

**O.A. No. 545/2015**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> August 2018.**

**C.A. No.198/2018.**

Heard Shri Bharat Kulkarni, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent Nos. 1 to 4. Mrs. Saboo, the learned counsel for respondent Nos. 5 to 15.

The Ld. counsel for the applicant submits that he will amend the C.A.No.198/2018 and sought permission to withdraw the O.A. Permission is granted to withdraw the O.A. C.A. stands disposed of. The learned counsel for respondent Nos. 5 to 15 files a pursis alongwith documents which is marked "X" for identification. Copies of which are supplied to the other sides.

**O.A. No. 545/2015**

Since pleadings are complete in this O.A., matter be heard on merit on the next date.

**S.O. 28.8.2018.**

Put this O.A. alongwith connected O.A. Nos. 761, 802, 805 of 2015 and O.A.No.97/2016.

Member(A)

Vice-Chairman(J)

O.A. No. 382/2016

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

**C.A. 435/2017.**

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

Application for early hearing stands disposed of, since the applicant wants to file amendment application, she seeks time. C.A. stands disposed of.

S.O. **one week** for filing amendment application.

Member(A)

Vice-Chairman(J)

**O.A. No. 500/2017**

**(D.B.)**

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

**C.A. No. 116 of 2017.**

Heard Shri A.D. Girdekar, the Ld. counsel for the applicants and Shri H.K. Pande, the learned P.O. for the respondent No.1.

The applicant has challenged the seniority list for the post of Talathis which is published on 6.12.2014. Though the application for condonation of delay has been drafted late, it seems that there is a delay of 1 year and 4 months in filing the O.A. It is stated that in similar matters, this Tribunal has admitted the O.As for final hearing and the question of validity of the said seniority list is under consideration. In view thereof, application for condonation of delay is allowed in the interest of justice and equity. O.A. be heard on merits. C.A. stands allowed and disposed of.

**C.A. 117/2017.**

For the reasons stated in the application, the application is allowed.

**C.A. 116 of 2017 and C.A. 117/2017.**

2. Issue notice on both the C.As to the respondent Nos. 2 and 3 returnable in **four weeks.**

3. Shri H.K. Pande, the learned P.O. waives notice for the 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 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. In case notice is not collected within **seven days**, and if service report on affidavit

is not filed within three days before returnable date, O.A. shall stand dismissed without reference to the Tribunal and papers be consigned to record.

8. S.O. **four weeks.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 973/2017

(D.B.)

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

Heard Miss Rucha Pande, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

The Ld. counsel for the applicant submits that she has already served respondent No.2 and has filed service affidavit. Ld. P.O. has filed separate replies on behalf of respondent Nos. 1 and 3, they are taken on record and copies thereof are supplied to the other side. The Ld. counsel for the applicant submits that she will go through the reply of R. 1 and 2.

S.O. **two weeks** for filing rejoinder, if necessary.

Member(A)

Vice-Chairman(J)

O.A. No. 61/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

**C.A. 147/2018.**

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

The Ld. P.O. has filed reply on behalf of R. 1 to 4, it is taken on record and a copy of which is supplied to the other side. He submits that the same shall be treated as C.A. as well as O.A.

At the request of the Ld. counsel for the applicant and the Ld. P.O., matter is admitted and kept for final hearing with liberty to file rejoinder, if necessary.

S.O. **3<sup>rd</sup> September 2018.**

I.R. to continue till then.

Member(A)

Vice-Chairman(J)

**O.A. No. 474/2018**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

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

The Ld. counsel for the applicant submits that the respondent Nos. 2 and 3 are served and he has filed service affidavit. Ld. P.O. seeks time to file reply.

**S.O. 3<sup>rd</sup> September 2018.**

Member(A)

Vice-Chairman(J)



O.A. No. 640/2017

(D.B.)

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

**C.A. 192/2018.**

Heard Shri M.M. Sudame, the Ld. counsel for the applicant and Shri A.M. Ghgre, the learned P.O. for respondents 1 to 5. Shri S.C. Deshmukh, Ld. Adv. for R.6.

The Ld. counsel for the applicant submits that he has received information that his client has been selected for the post of Jr. Clerk instead of Store Keeper. But appointment order is not yet received in his favour. Ld. P.O. submits that he will take instructions in this matter and the matter be kept in the next week.

At the request of P.O., S.O. **next week.**

Member(A)

Vice-Chairman(J)

O.A. No. 451/2015

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> August 2018.**

Heard Shri P.J. Mehta, 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. **last week of August 2018.**

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 500/2015**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

Heard Shri S.N. Gaikwad, Adv. holding Shri V.N. Patre, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

Ld. P.O. seeks time to file reply on behalf of R.6.

S.O. **two weeks** as a last chance.

Member(A)

Vice-Chairman(J)

O.A. No. 647/2016

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> August 2018.**

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

**ADMIT.**

Shri M.I. Khan, the learned P.O.  
waive notice for the respondents.

Applicant is at liberty to file  
rejoinder, if necessary.

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

Member(A)

Vice-Chairman(J)

O.A. No. 490/2017

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

Heard Shri S.N. Gaikwad, the  
Ld. counsel for the applicant and Shri  
A.P. Potnis, the learned P.O. for the  
respondents.

**ADMIT.**

Shri A.P. Potnis, the learned  
P.O. waives notice for the  
respondents.

S.O. **first week of September**  
**2018.**

Member(A)

Vice-Chairman(J)

**O.A. Nos. 917 & 918 of 2017. (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> August 2018.**

Heard Shri Y.P. Kaslikar, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents 1 and 2. None for R.3.

**S.O. 20.8.2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 453/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

Heard Shri S.N. Gaikwad, the  
Ld. counsel for the applicant and Shri  
S.A. Deo, the learned C.P.O. for the  
respondents 1 to 3. None for R.4.

At the request of Ld. CPO, S.O.  
**three weeks** for filing reply.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 516/2018**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

Heard Mrs. S.P. Giratkar, the Ld. counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents.

The Ld. P.O. submits that he has not received a copy of the O.A. The Ld. counsel for the applicants undertakes to supply the copy of the O.A. to the Ld. P.O. within a week. Hence, the matter be kept for filing reply after four weeks.

**S.O. four weeks.**

Member(A)

Vice-Chairman(J)



**O.A. No. 186/2013**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

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

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 675/2009**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

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

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 693 of 2009. (D.B.)**

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> August 2018.**

Heard Shri A.S. Deshpande, the Ld. counsel for the applicant No.2 and Shri S.A. Sainis, the learned P.O. for the respondents.

The Ld. counsel for the applicant is arguing the matter for applicant No.2 only and rest of the applicants i.e. Nos. 1,3 and 4 may be either promoted or not interested in prosecuting the mater and, therefore, the application is being prosecuted only for applicant No.2 and application insofar as applicant Nos. 1,3 and 4 is concerned, he is not pressing.

Matter is heard on merit and closed for orders.

.Member(A)

Vice-Chairman(J)

**O.A. No. 694 of 2009. (D.B.)**

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

Heard Shri A.S. Deshpande,  
the Ld. counsel for the applicant No.5  
and Shri the learned P.O. for the  
respondents.

The Ld. counsel for the  
applicant No.5 submits that he is  
pressing for applicant No.5 only  
whereas he is not pressing for other  
applicants.

Matter is heard on merit and  
closed for orders.

Member(A)

Vice-Chairman(J)

O.A. No. 688/2009

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

Heard Shri S.M. Khan, Adv. holding for Shri P.C. Marpakwar, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

Shri S.M. Khan, submits that Shri P.C. Marpakwar, the Ld. counsel for the applicant is arguing the matter. However, since file is not available, he is unable to argue the matter. He is ready to deposit the cost today. In view thereof, as a last chance, S.O. **two weeks.**

Member(A)

Vice-Chairman(J)

O.A. No. 931/2012

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

Heard Shri S.M. Khan, Adv. holding for Shri P.C. Marpakwar, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

Shri S.M. Khan, submits that Shri P.C. Marpakwar, the Ld. counsel for the applicant is arguing the matter. However, since file is not available, he is unable to argue the matter. He is ready to deposit the cost today. In view thereof, as a last chance, S.O. **two weeks.**

Member(A)

Vice-Chairman(J)

**O.A. No. 881/2009**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> August 2018.**

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

The Ld. counsel for the applicant submits that the applicant has been dismissed from service only on the ground that he was convicted in the case under Prevention of Corruption Act. The applicant has filed Criminal Appeal No.396/2009 against the order of said conviction before the Hon'ble High Court at Nagpur and the Hon'ble High Court vide judgment dated 21.5.2018 allowed the appeal and conviction has been set aside. However in the meantime, the original applicant has died. The Criminal Appeal was

prosecuted by his L.R. i.e. Smt. Vaishali Kiishor Meshram. The applicant wants to bring on record legal heirs.

S.O. **two weeks** at the request of the Ld. counsel for the applicant to take instructions from her client.

Member(A)

Vice-Chairman(J)

pdg.



O.A. No. 844/2016

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> August 2018.**

Heard Shri Y.P. Kaslikar, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents 1 to 3. None for R.4.

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

Member(A)

Vice-Chairman(J)

pdg.

O.A.No. 450/2018 (S.B.)

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

**Dated : 06.08.2018.**

Heard Shri A.R.Ingole, Id. counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the respondents in detailed.

The Id. C.P.O. explained para no. 2 of order dated 26/06/2018 i.e. "*the Id. C.P.O. submits that the applicant has been relieved on 20/06/2018 and he has also placed on record a copy of relieving order which is marked "X" for identification. According to the Id. Counsel for the applicant, the applicant has not received such a relieving order, since she was on medical leave. It is stated that the applicant is still on medical leave and her daughter's marriage is to be solemnized on 10<sup>th</sup> July, 2018. Therefore, in such circumstances she may not be insisted to join at Nanded till her daughter's marriage is over. Considering the fact that the applicant is a physically handicapped lady and her personal*

*difficulty, the applicant can have option either to join at Nanded and proceed on leave or the respondents*

*shall not insist the applicant to join at Nanded till her daughter's marriage is over. In view of this, the respondents are directed not to insist the applicant to join at Nanded till 17<sup>th</sup> July, 2018.*

As per the para no. 2 of the order dated 26/06/2018, the relief was granted till 17<sup>th</sup> July, 2018, in view of the applicant daughter's marriage on dated 10<sup>th</sup> July, 2018. The Id. C.P.O., pointed out some other facts by which it seems that the stay of para no. 2 dated 26/06/2018 has been misinterpreted by the applicant and the applicant's counsel also.

Since, the grievances of the applicant is redressed and both dates i.e. 10/07/2018 and 17/07/2018 are over.

Interim relief granted in para no. 2 in order dated 26/06/2018 is vacated.

As pleaded by Id. C.P.O., he will file affidavit-in-reply in three weeks time.

Meanwhile, the Id. Counsel for the applicant has liberty to file any document if any.

**S.O. three weeks.**

**Member (A)**

aps.



O.A.St.No.937/2018 (S.B.)

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

**Dated : 06.08.2018.**

**C.A.No.140/2018:-**

None for the applicant. Shri H.K.Pande,  
Id. P.O. for the State and Shri A.M.Kukday, Id.  
Counsel for the respondent no. 2.

Nobody appeared on the last hearing  
i.e. on 23/07/2018 and today also none  
appeared for the applicant. It seems that, the  
applicant is not interested in prosecuting the  
O.A.

In view of this, C.A. alongwith O.A.St.  
stands dismissed in default.

**Member**

**(A)**

aps.

O.A.No.319/2018 (S.B.)

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

**Dated : 06.08.2018.**

**C.A.No.138/2018:-**

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

The Id. Counsel for the applicant pleaded that as per his knowledge there is no delay in the case. However, the Id. P.O. submitted that no specific duration of delay is mentioned. It is orally mentioned and delay justification is also not given.

However, the Id. P.O. seeks three weeks time to file affidavit-in-reply. At his request,

**S.O. three weeks.**

**Member (A)**

aps.

O.A.No.402/2018 (S.B.)

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

**Dated : 06.08.2018.**

**C.A.No.177/2018:-**

Heard Shri Sahu holding for Shri M.I.Dhatrak, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

As per the C.A., the necessary amendment done by the Id. Counsel for the applicant. Hence the C.A. is allowed.

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

**Member**

**(A)**

aps.



O.A.No.433/2018 (S.B.)

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

**Dated : 06.08.2018.**

None for the applicant. Shri H.K.Pande,  
Id. P.O. for the State. Await service of  
respondent nos. 2 and 3.

After filing service affidavit, matter will  
be listed in due course of time.

**Member**

**(A)**

aps.

O.A.No.483/2018 (S.B.)

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

**Dated : 06.08.2018.**

Shri Y.P.Kaslikar, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the State. Await service of respondent nos. 2 to 4.

The Id. Counsel for the applicant submits that he will file service affidavit today only as well as the Id. P.O. seeks four weeks time to file affidavit-in-reply. **S.O. four weeks.**

**Member**

**(A)**

aps.

O.A.No.483/2018 (S.B.)

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

**Dated : 06.08.2018.**

Shri Y.P.Kaslikar, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the State. Await service of respondent nos. 2 to 4.

The Id. Counsel for the applicant submits that he will file service affidavit today only as well as the Id. P.O. seeks four weeks time to file affidavit-in-reply. **S.O. four weeks.**

**Member**

**(A)**

aps.

O.A.No.670/2017 (S.B.)

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

**Dated : 06.08.2018.**

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

The Id. P.O. submits that he has received the parawise reply from the department. Since, two weeks time is needed to file affidavit-in-reply. **S.O. two weeks for reply.**

**Member**

**(A)**

aps.

O.A.No.957/2017 (S.B.)

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

**Dated : 06.08.2018.**

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. has filed the affidavit-in-reply on behalf of the respondent nos. 2 & 3. The same is taken on record. Copy is served to the other side.

The Id. Counsel for the applicant wants to go through it and file Rejoinder, if necessary. At his request, **S.O. two weeks.**

**Member**

**(A)**

aps.

O.A.No.332/2018 (S.B.)

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

**Dated : 06.08.2018.**

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

As decided on dated 24/07/2018,  
today also nobody appears for the applicant. It  
seems that, the applicant is not interested in  
proceeding the matter.

Stay granted in order dated  
04/06/2018 in para no. 2 is vacated. Hence  
the O.A. is dismissed in default.

**Later on:-**

The Id. Counsel for the applicant  
appeared and submits that he was busy in  
other court i.e. he didn't appeared at the time  
of calling the matter. He submits that he will  
file Rejoinder.

Since, the matter is restored.

Interim order dated 04/06/2018 in  
para no. 2:- *The Id. Counsel for the applicant*

*pointed out the G.R. dated 06/08/2002 at Pg. No. 2 in para-5 says the guidelines about the persons to be transferred on attaining the age of 50 yrs. The applicant has already attained the age of 56 yrs. In view of this, the impugned order dated 31/05/2018 to the extent of applicant is stayed till the next date of hearing.*

The above same order is continued till next date of hearing. **S.O. three weeks.**

**Member**

**(A)**

aps.

O.A.No.339/2018 (S.B.)

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

**Dated : 06.08.2018.**

Shri G.G.Bade, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

The Id. Counsel for the applicant seeks one week time to file Rejoinder. At his request, **S.O. one week.**

**Member**

**(A)**

aps.