

**O.A.Nos.393,394,395,396,397,398,399,  
400, 401,495,496 & 497 of 2017**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

Heard Shri N.D. Thombre, the Ld. counsel for the applicants and Shri A.M. Khadatkar, the learned P.O. for the respondents.

2. The Ld. counsel for the applicants submits that all the respondents have been served and he is filing service affidavit within a week in O.A. No.393/2017.

3. Ld. P.O. requests for time to file reply affidavit.

4. In the meantime, interim recovery stands stayed till filing of reply.

**S.O. one week.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 726/2018**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

None for the applicant. Shri S.A. Sainis, the learned P.O. for the respondents 1 to 3 & 5. Shri N.D. Thombre, Adv. for R.9. None for R. 4 and 6 to 8.

Ld. P.O seeks time to file reply in this case.

**S.O. one week.**

Put up with O.A. No.424/2018.

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 784/2018 (S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

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

S.O. **three weeks** for filing reply affidavit by Ld. P.O.

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 785/2018**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

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

It is an admitted fact that the applicant is continuously in service even after attaining the age of 58 years. But it is not known as to why his salary is not paid. Ld. CPO is requested to take instructions in this regard and to make a statement on Monday.

**S.O. 26.11.2018.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 765/2018**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

Heard Shri D.T. Shinde, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

At the request of the learned P.O., S.O. **three weeks.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

O.A. No. 825/2018

(S.B.)

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

**Dated : 20<sup>th</sup> November 2018.**

None for the applicant. Shri V.A. Kulkarni, the learned P.O. for the respondent No.1.

Await service to R. 2 to 4.

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

Applicant to file service affidavit.

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

O.A. No. 829/2018

(S.B.)

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

**Dated : 20<sup>th</sup> November 2018.**

None for the applicant. Shri V.A. Kulkarni, the learned P.O. for the respondent No.1.

Await service to R. 2 to 5.

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

Applicant to file service affidavit.

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 841,842 & 843 of 2018  
(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

None for the applicants. Shri A.M. Khadatkar, the learned P.O. for the respondent No.1.

Await service to R.2.

Applicants to file service affidavit.

Ld. P.O. seeks time to file reply of R. 1 and 2.

**S.O. two weeks.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.



**O.A. No. 872/2018**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

Heard Shri S.M. Bhagde, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

The applicant, a Craft Instructor has been kept under suspension vide order dated 13.5.2016. A charge-sheet was served on him on 26.2.2018. Prima facie, it seems that allegations against the applicant are in no manner related to discharge of his official duties and admittedly till today his case has not been considered for revocation before the Committee dealing with periodical survey of suspension. Ld. P.O. is, therefore, directed to take instructions as to within how many days necessary orders regarding revocation of suspension will be passed.

**S.O. one week.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 873/2018**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

Heard Shri V.D. Raut, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents 1 to 3. Shri N.W. Almelkar, Adv. for R. 4 and 5.

Shri N.W. Almelkar, Adv. for R. 4 and 5 seeks time to file reply. He undertakes to file Vakalatnama during the course of the day.

Ld. P.O. seeks time to file reply of R. 1 to 3.

**S.O. three weeks.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 884/2018**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

**C.A. No.349/2018 in C.A.No.350/2018**

Heard Shri M.I. Dhattrak, the Ld. counsel for the applicant and Shri D.M. Kakani, Ld. Special counsel for the State. Shri S. Borkar, Adv. for the Intervener.

The Intervener (Municipal Council), Saoner is only aggrieved, because the post of Chief Officer, Municipal Council, Saoner is kept vacant and even hampered day to day functioning of the office. Otherwise, Intervener is not interested in the grievance either of the applicant or the respondents. The question of appointment to the post of Chief Officer, Municipal Council, Saoner can be considered at the earliest by considering the O.A. on merits. The

respondents and the applicant are ready for hearing the matter on merits, since submission of the applicant has already been filed by the respondents. Formal reply is necessary to the application for Intervention. The Ld. counsel for the applicant submits that he file reply within a week.

S.O. **27.11.2018** for final argument with liberty to file reply to the application for Intervention as well as rejoinder.

Copy of the said reply shall be given to the other side.

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 895/2018 (S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

Heard Shri S.K. Thengri, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents 1 to 4 and 7. None for R. 5, 6 and 8 to 10.

From the prayer clause, nothing can be gained as to what relief the applicant wants to claim and to which order he is referring. It is also not clear as to who has exactly passed the order and what is that order. The Ld. counsel for the applicant submits that he will correct the prayer clause.

**S.O. one week.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 894/2018**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

Heard Shri S.U. Nemade, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent No.1.

2. Vide impugned order dated 15.11.2018, the applicant has been transferred from the post of Circle Officer, Tehsil Office, Katol in the same office as Aval Karkun in place of one Miss Yogita Dangre. According to the Ld. counsel for the applicant, the applicant will be at loss, as though the post *prima facie* seems to be equivalent, the applicant will be getting less salary as per the impugned order. *Prima facie*, it seems that the applicant was transferred in his present posting a Circle Officer vide order dated 28.5.2018 and just

has not completed three months in the said post.

3. The Ld. P.O. submits that in the order itself,; lit has been mentioned that as per G.Rs dated 21.11.1995 and 23.1.1996, there is a policy to interchange the post in any department and in order to implement that policy, transfer order is effected for a period of two years. In any case, it is not known as to why the said policy was not followed when the applicant was earlier posted as Circle Officer three months prior to the impugned order. It is stated that the applicant has not yet been relieved from the post.

4. In view thereof, the respondents are directed not to relieve the applicant, if not relieved.

5. Issue notice to other respondents returnable on **18.12.2018.**

6. Shri P.N. Warjekar, Ld. 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 **seven 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. **18.12.2018.**

13. Steno copy be supplied to the Ld. P.O.

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 323/2015**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

Heard Shri P.A. Jibhkate, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

2. The applicant is claiming following reliefs in this O.A.:-

“Direct the respondents to release the salary of the applicant and his subordinate from February 2015 onwards and also release unpaid salary of the applicant from August 2014 till February 2015, since his transfer order dated 31.5.2014 came to be quashed and set aside vide order dated 31.10.2014 by this Tribunal, in the interest of justice.

Direct the respondents to finalize the pension of the applicant including GPF, GIS, gratuity, leave encashment and commutation of pension etc. and make the payment of the same @ 12% p.a. interest thereon, from the date of retirement i.e. 31.7.2015 till realization of the amount, to the applicant, without any further delay, in the interest of justice.”

3. It is an admitted fact that, the GPF amount has already been paid to the

applicant. Ld. P.O. submits that the applicant cannot be paid salary from August 2014 to February 2015 as well as the amount of GIS and other pensionary benefits, since the departmental enquiry against the applicant is pending. It is also stated that the payment claimed by the applicant will be subject to outcome of the proceedings. It is, however, admitted that in the departmental enquiry, final show cause notice has been issued and the applicant has also submitted his reply in August 2018 and only final orders are to be passed. Ld. P.O. is, therefore, directed to take instructions as to within how many days final order will be passed in the departmental enquiry.

At the request of Ld. P.O., S.O.  
**30.11.2018.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

O.A. No. 691/2015

(S.B.)

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

**Dated : 20<sup>th</sup> November 2018.**

None for the applicant. Shri A.M. Khadatkar, the learned P.O. for the respondent No.1. None for R.2.

Matter be kept for passing necessary orders on **28.11.2018.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 671/2015**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

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

Matter be kept for passing necessary orders on **28.11.2018.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 679/2015**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

None for the applicant. Shri M.I. Khan, the learned P.O. for the respondents 1 and 2. None for R.3.

Matter be kept for passing necessary orders on **28.11.2018.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 700/2015**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

None for the applicant.

Heard Shri H.K. Pande, the learned P.O. for the respondents.

It seems that the departmental enquiry was initiated against the applicant. But the applicant was exonerated from the said enquiry on 19.6.2002. It also seems that the Special case was filed bearing No.03/1995 under Prevention of Corruption Act against the deceased employee, but he was acquitted. Against the order of acquittal, the State filed Criminal Appeal No. 552/2008 before the Hon'ble high Court and the same was also dismissed on 10.8.2010. Admittedly, arrears regarding leave encashment,

gratuity and difference of suspension allowance are paid in the years 2011, 2015 and 2012 respectively. The Id. P.O. is requested to take instructions as to which were the charges in the departmental enquiry and whether the charges in the departmental enquiry and that of criminal cases were similar.

S.O. **29.11.2018.**

To be treated as part heard.

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.



O.A. No. 44/2017

(S.B.)

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

**Dated : 20<sup>th</sup> November 2018.**

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

Matter was to be decided within three months as per the directions of the Hon'ble High Court and, therefore, it be kept on **22.11.2018**.

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. Nos. 89 & 193 of 2017  
(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

Heard Shri S.S. Shendre, the applicant in person and Shri S.A. Deo, the learned C.P.O. for the respondents.

On 10.10.2018, the applicant had filed one application whereby he has requested that he may be allowed to argue the matter personally. The said requested is accepted.

At the request of the applicant, time is granted to argue the matter.

**S.O. 30.11.2018.**

Vice-Chairman(J)

Dt. 20.11.2018.  
pdg.

**O.A. No. 404/2018 (S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

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

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

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.

**O.A. No. 567/2017**

**(S.B.)**

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

**Dated : 20<sup>th</sup> November 2018.**

Heard Shri A.Z. Jibhkate, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 and 2. Shri D.M. Kakani, Adv. for R.5. None for R.3 and 4.

**S.O. 28.11.2018.**

Vice-Chairman(J)

Dt. 20.11.2018.

pdg.



O.A. No. 149/2017. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**

**Dated : 20<sup>th</sup> November 2018.**

None for the applicant. Shri V.A.Kulkarni, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent nos. 3 to 5.

At the request of Id. P.O., **S.O. one week for Reply on the amended O.A.**

Member(J)  
Date:-20/11/2018.  
aps.

Member(A)

O.A. No. 520/2017. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**

**Dated : 20<sup>th</sup> November 2018.**

Shri S.M.Khan, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondent no. 1. None for the respondent nos. 2 & 3.

The Id. P.O. seeks two weeks time to file reply. Since the reply of respondent no. 4 is still awaited. **S.O. two weeks as a last chance.**

**Member(J)**  
**Date:-20/11/2018.**  
aps.

**Member(A)**

O.A. No. 214/2018. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**  
**Dated : 20<sup>th</sup> November 2018.**

Shri A.B.Mahajan, the Id. counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 to 3. None for Respondent nos. 4 & 5.

The Id. counsel for the applicant submits that today itself he received the reply of respondent no. 2. The Id. counsel for the applicant further seeks time to file Rejoinder. At his request, **S.O. two weeks for Rejoinder.**

**Member(J)**  
**Date:-20/11/2018.**  
aps.

**Member(A)**



**O.A. Nos. 223 & 224/2018. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**

**Dated : 20<sup>th</sup> November 2018.**

Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

The Id. counsel for the applicant pointed out that advertisement was issued for Superintendent, Tribal Development in pursuance to the G.R. No. vKLFak&2016@iZdz 387@dk15] dated 17/12/2016. As per the P.B., Pg. No. 13 (Annexure-A-2), the written test was taken and as per the (Annexure-A-4) P.B., Pg. No. 23, merit list was published. However, as per the Annexure-A-5, P.B., Pg. No. 24, the stay has been granted. The Id. counsel for the applicant pleads that again advertisement was issued to fill the posts on contractual basis.

In view of this above, he approached to this Tribunal for relief. The Id. P.O. seeks two weeks time to file reply. **S.O. two weeks.**

**Member(J)**

**Date:-20/11/2018.**

aps.

**O.A. No. 408/2018.**

**Member(A)**

**(D.B.)**

**Coram: Shri Shree Bhagwan,**  
**Member (A) and**  
**Shri A.D.Karanjkar, Member(J)**  
**Dated : 20<sup>th</sup> November 2018.**

**C.A.No.320/2018:-**

Shri Tiwari holding for Shri M.M.Sudame, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

By the C.A. No. 320/2018, the Id. counsel for the applicant seeks some amendment because of certain development during the pendency of the O.A.. Therefore, the **C.A. No. 320/2018 i.e. amendment is allowed.** The Id. counsel for the applicant is directed to carryout the necessary amendment within a week.

The Id. P.O. seeks time to file reply on the amendment portion. At his request, **S.O. two weeks.**

**Member(J)**  
**Date:-20/11/2018.**  
aps.

**Member(A)**

O.A. Nos. 705 to 708/2018. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**

**Dated : 20<sup>th</sup> November 2018.**

Shri A.S.Tiwari, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

The matter pertains to the appointment of Assistant Teacher in the School of Social Welfare Department. The Id. P.O. seeks four weeks time to file Reply. **S.O. four weeks.**

**Member(J)  
Date:-20/11/2018.  
aps.**

**Member(A)**

O.A. No. 724/2018. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**

**Dated : 20<sup>th</sup> November 2018.**

Shri S.S.Ghate, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents in detailed.

The order passed by this Tribunal in O.A.No.259/2003 on 30/10/2014. In pursuance to this, the G.R. has issued which is bearing number eW&2103@2585@i:dz345@o\$! dk&3] dated 17/03/2016. However, it is pleaded that treasury is not passing the bill as submitted by the department.

The Id. P.O. seeks two weeks time to file reply. **S.O. two weeks as a last chance.**

*If reply is not filed, the matter will be heard on merit.*

**Member(J)**  
**Date:-20/11/2018.**  
aps.

**Member(A)**

O.A. No. 833/2018. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**

**Dated : 20<sup>th</sup> November 2018.**

Shri S.S.Ghate, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

The Id. counsel for the applicant had failed to collect the notices. However, the Id. counsel for the applicant submits that he will collect the notice. At his request, **S.O. one week.**

**Member(J)**  
**Date:-20/11/2018.**  
aps.

**Member(A)**

O.A. No. 555/2010. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**

**Dated : 20<sup>th</sup> November 2018.**

Shri S.S.Ghate holding for Shri V.S.Kukday, the Id. counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

The Id. P.O. filed the affidavit-in-reply on behalf of the respondents. It is taken on record. Copy is served to the other side.

As per the request of Id. counsel for the applicant, **S.O. one week.**

*The matter is treated as P.H.*

**Member(J)**  
**Date:-20/11/2018.**  
aps.

**Member(A)**

O.A. No. 881/2009. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**

**Dated : 20<sup>th</sup> November 2018.**

**C.A.Nos.260, 261, 262 & 263/2018:-**

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

2. The Id. P.O. pointed out that notices  
was not issued in the application. Hence  
issued notices on the C.A. returnable within  
four weeks.

3. Notice on C.As. to Respondent nos. 2 &  
3 be issued returnable in **four weeks**.

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

9. **S.O. four weeks.**

10. *If reply is not filed till the next hearing, the matter will be heard on merit.*

Member(J)  
Date:-20/11/2018.  
aps.  
O.A. No. 265/2010.

Member(A)  
  
  
(D.B.)



**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**  
**Dated : 20<sup>th</sup> November 2018.**

None for the applicant. Shri P.N.Warjurkar, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

The applicant has approached this Tribunal for promotion and O.A. was filed in the year 2010.

However, in the interest of justice and equity, the matter is kept after two weeks and it will be decided finally.

**S.O. two weeks for disposal.**

**Member(J)**  
**Date:-20/11/2018.**  
aps.

**Member(A)**

O.A. No. 275/2012. (D.B.)

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**

**Dated : 20<sup>th</sup> November 2018.**

Shri S.K.Thengri holding for Shri N.R.Saboo, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

In order dated 31/10/2018, the Id. P.O. was directed to file reply to the amended O.A. within two weeks. However, the Id. P.O. today submits that he require more three weeks time to file reply to the amended O.A. At his request, **S.O. three weeks.**

**Member(J)  
Date:-20/11/2018.  
aps.**

**Member(A)**

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**Member(J)**  
**Date:-20/11/2018.**  
aps.

**Member(A)**

**O.A. No. 604/2010. (D.B.)**

**Coram: Shri Shree Bhagwan,  
Member (A) and  
Shri A.D.Karanjkar, Member(J)**

**Dated : 20<sup>th</sup> November 2018.**

Shri M.Y.Wadodkar, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondent nos. 1 to 3 in detailed. None for the respondent no. 4.

As per his relief clause on P.B., Pg. No. 15, it is observed that:-

- A. Direct respondents to promote applicant/ petitioner on the post of Lecturer in Occupational Therapy in the respondent no. 3, Government Medical College by allowing instant original application;
- B. Further direct respondents to grant deem date of promotion to the applicant/ petitioner as Lecturer in Occupational Therapy in the respondent no. 3 College w.e.f. 05/01/2008 along with all the monetary benefits accruing thereof;

B1.Be further please to quash and set aside the order dated 01/08/2011

promoting the respondent no. 4 as a Lecturer on Occupational Therapy which is filed as Annexure-No. A-15.

B2. Further be pleased to quash and set aside the communication dated 01.11.2010 issued by the respondents and further be pleased to grant the benefit of the promotion to the applicant from the Scheduled Caste Category to the post of Lecturer in Occupational Therapy.

C. Allow the application with cost;

D. Grant any other relief which this Hon'ble Court deems fit and expedient in the facts and circumstances of the case.

The Id. P.O. submits that D.P.C. has taken place and he will take instructions, whether the applicant's name is included in the D.P.C. and what is the stage of promotion of the applicant. The Id. P.O. will also file, if any Rules framed by the Government regarding appointment of Lecturer in Occupational Therapy, if notified.

The Id. counsel for the applicant is also directed to file copy of the advertisement and

copy of the initial appointment of the applicant.

**S.O. one week.**

**Member(J)**  
**Date:-20/11/2018.**  
aps.

**Member(A)**