

**O.A. No. 815/1991**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> July 2018.**

**C.A. 42/2017 in Rev. Petition (St.) No.**  
**226/2017.**

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

Vide pursis dated 4.7.2018, the applicant wants to withdraw the Rev. Stamp, since he has already filed writ Petition before the Hon'ble High Court. In view thereof, Rev. Petition (Stamp) stands disposed of as withdrawn.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 438/2016**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> July 2018.**

**C.P. No.22/2018.**

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

The Ld. P.O. today has placed on record a copy of order passed by the Govt. dated 2.7.2018 which is marked "X" for identification and submits that the grievance of the applicant has been redressed. The Ld. counsel for the applicant also admits that the order passed by this Tribunal in O.A. No. 438/2016 has been complied with. In view thereof, C.P. No. 22/2018 stands disposed of with no order as to costs.

Member(A)

Vice-Chairman(J)

O.A. No. 545/2015

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

**CA.Nos. 479 & 577 of 2017.**

Shri S.M. Khan, Adv. holding for Shri Bharat Kulkarni, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents 1 to 4. Shri N.R. Saboo, the Ld. counsel for R. 5 to 15.

At the request both the parties, S.O.  
**16<sup>th</sup> July 2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 761/2015

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

There is a leave note from the Ld. counsel for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 4. Shri N.R. Saboo, the Ld. counsel for R. 5 to 12 and 14. None for R. 13 & 15.

At the request both the parties, S.O.  
**16<sup>th</sup> July 2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 802/2015

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

There is a leave note from the Ld. counsel for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 4. Shri N.R. Saboo, the Ld. counsel for R. 5 and 7 to 10 and 14. None for rest of the respondents.

At the request both the parties, S.O.  
**16<sup>th</sup> July 2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 805/2015

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

There is a leave note from the Ld. counsel for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 4. Shri N.R. Saboo, the Ld. counsel for R. 5 to 15.

At the request both the parties, S.O.  
**16<sup>th</sup> July 2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 97/2016

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

Shri S.M. Khan, Adv. holding for Shri Bharat Kulkarni, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 4. Shri N.R. Saboo, the Ld. counsel for R. 5 and 7 to 11 and 14. None for remaining respondents.

At the request both the parties, S.O.  
**16<sup>th</sup> July 2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No.164 /2018

(D.B.)

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

None for the applicant. Shri S.A. Deo,  
the learned C.P.O. for the respondents.

Objections are not removed.

Matter be kept for removing  
objections after **two weeks.**

Member(A)

Vice-Chairman(J)

pdg.



O.A. No.335 /2018

(D.B.)

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

Shri A.M. Sudame, the Ld. Counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents.

P.O. seeks three weeks' time.

S.O. **three weeks.**

*Status-quo* to continue till then.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 346 /2018

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

Shri P.S. Wathore, the Ld. Counsel for the applicants and Shri V.A. Kulkarni, the learned P.O. for the respondents.

Ld. P.O. seeks three weeks' time to file reply.

S.O. **three weeks.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 357 /2018

(D.B.)

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

Shri R.V. Shiralkar, Adv. holding for Shri A.P. Sadavarte, the Ld. Counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondents 1 to 3. None for R. 4 and 5.

S.O. **one week.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 485 /2018

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> July 2018.**

Heard Shri S.M. Khan, the Ld. Counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

2. According to the Ld. Counsel for the applicant, the applicant was kept under suspension for about seven months and, therefore, the said suspension was revoked and the charge-sheet has been issued after six years and as such, enquiry cannot be initiated against the applicant after a lapse of six years. Till today, no Enquiry Officer was appointed. The applicant will be at liberty to insist for interim relief, if the Enquiry Officer is appointed.

3. Issue notice to respondents 2 and 3 returnable in **three weeks.**

3-A. Shri S.A. Deo, the learned C.P.O. waives notice for R. 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. **three weeks.**

Member(A)

Vice-Chairman(J)

**O.A. No. 746 /2009**

**(D.B.)**

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 6<sup>th</sup> July 2018.**

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

2. None had appeared for the applicant on 7.9.2016 and thereafter on 13.4.2018. The applicant has challenged the advertisement dated 10.8.2009 for the post of Lecturer in English. Possibility that the applicant might have lost his interest, cannot be ruled out. Hence the O.A. stands dismissed in default.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 145 /2012

(D.B.)

**Coram:** Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
**Dated :** 6<sup>th</sup> July 2018.

None for the applicant. Shri S.A. Sainis, the learned P.O. for the respondent Nos. 1 to 4. None for R. 5 and 6.

At the request of Ld. P.O., S.O. **10<sup>th</sup>**  
**July 2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 25 /2018

(D.B.)

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

Shri N.R. Saboo, the Ld. counsel for the applicant. Shri A.M.Ghogre, the learned P.O. for the respondents 1 & 2. Shri H.D. Mohod, Adv. for R. 4 & 5. None for R. 3 & 6.

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

Member(A)

Vice-Chairman(J)

pdg.



O.A. No. 269/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 6<sup>th</sup> July 2018.**

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

The Ld. counsel for the applicant requests for time to file pursis,

S.O. **one week.**

Member(A)

Vice-Chairman(J)

pdg.

O.A.No.116/2017 (S.B.)

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

**Member (A)**

**Dated : 06.07.2018.**

None for the applicant. Shri V.A.Kulkarni, Id. P.O. for the respondent no. 1.  
None for respondent no. 2.

The Id. P.O. pointed out that the Id. Counsel for the applicant has amended the O.A. by including State of Maharashtra as a respondent no. 3, as per Tribunal order dated 12/06/2018. However, he has done by handwriting, the Id. Counsel for the applicant is directed to do the same by typewriting.

**S.O. two weeks.**

**Member (A)**

aps.

O.A.No.155/2018 (S.B.)

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

**Dated : 06.07.2018.**

Shri S.M.Khan, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the respondents.

The Id. Counsel for the applicant is ready to amend the O.A. and he seeks two weeks time to do the same. He is directed to amend the O.A. and supply the copy in advance to the Id. P.O.

**S.O. two weeks.**

**Member (A)**

aps.

O.A.No.374/2018 (S.B.)

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

**Member (A)**

**Dated : 06.07.2018.**

Shri S.Sheikh, Id. Counsel for the applicant and Shri S.A.Deo, Id. C.P.O. for the State. Await service of respondent nos. 2 to 4.

2. As per the request of Id. Counsel for the applicant issue fresh notice to the respondents.

3. Issue notice to R-2 to 4, returnable on 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.**

**Member (A)**

aps.

O.A.No.439/2018 (S.B.)

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

**Dated : 06.07.2018.**

None for the applicant. Shri V.A.Kulkarni, Id. P.O. for the State. Await service of respondent nos. 2 and 3.

The Id. P.O. pointed out that services are yet to be done. So matter will be listed after service affidavit.

**S.O. three weeks.**

**Member (A)**

aps.

O.A.No.621/2017 (S.B.)

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

**Dated : 06.07.2018.**

Shri S.M.Khan, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent no. 3. The same is taken on record. Copy is served to the other side.

The matter is admitted and after receipt of his Rejoinder, the matter will be listed for final hearing.

**S.O. three weeks.**

*Put up this matter alongwith  
O.A.No.622/2017.*

**Member (A)**

aps.

O.A.No.622/2017 (S.B.)

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

**Dated : 06.07.2018.**

Shri S.M.Khan, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

The matter is **admitted** and after receipt of his Rejoinder, the matter will be listed for final hearing.

**S.O. three weeks.**

*Put up this matter alongwith  
O.A.No.621/2017.*

**Member (A)**

aps.



O.A.No.954/2017 (S.B.)

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

**Dated : 06.07.2018.**

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

The Id. P.O. has filed the affidavit-in-  
reply on behalf of the respondent nos. 2 and 3.  
The same is taken on record. He submit that  
he will serve the copy to the applicant.

**S.O. two weeks.**

**Member (A)**

aps.

O.A.No.959/2017 (S.B.)

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

**Dated : 06.07.2018.**

Shri N.S.Warulkar, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

As suggested by Id. P.O., the matter is **admitted** and meanwhile the Id. Counsel for the applicant may file Rejoinder, if any.

**S.O. 20/07/2018.**

**Member (A)**

aps.

O.A.No.152/2018 (S.B.)

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

**Dated : 06.07.2018.**

None for the applicant. Shri  
A.M.Khadatkar, 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. He submit that  
he will serve the copy to the applicant.

**S.O. two weeks.**

**Member (A)**

aps.

O.A.No.267/2018 (S.B.)

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

**Dated : 06.07.2018.**

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

The Id. C.P.O. pointed out that as per  
the Tribunal order dated 29/06/2018, the Id.  
Counsel for the applicant is yet to amend the  
O.A. by including The Commissioner, Tribal  
Development, Nashik.

**S.O. 13/07/2018.**

**Member (A)**

aps.

O.A.No.278/2018 (S.B.)

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

**Dated : 06.07.2018.**

Shri R.V.Shiralkar, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the respondents.

The Id. P.O. seeks two weeks time to file affidavit-in-reply. At his request, **S.O. two weeks.**

**Member (A)**

aps.

O.A.No.331/2018 (S.B.)

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

**Dated : 06.07.2018.**

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

The Id. C.P.O. pointed out that the applicant has filed C.A. for withdrawal of the O.A. However, the same C.A. is not received in the Tribunal office. The Id. Counsel for the applicant is directed to file the same in the office.

**S.O. one week.**

**Member (A)**

aps.

O.A.No.336/2018 (S.B.)

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

**Dated : 06.07.2018.**

None for the applicant. Shri S.A.Deo, Id. C.P.O. for the respondent nos. 1 & 2 and Shri G.K.Bhusari, is going to file vakalatnama on behalf of the respondent no. 3.

The Id. C.P.O. desires four weeks time to file affidavit-in-reply.

**S.O. four weeks.**

**Member (A)**

aps.

O.A.No.355/2018 (S.B.)

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

**Dated : 06.07.2018.**

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

The Id. C.P.O. desires four weeks time to file affidavit-in-reply.

**S.O. four weeks.**

**Member (A)**

aps.

O.A.No.373/2018 (S.B.)

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

**Member (A)**

**Dated : 06.07.2018.**

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



The Id. P.O. pointed out that on Pg. No. 17 undertaking by applicant is clear that if any difference of excess payment, he is agreed for the recovery. The Id. P.O. pointed out Judgment of Hon'ble Supreme Court in Civil Appeal No. 3500 of 2006 decided on 29 July, 2016 which is marked Exh. "X" and the Tribunal Judgment with O.A.No. 146/2016 decided on 14<sup>th</sup> March, 2018 which is marked Exh. "X-1" and at Pg. No. 11 in para no. 14, it has been clarified that such excess payment can be recovered. Both the Judgments are taken on record.

**S.O. 23/07/2018.**

**Member (A)**

aps.



O.A.No.409/2018 (S.B.)

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

**Dated : 06.07.2018.**

Shri M.I.Dhatrak, Id. Counsel for the applicant and Shri V.A.Kulkarni, 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.446/2018 (S.B.)

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

**Dated : 06.07.2018.**

Ms. P.Moon holding for Shri R.J.Mirza, Id. Counsel for the applicant, Shri V.A.Kulkarni, Id. P.O. for the State and Shri A.M.Tirukh is going to file vakalatnama for Id. Counsel for the respondent no. 9 during the course of the day.

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

**Member (A)**

aps.

O.A.No.468/2018 (S.B.)

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

**Dated : 06.07.2018.**

Heard Shri M.R.Patil, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

The Id. C.P.O. submitted a document from the Government Medical College, Gondia. The same is taken on record and marked Exh. "X" for identification. The same letter is dated 30/06/2018, by which impugned order has been cancelled. The Id. C.P.O. also submits that salary of May, 2018 has been paid and June, 2018 is in process.

As submitted by Id. C.P.O., grievances has been redressed and nothing survive in the O.A. of the applicant.

Hence, O.A. become infructuous and the same is disposed off. No order as to costs.

**Member (A)**

aps.

O.A. No. 502/2018 **(SB)**

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

**Dated : 06.07.2018**

None for the applicant. Heard Shri H.K. Pande, Id. P.O. for the State.

2. Issue notice to R-2 to 4, returnable in **three 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. 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.

8. **S.O. three weeks.**

**Vice Chairman (J)**

dnk.

O.A. No. 680/2015 **(SB)**

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

**Dated : 06.07.2018**

None for the applicant. Shri A.P.  
Potnis, Id. P.O. for R-1 to 3. None for R-  
4.

**S.O. 27/07/2018.**

**Vice Chairman (J)**

dnk.



O.A. No. 460/2017 **(SB)**

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

**Dated : 06.07.2018**

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

The learned P.O. has placed on record the copy of the communication dated 5/7/2018 from which it seems that the pension papers have already been submitted to the A.G. Office. The copy of the same is marked Exh-X for the purposes of identification. In view thereof, the matter be kept on **27/07/2018**.

**Vice Chairman (J)**

dnk.

O.A. No. 829/2017 (SB)

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

**Dated : 06.07.2018**

Heard Shri S.I. Khan, Id. counsel for  
the applicant and Shri S.A. Sainis, Id. P.O.  
for the respondents.

**Closed for orders.**

**Vice Chairman (J)**

dnk.

O.A. No. 937/2017 **(SB)**

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

**Dated : 06.07.2018**

Shri N.S. Warulkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of learned counsel for the applicant, **S.O. 09/07/2018** for taking instructions from the applicant.

**Vice Chairman (J)**

dnk.

O.A. No. 23/2018 (SB)

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

**Dated : 06.07.2018**

None for the applicant. Shri M.I. Khan, Id. P.O. for R-1,2,4,5 & 6. None for R-3 (Caveator).

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

**Vice Chairman (J)**

dnk.

O.A. No. 497/2018 (SB)

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

**Dated : 06.07.2018**

Heard Shri A.U. Tathod, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the State.

2. The applicant is claiming that the order dated 3/7/2017 (Annex-A-12) whereby the respondent no.4 has been retained in his place at Digras Municipal Council on the post of Chief Officer be quashed and set aside. It is stated that the applicant has been transferred to Digras as per order 12/06/2018 and accordingly he has joined there. But because the respondent no.4 has been granted extension, the applicant will be in dilemma. The learned P.O. submits that the applicant has not yet joined there. In such circumstances, status-quo cannot be granted as it is not known whether the applicant has joined at Digras or not. Considering this aspect, the reply of the respondents will be necessary.

3. Hence, issue notice to R-2 to 4, returnable in **three 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. three weeks.**

**Vice Chairman (J)**

dnk.

O.A. No. 500/2018 **(SB)**

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

**Dated : 06.07.2018**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The applicant is working as Warden in the Tribal Boys Govt. Hostel at Pandharkwada has been transferred to Tribal Boys Govt. Hostel, Kalamnuri vide order dated 29/05/2018 (Annex-A-8). According to the applicant, the G.R. dated 9/4/2018 has not been followed and choice posting given by him has not been considered. He was also not called for counseling which is mandatory. The applicant has also raised his personal difficulties on the health ground which prevent him to join at Kalamnuri which is far away from Pandharkawada. The Id. counsel for the applicant submits that the applicant has filed representation for continuation for one more year on the same post or in the alternative he may be considered on any one of the choice posts given by him and the application may be disposed of with such direction. The copy of said the representation is dated 29/06/2018 which is at P.B. Page no.44. Hence, the following order :-

### **ORDER**

The application is therefore stands disposed of with direction to respondent no.2 to take decision on the representation



filed by the applicant dated 29/06/2018  
within four weeks from the date of this order.  
No order as to costs.

**Vice Chairman (J)**

dnk.