

O.A. No. 254/2017.

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

Dated : 3rd May 2017.

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

2. The learned counsel for the applicant has challenged his own order fo temporary promotion for 11 months on the ground that he has been promoted on ad hoc basis. The applicant submitted that he is going to retire within 11 months i.e. in September 2018 and vide order dated 19.4.2017 he has been transferred from Nagpur to Saoner. He has prayed for stay to the order dated 19.4.2017 at-least so far as his transfer is concerned.

3. The learned counsel for the applicant submits that since the applicant is going to retire within a period of just 11 months, his case for stay to the said order of promotion be considered. Admittedly, time period of retirement is more than one year and it is necessary to obtain say of the respondents. I am satisfied that this is not a fit case to grant interim relief of stay to the order.

4. Hence, Issue notice returnable **after summer vaction.**

5. Shri S.A. Deo, the learned C.P.O. waives notice for the respondent No.1. Hamdast granted.

6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.

7. 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.

8. 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.

9. 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)

O.A. No. 110/2017.

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

Dated : 3rd May 2017.

C.A. 234/2017.

Heard Shri A.B. Dhulaj, the applicant in person and Shri H.K. Pande, the learned P.O. for respondents 1 to 3. None for R. 4 & 5.

Copies of documents which the applicant wants to file, have already been supplied to the Ld. P.O. For the reasons stated in the application and in the interests of justice, application for filing documents on record is allowed. C.A. stands disposed of.

Vide order dated 21.4.2017, the learned P.O. was directed to take instructions as to whether there exists any legal impediment in deciding undecided part of the representation filed by the applicant dated 2.11.2015. The learned P.O. has placed on record

the communication dated 29.4.2017 and requested two months' time for taking decision on the representation. The applicant apprehends that the D.P.C. meeting may be called within a period of these two months and in that case, applicant's case will not be considered. It is, therefore, necessary to first consider applicant's representation against the C.Rs and then to consider his name in the D.P.C. for promotion. The learned P.O. submits that he will take instructions from the concerned authorities as to whether the D.P.C. meeting is being held within a period of two months.

S.O. 4th May 2017.

Vice-Chairman(J)

pdg..

C.A. Nos.227/2017 and 228/2017 in O.A. Nos.233/2016 and 301/2016 alongwith O.A. Nos. 234, 302,477,517,518,635 and 663 of 2016.

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

Dated : 3rd May 2017.

ORDER

All these applications are being disposed of by this common order.

2. Heard Shri G.G. Bade, the learned counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents.

3. A detailed order was passed on 2.5.2017, as the learned counsel for the applicant agreed to place on record a detailed chart of the applicants who were not considered against the names juniors to the applicant. The learned counsel for the applicants has filed a chart of applicants in all the O.As which is marked "X" for the purpose of identification and a chart showing the names and seniority number of juniors to the applicants who have been promoted as Jr. Engineer. The said charts are marked as "X" and X-1" for the purpose of identification.

4. The applicants are only claiming a direction to the respondents to grant promotion to the applicants to the post of Jr. Engineer from the date on which their juniors have been promoted. The Ld. P.O. submits that the D.P.C. meeting can be conveyed, if promotional posts are available.

However, that cannot be an impediment in the directions to be given to the respondents. Application, therefore, stands disposed of with following directions:-

(i) The respondents are directed to consider the case of the applicants for grant of promotion to them to the post of Jr. Engineer, if they are otherwise eligible as per rules and regulations.

(ii) Case of the applicants shall be kept before the D.P.C. whenever it is scheduled and the cases shall be considered according to their own merits.

(iii) It is needless to mention that in case the applicants are found eligible for promotion, they may be entitled for deemed date of promotion from the date on which there juniors have been promoted.

(iv) The case of the applicants shall be kept before the D.P.C. within three months from the date of this order.

(v) C.A. and O.A. accordingly stand disposed of.

(vi) No order as to costs.

Vice-Chairman(J)

O.A. No. 590/2016.

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

Dated : 3rd May 2017.

Miss Rani Nitnaware, the learned counsel for the applicant and Shri V.A.Kulkarni, the learned P.O. for the respondent Nos.1 to 3. Shri K.V. Bhoskar, Adv. for R.4.

The Ld. P.O. has filed additional affidavit in reply of R.1 in view of order dated 8.3.2017 of this Tribunal.

S.O. after summer vacation.

Vice-Chairman(J)

pdg..

O.A. No. 731/2016.

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

Dated : 3rd May 2017.

Shri A.M. Tirukh, the learned counsel for the applicants and Shri P.N. Warjekar, the learned P.O. for the respondents.

The Ld. P.O. has filed affidavit in reply on behalf of the respondents. The same is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

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

S.O. after summer vacation.

Vice-Chairman(J)

O.A. No. 706/2016.

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

Dated : 3rd May 2017.

There is a leave note from Shri D.M. Kakani, the learned counsel for the applicant. Shri M.I. Khan, the learned P.O. for the respondents.

The Ld. P.O. has filed affidavit in reply on behalf of the respondent No.3. The same is taken on record and a copy thereof is supplied to the learned counsel for the applicant. The learned P.O. submits that reply affidavit of other respondents is not necessary. Hence,

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

S.O. after summer vacation.

Vice-Chairman(J)

pdg..

O.A. No. 105/2017.

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

Dated : 3rd May 2017.

The applicant is present in person. His Advocate is absent. Shri A.M. Ghogre, the learned P.O. for the respondents 1 and 2. None for R.3.

The Ld. P.O. has filed affidavit in reply on behalf of the respondent No.2. The same is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

S.O. after summer vacation.

Vice-Chairman(J)

pdg..

O.A. No. 53/2017.

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

Dated : 3rd May 2017.

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

The Ld. P.O. has filed affidavit in reply on behalf of the respondents. The same is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

S.O. after summer vacation.

Vice-Chairman(J)

O.A. (St.) No. 2197/2016.

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

Dated : 3rd May 2017.

C.A. 533/2016.

Shri R.V. Shiralkar, the learned counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents 1 & 2. Shri N.B. Rathod, Adv. for R.3.

The Ld. P.O. seeks time to file reply affidavit on behalf of R. 1 and 2.

S.O. after summer vacation.

Vice-Chairman(J)

O.A. No. 597/2016.

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

Dated : 3rd May 2017.

Shri Tejas Patil, the learned counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O.
after summer vacation.

Vice-Chairman(J)

pdg..

O.A. No.383 /2016.

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

Dated : 3rd May 2017.

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

At the request of Ld. P.O., S.O. **after summer vacation** for filing reply.

Vice-Chairman(J)

pdg..

O.A. No. 692/2016.

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

Dated : 3rd May 2017.

None for the applicant. Shri A.M. Ghogre, the learned P.O. for the respondents 1 to 3. None for R. 4 & 5.

At the request of Ld. P.O., S.O. **after summer vacation** for filing reply.

Vice-Chairman(J)

pdg..

O.A. No. 253/2017.

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

Dated : 3rd May 2017.

Shri A.B. Dhulaj, the applicant in person and Shri H.K. Pande, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O. **after summer vacation** for filing reply affidavit.

Vice-Chairman(J)

pdg..

O.A. No. 310/2016.

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

Dated : 3rd May 2017.

None for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents.

Rejoinder is filed on record.

Since pleadings are complete, O.A. is admitted and kept for final hearing before the regular D.B. whenever available.

Shri P.N. Warjekar, the learned P.O. waives notice for the respondents.

Vice-Chairman(J)

O.A. No. 483/2016.

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

Dated : 3rd May 2017.

Shri Sagar Katkar, Adv. holding for Shri N.R. Saboo, learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

Since pleadings are complete, O.A. is admitted and kept for final hearing before the regular D.B. whenever available **after summer vacation.**

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

Vice-Chairman(J)

O.A. No. 768/2016.

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

Dated : 3rd May 2017.

Shri Sagar Katkar, Adv. holding for Shri N.R. Saboo, learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

S.O. after summer vacation.

Vice-Chairman(J)

pdg..

O.A. No.738 /2016.

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

Dated : 3rd May 2017.

There is a leave note from Shri Bharat Kulkarni, the learned counsel for the applicant. Shri H.K. Pande, the learned P.O. for the respondents.

S.O. after summer vacation.

Vice-Chairman(J)

pdg..

O.A. No.720 /2016.

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

Dated : 3rd May 2017.

There is a leave note from Shri Bharat Kulkarni, the learned counsel for the applicant. Shri H.K. Pande, the learned P.O. for the respondents.

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

S.O. after summer vacation.

Vice-Chairman(J)

pdg..

O.A. No. 84/2017.

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

Dated : 3rd May 2017.

None for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents.

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

S.O. after summer vacation.

Vice-Chairman(J)

pdg..

O.A. No. 618/2016.

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

Dated : 3rd May 2017.

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

The Ld. P.O. submits that the similar reliefs which are claimed in this O.A. are also sought in the earlier O.A. No. 796/2015. It was withdrawn on 17.2.2016 and, therefore, new application is not tenable. It seems that the earlier O.A. No. 796/2015 was withdrawn with liberty if the decision of Commissioner of Agriculture is adverse to the applicant, he may approach this Tribunal. The learned counsel for the applicant submits that the Commissioner of Agriculture has not yet decided his representation and, therefore, the applicant was constrained to file th is

O.A. again. The Ld. P.O. is, therefore, directed to take instructions as to what is the status of the representation filed by the applicant before the Commissioner of Agriculture.

S.O. 5th May 2017.

Vice-Chairman(J)

pdg..

O.A. No. 532/2015.

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

Dated : 3rd May 2017.

C.A. 115/2017.

Heard Shri S.P. Kshirsagar, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents 1 and 2. Shri Vinay Dahat, Adv. for R.3.

S.O. 4th May 2017.

To be treated as part heard.

Vice-Chairman(J)

pdg..

O.A.223/2016

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

Dated : 03.05.2017.

C.A.229/2017 -

None for the applicant. Shri P.N. Warjurkar, Id. P.O. for R-2&3 and Shri R.V.Shiralkar, Id. counsel for R-1.

2. The application for early hearing has been filed by the applicant in April,2017. On the last date when the matter came up for hearing nobody appeared for the applicant. Today also none appeared for the applicant. It seems that the applicant now is not interested in early hearing of the matter. Hence, the C.A. No.229/2017 stands rejected. The matter be placed in due course.

Vice Chairman (J)

dnk.

O.A.786/2016

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

Dated : 03.05.2017.

C.A.230/2017 -

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

2. It seems that during the pendency of the application, some representation was filed and direction was given for revision of same representation. The representation has been turned down by the respondents. The applicant now wants to challenge the said decision and therefore he wants to amend the O.A. In view of the fact that the amendment is necessary due to happening during pendency of the O.A. and for the reasons stated in the application, the application for amendment is allowed. The amendment be incorporated within a week. The respondents may file reply-affidavit. The applicant be supplied copy of amended O.A. to the learned P.O.

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

O.A.270/2016

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

Dated : 03.05.2017.

C.A.231/2017 -

Heard Shri G.C. Khond, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. The applicant has opted for voluntary retirement w.e.f. 31/8/2016 and his request has already been accepted. Due to ill health the applicant wants that his case may be considered for early hearing by fixed date. For the reasons stated in the application, the application for early hearing is allowed and matter be fixed for final hearing.

O.A. 270/2016 –

S.O. 7/6/2017.

Vice Chairman (J)

dnk.

O.A.St. 1947/2016

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

Dated : 03.05.2017.

C.A.483/2017 -

Shri S.P. Palshikar, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondent no.1. Await service of R-2 to 4.

The learned counsel for the applicant submits that he will file acknowledgement regarding service of the respondents. On his request, the matter be kept **After Summer Vacation.**

Vice Chairman (J)

dnk.

O.A.423/2016

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

Dated : 03.05.2017.

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

The learned counsel for the applicant submits that he will remove the objections today only.

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

O.A.485/2016

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

Dated : 03.05.2017.

Shri S.N. Gaikwad, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondents.

2. The learned counsel for the applicant seeks further time to file service report in respect of the respondents.

3. The learned P.O. files reply-affidavit on behalf of R-4. It is taken on record. Copy is served to the ld. counsel for the applicant. The learned P.O. submits that reply of other respondents is not necessary. In view thereof, the matter is admitted and kept for final hearing.

4. The learned P.O. waives notices for the respondents.

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

O.A.752/2016

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

Dated : 03.05.2017.

Shri G.G. Bade, ld. counsel for the applicant and Shri S.A. Sainis, ld. P.O. for the respondents.

The learned P.O. files separate reply on behalf of R-3&4. Same are taken on record. Copies thereof has been supplied to the ld. counsel for the applicant. Ld. P.O. submits that

reply of other respondents is not necessary. In view thereof, the matter is admitted and kept for final hearing.

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

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

O.A.812/2016

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

Dated : 03.05.2017.

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondent no.1. Await service of R-2 to 4.

The learned counsel for the applicant submits that he will file service report of the respondents in the office and for that purpose he seeks time.

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

O.A.824/2016

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

Dated : 03.05.2017.

None for the applicant. Shri S.A. Deo,
Id. CPO for R-1. Await service of R-2&3.

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

O.A.119/2017

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

Dated : 03.05.2017.

Shri V.A. Kothale, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondent no.1. Await service of R-2 to 4.

2. The learned counsel for the applicant submits that he has already filed service report in the office showing that all the respondents have been served. It seems that the recovery of Rs. 1,70,979/- has been proposed against the applicant on the ground that Rs.745/- p.m. has been paid extra during the period from 1/7/2007 to 31/10/2016. The learned P.O. seeks time to file reply-affidavit. In view thereof, the impugned order of recovery is stayed till further orders.

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

O.A.275/2016

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

Dated : 03.05.2017.

Shri A.R. Manhare, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1&2. None for R-3.

At the request of Id. P.O., **S.O. After Summer Vacation** for filing reply.

Vice Chairman (J)

dnk.

O.A.540/2016

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

Dated : 03.05.2017.

Shri Ravi Tiwari, Id. counsel holding for
Shri C.A. Joshi, Id. counsel for the applicant
and Shri V.A.Kulkarni, Id. P.O. for the
respondents.

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

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

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

O.A.742/2016

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

Dated : 03.05.2017.

Shri S.P. Kshirsagar, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. After Summer Vacation** for filing reply by way of last chance.

Vice Chairman (J)

dnk.

O.A.Nos.762 & 763 of 2016

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

Dated : 03.05.2017.

Shri A.S. Chakotkar, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

The reply-affidavit has already been filed. The pleadings are complete and the matter is admitted and kept for final hearing.

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

S.O. 8/6/2017.

Vice Chairman (J)

dnk.

O.A.Nos. 37 to 39 of 2017

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

Dated : 03.05.2017.

There is a leave note from Shri Bharat Kulkarni, Id. counsel for the applicants. Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of Id. P.O., S.O. **After Summer Vacation** for filing reply.

Vice Chairman (J)

dnk.

O.A.89/2017

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

Dated : 03.05.2017.

Shri G.G. Bade, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. After Summer Vacation** for filing reply.

Vice Chairman (J)

dnk.

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

Dated : 03.05.2017.

None for the applicant. Shri S.A. Sainis,
Id. P.O. for the respondent nos. 1&2. None for
R-3&4.

At the request of learned P.O. as well as
Id. counsel for R-3&4, **S.O. After Summer
Vacation** for filing reply.

Vice Chairman (J)

dnk.

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

Dated : 03.05.2017.

Shri V.A. Kothale, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. After Summer Vacation** for filing reply by way of last chance.

Vice Chairman (J)

dnk.

O.A.844/2012

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

Dated : 03.05.2017.

None for the applicant. Smt. M.A.
Barabde, Id. P.O. for R-1&2. None for R-3.

At the request of Id. P.O., **S.O. After
Summer Vacation.**

Vice Chairman (J)

dnk.

O.A.273/2014

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

Dated : 03.05.2017.

None for the applicant. Shri P.N.
Warjurkar, Id. P.O. for the respondents.

S.O. After Summer Vacation.

Vice Chairman (J)

dnk.

O.A.724/2016

Coram : Hon. Shri J.D.Kulkarni,

Vice-Chairman (J).

Dated : 03.05.2017.

Shri S. Borkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4.

At the request of Id. P.O., **S.O.**
04/05/2017.

Vice Chairman (J)

dnk.

O.A.222/2013

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

Dated : 03.05.2017.

Shri S.P. Palshikar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. After Summer Vacation.**

Vice Chairman (J)

dnk.

O.A.255/2017

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

Dated : 03.05.2017.

Heard Shri S.N. Gaikwad, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. Vide order dated 07/04/2017 (A-4, P-17) passed by the Collector, Akola whereby the applicant has been transferred from the post of Circle Officer, Shivni (Akola) to Telhara Tahsil Office. It is stated that the order is on administrative ground. The applicant files representation against his order. On his representation the Collector passed the remark whereby it seems that there are oral complaints against the applicant and therefore he has been transferred. The applicant has been threatened of suspension in case he files representation. This prima facie seems to be punitive order. The applicant has been at Akola since 31/5/2016 and within 11 months he has been transferred. It is a fit case where stay should have been granted, but the applicant has already been relieved though ex-party and therefore there is no justification in granting stay. If the order is illegal the applicant can be re-posting at Akola.

3. In view thereof, issue notice to R-2 and 3, returnable **After Summer Vacation**. Learned P.O. waives notice for R-1.

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. The respondents Collector is directed to file reply-affidavit without fail on the next date.

9. **S.O. After Summer Vacation.**

Vice Chairman (J)

dnk.