

O.A. No. 654/2017

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 20<sup>th</sup> July 2018.**

Heard Shri Feroz Khan, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondent No.1.

Await service to R. 2 and 3.

The Ld. counsel for the applicant submits that he will file service affidavit in the next week.

S.O. **next week.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 193/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 20<sup>th</sup> July 2018.**

**C.A. 168/2018.**

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

S.O. **two weeks** for filing reply  
on the C.A.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 194/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 20<sup>th</sup> July 2018.**

**C.A. 169/2018.**

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

S.O. **two weeks** for filing reply  
on the C.A.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 807/2017

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 20<sup>th</sup> July 2018.**

Heard Mrs. S.A. Dhawas, the  
Ld. counsel for the applicant and Shri  
V.A. Kulkarni, the learned P.O. for the  
respondents.

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

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 151/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 20<sup>th</sup> July 2018.**

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

S.O. **two weeks.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 357/2017

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 20<sup>th</sup> July 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.

The Ld. CPO seeks time to take information from the Collector, Akola as regards status of the matter after remand by the Divisional Commissioner, Amravati Division, Amravati vide order dated 28.9.2017.

S.O. **one week.**

Member(A)

Vice-Chairman(J)

**O.A. No. 420/2018**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 20<sup>th</sup> July 2018.**

Heard Miss V.V. Tiwari, 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 submits that she will take instructions as to whether application for condonation of delay is to be filed and whether the application for amendment adding juniors who are promoted, is to be filed.

**S.O. next week.**

Member(A)

Vice-Chairman(J)

O.A. No. 431/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 20<sup>th</sup> July 2018.**

Heard Shri P.P. Khaparde, Adv. holding for Shri G.G. Bade, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

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

Member(A)

Vice-Chairman(J)

pdg.



O.A. No. 434/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 20<sup>th</sup> July 2018.**

There is a leave note from Shri R.V. Shiralkar, the Ld. counsel for the applicant.

Shri S.A. Deo, the learned C.P.O. for the respondents.

S.O. **three weeks.**

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 547/2018**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 20<sup>th</sup> July 2018.**

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

2. The applicant has challenged the initiation of departmental enquiry vide order dated 17.1.2017 (Annexure A-1). It is stated that the applicant has retired on superannuation on 30.9.2012, whereas charge-sheet has been served on him on 17.1.2017. The incident as regards enquiry is to be initiated, is prior to more than four years of initiation of enquiry. The Ld. P.O., however, invited our attention to the earlier order of initiation of enquiry which is at page Nos. 51 onwards filed by the applicant himself at Annexure A-6, from which it seems

that the enquiry was initiated on 28.9.2012. The Ld. CPO also pointed out that the order of retirement of the applicant is at Page No.29, from which it seems that it was intimated to the applicant at the time of retirement itself that the departmental enquiry initiated against him will be continued even after retirement. In such circumstances, we are not inclined to grant any stay for time being.

3. Hence, issue notice to respondent No.2 returnable after **four weeks**.

4. Shri S.A. Deo, the learned 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. 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.

9. S.O. **four weeks.**

Member(A)

Vice-Chairman(J)

**O.A. No. 550/2018**

**(R.D. Tembey V/s State and one  
another) (D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 20<sup>th</sup> July 2018.**

**ORDER**

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

2. The applicant has challenged the initiation of departmental enquiry vide order dated 31.3..2017 (Annexure A-1, Page 21-29)). It is stated that the applicant has retired on superannuation on 30.4.2014, whereas charge-sheet has been served on him on 31.3.2017. The incident as regards enquiry is to be initiated, is prior to more than four years of initiation of enquiry. The Ld. P.O., however, invited our attention to the earlier order of initiation of enquiry which is at page Nos. 57 onwards

filed by the applicant himself at Annexure A-6, from which it seems that the enquiry was initiated on 15.10.2012. The Ld. CPO also pointed out that the order of retirement of the applicant is at Page No.30, from which it seems that it was intimated to the applicant at the time of retirement itself that the departmental enquiry initiated against him will be continued even after retirement. In such circumstances, we are not inclined to grant any stay for time being.

3. Hence, issue notice to respondent No.2 returnable after **four weeks**.

4. Shri S.A. Deo, the learned 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. 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.

9. S.O. **four weeks.**

Member(A)

Vice-Chairman(J)

O.A. No. 925/2010

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 20<sup>th</sup> July 2018.**

Heard Shri A.P. Sadavarte, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondent Nos. 1 to 4. None for R.5.

The Ld. counsel for the applicant submits that some documents remained to be filed alongwith an amendment application and he may be permitted to file those documents. Applicant is allowed to file documents on record. Applicant is directed to file copy of amended O.A. and supply its copy to the Ld. P.O.

S.O. **two week** for final hearing.

Member(A)

Vice-Chairman(J)



O.A. No. 133/2015

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 20<sup>th</sup> July 2018.**

Heard Shri R.S. Khobragade,  
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. **in due**  
**course.**

Member(A)

Vice-Chairman(J)

**O.A. No. 754/2015**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 20<sup>th</sup> July 2018.**

**C.A. 381/2016 in C.A. 466/2016.**

Heard Shri V.A. Kothale, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The applicant has been reverted from the post of PSI to ASI for two years vide order dated 18.2.2013 by the Director General of Police (M.S.), Mumbai. Admittedly, against this order, appeal was filed. It was also dismissed. Thereafter the applicant has filed revision. But the said revision is not yet decided. It is stated that in the O.A. No.81/2015, the respondents were directed to decide the revision expeditiously. But till today, the revision is not decided. The Ld. P.O. is, therefore, requested

to take instructions at to what is the status of that revision. Ld. P.O. seeks one week's time.

S.O. **one week.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 760/2015

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 20<sup>th</sup> July 2018.**

There is a leave note from Shri M.R. Rajgure, the Ld. counsel for the applicant.

Shri M.I. Khan, the learned P.O. for the respondents 1 to 3. None for R. 4 & 5.

S.O. **four weeks.**

Member(A)

Vice-Chairman(J)

pdg.

**O.A. Nos. 282, 283,284,352,353 and  
875 of 2017 (D.B.)**

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 20<sup>th</sup> July 2018.**

These O.As are closed for orders on 16<sup>th</sup> July 2018.

But today, Shri A.P. Sadavarte, the Ld. counsel for the applicant has submitted written notes of arguments in these O.As and requested for next date for hearing.

**S.O. two weeks.**

Member(A)

Vice-Chairman(J)

O.A.No.360/2017 (S.B.)

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

**Dated : 20.07.2018.**

**M.C.A.15 & 16/2018:-**

None for the applicant. Shri S.A.Sainis, Id. P.O. for the respondent nos. 1 to 6. None for respondent no. 7.

Already on 16/03/2018, the order was for dismissal of the O.A.. Today also nobody appears for the applicant. In view of this, M.C.A. as well as O.A. both stands dismissed in default.

**Later on:-**

Ms. A.M.Gupta holding for Shri P.B.Patil, Id. Counsel for the applicant appeared and pleaded for hearing and Shri S.A.Sainis, Id. P.O. for the respondent nos. 1 to 6. None for respondent no. 7.

The Id. Counsel for the applicant requested that the matter should be heard.

At

the request of Id. Counsel as well as Id. P.O. the M.C.A. is restored and matter will be listed after two weeks.

**S.O. two weeks.**

**Member**

**(A)**

aps.

O.A.No.115/2018 (S.B.)

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

**Dated : 20.07.2018.**

Shri M.V.Mohokar, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondent no. 1. Await service of respondent nos. 2 to 4.

The Id. Counsel for the applicant pointed out that notices are yet to be served, it will be verified and he seeks one week time to file affidavit-in-reply. **S.O. one week.**

**Member**

**(A)**

aps.



O.A.No.661/2018 (S.B.)

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

**Dated : 20.07.2018.**

Shri P.P.Khaparde, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondent nos. 1 to 3. None for respondent no. 4.

The Id. Counsel for the applicant has filed pursis and mentioned that the applicant is not interested in proceeding this O.A., so he is allowed to withdraw the O.A.

*Hence, the O.A. is disposed of as withdrawn. No order as to costs.*

**Member**

**(A)**

aps.

O.A.No.444/2018 (S.B.)

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

**Member (A)**

**Dated : 20.07.2018.**

Shri Khatkar holding for Shri N.R.Saboo, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondent nos. 1. Await service of respondent nos. 2 to 4.

The Id. Counsel for the applicant submits that he will file service affidavit today itself. The Id. P.O. further seeks two weeks time to file affidavit-in-reply on behalf of the respondent nos. 1 to 3.

Interim order dated 22/06/2018 in para no. 3 – *“The Id. P.O. submits that he has no instructions in the matter as to whether the applicant*

*has been relieved. The Id. Counsel for the applicant submits that as per the G.R. dated 15/03/2017, it has been specifically directed that those Forest Guards who have crossed the age of 50 yrs., shall not be transferred in wild life area. The applicant is aged about 54 yrs. Thus, his transfer is in contravention of the provisions of the said G.R. Considering all these*

*aspects, for time being; the respondents are directed to maintain status quo till filling of reply by respondents."*

The above order dated 22/06/2018 is continued till further order. **S.O. two weeks.**

**Member**

**(A)**

aps.

O.A.No.482/2018 (S.B.)

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

**Dated : 20.07.2018.**

None for the applicant. Shri  
P.N.Warjurkar, Id. P.O. for the respondent nos.  
1 to 4. Await service of respondent no. 5.

At the request of Id. P.O., **S.O. two**  
**weeks.**

**Member**

**(A)**

aps.

O.A.No.503/2018 (S.B.)

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

**Dated : 20.07.2018.**

Shri A.P.Khadatkar, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the State.

The Id. Counsel for the applicant submits that he will file condonation of delay application during the course of the day. At his request, **S.O. one week.**

**Member**

**(A)**

aps.

O.A.No.675/2017 (S.B.)

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

**Dated : 20.07.2018.**

Leave note of Shri S.V.Shiralkar. Shri Sandeep Tatke holding for Shri R.V.Shiralkar, Id. Counsel for the applicant and Shri P.N.Warjurakar, Id. P.O. for the respondents.

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

**Member**

**(A)**

aps.

O.A.No.176/2018 (S.B.)

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

**Dated : 20.07.2018.**

Shri S.M.Khan, Id. Counsel for the applicant and Shri P.N.Warjurakar, Id. P.O. for the respondents.

The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent nos. 1 to 4. The same is taken on record. Copies are served to the other side.

The Id. Counsel for the applicant agrees and submits that his grievances has been redressed.

*In view of this, O.A. is disposed off with  
no order as to costs.*

**Member**

**(A)**

aps.

O.A.No.222/2018 (S.B.)

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

**Dated : 20.07.2018.**

Shri S.M.Khan, Id. Counsel for the  
applicant and Shri P.N.Warjurakar, Id. P.O. for  
the respondents.

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.360/2018 (S.B.)

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

**Dated : 20.07.2018.**

Shri P.P.Khaparde, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondent nos. 1 to 4. None for respondent no. 5.

The Id. P.O. has filed affidavit-in-reply on behalf of the respondent nos. 2 and 3. The same is taken on record. Copies are served to the other side.

The Id. P.O. has further filed the order copy of the C.C.F., Amravati bearing no. 100 dated 22/06/2018 and in that order the applicant is at Sr. No. 5. It seems that, the

applicant is transferred to another place in the affidavit-in-reply at Pg. No. 77 in last para it has been mentioned that the transferred place of applicant is only 10 k.ms. away from the place which was his choice given for the transfer.

In view of this *prima facie* it appears that the applicant's grievances have been redressed. However, the Id. Counsel for the applicant desires to take instruction from the client i.e. applicant. At the request of Id. Counsel for the applicant, **S.O. one week for Rejoinder.**

**Member**

**(A)**

aps.

O.A.No.301/2018 (S.B.)

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

**Dated : 20.07.2018.**

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

The Id. P.O. seeks four weeks time to  
file affidavit-in-reply on behalf of the  
respondent nos. 1 to 4. At his request, **S.O.**  
**four weeks.**

**Member**

**(A)**

aps.

O.A.No.303/2018 (S.B.)

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

**Dated : 20.07.2018.**

Shri P.P.Khaparde holding for Shri M.R.Khan, Id. Counsel for the applicant, Shri A.M.Kukday, Id. Counsel for respondent nos. 2 and 3 and Shri H.K.Pande, Id. P.O. for the respondent no. 1.

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.481/2018 (S.B.)

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

**Dated : 20.07.2018.**

None for the applicant. None for respondent no. 3. Shri S.A.Deo, Id. C.P.O. for the respondent nos. 1 & 2.

The Id. C.P.O. explained about the applicant's process of deputation and his choice of transfer. He needs some time to file affidavit-in-reply from the Government side.

At the request of Id. C.P.O., **S.O.**  
**10/08/2018.**

*In view of this, in order dated 02/07/2018 in para no. 3 is continued till next date of hearing.*

*Put up this matter along with O.A. 548/2018.*

**Steno copy is allowed.**

**Member**

**(A)**

aps.

O.A.510/2018 **(SB)**

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

**Dated : 20.07.2018**

Heard Shri T.J. Patil, learned counsel for the applicant and Shri S.A. Deo, learned CPO for the respondents.

2. The learned counsel for the applicant submits that he has been instructed to withdraw the O.A. and seeks permission for the same. In view thereof, the permission is granted. The O.A. stands disposed of as withdrawn with no order as to costs.

**Vice Chairman (J)**

dnk.

O.A.92/2016 with C.A.552/2017 **(SB)**

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

**Dated : 20.07.2018**

Shri P.S. Gawai, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for R-2&3. There is a leave note from Shri R.V. Shiralkar, learned counsel for R-1.

2. The learned P.O. submits that he will file some documents along with Pursis. Since the learned counsel for R-1 is on leave, the matter be kept in **next week**.

**Vice Chairman (J)**

dnk.

O.A.693/2016 **(SB)**

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

**Dated : 20.07.2018**

Heard Shri A.P. Sadavarte, learned counsel for the applicant, Shri M.I. Khan, learned P.O. for R-1,2 and 4 and Shri S.A. Marathe, learned counsel for R-3.

2. The learned counsel for the applicant files pursis along with documents. Same is marked Exh-X for the purposes of



identification. Copy of the same has been served to the other side.

**Closed for orders.**

**Vice Chairman (J)**

dnk.

O.A.649/2017 **(SB)**

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

**Dated : 20.07.2018**

Shri Vipul Bhise, learned counsel holding for Shri S.P. Palshikar, learned counsel for the applicant and Shri P.N. Warjurkar, learned P.O. for the respondents.

2. The learned counsel for the applicant seeks further time. Time is granted.

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

**Vice Chairman (J)**

dnk.

O.A.959/2017 (SB)

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

**Dated : 20.07.2018**

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

2. The learned P.O. submits that the applicant has already retired on superannuation and therefore he may not be interested. The matter be kept after **four weeks**.

**Vice Chairman (J)**

dnk.

O.As.119 & 120 of 2014 **(SB)**

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

**Dated : 20.07.2018**

Heard Shri V.B. Bhise, learned counsel for the applicants and Shri A.M. Ghogre, learned P.O. for the respondents.

2. The learned counsel for the applicants wants to file G.R. dated 8/3/1999 on record as referred in G.R. dated 30/3/2016 and for that purpose he seeks one week time. At his request, **S.O. next week.**

**Vice Chairman (J)**

dnk.

O.A.383/2018 (DB)

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

**Dated : 20.07.2018**

Heard Shri V.B. Bhise, learned counsel holding for Shri S.P. Palshikar, learned counsel for the applicant and Shri P.N. Warjurkar, learned P.O. for the respondents.

**Heard. Admit.**

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

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

**Vice Chairman (J)**

dnk.

