

O.A. No.438/2016.

(D.B.)

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

Dated : 22nd June 2018.

C.P. 22/2018.

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

2. As per order dated 25.4.2017 in O.A. No. 438/2016, this Tribunal has directed thus:-

“(i) The O.A. is allowed.

(ii) It is hereby directed that the G.R. dated 31.7.2008 prescribing departmental examination, is not applicable to the category of employees like the applicants.

(iii) The respondents are directed to declare the applicants have successfully completed their probation period, if they are otherwise fit except for clearing the departmental examination and to grant all consequential benefits to them as claimed.

(iv) The respondents shall release the benefit of increments etc. to the applicants.

(v) No order as to costs.”

3. In view of the aforesaid order, a specific order was passed on 19.4.2018, when the learned P.O has placed on record one G.R. dated 18.4.2018 as regards departmental examination. It was also intimated to this Tribunal that the State will take steps to delete the para directing the applicant to clear the examination. Now, the learned P.O. has submitted that the said statement was made inadvertently and seeks apology. We

are not inclined to accept such apology. The learned P.O. submits that the State has requested the Law and Judiciary Department to permit it to file an appeal against the order of this Tribunal in O.A. No. 430/2016. But the Law and Judiciary Department has specifically stated that there is no point in filing an appeal. Admittedly till today, no appeal / writ petition is filed against the order of this Tribunal and, therefore, the order has become final. The State has no option, but to comply with the order dated 25.4.2017 in O.A. No. 430/2016. The Ld. P.O. submits that two weeks time be granted to comply with the order of this Tribunal. As a last chance, two weeks time is granted for compliance of the order of this Tribunal, failing

which, proceedings for contempt shall be initiated.

S.O. **two weeks.**

Member (A) Vice-Chairman (J)

pdg.

O.A. No.179/2018.

(D.B.)

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

Dated : 22nd June 2018.

Heard Shri S.N. Gaikwad, Adv.
holding for Shri V.G. Wankhede, the
Ld. counsel for the applicant and Shri
A.P. Potnis, the learned P.O. for the
respondents.

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

Member (A)

Vice-Chairman (J)

pdg.

O.A. No.221/2018.

(D.B.)

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

Dated : 22nd June 2018.

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

The Ld. counsel for the applicant submits that in view of order dated 6.4.2018, the applicant has already filed affidavit in reply. Ld. P.O. seeks four weeks time to file counter-affidavit.

The Ld. P.O. accepts the notice of respondent Nos. 1 to 3 and seeks time to file reply.

Appointment in this matter shall be subject to final outcome of this O.A.

S.O. four weeks.

Member (A)

Vice-Chairman (J)

O.A. No.242/2018.

(D.B.)

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

Dated : 22nd June 2018.

None for the applicant. Shri S.A. Deo, the learned C.P.O. for the respondent Nos. 1 and 2. Shri M.A. Sable, Adv. for R.3.

Ld. CPO and Ld. Advocate for R.3 seek time to file reply affidavit.

S.O. **four weeks.**

Member (A)

Vice-Chairman (J)

O.A. No.272/2018.

(D.B.)

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

Dated : 22nd June 2018.

None for the applicant. Shri S.A. Deo, the learned C.P.O. for the respondent Nos. 1 and 2. Shri M.A. Sable, Adv. for R.3.

Ld. CPO and Ld. Advocate for R.3 seek time to file reply affidavit.

S.O. four weeks.

Member (A)

Vice-Chairman (J)

O.A. No.275/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri M.M. Choudhari, 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 selection of respondent No.4 for the Police Patil of village Ruikot, Tahsil-Zari Jamni, District Yavatmal. The main ground on which the application is filed is that there is a difference in handwriting in the answers and some questions and wrong marks have been given to some questions. This fact will have to be verified on merit only after filing of the reply by respondents.

3. Issue notice to the respondent Nos. 2 to 4 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**.

Vice-Chairman (J)

pdg.

O.A. No.276/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri M.M. Choudhari, 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 selection of respondent No.4 for the Police Patil of village Ganeshpur (Khurd), Tahsil-Zari Jamni, District Yavatmal. The main ground on which the application is filed is that there is a difference in handwriting in the answers and some questions and wrong marks have been given to some questions. This fact will have to be verified on merit only after filing of the reply by respondents.

3. Issue notice to the respondent Nos. 2 to 4 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.**

Vice-Chairman (J)

pdg.

O.A. No.432/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri K.S. Malokar, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondent No.1.

2. Vide impugned order dated 14.6.2018, the applicant who is a Resident Medical Officer has been transferred from Govt. Ayurvedic College, Nagpur to Govt. Ayurvedic College, Nanded on administrative ground. It is stated that, the applicant has been transferred just within a span of 1 year and 9 months. The Ld. counsel for the applicant admits that the applicant is serving at Nagpur from 2002 on different posts. It is stated that the guidelines issued by the Govt. from time to time as regards Annual General Transfers have not been followed by the Government. It is, however, true that the applicant has already been relieved from his post and a person who is appointed in his place has also been relieved from Nanded. The Ld. counsel for the applicant submits that that

the transfer order has been issued with malafide intention and even the person who is transferred in place of the applicant has already filed O.A. at M.A.T., Aurangabad. In any case, since the applicant has already been relieved, no stay can be granted and whether the transfer is malafide or not, will have to be considered only after receiving reply from the respondents.

3. Issue notice to the respondent Nos. 2 and 3 returnable after **two weeks**.

4. Shri H.K. Pande, the learned 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. **two weeks**.

Vice-Chairman (J)

pdg.

O.A. No.433/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri D.M. Surjuse, the Ld. counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondent No.1.

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

3. Shri A.P. Potnis, the learned P.O. waives notice for the respondent No.1. Hamdast granted.

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. 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.

8. S.O. **four weeks.**

Vice-Chairman (J)

O.A. No.435/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri S.N. Gaikwad, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent No.1.

2. Issue notice to the respondent No. 2 returnable after **four weeks.**

3. Shri P.N. Warjekar, the learned P.O. waives notice for the respondent No.1. Hamdast granted.

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. 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.

8. S.O. **four weeks.**

Vice-Chairman (J)

O.A. No.436/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri S.N. Gaikwad, the Ld. counsel for the applicant and Shri A.M. Ghgre, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **25.6.2018.**

Vice-Chairman (J)

pdg.

O.A. No.437/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri J.S. Wankhede, 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. **25.6.2018** for removing objection.

Vice-Chairman (J)

O.A. No.438/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

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

At the request of the Ld. counsel for the applicant, S.O. **25.6.2018** for removing objection.

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Vice-Chairman (J)

pdg.

O.A. No.439/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

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

2. Vide impugned order dated 20.6.2018, the applicant has been transferred from the post of Associate Professor, Vasantnao Naik Govt. Medical College, Yavatmal to the same post at Bhausahab Hire Govt. Medical College, Dhule. The Ld. counsel for the applicant submits that the applicant has not yet been relieved. However, the Ld. C.P.O. has placed on record a copy of order dated 20.6.2018 which is marked "X" for identification, from which it seems that the applicant has been relieved on 20.6.2018 afternoon. He has also

placed on record a Chart showing the tenure of the applicant at Yavatmal, from which it seems that right from 2008, the applicant is serving at Yavatmal on various posts and prior to her regular appointment, she was posted at Yavatmal itself. From 2001 to 2008. Considering all these aspects, I am not inclined to grant any stay.

3. Issue notice to the respondent Nos. 2 & 3 returnable after **two 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. **two weeks.**

Vice-Chairman (J)

O.A. No.440/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri S. M. Khan, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

2. Vide impugned order dated 7.8.2017, the applicant has been transferred from the post of Dy. Engineer (Civil), Zilla Parishad, Nagpur to Zilla Parishad, Buldana. According to the Ld. counsel for the applicant, even though the applicant was transferred vide order dated 7.8.2017, because of his good work, he was transferred to Nagpur and even today he has not been relieved. The applicant is further claiming that as per the procedure and various G.Rs in the field, the respondents should have transferred him at the

place of his choice. It is not known as to why the order dated 7.8.2017 has not been challenged and, therefore, in such circumstances, the application itself may not be tenable. The Ld. counsel for the applicant submits that the applicant has filed in all five representations for his choice posting. But the same have not been considered till today. At the most, the respondents can be directed to consider his representations on merits, if the applicant desires to do so. The Ld. counsel for the applicant wants to consult his consult.

3. The Ld. counsel for the applicant submits that the applicant may be permitted to withdraw this O.A. and directions may be issued to the respondents to take a decision on the representations filed by the applicant within a stipulated period, since the applicant is not yet relieved. In view thereof, the application stands disposed of as withdrawn. The respondents are directed to consider the representations of the applicant

for his choice posting with a period of one month from the date of this order and till that time, the applicant may be continued at Nagpur at his present post.

Vice-Chairman (J)

pdg.

O.A. No.441/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri H.S. Chavan, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondent/State.

S.O. **25.6.2018** for removing office objection.

Vice-Chairman (J)

pdg.

O.A. No.442/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri A.M. Ghgre, the learned P.O. for the respondent No.1

2. The impugned order has been passed on 15.6.2018 and the Ld. counsel for the applicant submits that the specific reasons are given for transfer and, therefore, the respondents be directed to produce the record. The Ld. P.O. submits that he will take instructions and file a short affidavit in the matter within a week.

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

4. Shri A.M. Ghgre, the learned 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.**

Vice-Chairman (J)

pdg.

O.A. No.443/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondent No.1

2. The impugned order has been passed on 15.6.2018 and the Ld. counsel for the applicant submits that the specific reasons are given for transfer and, therefore, the respondents be directed to produce the record. The Ld. P.O. submits that he will take instructions and file a short affidavit in the matter within a week.

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

4. Shri A.M. Ghogre, the learned 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.**

Vice-Chairman (J)

pdg.

O.A. No.444/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent No.1.

2. The applicant, a Forest Guard, Butibori Forest Range has been transferred to Nagalwadi (Wild Life) and in his place, the respondent No.4 Shri D.P. Kokade has been transferred. It is stated that neither Shri Kokade is relieved nor the applicant.

3. The Ld. P.O. submits that he has no instructions in the matter as to whether the applicant has been relieved. The Ld. counsel for the applicant submits that as per the G.R. dated 15.3.2017, it has been

specifically directed that those Forest Guards who have crossed the age of 50 years, shall not be transferred in wild life area. The applicant is aged about 54 years. 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.

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

4. Shri Shri P.N. Warjekar, the learned 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.**

Vice-Chairman (J)

O.A. No.445/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondent No.1.

2. The applicant, a Forest Guard who has been transferred vide order dated 31.5.2018 from Khadsangi Range to Chargaon Tapasani Naka, Chimur Range on a vacant post. It is stated that the applicant has not yet been relieved. He was transferred to this post earlier vide order dated 8.9.2015 and has not completed his normal tenure. Vide order dated 31.5.2018, one Shri Hajare (R.4) has been transferred in place of the applicant and he has not yet joined the post.

3. The respondents are directed not to relieve the applicant till reply affidavit in this matter is filed.

3-A. Issue notice to the respondent Nos. 2 to 4 returnable after **three weeks.**

4. Shri S.A. Sainis, the learned 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. **three weeks**.

10. Steno copy be supplied to the Ld. P.O.

Vice-Chairman (J)

O.A. No.446/2018.

(S.B.)

Coram: Shri J.D.Kulkarni,

Vice-Chairman(J)

Dated : 22nd June 2018.

Heard Shri R.J. Mirza, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondent No.1.

2. The applicant has participated in the process of recruitment for the post of Police Patil of village Shahapur. Objection taken by the applicant is that the respondent Nos. 6 to 10 are not residents of village Shahapur and, therefore, they are not eligible to be appointed for the post, since the condition laid down in the advertisement is that the candidate must be the resident of that village. It seems that the applicant's objection has not yet been decided. But similar objections taken by other candidates have been decided by the learned

Sub-Divisional Officer, Achalpur and he came to the conclusion that the respondent Nos. 6 to 10 are residents of village Shahapur. Same decision is under challenge in this O.A. The process of recruitment has just begun, wherein written test is likely to be taken place on 24.6.2018. **Instead of staying the process, it is made clear that the recruitment process shall be subject to final outcome of the O.A.**

3. Issue notice to the respondent Nos. 2 to 10 returnable after **two weeks.**

4. Shri V.A.Kulkarni, the learned 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. **two weeks.**

Vice-Chairman (J)

O.A. 267/2018 (SB)

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

Dated : 22.06.2018

Shri R.S. Kalangiware, Id. counsel holding for Shri Abhay Sambre, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2&3.

2. The learned CPO pointed out that admittedly the applicant has preferred an appeal in the Department, so O.A. is immature. After disposal of his appeal he is at liberty to approach the Tribunal if it is necessary. However, at the request of

learned counsel for the applicant matter be kept on **29/06/2018**.

Member (A).

dnk.

O.A. 348/2018 **(SB)**

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

Dated : 22.06.2018

Smt. K.N. Saboo, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

The learned counsel for the applicant seeks one week time to file service affidavit of R-2&3. At her request, **S.O. 29/06/2018** for filing service affidavit of R-2&3.

Interim order to continue till then.

Member (A).

dnk.

O.A. 373/2018 **(SB)**

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

Dated : 22.06.2018

Shri P.J. Mehta, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1.

The learned counsel for the applicant seeks further time to collect the hamdast of R-2&3 and file service affidavit to that effect. At his request, **S.O. 06/07/2018**.

Member (A).

dnk.

O.A. 974/2017 **(SB)**

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

Dated : 22.06.2018

None for the applicant. Heard Shri V.A. Kulkarni, Id. P.O. for the respondents.

The matter is **admitted** and be kept for final hearing.

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

In the meantime, the applicant is at liberty to file rejoinder, if any.

S.O. four weeks.

Member (A).

dnk.

O.A. 978/2017 (SB)

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

Dated : 22.06.2018

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

The learned P.O. seeks four weeks time to file reply. At his request, **S.O. four weeks** for filing reply by way of last chance.

Member (A).

dnk.

O.A. 152/2018 **(SB)**

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

Dated : 22.06.2018

Shri S.K. Dhanvij, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

The learned P.O. seeks two weeks time to file reply. The learned counsel for the applicant request for early filing. However, two weeks time is given to file reply.

S.O. 6/7/2018 for filing reply.

Member (A).

dnk.

O.A. 157/2018 (SB)

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

Dated : 22.06.2018

Shri Sunil Pande, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The learned P.O. seeks four weeks time to file reply. At his request, **S.O.** **13/07/2018** for filing reply.

Interim order to continue till then.

Member (A).

dnk.

O.A. 158/2018 (SB)

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

Dated : 22.06.2018

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

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

Member (A).

dnk.

O.A. 316/2018 (SB)

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

Dated : 22.06.2018

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

2. The learned counsel for the applicant files order dated 15/06/2018 and submits that by this order the applicant has been posted at Nagpur and she has joined to that effect. The learned counsel for the applicant further submits that the applicant's grievance has been redressed and therefore the matter may be disposed of as withdrawn. Copy of the same is taken on record and marked Exh-X for the purposes of identification.

3. In view of above, the O.A. stands disposed of as withdrawn with no order as to costs.

Member (A).

dnk.

O.A. 372/2018 (SB)

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

Dated : 22.06.2018

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

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

Member (A).

dnk.