

O.A. (St.) No. 1919/2016 (D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.**

C.A. No.475/2016.

Heard Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondent Nos. 1 & 2. Shri H.D. Futane, the learned counsel for respondent Nos. 3 and 13. Shri S.D. Tatke, Adv. for R. 6,16 & 17. None for rest of the respondents.

The Ld. counsel for the applicant submits that he has already filed service affidavit in respect of all the respondents. Ld. P.O. has placed on record an application to condonation of delay of R.2 only.

S.O. 24.9.2018.

Member(A) Vice-Chairman(J)

pdg.

O.A. No. 845/2016

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

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

The Ld. P.O. has filed reply affidavit on behalf of R.2 and 3, it is taken on record.

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

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 191/2017 (D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

C.A. 103/2017.

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondent No.1.

2. The Ld. counsel for the applicant seeks permission to issue fresh notice to respondent Nos.2 to 4.

3. Issue notice to the respondent Nos. 2 to 4 returnable after **four weeks**.

4. Shri S.A. Deo, the Ld. C.P.O. waives notice for the respondent No.1. 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 O.A. Respondent is put to notice that the

case would be taken up for final disposal at the stage of admission hearing.

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.

8. 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.0

9. 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.

10. S.O. four weeks.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 951/2017

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

None for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondent Nos. 1 to 3. None for R.4.

S.O. **two weeks** for filing reply by Ld. P.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 408/2018

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

Heard Shri M.M. Sudame, the
Ld. counsel for the applicant and Shri
P.N. Warjekar, the learned P.O. for
the respondents.

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

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 717/2015

(D.B.)

**Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.**

Heard Shri M.M. Sudame, the Ld. counsel for the applicants and Shri H.K. Pande, the learned P.O. for the respondents 1 and 14. None for R. 2 to 13.

The Ld. P.O. has filed reply affidavit on behalf of R.1, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicants.

The Ld. counsel for the applicants submits that there are number of other O.As on the similar point and this matter be also kept together with those O.As in September 2018.

ADMIT.

Shri H.K. Pande, the learned
P.O. waives notice for the
respondents 1 and 14.

S.O. **6.9.2018** for final hearing.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 803/2015

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

None for the applicants.

Heard Shri P.N. Warjekar, the
learned P.O. for the respondents.

ADMIT.

Shri P.N. Warjekar, the learned
P.O. waives notice for the
respondents.

S.O. **in due course** for final
hearing.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 357/2018

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

Heard Shri A.P. Sadavarte, 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 & 5.

The Ld. CPO submits that he
will take instructions as to within how
many days matter before the
Collector, Akola will be decided, since
the same has been remanded back
by the appellate authority. For that
purpose, he seeks time till 28.8.2018.

S.O. **28.8.2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 608/2018

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

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

The Ld. counsel for the
applicant seeks permission to
withdraw the O.A. Permission is
granted. O.A. stands disposed of as
withdrawn with no order as to costs.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 612/2018

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

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

S.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 67/2010

(D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.**

Heard Shri S.P. Kshirsagar, the
Ld. counsel for the applicant and Shri
H.K. Pande, the learned P.O. for the
respondents 1 to 3. None for R.4 & 5.

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 71/2010

(D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.**

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

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 278/2012

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

Heard Shri G.G. Bade, the Ld.
counsel for the applicant and Shri ,
the learned P.O. for the respondents.

S.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 123/2010

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

Heard Shri G.N. Khanzode, the
Ld. counsel for the applicant and Shri
, the learned P.O. for the
respondents.

S.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 164/2010

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

Heard Shri Y.D. Shukla, the Ld.
counsel for the applicant and Shri ,
the learned P.O. for the respondents.

S.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 157/2015

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 14th August 2018.

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

S.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. St. No. 1295/2008 **(SB)**

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

Dated : 14.08.2018

C.A.289/2008

The applicant in person absent. Shri A.M. Ghogre, Id. P.O. for the respondents.

2. Earlier on 22/01/2015 an order was passed by the Hon'ble Chairman that the M.A. be kept before him in the next sitting at Aurangabad. In view thereof, the matter be kept on 21/08/2018 since the Hon'ble Chairman will be sitting at Nagpur Bench.

3. **S.O. 21/08/2018.**

Put up along with O.A.530/2009.

Vice Chairman (J)

dnk.

O.A. No. 530/2009 **(SB)**

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

Dated : 14.08.2018

C.A. Nos.498/2011 & 94/2012

The applicant in person absent. Shri A.M. Ghogre, Id. P.O. for R-1 to 3. None for R-4.

2. Earlier on 22/01/2015 an order was passed by the Hon'ble Chairman that the M.A. be kept before him in the next sitting at Aurangabad. In view thereof, the matter be kept on 21/08/2018 since the Hon'ble Chairman will be sitting at Nagpur Bench.

3. **S.O. 21/08/2018.**

Put up along with O.A. St.No.1295/2008.

Vice Chairman (J)

dnk.

Rev. A. 05/18 in O.A. No. 117/2017 **(SB)**

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

Dated : 14.08.2018

Shri A.K. Waghmare, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. No. 781/2016 **(SB)**

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

Dated : 14.08.2018

Shri M.R. Khan, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

As per the order dated 08/08/2018 the learned counsel has filed additional affidavit on behalf of the applicants. It is taken on record and copy is given to the learned P.O.

The matter is already heard and hence it is closed for orders.

Vice Chairman (J)

dnk.

O.A. No. 794/2017 (SB)

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

Dated : 14.08.2018

Heard Shri K.N. Dadhe, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 to 4 and Shri P.A. Kadu, Id. counsel for R-5&6.

Closed for orders.

Vice Chairman (J)

dnk.

O.A. Nos. 776 & 777 of 2015 **(SB)**

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

Dated : 14.08.2018

Heard Shri S.N. Gaikwad, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

The learned P.O. has placed on record the copy of Judgment delivered in O.A.84/2016 on 19/12/2017. It is stated that the facts of the present cases are covered under this Judgment.

The matters are therefore closed for orders.

Vice Chairman (J)

dnk.

O.A. No. 275/2016 (SB)

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

Dated : 14.08.2018

Heard Shri B.W. Patil, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1&2. None for R-3.

Closed for orders.

Vice Chairman (J)

dnk.

O.A. No. 381/2018 (SB)

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

Dated : 14.08.2018

Shri N.R. Saboo, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 to 3 and Shri A.S. Ambatkar, Id. counsel for R-4.

S.O. after two weeks along with O.A.382/2018.

Vice Chairman (J)

dnk.

O.A. No. 382/2018 (SB)

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

Dated : 14.08.2018

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

S.O. after two weeks along with O.A.381/2018.

Vice Chairman (J)

dnk.

O.A.No.572/2018 (S.B.)

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

Dated : 14.08.2018.

C.A.No. 214/2018:-

Heard Shri G.G.Bade, Id. Counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the Respondents.

In last hearing as pointed out by Id. C.P.O., oral order was given to the Id. counsel for the applicant to consult his client for withdrawing the O.A. However, today the Id. counsel for the applicant requesting for consideration of his application on P.B., Pg. No. 53 (Annexure-A-8).

Hence, the O.A. is disposed off as withdrawn with direction to the respondent no. 6 to consider the representation of the applicant on P.B., Pg. No. 53 (Annexure-A-8) dated 23/07/2018 within one month time.

Hence, the C.A. alongwith O.A. stands disposed off as withdrawn with no order as to costs.

Member

(A)

aps.

O.A.No.599/2016 (S.B.)

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

Dated : 14.08.2018.

Heard Shri D.M.Surjuse holding for Shri D.R.Upadhyay, Id. Counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the Respondents.

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

S.O. in due course.

Member

(A)

aps.

O.A.No.906/2017 (S.B.)

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

Dated : 14.08.2018.

Heard Shri P.P.Khaparde holding for Shri R.V.Shiralkar, Id. Counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the Respondents.

The Id. C.P.O. submits that he will file affidavit-in-reply during the course of the day. At his request, **S.O. two weeks.**

Meanwhile, the Id. counsel for the applicant, if so desires file Rejoinder.

Member

(A)

aps.

O.A.No.250/2018 (S.B.)

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

Dated : 14.08.2018.

Heard Shri S.N.Gaikwad, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the State. Await service of respondent nos. 2 & 3.

At the request of Id. counsel for the applicant, **S.O. two weeks** for filing service affidavit.

Member

(A)

aps.

O.A.No.338/2018 (S.B.)

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

Dated : 14.08.2018.

Heard Shri G.G.Bade, Id. Counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the respondents.

The Id. C.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.

In order dated 05/06/2018 in para no. 2:- The impugned order of transfer dated 08/05/2018 (Annexure-A-1) to the extent of applicant only is stayed till the next date of hearing and the Commissioner of State Excise (R/2) is requested to consider the applicant's representation dated 09/05/2018 (Annexure-A-7, P-47) and his choice posting (Annexure-A-5, P-45).

The above order dated 05/06/2018 is continued till next date of hearing.

S.O. one week.

Member

(A)

aps.

O.A.No.344/2018 (S.B.)

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

Dated : 14.08.2018.

Heard Shri P.V.Thakre, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondent nos. 1 & 2. Await service of respondent nos. 3 to 5.

The Id. P.O. seeks time to file affidavit-in-reply on behalf of the respondents. At his request, **S.O. two weeks.**

In order dated 05/06/2018 in para no. 2 – “The impugned order of transfer dated 31/05/2018 (Annexure-A-8) in respect of applicant and respondent no. 5 only is stayed till the next date of hearing. In the meanwhile, the transferring authority may file in reply vacancies in Gadchiroli District”.

The above order dated 05/06/2018 is continued till next date of hearing.

Member

(A)

aps.

O.A.No.389/2018 (S.B.)

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

Dated : 14.08.2018.

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

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

The Id. counsel for the applicant wants to go through the same. At his request, **S.O. 28/08/2018 for Rejoinder, if any.**

In order dated 11/06/2018 in para no. 2 :- *The main contention of the Id. Counsel for the applicant is that out of 10 choices of the applicant, 8 are still vacant, but he has been given posting out of the 10 choices. The Id. P.O. pointed out that the applicant has been transferred to his one of the choices. Therefore, his choice at Sr. No. 9 is out of the 10 choices. However, the Id. Counsel for the applicant submits that choice nos. 1 to 8 are vacant and therefore, he requested that Sr. Nos. 1 to 8 preference should have been considered before*

choice no. 9. The Id. Counsel for the applicant submits that Panchayat Samiti, Ghatanji which is a Tribal area, that is also in the choices of the applicant at Sr. No. 1. Therefore, the transferring authority is directed to consider applicant's choice at pg. no. 68 with preferences to Sr. Nos. 1 to 8 or 9. Therefore, the status quo to the extent of applicant is granted till the next date of hearing.

The above same order dated 11/06/2018 is continued till next date of hearing.

Member

(A)

aps.

O.A.No.451/2018 (S.B.)

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

Dated : 14.08.2018.

Heard Shri A.R.Ingole, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

The Id. P.O. seeks time to file affidavit-in-reply on behalf of the respondents. At his request, **S.O. two weeks.**

Member

(A)

aps.

O.A.No.455/2018 (S.B.)

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

Dated : 14.08.2018.

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

The Id. counsel for the applicant
submits that his Rejoinder is ready but due to
some of the technical problem he seek time.
At his request, **S.O. one week.**

Member

(A)

aps.

O.A.No.534/2018 (S.B.)

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

Dated : 14.08.2018.

Heard Mrs. N.Gautam, Id. Counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the respondents.

The Id. C.P.O. seeks time to file affidavit-in-reply on behalf of the respondents. At his request, **S.O. Four Weeks.**

Member

(A)

aps.