

O.A. No. 223/2017. (S.B.)

Yogeshwar Motiram Bhoyar V/s State and two others.

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

Dated : 23rd June 2017.

Oral order

Heard Shri D.T. Shinde, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

2. The Ld, P.O has filed reply affidavit on behalf of R.2. It is taken on record and a copy thereof is supplied to the Ld. Counsel for the applicant.

3. The applicant has challenged the order of suspension dated 11.7.2015 passed by Collector, Gondia and requested that the applicant be reinstated. The applicant is claiming reinstatement on the basis of various G.Rs. issued in the field from time to time. Copies of these G.Rs are annexed with the O.A. It is an admitted fact that time and again instructions have been issued to reconsider the cases of employees who are under suspension periodically and that suspension shall be a last recourse.

4. It seems that the applicant has filed an appeal / representation against the order of suspension before the Divisional Commissioner, Nagpur on 13.12.2016 as per Annexure A-8. The said appeal is, however, not yet decided.

5. In reply affidavit filed by respondent No.2, it is stated that the case of the applicant was considered

in the meeting dated 7.9.2016 and also on 24.3.2017 and that his case was not considered because the chargesheet was not filed against him. The learned counsel for the applicant has invited my attention to the statement made by the applicant in his O.A. in para (i) at page 40 that the chargesheet has also been filed in the court of District Judge and Additional Sessions Judge, Gondia on 11.11.2016 and the criminal case is filed against the applicant being Spl. Case No. 28/2016 and that the applicant is appearing before the Sessions Court.

6. In my opinion, consideration of the cases by Reinstatement Committee is one aspect of the case and consideration of the appeal against the order of suspension is different one. The Appellate Court has to consider whether the suspension is legal or not whereas the Reinstatement Committee has to consider whether it is necessary to continue suspension of the employee. These aspects have not been considered by the appellate authority, since no decision taken by the appellate authority on the appeal filed by the applicant. In view of this, following order is passed:-

(i) The O.A. is partly allowed.

(ii) The respondent No.2 i.e.the Divisional Commissioner, Nagpur is directed to consider the appeal of the applicant against the order of his suspension dated 13.12.2016 on its own merit within **two months** from the date of this order and a decision taken thereon shall be communicated to the applicant in writing.

(iii) The respondents are also directed to reconsider the case of the applicant for revocation of

suspension considering the fact that a chargesheet has already been filed against him before the competent court and in the light of the various G.Rs issued in this regard for revocation of suspension.

(iv) Decision as regards his revocation of suspension shall be taken within a period of **two months** from the date of this order.

(v) No order as to costs.

Vice-Chairman(J)

pdg.

O.A. No. 571/2016. (D.B.)

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

Dated : 23rd June 2017.

Heard Shri A.B. Mirza, the learned counsel for the applicants and Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 6. None for R. 7 to 16.

The learned counsel for the applicant seeks time to file service affidavit.

S.O. **two weeks.**

Vice-Chairman(J)

pdg..

O.A. No. 669/2016.

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

Dated : 23rd June 2017.

Heard Shri Sunil Pande, Adv. holding for Shri B.M. Kharkate, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondent No.1.

2. The learned counsel for the applicant has filed reply affidavit on behalf of R. 2 & 3, same is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

3. At the request of the learned counsel for the applicant, issue fresh notice to remaining respondents Nos. 4 to 6 returned after **four weeks.**

4. Shri M.I. Khan, 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 need 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.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunals (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by hand delivery, speed post or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

Vice-Chairman(J)

pdg..

O.A. No. 797/2016.

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

Dated : 23rd June 2017.

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

The Ld. P.O. has filed reply on behalf of R. 1 & 2. The same is taken on record.

S.O. **two weeks** for filing rejoinder by the applicant, if necessary.

Vice-Chairman(J)

pdg..

O.A. No. 433/2015.

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

Dated : 23rd June 2017.

C.A. 274/2017.

Shri Nikumb, Adv. holding for Smt. S.W. Deshpande, the learned counsel for the applicant and Shri A.M.Ghgre, the learned P.O. for the respondents.

The application was filed for early hearing. There is no urgency. Application, therefore, stands rejected and the O.A. be kept for final hearing in due course.

The learned counsel for the applicant submits that he will intimate to the respondents.

At the request of the learned counsel for the applicant, S.O. 11.7.2017.

Vice-Chairman(J)

pdg..

O.A. No. 404/2017.

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

Dated : 23rd June 2017.

Heard Shri Mrugendra Singh, Adv. holding for Shri J.S. Gilda, the learned counsel for the applicants and Smt. M.A. Barabde, the learned P.O. for the respondent No.1.

2. In this O.A., the applicants are claiming interim relief of stay to the operation of G.R. dated 13.7.2010 whereby the Govt. has decided to act upon earlier G.R. dated 13.7.2010, whereby it was decided to dispense with the services of Home Guards who have completed more than 12 years of service as Home Guards.

3. Perusal of the impugned letter shows that on 19th May 2017, the Govt. has called reports from the various District Commandants, Home Guards of Nagpur as well as other districts as regards २४०

होमगाडपैक १८५ (पटावरल १८५६ ँया १०%)

and the Home Guards working for more than 12 years. It is necessary to obtain the say of the respondents on this communication as well as the reason as

to why the Govt. wants to implement the earlier Resolution dated 13th July 2010.

4. In view thereof, issue notice to the respondents 2 & 3 returnable within **four weeks**.

5. Smt. M.A. Barabde, the learned P.O. waives service for the respondent No.1.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunals (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by hand delivery, speed post or courier and acknowledgement be obtained and produced along with affidavit of

compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

C.A.No.275/2017

Heard both sides.

For the reasons stated in the application, applicant to sue jointly is allowed. C.A. stands disposed of.

Vice-Chairman(J)

pdg..

O.A. No. 809/2016.

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

Dated : 23rd June 2017.

None for the applicants. Shri A.M. Khadatkar, the learned P.O. for the respondents 1 & 2.

Await service to R. 3 & 4.

The Ld. P.O. seeks time to file reply affidavit.

S.O. **four weeks.**

Vice-Chairman(J)

pdg..

O.A. No. 678/2016.

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

Dated : 23rd June 2017.

C.A. Nos. 560/2016 & 44/2017.

Shri P.P. Khaparde, the learned counsel for the applicants and Shri A.M. Khadatkar, the learned P.O. for the respondents 1 to 4. None for R. 5 to 10.

At the request of Ld. P.O., S.O.
4th July 2017.

Vice-Chairman(J)

pdg..

O.A. No. 536/2016.

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

Dated : 23rd June 2017.

Shri S.V. Deshmukh, the learned counsel for the applicants and Shri H.K. Pande, the learned P.O. for the respondents 1 to 4. Shri M. Joshi, Adv. for R. 5.

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

Vice-Chairman(J)

pdg..

O.A. No.616 /2015.

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

Dated : 23rd June 2017.

None for the applicant.

Heard Shri A.M. Ghogre, the learned P.O. for the respondents.

Since pleadings are complete, O.A. is admitted and kept for final hearing.

Shri A.M. Ghogre, the learned P.O. waives notice for all the respondents.

S.O. **four weeks.**

Vice-Chairman(J)

pdg..

O.A. No.731 /2014.

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

Dated : 23rd June 2017.

Heard Shri Joshi, Adv. holding for Shri P.S. Wathore, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for respondents 1 & 2. None for R.3.

Respondent No.3 has not filed reply.

Since pleadings are complete, O.A.is admitted and kept for final hearing.

Shri P.N. Warjekar, the learned P.O. waives notice for the respondent Nos. 1 and 2.

S.O. four weeks.

Vice-Chairman(J)

pdg..

O.A. No.106 /2016.

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

Dated : 23rd June 2017.

Shri N.D. Thombre, the learned counsel for the applicant and Shri S.S. Sainis, the learned P.O. for the respondents.

The applicant has claimed for a direction to respondent No.1 to submit a detailed proposal for his reinstatement and regularization of his absence period in view of direction in the letter dated 18.3.2013. The applicant has obtained information under Right to information Act and vide letter dated 8.10.2015 it was intimated to him that no proposal was sent. The Ld. P.O. submits that the proposal has been sent to the Govt.. He is ready to file a copy of proposal alongwith a short affidavit.

In view thereof, S.O. **two weeks.**

Vice-Chairman(J)

pdg..

O.A. No.831 /2016.

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

Dated : 23rd June 2017.

Shri B. Rao Shende, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents 1 to 3. None for R.4.

The learned counsel for the applicant seeks time to file rejoinder.

S.O. **one week.**

Vice-Chairman(J)

pdg..

O.A. No.266 /2017.

Coram: Shri J.D. Kulkarni,

Vice-Chairman (J).

Dated : 23rd June 2017.

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

S.O. **14.7.2017.**

Put up this O.A. alongwith O.A.No.356/2017.

Vice-Chairman(J)

pdg..

O.A. No.90 /2017.

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

Dated : 23rd June 2017.

R.A. No.04/2017.

Heard Shri Mrugendra Singh, Adv. holding for Shri J.S. Gilda, the learned counsel for the applicants and Smt. M.A. Barabde, the learned P.O. for the respondents.

2. The learned counsel for the applicants invited my attention to the observation made by this Tribunal in this O.A. in the order dated 5.5.2017 in which a case of Supreme Court in S.L.P. (C) No. 12858/2009 was referred. The learned counsel for the applicants submits that the State has suppressed the fact that directions were issued to various State Governments by the Central Government to act upon the directions in para 22 of the said judgment. It is stated that the applicant has received information under

Right to Information Act. He has also placed on record Annexure R.2 dated 16.9.2015 and the correspondence in this regard as per letters dated 23.2.2015 and 15.10.2016. This fact, however, is not brought before this Tribunal by the Ld. P.O.

3. Perusal of the judgment passed by this Tribunal show that the judgment of the Hon'ble Apex Court was considered by this Tribunal and this fact has been mentioned in para 14 of the judgment clearly. In such circumstances, I do not find that any new point has been brought on record in the review judgment and order of this Tribunal. If the applicant is aggrieved by the judgment and order, he will be at liberty to approach the appropriate authority. Hence, the review petition stands dismissed.

Vice-Chairman(J)

pdg..

O.A. No. 69 /2017.

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

Dated : 23rd June 2017.

Heard Shri S.C. Deshmukh, the learned counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents 1 to 4. None for R.5.

The Ld, P.O has filed reply affidavit on behalf of R.2 & 3 separately. It is taken on record and a copy thereof is supplied to the Ld. Counsel for the applicant.

S.O. **two weeks** for filing rejoinder by the applicant, if necessary.

Vice-Chairman(J)

pdg..

O.A. No. 834/2016.

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

Dated : 23rd June 2017.

Shri Joshi, Advocate holding for Shri P.S. Wathore, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

The Ld, P.O has filed reply affidavit on behalf of R.2. It is taken on record and a copy thereof is supplied to the Ld. Counsel for the applicant.

Ld. P.O. submits that reply of R.1 is not necessary.

S.O. **four weeks** for filing rejoinder by the applicant, if necessary.

Vice-Chairman(J)

pdg..

O.A. No.601 /2016.

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

Dated : 23rd June 2017.

Heard Shri H.A. Deshpande, the learned counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondents.

ADMIT.

Smt. M.A. Barabde, the learned P.O. waives service for the respondents.

Put up before the regular D.B. on 7th
July 2017.

Vice-Chairman(J)

pdg..

O.A. No. 612/2016.

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

Dated : 23rd June 2017.

Shri P.P. Khaparde, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondent No.1.

Await service to R. 2 to 4.

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

Vice-Chairman(J)

pdg..

O.A. No.807 /2016.

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

Dated : 23rd June 2017.

Shri P.P. Khaparde, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

The learned counsel for the applicant has filed service affidavit of R. 2 to 4.

At the request of Ld. P.O., S.O. **two weeks** for filing reply.

Vice-Chairman(J)

pdg..

O.A. No.613 /2016.

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

Dated : 23rd June 2017.

M.C.A. No.33/2017.

Shri P.P. Khaparde, Adv. holding for Shri G.G. Bade, the learned counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondents.

The applicant is claiming three months time for implementation of the order passed by this Tribunal on 18.4.2017 in O.A. Nos. 578/2016, 613/2016, 67/2016 and 728/2016. The learned counsel for the original applicant submits that almost three months are already over and, therefore, reasonable time may be granted. In view thereof, application for extension of time is partly allowed. The applicant submits that the State has been granted two months time for implementation of the order.

S.O. 30.9.2017.

Vice-Chairman(J)

pdg..

O.A. No.145 /2017.

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

Dated : 23rd June 2017.

Miss Rama Bondele, Adv. holding for Shri M.V. Bute, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

The Ld, P.O has filed reply affidavit on behalf of R.1. It is taken on record and a copy thereof is supplied to the Ld. Counsel for the applicant. The applicant to file service affidavit in respect of respondents 2 and 3.

S.O. four weeks.

Vice-Chairman(J)

pdg..

O.A. No.414 /2016.

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

Dated : 23rd June 2017.

Shri N.S. Khandewale, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 3. Shri P.S. Dhenge, Adv. for R.4.

The applicant to inform respondent No.4 regarding fixing of the matter on 11.7.2017.

S.O. 11.72017.

Vice-Chairman(J)

pdg..

O.A. No.557 /2013.

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

Dated : 23rd June 2017.

The applicant Nos. 3,6,7,,8,10 and 12 viz. Shrikant Gadkari, Dnaneshwar Asre, Vinod Munshi, Chandrakantsingh Chandel, Prakash Urkude and Ashok Jagtap are present before this Tribunal. Shri A.M. Ghogre, Ld. P.O. for the respondents.

Shri J.R. Kidilay , the learned counsel for the applicants absent. It is stated that applicant No.2 Anthony Xavier and No. 13 Vilas Mate are no more. At the request of the applicants, matter is kept at 3.00 p.m. today.

Lateron

Shri J.R. Kidilay , the learned counsel for the applicants appeared and submitted that he came to know that the applicant Nos 2 & 13 have died during the pendency of the O.A. and since the applicants are claiming regurization alongwith monetary benefit, it will be necessary to bring their L.Rs on record. He seeks two weeksq time.

S.O. **twp weeks** to file an application for bringing the L.Rs on record.

Vice-Chairman(J)

pdg..

O.A. No.339/2016.

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

Dated : 23rd June 2017.

MCA No. 27/2017.

Heard Shri M.I. Khan, the Ld. P.O. for the applicants (original respondents. None for the respondents (original applicants).

The Ld. P.O. submits that the notices have been served on the respondents. He submits that he will file service affidavit during the course of the day. The applicant is claiming three monthsqtime for compliance of the order dated 13.2.2017 in O.A. No.339/2016. This three monthsqtime will be completing on 6.7.2017. In view of this fact, matter be kept on **10.7.2017.**

S.O. 10.7.2017.

Vice-Chairman(J)

pdg..

O.A. No.812/2016.

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

Dated : 23rd June 2017.

None for the applicant. Shri M.I. Khan, the Ld. P.O. for the respondent No. 1.

Await service to R. 2 to 4.

Ld. P.O. seeks time to file reply of R.3.

The applicant to file service report in respect of other respondents.

S.O. **four weeks.**

Vice-Chairman(J)

pdg..

O.A. No.289/2017.

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

Dated : 23rd June 2017.

Heard Shri M.V. Joshi, the learned counsel for the applicant. Shri M.I. Khan, the Ld. P.O. for the respondents.

ADMIT.

Shri M.I. Khan, the Ld. P.O. waives notice for the respondents.

S.O. **27th June 2017** for final hearing.

Vice-Chairman(J)

pdg..

O.A. No.264/2017.

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

Dated : 23rd June 2017.

Shri S.O. Ahmed, the learned counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents.

At the request of Ld. P.O., S.O. **28th June 2017.**

Vice-Chairman(J)

pdg.

O.A. No.841/2016.

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

Dated : 23rd June 2017.

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

The applicant has filed this O.A. challenging his suspension order. The Ld. CPO has placed on record the letter received by him dated 22.6.2017 which is marked % for identification. It seems that the applicant's suspension has been revoked on 4.1.2017 itself. The applicant has been posted at the Police Headquarters at Washim. In view thereof, nothing remains in this O.A. and hence the O.A. stands disposed of with no order as to costs.

Vice-Chairman(J)

pdg..

O.A. No.71/2017.

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

Dated : 23rd June 2017.

C.A. No.41/2017.

Shri S.P. Palshikar, the learned counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents.

S.O. two weeks.

Vice-Chairman(J)

pdg..

O.A. No.111/2017.

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

Dated : 23rd June 2017.

None for the applicant. Shri S.A. Deo, the Ld. C.P.O. for the respondent No.1.

No steps have been taken to serve notice on respondent Nos. 2 and 3.

Office objection is not removed.

In view thereof, S.O. **two weeks** for dismissal.

Vice-Chairman(J)

pdg..

O.A. No.219/2017.

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

Dated : 23rd June 2017.

Mrs. P.T. Joshi, the learned counsel for the applicant and Shri H.K Pande, the Ld. P.O. for the respondent No.1.

Notices on respondent Nos. 2 to 4 are awaited.

The learned counsel for the applicant submits that the acknowledgements have not yet been received.

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

Vice-Chairman(J)

pdg..

O.A. No.151/2017.

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

Dated : 23rd June 2017.

Shri A.J. Dhoble, Adv. holding for
Shri P.R. Parsodkar, the learned counsel
for the applicant and Shri H.K Pande, the
Ld. P.O. for the respondents.

The learned P.O. seeks time.

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

Vice-Chairman(J)

pdg..

O.A. No.321/2017.

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

Dated : 23rd June 2017.

Shri A.B. Bambal, the learned counsel for the applicant and Shri A.M. Khadatkar, the Ld. P.O. for the respondents.

The P.O. seeks time of two weeks to file reply.

S.O. two weeks.

Vice-Chairman(J)

pdg..

O.A. No.67/2016.

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

Dated : 23rd June 2017.

R.A. 01/2017.

Smt. K.N. Saboo, the learned counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents.

The P.O. seeks time of one week to file reply.

S.O. one week.

Vice-Chairman(J)

pdg..

O.A. No.275/2017.

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

Dated : 23rd June 2017.

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

The only grievance of the applicant is that, inspite of the order dated 31.12.2016 of transfer, he is not allowed to join on the post where he has been transferred. It seems that the applicant's transfer was challenged by Dr. Madke by filing O.A. No. 05/2017. The said O.A. was, however, dismissed on 19.4.2017 by this Tribunal. The Ld. CPO is directed to take instructions from the competent authority as to why the applicant will not be allowed to join on the transfer post inspite of the fact that the O.A. filed by the applicant has been dismissed.

At the request of Ld. CPO, S.O. **28th June 2017.**

Steno copy be provided to the Ld. CPO.

Vice-Chairman(J)

pdg..

O.A. No.327/2017.

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

Dated : 23rd June 2017.

Shri N.S. Warulkar, the learned counsel for the applicant and Smt. M.A. Barabde, the Ld. P.O. for the respondent No.1. None for R. 2 to 4.

The learned counsel for the applicant submits that all the respondents have been served. Ld. P.O. seeks time.

S.O. two weeks.

Vice-Chairman(J)

pdg..

O.A. No.328/2017.

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

Dated : 23rd June 2017.

Shri N.S. Warulkar, the learned counsel for the applicant and Smt. M.A. Barabde, the Ld. P.O. for the respondent No.1. None for R. 2 to 4.

The learned counsel for the applicant submits that all the respondents have been served. Ld. P.O. seeks time.

S.O. two weeks.

Vice-Chairman(J)

pdg..

O.A. No.75/2017.

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

Dated : 23rd June 2017.

Shri Y.P. Kaslikar, the learned counsel for the applicants and Shri M.I. Khan, the Ld. P.O. for the respondent Nos.1 to 3. Shri K.E. Meshram, Adv. holding for Shri D.M. Kale, Advocate for R. 4.

S.O. **17th July 2017** for flings reply by Ld. P.O.

Vice-Chairman(J)

pdg..

O.A. No.176/2010.

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

Dated : 23rd June 2017.

Shri M.B. Agasti, the learned counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondents.

At the request of the learned counsel for the applicant, S.O. **one week.**

Vice-Chairman(J)

pdg..

O.A. No.403/2017.

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

Dated : 23rd June 2017.

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

2. The applicant is claiming benefit of the G.Rs dated 30.6.2015 and 3.9.2015 issued by respondent No.1 as regards continuation of service till completion of the age of 60 years. It is stated that the applicant is completing the age of 58 years on 30th June 2017. However, the representations were filed by him on 20.3.2017 and 14.4.2017 for extension of service. It is not known as to why the representation is filed so late when the G.Rs are of the year 2015.

3. Hence, issue notice to R. 2 and 3 returnable after **four weeks.**

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

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunals (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by hand delivery, speed post or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

Vice-Chairman(J)

pdg..

O.A. No.128/2010.

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

Dated : 23rd June 2017.

None for the applicant. Smt, S.V. Kolhe, the Ld. P.O. for the respondent Nos. 1 & 2. None for R. 3 to 9.

The applicant is claiming deemed date of promotion on the post of Assistant Regional Transport Officer as on 1.7.1991 and on the post of Deputy Regional Transport Officer as on 20.9.1996. Matter has been kept for hearing from time to time. It seems that nobody has appeared for the applicant on 3.10.2016, 22.11.2016, 6.12.2016, 13.1.2017, 10.1.2017, 3.3.2017, 31.3.2017 and 9.6.2017.

On 9.6.2017, a detailed order was yet to be passed wherein absence on behalf of the applicant was mentioned. However, in the interest of justice, last chance was granted and itw as specifically observed that the matter will be dismissed, if on the adjourned date nobody appeared for the applicant. Matter has been, therefore, kept today. Today also, nobody appeared for the applicant. It seems that the applicant may not be interested in prosecuting the O.A. and, therefore, it stands dismissed in default with no order as to costs.

Vice-Chairman(J)

pdg..

O.A. No. 509/2010.

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

Dated : 23rd June 2017.

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

Considering that the matter is of the year 2010 and most last chance is granted with clear understanding that if none appeared for the applicant on the next date, matter will be dismissed.

S.O. 10th July 2017.

Vice-Chairman(J)

pdg..

O.A. No. 642/2010.

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

Dated : 23rd June 2017.

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

Considering that the matter is of the year 2010 and most last chance is granted with clear understanding that if none appeared for the applicant on the next date, matter will be dismissed.

S.O. 10th July 2017.

Vice-Chairman(J)

pdg..

