

**O.A. St. 1550/2016 (D.B.)**

**Coram: J.D. Kulkarni,  
Vice-Chairman(J) and  
Shree Bhagwan,Member(A)**

**Dated : 20/04/2018**

**MCA 57/17 in MCA 58/17 in C.A.465/16**

Shri S.K. Thengre, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&3 and Shri VG. Palshikar, Id. Counsel for R-2&4.

**O.A. St. 1550/2016 –**

The learned counsel for the applicant submits that he wants to delete name of respondent no.5 from the O.A. and for that purpose he seeks permission. Permission is granted to delete name of respondent no.5 as prayed for.

At the request of learned counsel for the applicant, **S.O. 24/04/2018.**

**Member(A)**  
dnk.

**Vice-Chairman(J)**

O.A. 191/2018 (D.B.)

**Coram: J.D. Kulkarni,  
Vice-Chairman(J) and  
Shree Bhagwan,Member(A)**

**Dated : 20/04/2018**

N.M. Masurkar, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2 to 4.

The learned CPO seeks time to file short affidavit. At his request, **S.O. After Vacation.**

**Member(A)**  
dnk.

**Vice-Chairman(J)**

**O.A. 477/2015 with C.A. 571/2017 (D.B.)**

**Coram: J.D. Kulkarni,  
Vice-Chairman(J) and  
Shree Bhagwan,Member(A)**

**Dated : 20/04/2018**

Shri S.C. Deshmukh, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 to 3. None for R-4 to 8.

The learned P.O. files return on behalf of respondent no.3 in response to the Tribunal's order dated 09/04/2018. It is taken on record. Copy of the same is served on the applicant.

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

The learned P.O. waives notice for R-1 to 3.

**S.O. 1<sup>st</sup> week of June,2018.**

**Member(A)**  
dnk.

**Vice-Chairman(J)**

**O.A. 32/2016 (D.B.)**

**Coram: J.D. Kulkarni,  
Vice-Chairman(J) and  
Shree Bhagwan,Member(A)**

**Dated : 20/04/2018**

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

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

The learned P.O. waives notice for the respondents.

**S.O. After Vacation.**

Matter be tagged along with O.A.253/2017.

**Member(A)**  
dnk.

**Vice-Chairman(J)**

**O.A. 669/2016 (D.B.)**

**Coram: J.D. Kulkarni,  
Vice-Chairman(J) and  
Shree Bhagwan,Member(A)**

**Dated : 20/04/2018**

Shri B.M. Kharkate, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondent nos. 1 to 4. None for R-5&6.

At the request of Id. P.O., **S.O. four weeks** for filing reply of R-4.

**Member(A)**  
dnk.

**Vice-Chairman(J)**

O.A. 25/2018 (D.B.)

**Coram: J.D. Kulkarni,  
Vice-Chairman(J) and  
Shree Bhagwan,Member(A)**

**Dated : 20/04/2018**

Smt. K.N. Saboo, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1 to 4 and Ms. R. Waghmare, Id. counsel for R-4&5.

The learned P.O. files reply on behalf of R-2. It is taken on record. Copies are served on the other sides.

Ms. R. Waghmare, Id. counsel submits that she wants to file reply on behalf of R-4&5 and for that purpose she seeks time. At her request, **S.O. one week.**

**Member(A)**  
dnk.

**Vice-Chairman(J)**

**C.P. 40/17 in O.A. 687/2016 (D.B.)**

**Coram: J.D. Kulkarni,  
Vice-Chairman(J) and  
Shree Bhagwan,Member(A)**

**Dated : 20/04/2018**

None for the applicant.

Shri H.K. Pande, Id. P.O. for the  
respondents.

At the request of Id. P.O., **S.O. one  
week** for filing reply.

**Member(A)**  
dnk.

**Vice-Chairman(J)**

**C.A.107/17 in O.A.329/17 &  
O.A.944/17 & O.A.526/17 (S.B.)**

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

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

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

At the request of Id. counsel for the applicant, **S.O. 23/04/2018.**

*Await service of respondent nos. 2 & 3 in O.A.944/2017.*

Put up alongwith other connected matters i.e. O.A.887/2017 & O.A.61/2017.

Vice-Chairman(J)

aps

**O.A.No.20/2018 (S.B.)**

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

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



Shri J.C.Shukla, the learned counsel for the applicant, Shri S.A.Deo, the learned C.P.O. for respondent no. 1 and Mrs.R.Padhaye, Id. counsel for respondent nos. 5 to 8. Await service of respondent nos. 2 to 4, 9 & 10.

The Id. counsel for the applicant submits that he will take instruction from the applicant as regards pendency of the appeal or withdrawal of the O.A.

At the request of Id. counsel for the applicant, **S.O. After Summer Vacation.**

Vice-Chairman(J)

aps

**O.A.No.259/2018 (S.B.)**

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

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

Shri A.P.Sadavarte, the learned counsel for the applicant and Shri P.N.Warjurkar, the learned P.O. for the State.

2. Vide impugned order dated 24/01/2018 and 09/04/2018, the respondents wants to recover the so called excess amount which was paid to the applicant due to wrong fixation of his pay. The said wrong fixation relates to the period from 1989 onwards. Admittedly, the applicant has retired on superannuation and the respondents wants to recover the amount from pensionary benefits. The said recovery vide impugned communication is stayed till further orders. The Id. P.O. submits that the applicant has given undertaking at the time of pay fixation that if excess

amount is paid to him than it will be recovered afterwards. However, the said point will be decided on merits.

3. Issue notice to R-2 to 5, returnable After Summer Vacation. Learned C.P.O. waives notice for R-1. 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.

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

Vice-Chairman(J)

aps

**O.A.No.170/2018 (S.B.)**

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

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

Shri N.R.Saboo, the learned counsel for the applicant, Shri Khadatkar, the learned P.O. for respondent no. 1 and Shri H.D.Marathe, Id. counsel for respondent nos. 2 to 4.

At the request of Id. counsel for the applicant, **S.O. Monday i.e.23.04.2018.**

Vice-Chairman(J)

aps

**O.A.No.307/2017 (S.B.)**

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

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

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

The Id. P.O. files the affidavit-in-reply on behalf of the respondents. It is taken on record. Copies are served to the other side. The matter was earlier mentioned by Shri S.M.Khan and it was directed that it will be heard on merits. However, when the matter was again called Shri S.M.Khan remained absent.

**S.O. Monday i.e. 23.04.2018.**

*The matter be treated as P.H.*

Vice-Chairman(J)

aps

**O.A.No.416/2017 (S.B.)**

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

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

Shri S.S.Ghate, the learned counsel for the applicant, Shri Pandey, the learned P.O. for respondent nos. 1 to 4 and Shri B.J.Lonare, the Id. counsel for respondent no. 5.

The Id. P.O. has filed affidavit-in-reply on behalf of the respondent no. 3. The same is taken on record. Copies are served to the other sides. The Id. P.O. submits that there is no need to file affidavit-in-reply on behalf of the respondent nos. 1, 2 & 4. The Id. counsel for respondent no. 5 has already filed affidavit-in-reply.

**S.O. Next Week.**

Vice-Chairman(J)

**O.A.No.967/2017 (S.B.)**

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

**Vice-Chairman (J).**

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

Shri J.C.Shukla, the learned counsel for the applicant and Shri S.A.Sainis, the learned P.O. for the respondent nos. 1 & 3. Await service of respondent nos. 2, 4 & 5.

The Id. P.O. has files the affidavit-in-reply on behalf of the respondent no. 3. The same is taken on record. Copy is served to the other side. Time is granted to file affidavit-in-reply for other respondents.

**S.O. After Summer Vacation** for reply.

Vice-Chairman(J)

aps

**O.A.No.40/2018 (S.B.)**

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



**Vice-Chairman (J).**

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

Shri A.P.Satpute, the learned counsel for the applicant, Shri S.A.Sainis, the learned P.O. for the respondent nos. 1, 2 and Shri H.D.Marathe, the Id. counsel for the respondent no. 3.

**S.O. After Summer Vacation,** in first week of June.

Vice-Chairman(J)

aps

**O.A.No.694/2017 (S.B.)**

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

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

Shri M.M.Sawang, the learned counsel for the applicant and Shri P.N.Warjurkar, the learned P.O. for the respondents.

The Id. counsel for the applicant submits that he wants to challenge the order dated 25.02.2007 and 24/08/2015, which has been treated as suspension period only. He therefore, seeks time to file application to amend the O.A., time is granted for filing amended application.

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

Vice-Chairman(J)

aps