

**O.A. No. 920/2010 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No.542/2017 in Rev.(St.)No.2916/2017.**

None for the applicant. Shri H.K. Pande, the learned P.O. for the respondents.

The Ld. P.O. has filed reply to the application for condonation of delay on behalf of R.3. It is taken on record.

**O.A. No. 920/2010**

S.O. in due course.

Member(A)

Vice-Chairman(J)

**O.A. No. 114/2016 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

Shri R.S. Khobragade, the Ld. counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents 1 & 2. None for R.3.

The Ld. Counsel for the applicant has placed on record the pursis signed by the applicant wherein it has been stated that the applicant has received appointment order for the post for which he has filed this O.A. and, therefore, his grievance has been redressed. He seeks permission to withdraw the O.A. In view thereof, O.A. stands disposed of as withdrawn with no order as to costs.

Member(A)

Vice-Chairman(J)

**O.A. No. 780/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. 100/2018.**

Heard Shri S.S. Dhengale, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent No.1. Shri W.G. Paunikar, Ld. Adv. for R.2.

At the request of the Ld. counsel for the applicant, S.O. **in due course.**

Member(A)

Vice-Chairman(J)

O.A. No. 346/2017 (D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> June 2018.**

Heard Shri Bharat Kulkarni, the  
Ld. counsel for the applicant and Shri  
S.A. Sainis, the learned P.O. for the  
respondents.

S.O. **two weeks** as a last  
chance for filing reply of R.2.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 572/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No. 514/2017 & 127/2018.**

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

Ld. P.O. submits that he will file reply affidavit to the amended O.A. within two weeks.

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

Member(A)

Vice-Chairman(J)

**O.A. No. 573/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No. 516/2017 & 129/2018.**

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

Ld. P.O. submits that he will file reply affidavit to the amended O.A. within two weeks.

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

Member(A)

Vice-Chairman(J)

**O.A. No. 574/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No. 518/2017 & 131/2018.**

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

Ld. P.O. submits that he will file reply affidavit to the amended O.A. within two weeks.

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

Member(A)

Vice-Chairman(J)

**O.A. No. 575/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No. 520/2017 & 133/2018.**

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

Ld. P.O. submits that he will file reply affidavit to the amended O.A. within two weeks.

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

Member(A)

Vice-Chairman(J)



**O.A. No. 846/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No. 135/2018.**

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

Ld. P.O. submits that he will file reply affidavit to the amended O.A. within two weeks.

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

Member(A)

Vice-Chairman(J)

O.A. No. 456/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> June 2018.**

Heard Shri H.D. Marathe, the Ld. counsel for the applicant and Shri S.A.Deo, the learned C.P.O. for the respondent No.1.

2. Issue notice to the remaining respondents returnable after **four weeks.**
3. 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. 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.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 737/2013

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

Heard Shri N.S. Badhe, the Ld. counsel for the applicant and Shri H.K. Pade, the learned P.O. for the respondents.

2. The Ld. counsel for the applicant has placed on record a copy of order passed in W.P. No.6960/2017 dated 4.6.2018, from which it seems that subject matter of this petition may be pending before the Hon'ble High Court and the said petition has been kept for final disposal on 30<sup>th</sup> July 2018. In view thereof, this matter be taken after 30<sup>th</sup> July 2018.

3. S.O. **in the first week of August 2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 285/2017

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. Nos. 405 & 580 of 2017.**

Heard Shri G.N. Khanzode, the Ld. counsel for the applicant and Shri H.K. Pade, the learned P.O. for the respondent Nos. 1 to 3. Shri N.S. Badhe, Ld. Adv. for R.4.

2. The Ld. counsel for the applicant has placed on record a copy of order passed in W.P. No.6960/2017 dated 4.6.2018, from which it seems that subject matter of this petition may be pending before the Hon'ble High Court and the said petition has been kept for final disposal on 30<sup>th</sup> July 2018. In view thereof, this matter be taken after 30<sup>th</sup> July 2018.

3. S.O. **in the first week of August 2018.**

Member(A)

Vice-Chairman(J)

O.A. No. 258/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> June 2018.**

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

2. The Ld. counsel for the applicant has placed on record a copy of order passed in W.P. No.6960/2017 dated 4.6.2018, from which it seems that subject matter of this petition may be pending before the Hon'ble High Court and the said petition has been kept for final disposal on 30<sup>th</sup> July 2018. In view thereof, this matter be taken after 30<sup>th</sup> July 2018.

3. S.O. **in the first week of August 2018.**

Member(A)

Vice-Chairman(J)

**O.A. No. 477/2015**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. 571/2017.**

Heard Shri S.C. Deshmukh, the Ld. counsel for the applicant and Shri H.K. Pade, the learned P.O. for the respondent Nos. 1 to 3. None for R.4 to 8.

After hearing the matter for a considerable time, the Ld. P.O. submitted that he wants to take instructions as regards the fact as to why the name of the applicant has not been considered, though she appeared in the merit list at Sr. No.5 in OBC (Female) category as per the merit list at paper book page No. 50.

**S.O. 28<sup>th</sup> June 2018.**

To be treated as part heard.

Member(A)

Vice-Chairman(J)

O.A. No. 687/2015

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

Heard Shri S. G. Malode, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents 1 to 3. None for R. 4 to 6.

The Ld. counsel for the applicant wants to place on record the seniority list as well as the order of promotion of respondent Nos. 4 to 6.

S.O. **two weeks.**

Member(A)

Vice-Chairman(J)

pdg.



**O.A. No. 920/2010 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No.542/2017 in Rev.(St.)No.2916/2017.**

None for the applicant. Shri H.K. Pande, the learned P.O. for the respondents.

The Ld. P.O. has filed reply to the application for condonation of delay on behalf of R.3. It is taken on record.

**O.A. No. 920/2010**

S.O. in due course.

Member(A)

Vice-Chairman(J)

**O.A. No. 114/2016 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

Shri R.S. Khobragade, the Ld. counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents.

The Ld. Counsel for the applicant has placed on record the pursis signed by the applicant wherein it has been stated that the applicant has received appointment order of which he has filed this O.A. and, therefore, his grievance has been redressed. He seeks permission to withdraw the O.A. In view thereof, O.A. stands disposed of as withdrawn with no order as to costs.

Member(A) Vice-Chairman(J)

O.A. No. 780/2017 (D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. 100/2018.**

Heard Shri S.S. Dhengale, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent No.1. Shri W.G. Paunekar, Ld. Adv. for R.2.

At the request of the Ld. counsel for the applicant, S.O. **in due course.**

Member(A)

Vice-Chairman(J)

O.A. No. 346/2017 (D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> June 2018.**

Heard Shri Bharat Kulkarni, the  
Ld. counsel for the applicant and Shri  
S.A. Sainis, the learned P.O. for the  
respondents.

S.O. **two weeks** as a last  
chance for filing reply of R.2.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 572/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No. 514/2017 & 127/2018.**

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

Ld. P.O. submits that he will file reply affidavit to the amended O.A. within two weeks.

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

Member(A)

Vice-Chairman(J)

**O.A. No. 573/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No. 516/2017 & 129/2018.**

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

Ld. P.O. submits that he will file reply affidavit to the amended O.A. within two weeks.

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

Member(A)

Vice-Chairman(J)

**O.A. No. 574/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No. 518/2017 & 131/2018.**

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

Ld. P.O. submits that he will file reply affidavit to the amended O.A. within two weeks.

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

Member(A)

Vice-Chairman(J)

**O.A. No. 575/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No. 520/2017 & 133/2018.**

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

Ld. P.O. submits that he will file reply affidavit to the amended O.A. within two weeks.

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

Member(A)

Vice-Chairman(J)



**O.A. No. 846/2017 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. No. 135/2018.**

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

Ld. P.O. submits that he will file reply affidavit to the amended O.A. within two weeks.

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

Member(A)

Vice-Chairman(J)

**O.A. No. 456/2018**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> June 2018.**

Heard Shri H.D. Marathe, the Ld. counsel for the applicant and Shri S.A.Deo, the learned C.P.O. for the respondent No.1.

2. Issue notice to the remaining respondents returnable after **four weeks.**

3. 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. 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.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 737/2013

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

Heard Shri N.S. Badhe, the Ld. counsel for the applicant and Shri H.K. Pade, the learned P.O. for the respondents.

2. The Ld. counsel for the applicant has placed on record a copy of order passed in W.P. No.6960/2017 dated 4.6.2018, from which it seems that subject matter of this petition may be pending before the Hon'ble High Court and the said petition has been kept for final disposal on 13<sup>th</sup> July 2018. In view thereof, this matter be taken after 30<sup>th</sup> July 2018.

3. S.O. **in the first week of August 2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 285/2017

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. Nos. 405 & 580 of 2017.**

Heard Shri G.N. Khanzode, the Ld. counsel for the applicant and Shri H.K. Pade, the learned P.O. for the respondent Nos. 1 to 3. Shri N.S. Badhe, Ld. Adv. for R.4.

2. The Ld. counsel for the applicant has placed on record a copy of order passed in W.P. No.6960/2017 dated 4.6.2018, from which it seems that subject matter of this petition may be pending before the Hon'ble High Court and the said petition has been kept for final disposal on 13<sup>th</sup> July 2018. In view thereof, this matter be taken after 30<sup>th</sup> July 2018.

3. S.O. **in the first week of August 2018.**

Member(A)

Vice-Chairman(J)

O.A. No. 258/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> June 2018.**

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

2. The Ld. counsel for the applicant has placed on record a copy of order passed in W.P. No.6960/2017 dated 4.6.2018, from which it seems that subject matter of this petition may be pending before the Hon'ble High Court and the said petition has been kept for final disposal on 30<sup>th</sup> July 2018. In view thereof, this matter be taken after 30<sup>th</sup> July 2018.

3. S.O. **in the first week of August 2018.**

Member(A)

Vice-Chairman(J)

**O.A. No. 477/2015**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

**C.A. 571/2017.**

Heard Shri S.C. Deshmukh, the Ld. counsel for the applicant and Shri H.K. Pade, the learned P.O. for the respondent Nos. 1 to 7. None for R.8.

After hearing the matter for a considerable time, the Ld. P.O. submitted that he wants to take instructions as regards the fact as to why the name of the applicant has not been considered, though she appeared in the merit list at Sr. No.5 in OBC (Female) category as per the merit list at paper book page No. 15.

**S.O. 28<sup>th</sup> June 2018.**

To be treated as part heard.

Member(A)

Vice-Chairman(J)

O.A. No. 687/2015

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

Heard Shri S. G. Malode, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents 1 to 3. None for R. 4 to 6.

The Ld. counsel for the applicant wants to place on record the seniority list as well as the order of promotion of respondent Nos. 4 to 6.

S.O. **two weeks.**

Member(A)

Vice-Chairman(J)

pdg.



O.A. No. 835/2016

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

Shri R.V. Shiralkar, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **5.7.2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 689/2015

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

Shri R.V. Shiralkar, Adv. holding for Shri R. Joshi, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **5.7.2018.**

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 367/2008**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 27<sup>th</sup> June 2018.**

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

2. As per direction of the Hon'ble High Court in W.P. No. 2980/2009 dated 16.2.2017, the matter was remanded to this Tribunal for deciding the O.A. afresh on merit in accordance with law. This Tribunal was requested to decide the O.A. as early as possible and the parties undertook to appear before this Tribunal on 6.3.2017. But nobody appeared for the applicant on 6.3.2017 as undertaken. Matter was thereafter taken on 2.4.2018. On that day also, nobody appeared for the applicant. Thereafter the matter was kept on 9.4.2018 and on that day also, nobody appeared. Again the matter was kept on 23.4.2018. But nobody appeared for the applicant and the matter had come up for hearing today. Today also, none appeared. It seems that

the applicant may not be interested in prosecuting the O.A. As per order dated 23.4.2018, matter was kept for final hearing. Since nobody appeared for the applicant today also, matter will be heard on merit in the next week.

S.O. **one week** as a last chance.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 713/2016 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

Heard Miss M. Chandurkar, the  
Ld. counsel for the applicant and Shri  
V.A. Kulkarni, the learned P.O. for the  
respondents.

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 391/2018 (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 27<sup>th</sup> June 2018.**

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

2. On 12.6.2018, one week time was granted to the Ld. CPO to seek clear instructions on this point and to make submission. Accordingly, the Ld. CPO submits that services of some of the Medical Officers have been continued in view of the G.R. dated 3.9.2015 and some of the officers remained to be recommended for such continuation. It is further stated that as per the communication of Dy. Director of Health Services, Nagpur dated 31.5.2018, name of the applicant has already been sent for reconciliation, as it remained to be submitted or continuation of services

and necessary directions were sought, which were not received from the competent authority. Admitted fact seems to be that as per the directions of the Dy. Director of Health Services, Nagpur, the applicant continued to work even after his alleged superannuation. It seems that vide letter dated 31.5.2018, endorsement was made to the effect that the on account of some telephonic communication, the applicant was allowed to work. Thereafter, a written order was also issued to the applicant by the Dy. Director of Health Services, Nagpur on 2.6.2018 and some work was assigned to him. That shows that the applicant was working even after his alleged superannuation on completion of 58 years of age.

3. The Ld. CPO submits that the reconciliation may take time. At least he seeks four weeks time. In such circumstances, there will be no prejudice to the Government, if the applicant is allowed to work till the

process of reconciliation is over and a decision is taken as regards continuation of services of the applicant as per the G.R. dated 3.9.2015 till he attains the age of 60 years. This may help the Government also in continuing the service of Medical Officers. It is, however, made clear that such continuation of services shall be subject to final outcome of the merits of the O.A. and the applicant will not have any right to claim the same as of right.

4. S.O. **four weeks**.

5. Steno copy be provided to the Ld. CPO.

Member(A)

Vice-Chairman(J)



O.A.No.418/2018 (S.B.)

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

**Dated : 27.06.2018.**

Heard Shri S.N.Gaikwad, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

2. The Id. P.O. has submitted one document from the department which is marked Exh. "X". The same is taken on record. As per the document submitted by the Id. P.O., since no enquiry has been initiated against the applicant. Interim relief sought by the applicant at Pg. No. 8 (k) and Pg. No. 9 (a) is granted to the applicant and department is directed to allow the applicant on deputation to join at Government Medical College, Nagpur for the course of Post Graduation Degree in Surgery Department.

3. Issue notice to R-2 and 3, returnable after four weeks. Learned 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. 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.**

**Member**

**(A)**

aps.

O.A.No.326/2018 (S.B.)

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

**Dated : 27.06.2018.**

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

The Id. P.O. seeks two weeks time to file affidavit-in-reply. However, as per para no. 2 of order dated 04/06/2018, impugned order of transfer dated 26/05/2018 (Annexure-A-1) though the applicant is concerned, the stay was granted and it will continue till next date of hearing.

**S.O. two weeks.**

**Member**

**(A)**

aps.

O.A.No.351/2018 (S.B.)

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

**Dated : 27.06.2018.**

None for the applicant. Shri M.I.Khan, Id. P.O. for the respondent nos. 1 to 3 and Shri A.S.Fale, Id. counsel for respondent no. 4 is going to file his vakalatnama in the office today.

The Id. P.O. seeks two weeks time to file affidavit-in-reply for respondent no. 3 who is appointing authority.

**S.O. two weeks for reply.**

**Member**

**(A)**

aps.

O.A.No.305/2018 (S.B.)

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

**Dated : 27.06.2018.**

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

The Id. P.O. seeks three weeks time to file affidavit-in-reply for respondent nos. 2, 3 & 4.

**S.O. three weeks for reply.**

**Member**

**(A)**

aps.

O.A.No.181/2018 (S.B.)

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

**Dated : 27.06.2018.**

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

As suggested by Id. P.O., the matter is  
admitted and will be listed for final hearing on  
next week.

**S.O. next week.**

*Put up this matter alongwith O.A. 182,  
183 & 184/2018.*

**Member**

**(A)**

aps.

O.A.No.182/2018 (S.B.)

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

**Dated : 27.06.2018.**

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

As suggested by Id. P.O., the matter is  
admitted and will be listed for final hearing on  
next week.

**S.O. next week.**

*Put up this matter alongwith O.A. 181,  
183 & 184/2018.*

**Member**

**(A)**

aps.



O.A.No.183/2018 (S.B.)

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

**Dated : 27.06.2018.**

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

As suggested by Id. P.O., the matter is  
admitted and will be listed for final hearing on  
next week.

**S.O. next week.**

*Put up this matter alongwith O.A. 181,  
182 & 184/2018.*

**Member**

**(A)**

aps.

O.A.No.184/2018 (S.B.)

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

**Dated : 27.06.2018.**

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

As suggested by Id. P.O., the matter is  
admitted and will be listed for final hearing on  
next week.

**S.O. next week.**

*Put up this matter alongwith O.A. 181,  
182 & 183/2018.*

**Member**

**(A)**

aps.

O.A.No.17/2018 (S.B.)

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

**Dated : 27.06.2018.**

Shri M.R.Khan, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

The Id. P.O. files the affidavit-in-reply on behalf of the respondent no. 2. The same is taken on record. Copy is served to the other side. The Id. counsel for the applicant desires to file the rejoinder.

**S.O. two weeks for Rejoinder.**

**Member**

**(A)**

aps.

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

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

**Dated : 27.06.2018.**

Shri A.P.Satpute, Id. counsel for the applicant, Shri V.A.Kulkarni, Id. P.O. for the State and Shri H.D.Marathe, Id. counsel for respondent nos. 2 and 3.

The Id. counsel for respondent nos. 2 and 3 files the affidavit-in-reply on behalf of respondent nos. 2 and 3. The same is taken on record. Copy is served to the other side.

The matter is admitted and kept for final hearing.

The Id. P.O. seeks three weeks time to file affidavit-in-reply from the G.A.D. As per his request, **S.O. three weeks.**

**Member**

**(A)**

aps.

O.A.No.35/2018 (S.B.)

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

**Dated : 27.06.2018.**

Shri A.P.Khadatkar, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

The Id. P.O. seeks three weeks time to file affidavit-in-reply. As per his request, **S.O. three weeks.**

**Member**

**(A)**

aps.

O.A.No.976/2017 (S.B.)

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

**Dated : 27.06.2018.**

Shri D.S.Sawarkar, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

The Id. P.O. submits that he has received the affidavit-in-reply. However, he seeks two weeks time to file affidavit-in-reply.

As per his request, **S.O. two weeks.**

**Member**

**(A)**

aps.

O.A.No.273/2018 (S.B.)

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

**Dated : 27.06.2018.**

**C.A.No. 101/2018:-**

Smt.K.N.Saboo, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the State. Await service of respondent nos. 2 and 3.

The Id. counsel for the applicant submits that today itself she will file the service affidavit 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.243/2018 (S.B.)

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

**Dated : 27.06.2018.**

Shri G.K.Bhusari, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

The Id. P.O. seeks two weeks time to file affidavit-in-reply.

**S.O. two weeks.**

**Member**

**(A)**

aps.



O.A.No.839/2016 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.06.2018.**

None for the applicant. Shri A.M.Khadatkar, Id. P.O. for the State. Await service of respondent no. 2.

The application for condonation of delay is not filed by applicant till now. Hence, the O.A. is dismissed.

**Member**

**(A)**

aps.

O.A.No.120/2014 (S.B.)

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

**Dated : 27.06.2018.**

**C.A.No.59/2018:-**

Shri V.Bhise, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

The civil application for amendment may be allowed. The applicant counsel may be allowed to carry out the amendment within one week and it is kept for final hearing.

**S.O. 05/07/2018.**

*Put up this matter alongwith O.A. No. 119/2014.*

**Member**

**(A)**

aps.

O.A.No.119/2014 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,**

**Member (A)**

**Dated : 27.06.2018.**

**C.A.No.58/2018:-**

Shri V.Bhise, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

The civil application for amendment may be allowed. The applicant counsel may be allowed to carry out the amendment within one week and it is kept for final hearing.

**S.O. 05/07/2018.**

*Put up this matter alongwith O.A. No. 120/2014.*

**Member**

**(A)**

aps.

O.A. Nos. 52 & 55 of 2015 **(SB)**

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

**Dated : 27.06.2018**

Heard Shri S.M. Khan, learned  
counsel for the applicants and Shri M.I.  
Khan, learned P.O. for the respondents.

**Closed for orders.**

**Vice Chairman (J)**

dnk.

O.A. No. 84 of 2015 **(SB)**

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

**Dated : 27.06.2018**

Shri I.N. Choudhari, learned counsel  
for the applicants and Shri A.M. Ghogre,  
learned P.O. for the respondents.

At the request of learned counsel for  
the applicants, **S.O. Next week.**

**Vice Chairman (J)**

dnk.

O.A. No. 842 of 2012 **(SB)**

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

**Dated : 27.06.2018**

Shri Ansari, Id. counsel holding for Shri H.D. Dangre, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 02/07/2018.**

Matter be kept along with O.A.316/2012.

**Vice Chairman (J)**

dnk.

O.A. No. 722/2014 **(SB)**

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

**Dated : 27.06.2018**

Shri S.M. Khan, Id. counsel holding for Shri P.C. Marpakwar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

The learned P.O. has filed on record Return on behalf of the respondents mentioning therein the vacancy position. Copy of the same is given to the Id. counsel for the applicant. The learned counsel for the applicant wants to go through the same. At his request, **S.O. one week.**

**Vice Chairman (J)**

dnk.

O.A. No. 363/2018 (SB)

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

**Dated : 27.06.2018**

Shri D.M. Kakani, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. Shri D.M. Kakani, Id. counsel files Rejoinder on behalf of the applicant. Same is placed on record.

3. The learned P.O. has also placed on record one letter dated 13/06/2018 mentioning that the counseling was held on 13/06/2018. The same is marked Exh-X for the purposes of identification. Copy of the same is supplied to the applicant today. The learned counsel for the applicant wants to go through the same.

**S.O. two weeks.**

**Vice Chairman (J)**

dnk.



O.A. No. 458/2018 (SB)

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

**Dated : 27.06.2018**

1. Heard Shri G.G. Bade, Id. Advocate for the applicant and Shri S.A. Deo, Id. C.P.O. for R-1.
2. The interim relief is not pressed by the Id. counsel for the applicant.
3. Issue notice to R-2 to 5, returnable in **three weeks**. 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. 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. three weeks.**

**Vice Chairman (J)**

dnk.

O.A. No. 459/2018 (SB)

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

**Dated** : **27.06.2018**

Heard Shri D.M. Kakani, learned counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. The applicant has claimed following main reliefs in this O.A. :-

*(i) Direct the respondent nos.1,3 and 5 to relieve the applicant immediately from this post to facilitate him to join the new posting in the State Services itself in view of the order dated 31<sup>st</sup> May,2018.*

*(ii) Direct the respondent nos.2 and 6 not to appoint any person in his place as an Assistant Professor and further pleased to extend the time limit of 30 days, which is mentioned in the appointment letter of the applicant for joining on the post and immediately after getting relieved from the Public Health Department he should be allowed to join the duties as an Assistant Professor (Pediatrics) in Government Medical College & Hospital, Nagpur in the interest of justice.*

3. The learned P.O. has placed on record the communication dated 26/06/2018 issued by respondent no.2 which is marked Exh-X and on the same date one communication is issued by respondent no.1 which is marked Exh-X1 for the purposes of identification. From these letters, it seems that the respondent no.2 is ready to grant 30 days extension for joining on the post of Assistant Professor. The respondent no.1 has stated that the proposal for relieving the applicant has not yet been received from the

Commissioner, Public Health Services, Mumbai (R/3) and necessary action shall be taken as soon as the proposal will be received.

4. In view thereof, the respondent no.3 is directed to submit such proposal within one week to the Government, i.e., respondent no.1 and thereafter the Government shall take appropriate decision on such proposal within further two weeks from the date of this order.

5. With this directions, the O.A. stands disposed of with no order as to costs.

Steno copy is granted.

**Vice Chairman (J)**

dnk.

O.A. No. 460/2018 **(SB)**

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

**Dated : 27.06.2018**

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

2. The applicant is a Forester and vide impugned order dated 31/05/2018 (Annex-A-1,P-11) has been transferred from Akot Wild life Padaskundi Round, Sonala Range to Akot Wild Life, Somthana Range. He has already been relieved from the post. His only contention is that as per Annex-A-6 he has submitted in all 10 places of his choice and the first three posts are still vacant and therefore he has requested that he may be considered on the said vacant post.

3. The applicant has also filed representation on 04/06/2018 (Annex- A-9,P-48) to the Chief Conservator of Forest (Territorial), Amravati (R/2) for that purpose. His only contention is that said representation be considered within stipulated period and the options given by him may be considered.

4. In view thereof, the application stands disposed of with direction to the respondent no.2, i.e., the Chief Conservator of Forest (Territorial), Amravati to take appropriate decision on the representation filed by the applicant on its own merits within four weeks from the date of this order and same shall be communicated to the applicant in writing.

**Vice Chairman (J)**

dnk.

O.A. No. 461/2018 **(SB)**

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

**Dated : 27.06.2018**

Heard Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the State.

2. The applicant is a Forest Guard and vide impugned order dated 30/05/2018 (Annex-A-1) has been transferred from Khamgaon Range, Ganeshpur Beat to Dhargarh Range, Chiladari Beat. Admittedly the applicant has completed his tenure and till today he has not yet been relieved.

3. The learned counsel for the applicant submits that the options were called from the employee and accordingly the applicant has submitted his option and has given 10 options for his posting. However, none of the said options have been considered. He submits that the posts at Khamgaon, Kawadgaon and Geru are still lying vacant. The applicant has also filed representation on 04/06/2018 (Annex-A-8,P-63) and his only prayer is that his representation may be considered within stipulated period.

4. In view of this, the application stands disposed of with direction to respondent no.2 to take decision on the representation filed by the applicant on its own merits within four weeks from the date of receipt of this order and shall be communicated to the applicant in writing. The respondent no.2 is also directed not to relieve the applicant till his representation is decided.

5. Steno copy is granted.

**Vice Chairman (J)**

dnk.