

O.A. No. 261/2016

(DB)

**Coram : Hon. Shri Shree Bhagwan,
Member (A) and
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 3rd April 2019

Heard Shri P.J. Mehta, Ld. counsel for the applicant and Shri H.K. Pande, the Id. P.O. for the respondents 1 to 3. None for R.4.

It was pointed out by the Ld. counsel for the applicant the Annexure A-3, अंशकालीन. In this category, the applicant has filled "No". In view of this G.R. dated 22.8.2014 (A-1), whether the applicant is entitled or not. The Ld. counsel for the applicant may clarify it in the next week.

S.O. **8.4.2019**.

Member(J)

Member (A)

Dt.3.4.2019

pdg

O.A. No. 413/2013

(DB)

**Coram : Hon. Shri Shree Bhagwan,
Member (A) and
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 3rd April 2019

Heard Shri G.K. Bhusari, Ld. counsel for the applicant and Shri V.A. Kulkarni, the Id. P.O. for the respondents.

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

Tag this O.A. with O.A.No. 198/2011.

Member(J)

Member (A)

Dt.3.4.2019

pdg

O.A. No. 274/2018

(DB)

**Coram : Hon. Shri Shree Bhagwan,
Member (A) and
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 3rd April 2019

Heard Shri N.R. Saboo, Ld. counsel for the applicant and Shri V.A. Kulkarni, the Id. P.O. for the respondents.

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.

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

Member(J)

Member (A)

Dt.3.4.2019

pdg

O.A. No. 218/2012

(DB)

**Coram : Hon. Shri Shree Bhagwan,
Member (A) and
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 3rd April 2019

Miss A.P. Narad, Adv. holding for Smt. Kirti Satpute, Ld. counsel for the applicant and Shri V.A. Kulkarni, the Id. P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **two weeks** as a last chance.

Member(J)

Member (A)

Dt.3.4.2019

pdg

O.A. No. 687/2015

(DB)

**Coram : Hon. Shri Shree Bhagwan,
Member (A) and
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 3rd April 2019

Shri B.T. Belsare, the applicant is present in person. Shri V.A. Kulkarni, the Id. P.O. for the respondents 1 to 3. None for R. 4 to 6.

The Ld. P.O. is directed to file C.Rs of the applicant preceding from 1994 and also to take instructions from the department whether any meeting had taken place or otherwise.

At the request of the Ld. P.O., S.O. **10.4.2019** for production of relevant G.R.

Member(J)

Member (A)

Dt.3.4.2019

pdg

O.A. Nos. 459 & 503 of 2017

(DB)

**Coram : Hon. Shri Shree Bhagwan,
Member (A) and
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 3rd April 2019

Heard Shri R.V. Shiralkar, the Ld. counsel for the applicants and Shri P.N. Warjekar, the Id. P.O. for the respondents.

Ld. P.O. has filed reply affidavit on behalf of R.3. It is taken on record and a copy thereof is supplied to the Ld. counsel for the applicants.

Closed for orders.

Member(J)

Member (A)

Dt.3.4.2019

pdg

O.A. No.897 of 2012

(DB)

**Coram : Hon. Shri Shree Bhagwan,
Member (A) and
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 3rd April 2019

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

S.O. **one week** at the request of Ld.
P.O.

Member(J)

Member (A)

Dt.3.4.2019

pdg

O.A. No.133 of 2013

(DB)

**Coram : Hon. Shri Shree Bhagwan,
Member (A) and
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 3rd April 2019

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

O.A. stands dismissed in default.

Member(J)

Member (A)

Dt.3.4.2019

Pdg

Lateron

Shri M.R. Khan, Ld. counsel for the
applicant appeared and requested for his
appearance. At his request, S.O. **18.4.2019.**

Member(J)

Member (A)

Dt.3.4.2019

Pdg

O.A. No. 726/17 with C.A. 549/17 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Shri S.M. Bhagde, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1 to 3 and Shri A.S. Deshpande, Id. counsel for R-4.

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

Member (J)

dnk.

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

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

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

At the request of Id. counsel for the applicant, **S.O. 09/04/2019.**

Member (J)

dnk.

O.A. No. 422/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 09/04/2019.**

Member (J)

dnk.

O.A. No. 636/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Ms. A.M. Sudame, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

Put up along with other connected matter.

Member (J)

dnk.

O.A. No. 637/2018 (SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Ms. A.M. Sudame, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

Put up along with other connected matter.

Member (J)

dnk.

O.A. No. 753/2018 (SB)

Coram : Hon. Shri A.D. Karanjkar,

Member (J).

Dated : 03.04.2019

Smt. K.N. Saboo, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 5. None for R-6.

At the request of Id. counsel for the applicant, **S.O. 09/04/2019**.

Member (J)

dnk.

O.A. Nos. 894 & 919 of 2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Smt. K.N. Saboo, Id .counsel holding for Shri S.U. Nemade, Id .counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the respondents.

At the request of Id. counsel for the applicants, **S.O. one week**.

Member (J)

dnk.

O.A. Nos. 610 & 939 of 2017 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Shri W.N. Nayse, Id. counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicants, **S.O. 10/04/2019**.

Member (J)

dnk.

O.A. No. 827/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

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

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

Member (J)

dnk.

O.A. No. 115/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

C.A. 116/2019 -

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

2. The proposed amendment is in view of the facts alleged by the respondents in their reply in para-6. In the interest of justice, the C.A. is allowed.

Necessary amendment be incorporated within one week.

O.A.115/2018 –

S.O. one week.

Member (J)

dnk.

O.A. No. 145/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

C.A. 174/2018 -

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

2. It is submitted that earlier Writ Petition No.7571/2017 was filed by the applicant and with leave of the Hon'ble High Court, the Writ Petition was withdrawn with liberty to file application before the MAT. In view of this, the C.A. is allowed.

O.A.115/2018 –

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

2. I have perused the O.A. It is grievance of the applicant that the department has not decided his representation dated 27/12/2016, therefore, necessary direction be given to the Government to decide the same.

3. In view of the limited prayer, I think it suitable to direct the respondents to decide the representation dated 27/12/2016 which is at Annex-A-8 within a period of four months from the date of this order. With this direction, the O.A. stands disposed of with no order as to costs.

Member (J)

dnk.

O.A. No. 828/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Shri P.R. Agrawal, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

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

Member (J)

dnk.

O.A. No. 866/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Heard Shri K.J. Khanorkar, Id. counsel for the applicant and shri A.P. Potnis, Id. P.O. for the respondents.

2. The Id. P.O. files reply on behalf of R-3&4. It is taken on record. Copy is served on the applicant.

3. The Id. P.O. submitted that it is not necessary to file reply on behalf of other respondents.

4. The respondent no.1 is directed to take decision on the letter dated 21/1/2019 received from the Deputy Director of Health Services, Nagpur within five weeks from the date of this order.

S.O. five weeks.

Steno copy is granted.

Member (J)

dnk.

O.A. No. 948/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Heard the applicant in person present and Shri H.K. Pande, Id. P.O. for respondent nos. 1 to 3. None for R-4.

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

The Id. P.O. waives notice on behalf of R-1 to 3.

S.O. in due course.

Member (J)

dnk.

O.A. Nos. 151 & 152 of 2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Shri W.N. Nayase, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2.

At the request of Id. counsel for the applicants, **S.O. one week** for filing service affidavit.

Member (J)

dnk.

O.A. No. 153/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

C.A. 79/2019 -

Shri W.N. Nayase, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2&3.

At the request of Id. counsel for the applicant, **S.O. one week** for filing service affidavit.

Member (J)

dnk.

O.A. No. 178/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Smt. K.N. Saboo, Id .counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 and Shri Manwatkar, Id. counsel holding for Shri S.N. Gaikwad, Id. counsel for R-3. Await service of R-2&4.

The learned counsel for the applicant seeks time to file service affidavit of R-2&4.

The learned P.O. as well as learned counsel for R-3 seeks time to file reply.

At the request of learned counsel for parties, **S.O. three weeks.**

Member (J)

dnk.

O.A. No. 238/2019 (SB)

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2, returnable on **23/04/2019**. Learned C.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. 23/04/2019.**

Member (J)

dnk.

O.A. No. 974/2018 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 03.04.2019

Heard Shri A.D. Patil, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

At the request of Id. CPO,
S.O.22/04/2019.

Member (J)

dnk.

O.A.Nos.164 & 165/2017.

(D.B.)

Coram: Shri Shree Bhagwan, Member(A)

Dated : 03rd April 2019.

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

2. The Id. P.O. files the reply on behalf of
the respondent no. 4. It is taken on record.
The Id. P.O. is directed to serve the copy to the
other side. He further submits that it will
suffice the purpose of respondent no. 2 also.

3. **S.O. two weeks.**

Member(A)

Date:-03/04/2019.

aps.

O.A.No.357/2017.

(D.B.)

Coram: Shri Shree Bhagwan, Member(A)

Dated : 03rd April 2019.

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

2. The Id. P.O. files the reply on behalf of the respondent nos. 2 and 3. It is taken on record. The Id. P.O. is directed to serve the copy to the other side. The Id. Counsel for the applicant is directed to remove the office objection i.e. *Pg. Nos. 36, 37, 45 to 49 are not readable.*

3. **S.O. two weeks.**

Member(A)

Date:-03/04/2019.

aps.

O.A.No.653/2017.

(D.B.)

Coram: Shri Shree Bhagwan, Member(A)

Dated : 03rd April 2019.

C.A.No.95/2019:-

Heard Shri A.D.Mohgaonkar, the Id. counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

2. **The Civil Application i.e. 95/2019 filed by the applicant is allowed.** The Id. P.O. is directed to file following documents on record:-

A. Pay-scale of Project Officer and Assistant Project Officer.

B. Pay-scale of Headmaster and Assistant Teacher.

C. Reply of Department that how seniors can be made report to Juniors.

3. **S.O. two weeks.**

4. **Steno copy is allowed.**

Member(A)

Date:-03/04/2019.

aps.

O.A.No.420/2018.

(D.B.)

Coram: Shri Shree Bhagwan, Member(A)

Dated : 03rd April 2019.

Heard Ms. S.P.Agrawal holding for Shri S.V.Bhutada, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondent nos. 1 to 3.

2. On last date i.e. 13/02/2019, the Id. P.O. was directed to provide correct addresses of R-4 to 25. The Id. P.O. further seeks two weeks time to supply correct addresses.

3. **Issue fresh notice to R-4 to 25 after filing the correct addresses of R-4 to 25 by Id. P.O., returnable on 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.**

Member(A)

Date:-03/04/2019.
aps.

O.A.No.465/2018.

(D.B.)

Coram: Shri Shree Bhagwan, Member(A)

Dated : 03rd April 2019.

C.A.No.388/2018:-

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

2. Notice on C.A. to R-2 be issued returnable in **two weeks**.

3. Shri V.A.Kulkarni the learned P.O. waives notice for 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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. 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. two weeks.**

10. *The Id. P.O. is directed to waives the notice for respondent nos. 1 & 2.*

Member(A)

Date:-03/04/2019.

aps.

O.A.No.177/2019.

(D.B.)

Coram: Shri Shree Bhagwan, Member(A)

Dated : 03rd April 2019.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

2. The Id. P.O. seeks time to file reply, **S.O. two weeks.**

Member(A)

Date:-03/04/2019.

aps.

O.A.No.197/2019.

(D.B.)

Coram: Shri Shree Bhagwan, Member(A)
Dated : 03rd April 2019.

Heard Shri D.T.Shinde, the Id. Counsel for the applicant, Shri V.A.Kulkarni, the Id. P.O. for the State and Shri Sahoo, the Id. Counsel for the respondent no. 2.

2. The Id. P.O. as well as Id. Counsel for the respondent no. 2 seeks time to file Reply.

3. **S.O. 29.04.2019.**

4. I.R. granted in para no. 2 of order dated 19/03/2019 is below:-

*"2. The matter is listed for the first time, prima facie, it appears that the impugned order is contrary to **Section 47(i) of The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. Secondly, the provisions under Rule 11 - Note 5 (i) of (Maharashtra Civil Services, General Conditions of Services) Rules, 1981** are not followed. It is submitted that till today the termination order is not served on the applicant and he is on duty. In view of these facts, we direct the parties to maintain status quo till filing of the reply. Issue notice to the respondent no. 2 returnable after two weeks."*

The above same will be continued till
filing of the reply.

Member(A)

Date:-03/04/2019.
aps.

O.A.No.204/2019.

(D.B.)

Coram: Shri Shree Bhagwan, Member(A)

Dated : 03rd April 2019.

C.A.No.101/2019:-

Heard Shri A.C.Dharmadhikari, the Id. Counsel for the applicant, Shri A.M.Ghogre, the Id. P.O. for the respondent nos. 1 & 2 and Shri N.Khubalkar, the Id. Counsel for the respondent nos. 3 to 127.

2. The Id. P.O. desires time to file reply.

S.O. Friday for reply.

3. I.R. granted in para no. 6 in the order dated 20/03/2019 is below:-

*"6. In view of this, in our opinion, it is desirable to direct the parties to maintain the **status-quo till filing of the reply.** The respondents are directed to file the reply within two weeks."*

The above same will be continued till filing of the reply.

Member(A)

Date:-03/04/2019.

aps.

O.A.No.336/2017.

(D.B.)

Coram: Shri Shree Bhagwan, Member(A)

Dated : 03rd April 2019.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. As agreed by Id. Counsel as well as Id. P.O., the matter is **admitted** and kept for final hearing.

3. The Id. P.O. waives notices for the respondents.

4. **S.O. 10/06/2019.**

Member(A)

Date:-03/04/2019.

aps.