply affidavit, as a last chance.

S.O. three weeks.

Vice-Chairman(J)

aps

O.A. No. 659/2016.

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

Dated : 13th April 2017.

Shri A.B.Mirza, the Id. counsel for the applicant and Shri V.A.Kulkarni, learned P.O. for respondents.

Rejoinder not filed by Id. counsel for the applicant.

Admit.

The Id. P.O. waives notices for all the respondents.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 660/2016.

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

Dated : 13th April 2017.

Shri Y.Kinkhede, the Id. counsel for the applicant and Smt. Barabde, learned P.O. for respondents.

The Id. P.O. seeks time to file reply affidavit for which the Id. P.O. strongly objected. From the order dated 24/03/2017, it seems that the last chance was granted to file the reply affidavit. If the reply is not filed on the next date, then heavy cost will be saddled to the respondents.

With this understanding, **S.O. after summer vacation.**

Vice-Chairman(J)

aps

O.A. No. 671/2016.

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

Dated : 13th April 2017.

Shri Bharat Kulkarni, the Id. counsel for the applicant and Shri Pandey, learned P.O. for respondents.

The Id. counsel for the applicant seeks time, **S.O. after summer vacation for filing Rejoinder.**

Vice-Chairman(J)

aps

O.A. No. 805/2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 13th April 2017.

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

The Id. counsel for the applicant seeks time to file reply affidavit, **S.O. after summer vacation.**

Vice-Chairman(J)

aps

O.A. No. 36/2017 with C.A.105/2017.

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

Dated : 13th April 2017.

Shri N.R.Saboo, the Id. counsel for the applicant and Shri M.I.Khan, learned P.O. for respondents no. 1 & 4. Shri A.M.Kukday, Id. counsel for R-2 & 3.

The Id. counsel for the applicant seeks time to file reply affidavit, the time is granted on condition that till reply is filed the impugned recovery while office order dated 20/10/2016 is stayed. **S.O. after summer vacation.**

Vice-Chairman(J)

aps

O.A. No. 60/2017

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

Dated : 13th April 2017.

Shri N.R.Saboo, the Id. counsel for the applicant and Shri Khadatkar, learned P.O. for respondents no. 1 to 3. None for R-4. Shri D.A.Sonwane, Id. counsel for R-5.

The Id. P.O. seeks time to file reply affidavit, **S.O. after summer vacation.**

Vice-Chairman(J)

aps

O.A. No. 77/2017

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

Dated : 13th April 2017.

Shri N.R.Saboo, the Id. counsel for the applicant and Shri V.A.Kulkarni, learned P.O. for respondents no. 1 & 2.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 82/2017

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

Dated : 13th April 2017.

Shri N.R.Saboo, the Id. counsel for the applicant and Shri Khadatkhar, learned P.O. for respondents no. 1 & 2. None for R-3 & 4.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 642/2016

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

Dated : 13th April 2017.

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

The Id. counsel for the applicant seeks time to file application for condonation of delay.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 28/2017

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

Dated : 13th April 2017.

C.A.48/2017:-

None for the applicant and Shri
A.P.Potnis, learned P.O. for respondents.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 28/2017

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

Dated : 13th April 2017.

C.A.48/2017:-

None for the applicant and Shri
A.P.Potnis, learned P.O. for respondents.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 152/2017

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

Dated : 13th April 2017.

Shri P.P.Khaparde, Id. counsel for the applicant and Shri A.P.Potnis, learned P.O. for respondent no. 1.

The Id. counsel for the applicant seeks time to file service affidavit, **S.O. two weeks.**

Vice-Chairman(J)

aps

O.A. No. 21/2016

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

Dated : 13th April 2017.

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

S.O. after summer vacation for filing Rejoinder.

Vice-Chairman(J)

aps

O.A. No. 94/2016

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

Dated : 13th April 2017.

Shri A.S.Chakotkar, Id. counsel for
the applicant and Shri S.V.Kolhe, learned
P.O. for respondents.

S.O. two weeks for filing Rejoinder.

Vice-Chairman(J)

aps

O.A. No. 524 & 525 of 2016

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

Dated : 13th April 2017.

Shri N.R.Saboo, Id. counsel for the applicant and Smt. Barabde, learned P.O. for respondents.

Reply is already been filed. It is stated that similar matter is also stated which is at hearing serial no. 11 i.e. 623/2016. Hence all the matters be tagged with these two O.A.'s are also admitted and kept with O.A.623/2016.

Ld. P.O. waives notices for all the respondents.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 623 of 2016

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

Dated : 13th April 2017.

Shri N.R.Saboo, Id. counsel for the applicant and Smt. Barabde, learned P.O. for respondents.

Tagged with O.A.524 & 525 of 2016.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 529 of 2016

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

Dated : 13th April 2017.

None for the applicant and Smt. Kolhe, learned P.O. for respondents.

The Id. P.O. seeks time, **S.O. after summer vacation.**

Vice-Chairman(J)

aps

O.A. No. 781 of 2016

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

Dated : 13th April 2017.

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

The Id. P.O. files reply affidavit on behalf of R-2 to 4. The same is taken on record. The copy is served to the other side.

S.O. after summer vacation for filing rejoinder if necessary.

Vice-Chairman(J)

aps

O.A. No. 614 of 2016

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

Dated : 13th April 2017.

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

The Id. P.O. files reply affidavit on behalf of R-1 to 4. The same is taken on record. The copy is served to the other side. The Id. counsel for the applicant wants to go through it.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 580 of 2016

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

Dated : 13th April 2017.

Shri Ananta Ramteke, Id. counsel for the applicant and Shri Pandey, learned P.O. for respondents.

The Id. P.O. files reply affidavit on behalf of R-1. The same is taken on record. The copy is served to the other side. The Id. counsel for the applicant wants to go through it.

S.O. after summer vacation for filing rejoinder if necessary.

Vice-Chairman(J)

aps

O.A. No. 576 of 2016

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

Dated : 13th April 2017.

Shri A.P.Sadavarte, Id. counsel for the applicant and Smt. Barabde, learned P.O. for respondents.

The Id. P.O. files reply affidavit on behalf of R-3. The same is taken on record. The copy is served to the other side.

The Id. counsel for the applicant stated that he will file the condonation of delay application in the next date and supply the same to the other side.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 462 of 2016

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

Dated : 13th April 2017.

None for the applicant and Shri A.M.Ghogre, learned P.O. for respondents.

The Id. P.O. files reply affidavit for respondents. The same is taken on record. The copy is served to the other side.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 729 of 2014

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

Dated : 13th April 2017.

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.M.Ghogre, learned P.O. for respondents.

The Id. counsel for the applicant has requested for permission to file on record the G.R. dated 27/05/1988 and submitted that the resolution is applicable with effect from 01/04/1979. The name of the applicant as per the G.R. is at serial number four and that of one Shri J.G.Madane at serial number nine and Shri Madane has received all the benefits of the G.R.. The Id. P.O. seeks time to go through the G.R. and take instructions.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 656 of 2014

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

Dated : 13th April 2017.

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

At the request of Id. counsel for the applicant, **S.O. 02/05/2017.**

Vice-Chairman(J)

aps

O.A. No. 610 of 2013

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

Dated : 13th April 2017.

Shri Bharat Kulkarni, Id. counsel for the applicant and Smt. Barabde, learned P.O. for respondents.

The Id. P.O. seeks time to file reply to the amended O.A.. **S.O. after summer vacation.**

Vice-Chairman(J)

aps

O.A. No. 783 of 2013

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

Dated : 13th April 2017.

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

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

Vice-Chairman(J)

aps

O.A. No. 273 of 2014

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

Dated : 13th April 2017.

None for the applicant and Shri P.N.Warjurkar, learned P.O. for respondents.

On the last date Adv. G.K.Bhusari appeared on behalf of the Adv.S.B.Ninawe and stated that the Id. counsel for the applicant is not feeling well and therefore the matter was adjourned today. Today neither Adv. G.K.Bhusari nor Adv.S.B.Ninawe appeared in the matter. The matter be kept for dismissal at the next date. **S.O. before summer vacation.**

Vice-Chairman(J)

aps

O.A. No. 484 of 2016

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

Dated : 13th April 2017.

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

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 495 of 2016

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

Dated : 13th April 2017.

None for the applicant and Shri P.N.Warjurkar, learned P.O. for respondents.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 508 of 2016

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

Dated : 13th April 2017.

None for the applicant and Shri
Khadatkar, learned P.O. for respondents no.
1, 3 & 4. None for R-2.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 27 of 2017

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

Dated : 13th April 2017.

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

The matter relates to termination which is a subject of Division Bench. Hence it is removed from Single Bench. Registrar is directed to keep it before Division Bench.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 03 of 2014

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

Dated : 13th April 2017.

Ms. Lanjewar, holding for Shri P.D.Meghe, ld. counsel for the applicant and Shri Ghogre, learned P.O. for respondents.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 206 of 2017

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

Dated : 13th April 2017.

None for the applicant and Shri Ghogre, learned P.O. for R-1. The office objection is not removed.

S.O. after summer vacation.

Vice-Chairman(J)

aps

O.A. No. 571 of 2015

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

Dated : 13th April 2017.

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

S.O. after summer vacation for filing rejoinder.

Vice-Chairman(J)

aps

O.A.530/2014 (D.B.)

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

Dated : 13.04.2017.

C.A.22/2015 in C.P.(St.) 87/2015

Heard Shri P.Jibhkate, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for respondent no.1. None for R-2&3. Await service of R-4.

2. At the request of learned counsel for the applicant, fresh notice to respondent no.4 on application be issued returnable in **two weeks**. Hamdast granted.

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 the O.A.

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 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.

7. **S.O. two weeks.**

Vice Chairman (J)

dnk.

O.A.29/2016 (D.B.)

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

Dated : 13.04.2017.

C.A.137/2016 in C.P.(St.) 548/2016

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

The learned P.O. submits that he will deposit the cost during the course of day. He files Affidavit on behalf of respondent no.2. Same is taken on record. Copy thereof is given to the Id. counsel for the applicant. The learned counsel for the applicant wants to go through the same.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A.530/2013 (D.B.)

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

Dated : 13.04.2017.

C.A.126/2016 in C.P.(St.) 490/2016

None for the applicant. Shri P.N.
Warjurkar, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. After
Summer Vacation.**

Vice Chairman (J)

dnk.

O.A.687/2014 (D.B.)

Coram : Hon. Shri J.D.Kulkarni,

Vice-Chairman (J).

Dated : 13.04.2017.

C.A.151/2016 in C.P.(St.) 615/2016

None for the applicant. Smt. S.V. Kolhe, Id. P.O. for the respondent nos. 1 to 3, Mrs. V. Khandekar, Id. counsel for R-4&5. None for R-6.

The learned counsel for R-4&5 seeks time to take instructions from respondent / authority. At her request, **S.O. After Summer Vacation.**

Vice Chairman (J)

dnk.

O.A.321/2009 (D.B.)

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

Dated : 13.04.2017.

C.A.282/2016 in C.P.(St.) 1116/2016

None for the applicant. Smt. S.V. Kolhe, Id. P.O. for the respondents.

2. The learned P.O. submits that the applicant has challenged the order of this Tribunal before the Hon'ble High Court and the Hon'ble High Court by order dated 09/01/2017 has granted the Status-quo.

S.O. four weeks.

Vice Chairman (J)

dnk.

O.A.617/2014 (D.B.)

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

Dated : 13.04.2017.

C.A.285/2016 in C.P.(St.) 1136/2016

Shri S.D. Zoting, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1&3 and Shri A. Parihar, Id. counsel for R-2.

At the request of Id. counsel for R-2, **S.O. two weeks** for filing reply on C.A.

Put up along with other connected matter.

Vice Chairman (J)

dnk.

O.A.618/2014 (D.B.)

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

Dated : 13.04.2017.

C.A.323/2016 in C.P.(St.) 1261/2016

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

2. The learned P.O. submits that Zilla Parishad, Amravati is necessary party in this C.A. It seems that the applicant was terminated on 20/06/2014 and after reinstatement he was reverted to the post of Block Development Officer (BDO) (Class-II) from the office of Assistant Commissioner. The applicant has recently joined as BDO (Class-II) at Zilla Parishad, Amravati. As per the order in O.A.618/2014 the arrears are to be paid by the respondents, but since the applicant is now serving under Zilla Parishad, Amravati, the Z.P., Amravati is necessary party and necessary compliance will have to be done by the Zilla Parishad and the Government. In view thereof, the applicant is directed to join Z.P., Amravati as necessary newly party/ respondent forthwith.

3. After amendment, Issue notice to the newly added respondent returnable in **two weeks**. 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. **S.O. two weeks** along with other connected matter.

Vice Chairman (J)

dnk.

O.A.562/2013 (D.B.)

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

Dated : 13.04.2017.

C.A.326/2016 in C.P.(St.) 1257/2016

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

2. The learned P.O. files on record communication dated 12/04/2017 along with

the appointment order which is marked 'Exh-X' for the purpose of identification. He submits that the order passed by this Tribunal, has been completed with. As per the order passed in O.A.562/2013 the respondents were directed to consider the case of the applicant for appointment to the post of Shikshan Sevak, Govt. Higher Secondary Education School in the subject of History and the category of S.T. (Female) against the vacant post. The learned P.O. has placed on record the appointment order issued in favour of the applicant dated 12/04/2017. The learned counsel for the applicant objected on the say that the said order is conditional. However, I do not find any illegality in the said order. Since some Petition is pending before the Hon'ble High Court and the order is passed in view of pendency of the Writ Petition. Thus, nothing survives in the application for permission to file contempt application.

3. In view thereof, the C.A. as well as Contempt Petition (Stamp) are disposed of accordingly with no order as to costs.

Vice Chairman (J)

dnk.

O.A.504/2014 (D.B.)

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

Dated : 13.04.2017.

C.A.498/2016 in C.P.(St.) 2017/2016

Shri M.R. Khan, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for respondent no.1. None for R-2 to 5.

At the request of both the sides, **S.O.**
two weeks.

Vice Chairman (J)

dnk.

O.A. 98/2016 (D.B.)

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

Dated : 13.04.2017.

C.A.31/2017 in C.P. St.193/2017

Shri S.R. Charpe, 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. four weeks.**

Vice Chairman (J)

dnk.

O.A.316/2016 (D.B.)

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

Dated : 13.04.2017.

C.A.105/2017 in C.P.(St.) 527/2017

1. Heard Shri N.R.Saboo, Id. Advocate for the applicants and Shri P.N. Warjurkar, Id. P.O. for the State.
2. Notice on application be issued returnable **After Summer Vacation.**
3. Shri P.N. Warjurkar the learned P.O. waives notice for State. Hamdast granted.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of the O.A.

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 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.

8. **After Summer Vacation.**

Vice Chairman (J)

dnk.

O.A. Nos. 378 to 381 of 2016 **(D.B.)**

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

Dated : 13.04.2017.

C.A.106/2017 in C.P.(St.) 554/2017

1. Heard Shri Bharat, Id. Advocate for the applicants and Shri S.A. Sainis, Id. P.O. for the State.
2. The learned P.O. submits that the respondents is filing Writ Petition as well as SLP against the similar matters before the Hon'ble Supreme Court. However, it does not mean that the respondents are exempted from the compliance of the order.
3. Notice on application be issued returnable **After Summer Vacation.**
4. Shri S.A. Sainis the learned P.O. waives notice for State. Hamdast granted.

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 the O.A.

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.

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.

9. **After Summer Vacation.**

Vice Chairman (J)

dnk.

O.A.662/2012 (D.B.)

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

Dated : 13.04.2017.

C.A.112/2017 in C.P.(St.) 506/2017

1. Heard Shri N.R.Saboo, Id. Advocate for the applicants and Shri P.N. Warjurkar, Id. P.O. for the State.
2. Notice to R-2 on application be issued returnable **After Summer Vacation.**
3. Shri P.N. Warjurkar the learned P.O. waives notice for State. Hamdast granted.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of the O.A.
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 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.

8. **After Summer Vacation.**

Vice Chairman (J)

dnk.

C.P. No. 01/16 in O.A.212/2015 (D.B.)

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

Dated : 13.04.2017.

Heard Shri S.P. Palshikar, Id. counsel for the applicants and Smt .S.V. Kolhe, Id. P.O. for the respondents

The learned counsel for the applicants admits that the impugned order has now been complied with fully and nothing survives in the Contempt Petition. Hence, Contempt Petition stands disposed of accordingly with no order as to costs.

Vice Chairman (J)

dnk.

C.P. No. 02/15 in O.A.642/2011 (D.B.)

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

Dated : 13.04.2017.

There is a leave note from Shri R.V. Shiralkar, Id. counsel for the applicants. Smt .M.A. Barabde, Id. P.O. for the respondents.

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

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

Dated : 13.04.2017.

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

At the request of Id. P.O., **S.O. After Summer Vacation** for filing reply by way of last chance.

Vice Chairman (J)

dnk.

O.A. 791 of 2016 (D.B.)

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

Dated : 13.04.2017.

Shri Sachin Khandekar, Id. counsel holding for Shri P.V. Thakre, 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. After Summer Vacation** for filing reply.

Vice Chairman (J)

dnk.

O.As. 52,53,54,55,56,57,224,226,
227,471,537, 546 & 547 of 2016 **(D.B.)**

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

Dated : 13.04.2017.

None for the applicants. Shri A.M. Ghogre/ P.N. Warjurkar, Id. P.O. for the respondents.

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

O.A.533/2016 (D.B.)

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

Dated : 13.04.2017.

C.A.108/2017 in C.P.(St.) 561/2017

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

2. The common order passed by this Tribunal in O.A.445/2016 & Ors. is dated 14/02/2017. These O.As. were disposed of with direction to the respondents to review the suspension of the applicants within four weeks in view of the law laid down by the Hon'ble Supreme Court in **Ajay Kumar Choudhary Vs. Union of India (2015) 2 SCALE 432** case. The learned P.O. placed on record communication dated 29/03/2017 (A-2, P-14). The State has take decision to reinstate four employees since the decision in the serious charges against the present applicant, it was decided to continue departmental enquiry. The said decision shows that the respondents have applied their mind. If the applicant is aggrieved by the decision he has opportunity to challenge the said decision by filing separate O.A. The learned counsel for the applicant submits that he will take the instructions from his client and make the statement.

S.O. Next week.

Vice Chairman (J)

dnk.

O.A.386/2017 (D.B.)

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

Dated : 13.04.2017.

C.A.109/2017 in C.P.(St.) 568/2017

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

2. The respondents are directed to pay the interest on the delayed payment from 30/04/2014 till actual payment of the amount under each head @ 9% p.a. and the said order was to be complied within four months. The order was passed on 5/8/2016 and has not yet been complied. In view thereof, Notice on application be issued returnable **After Summer Vacation**.

3. Shri M.I. Khan, the learned P.O. waives notice for respondent no.1. Hamdast granted.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of the O.A.

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 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.

8. **S.O. After Summer Vacation.**

Vice Chairman (J)

dnk.

O.A.450/2010 (D.B.)

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

Dated : 13.04.2017.

C.A.482/2016 in C.P.(St.) 1938/2016

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

2. The learned P.O. submits that the order has been complied. The learned counsel for the applicant however submits that Rs.5000/- remained to be paid to the applicant and rest of the order has been complied. The learned P.O. submits that the said amount of Rs.5000/- will be paid within one month.

3. In view thereof, the application stands disposed of since the impugned order has been complied with substantively. The respondents to pay rest of the amount to the applicant within one months. No order as to costs.

Vice Chairman (J)

dnk.

O.A.116/2015 (D.B.)

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

Dated : 13.04.2017.

C.A.493/2016 in C.P.(St.) 1982/2016

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1 and Shri A.M. Kukday, Id. counsel for R-2.

2. On the last date the learned counsel for R-2 filed on record the documents which is at Exh.-X for the purpose of identification and also supplied the copies to the learned counsel for the applicant. He made statement that the impugned order has been complied.

3. The proposal for modifying pension has already been submitted to the Accountant General (M.S.), Nagpur. The learned counsel for the applicant took time to make statement regarding non compliance, if any. The learned counsel for the applicant is absent today. Hence, **S.O.**
After Summer Vacation.

Vice Chairman (J)

dnk.

**O.A. Nos. 161,162,163,165,166 of 2015
And 48/2016.**

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

Dated : 13th April, 2017.

Shri M.R.Joharapurkar, Id counsel for
the applicants and Shri A.M.
Ghogre, Id. P.O. for the respondents,

S.O. After Vacation.

Vice-Chairman(J)

O.A. Nos. 360,370,575 & 690/15.

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

Dated : 13th April, 2017.

Shri J.R.Kidilay, Id counsel for the
applicants and Smt. M.A.Barabde, Id. P.O.
for the respondents,

S.O. After Vacation.

Vice-Chairman(J)

O.A. Nos. 493 & 654/15

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

Dated : 13th April, 2017.

Shri Bharat Kulkarni, Id counsel for
the applicants and Smt.M.A.Barabde, Id.
P.O. for the respondents,

S.O. After Vacation.

Vice-Chairman(J)