

O.A. No. 450/2017 (DB)

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

Dated : 4.12.2017

C.A.308/2017

Mrs. R. Padhye, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2&3.

2. The learned counsel for the applicant submits that she will file service affidavit of R-2&3 during the course of day.

3. The learned P.O. also seeks time to file reply. At his request, **four weeks**.

Vice Chairman (J)

dnk.

O.A. No. 846/2017 (DB)

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

Dated : 4.12.2017

There is a leave note from Shri D.T. Shinde, Id. counsel for the applicant.

Shri P.N. Warjurkar, Id. P.O. for R-1. Await service of R-2 to 4.

S.O. four weeks.

Vice Chairman (J)

dnk.

Rev. A. 18/17 in O.A. No. 485/14 **(DB)**

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

Dated : 4.12.2017

The applicant in person present.

Shri P.N. Warjurkar, Id. P.O. for
the respondents.

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

Vice Chairman (J)

dnk.

O.A. No. 570/2017 (DB)

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

Dated : 4.12.2017

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

At the request of Id. P.O., **S.O. two
weeks** for filing reply as a last chance.

Vice Chairman (J)

dnk.

O.A. No. 630/2017 (DB)

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

Dated : 4.12.2017

None for the applicant.

Shri S.A. Deo, Id. CPO for the respondents.

The applicant has not collected the hamdast for R-1-A.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A. No. 832/2017 (DB)

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

Dated : 4.12.2017

Shri D.M. Kakani, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

At the request of Id. CPO, **S.O. four weeks** for filing reply.

Vice Chairman (J)

dnk.

O.A. St. No. 832/2017 (DB)

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

Dated : 4.12.2017

Shri D.M. Kakani, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

At the request of Id. CPO, **S.O. two weeks** for filing reply.

Vice Chairman (J)

dnk.

O.A. St. No. 2228/16 **(SB)**

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

Dated : 4.12.2017

C.A.542/16

Heard Shri P.P. Khaparde, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the State.

By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. stands disposed of accordingly.

O.A.St.2228/16 –

Heard Shri P.P. Khaparde, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the State.

2. Issue notice to R-2 to 7, returnable in **four weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. 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.

5. 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.

6. 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.

7. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. No. 329/2017 (SB)

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

Dated : 4.12.2017

C.A.107/2017

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

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

Vice Chairman (J)

dnk.

O.A. No. 642/2016 (SB)

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

Dated : 4.12.2017

C.A.325/2017

Heard Shri M.V. Mohokar, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

2. The learned P.O. submits that he will file detailed reply in the O.A. including the C.A. and the matter of condonation of delay be kept open.

3. In view thereof, the respondents is allowed to file reply-affidavit on O.A. For the time being, the application for condonation of delay is admitted to be considered on merits at the time of final hearing along with the O.A.

S.O. three weeks for filing reply-affidavit.

Vice Chairman (J)

dnk.

O.A. No. 501/2017 **(SB)**

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

Dated : 4.12.2017

C.A.Nos. 359/17 & 92/17

None for the applicants.

Shri A.P. Potnis, Id. P.O. for R-1.
Await service of R-2&3.

The respondent nos. 2&3 are not
served.

S.O. four weeks.

Vice Chairman (J)

dnk.

O.A. No. 22/2017 (SB)

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

Dated : 4.12.2017

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

2. Since the pleadings are complete, the matter is admitted and kept for final hearing.
3. The learned P.O. waives notice for the respondents.

S.O. in due course.

Vice Chairman (J)

dnk.

O.A. No. 22/2017 (SB)

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

Dated : 4.12.2017

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

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

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

S.O. in due course.

Vice Chairman (J)

dnk.

O.A. No. 338/2017 (SB)

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

Dated : 4.12.2017

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

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

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

S.O. in due course.

Vice Chairman (J)

dnk.

O.A. No. 438/2017 (SB)

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

Dated : 4.12.2017

Heard Shri A.S. Chakotkar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The learned P.O. has placed on record the copy of the order of appointment of Inquiry Officer. The same is marked Exh-X for the purposes of identification.

Closed for orders.

Vice Chairman (J)

dnk.

O.A. No. 514/2017 **(SB)**

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

Dated : 4.12.2017

Heard Shri A.S. Chakotkar, Id. counsel holding for Shri S.R. Chakrovarati, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for the respondent no.1 and Shri Sachin D. Ukey, Id. counsel for R-2&3.

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

3. The learned P.O. as well as Id. counsel for R-2&3 waives notices for respective respondents.

S.O. in due course.

Vice Chairman (J)

dnk.

O.A. No. 519/2017 (SB)

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

Dated : 4.12.2017

None for the applicant. Shri P.N. Warjurkar, Id .P.O. for the respondents.

2. The only relief claimed by the applicant is that the unpaid deducted salary from the month of September,2016 to November,2016 be released. On the last date on 29/11/2017 the learned P.O. has placed on record the communication dated 1/11/2017 (Exh-X) from which it seems that the said amount has already been deposited in the account of the applicant.

3. On last occasion the learned counsel for the applicant submitted that he will take instructions and sought time for the same and therefore the matter was kept for disposal today. Today, nobody appeared for the applicant. It seems that the applicant may not be interested since the grievance of the applicant has been redressed.

4. Hence, put up the matter for passing necessary orders on **15/12/2017**.

Vice Chairman (J)

dnk.

O.A. No. 556/2017 **(SB)**

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

Dated : 4.12.2017

None for the applicant.

Shri V.A. Kulkarni, Id. P.O. for the
respondents.

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

Vice Chairman (J)

dnk.

O.A. No. 654/2014 (SB)

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

Dated : 4.12.2017

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

Closed for orders.

Vice Chairman (J)

dnk.

O.A. No. 202/2017 (SB)

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

Dated : 4.12.2017

None for the applicant.

Shri A.M. Khadatkar, Id. P.O. for
the respondents.

S.O. in due course.

Vice Chairman (J)

dnk.

O.A. No. 727/2017 (SB)

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

Dated : 4.12.2017

Heard Shri S.M. Khan, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1 to 3. None for R-4.

2. Vide order dated 12/5/2017 the applicant, who is Junior Geologist (her name being Smt. A.S. Kelkar prior to the marriage), has been transferred from the office of Senior Geologist, Chandrapur to the office of Zilla Parishad, Chandrapur. In the same order her husband who is also working as Junior Geologist has been transferred from Zilla Parishad, Chandrapur to Zilla Parishad, Nagpur. According to the applicant immediately after transfer, she has filed representation on 16/5/2017 and submitted that she may be transferred at the same place where her husband has been transferred or other convenient post mentioned in the representation. However the same was not considered and therefore she has filed this O.A. In the O.A., she has requested that her transfer from

Chandrapur to Chandrapur be cancelled and she may be transferred at Nagpur in the available posts. The respondents are tried to justify the order by filing reply-affidavit.

3. On 30/11/2017 the learned P.O. requested for time to take instructions from the competent authority as to within how many days the representation filed by the applicant will be considered. Today, the learned P.O. has placed on record the communication dated 4/12/2017 which is marked Exh-X for the purposes of identification from which it seems that the respondents have stated that since there is a Assembly in December,2017, the representation will be considered after the Assembly is over.

4. The learned counsel for the applicant submits that there is no specific time limit given by the respondent authorities for considering the representation. Hence, the application may be disposed of by giving direction to respondent authorities to consider the representation within time limit. In view thereof, the following order :-

ORDER

The application stands disposed of with a direction to respondent no.1 to take

decision on the representation filed by the applicant for her transfer at her choice place, i.e., Nagpur as mentioned in the representation dated 16/5/2017 and the decision shall be taken within two months from the date of this order and same shall be communicated to the applicant in writing. No order as to costs.

Vice Chairman (J)

dnk.