

O.A. No. 920/2010 (D.B.)

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

Dated : 12th April 2018.

C.A.No.542/2017 in Rev. (St.).No.2916/2017.

Heard Shri A.Subhan, Ld. Counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

The Ld. Counsel for the applicant submits that he will file service affidavit tomorrow.

S.O. **three weeks** for filing reply of respondents.

Member(A)

Vice-Chairman(J)

O.A. No. 185/2018 (D.B.)

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

Dated : 12th April 2018.

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

At the request of Ld. P.O., S.O. **four weeks** for filing reply affidavit of the respondents.

Member(A)

Vice-Chairman(J)

O.A. No. 740/2016 (D.B.)

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

Dated : 12th April 2018.

Shri R.V. Shiralkar, Adv. holding for Shri S.P. Palshikar, the Ld. Counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent Nos. 1 and 2. None for R.3.

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

Member(A)

Vice-Chairman(J)

O.A. No. 790/2016 (D.B.)

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

Dated : 12th April 2018.

C.P.No.28/2017.

Heard Shri A.P. Tathod, Ld. Counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents.

It is on the basis of submission made by respondent No.1 only that vide order dated 3.4.2017, respondent No.1 was directed to review the seniority list of Executive Engineers (Mechanical) cadre for the period from 2005-2006 to 2007-2008 and to obtain necessary approval to the seniority list within 10 weeks. The order has been passed on 3.4.2017 and till today same has not been complied with. Ld. P.O. submits that he will take instructions in this regard and seeks one week time.

S.O.19.4.2018.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 404/2017 (D.B.)

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

Dated : 12th April 2018.

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

The matter circulated at the request of the Ld. Counsel for the applicants, however, none appeared for the applicants. Hence, the matter be kept in due course.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 612/2017 (D.B.)

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

Dated : 12th April 2018.

None for the applicant. Shri A.M. Ghogre, the learned P.O. for the respondent Nos. 1 and 2. None for R.3.

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

Member(A)

Vice-Chairman(J)

O.A. No. 807/2017 (D.B.)

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

Dated : 12th April 2018.

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

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

Member(A)

Vice-Chairman(J)

O.A. No. 618/2014 (D.B.)

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

Dated : 12th April 2018.

C.P. 09/2017.

None for the applicant. Shri V.A. Kulkarni, the learned P.O. for the respondents 1 to 3. Shri P. Kadu, Adv. for R.4.

The Ld. P.O. as well as Ld. Counsel for R.4 submit that the order has already been complied with and arrears have been paid as directed by this Tribunal. He has also placed on record the affidavit to that effect.

S.O.19.4.2018.

Member(A)

Vice-Chairman(J)

O.A. No. 617/2014 (D.B.)

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

Dated : 12th April 2018.

C.P. 19/2017.

None for the applicant. Shri V.A. Kulkarni, the learned P.O. for the respondent No. 1. None for or R.2.

The Ld. P.O. submits that the pension case papers have already been forwarded to the competent authority. The respondents to file pension order on record.

S.O.19.4.2018.

Member(A)

Vice-Chairman(J)

O.A. No. 833/2011 (D.B.)

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

Dated : 12th April 2018.

C.P. 12/2017.

Heard Miss Bharti Kale, Adv. holding for Shri A.V. Kale, the Ld. Counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

2. This is a contempt petition whereby the applicant has claimed the respondents have not complied the order passed in O.A. No. 833/2011 with C.A. No. 267/2013 dated 9.5.2014.

3. Vide order as aforesaid in the O.A., this Tribunal was pleased to direct that, "the respondents will revise the pay scale of the applicant for the period of his tenure as a President of a District Consumer Grievance Redressal Forum as per revision in the pay scale of the

District Judge (entry level) vide G.Rs of 4.7.2003 and 22.10.2010. The O.As stand disposed of in terms of the above directions.”

4. The learned P.O. has invited our attention to the reply affidavit alongwith order of revised pay fixation dated 4.2.2016 (Annexure R-1, Page 47). It seems that the respondents have revised the pay scale of the applicant. In the affidavit dated 7.4.2017, this fact has been made clear and a chart of revision of pay scale has been placed on record at Annexure R-2 alongwith the said affidavit and the respondents is directed to place that affidavit and a chart also on record. From Annexure R-2 alongwith the said affidavit, it seems that earlier pay scale of the applicant as on June 2002 was Rs. 14300/- and as per the revised pay scale, it was Rs. 16750/- which is the pay scale equivalent to the entry level District Judge. Likewise, pay has been revised every month. The learned P.O. submits that the amount of arrears has already been paid to the applicant. The learned

counsel for the applicant submits that the allowances granted to the applicant as per revised pay scale are not equivalent to those granted to the District Judges. In our opinion, if the applicant is aggrieved by this arrears of pay and revision of pay scale, he may file representation to that effect to the appropriate authority, giving details of the amount which the applicant may be entitled to. That cannot be a part of contempt petition. In view thereof, the contempt petition stands disposed of with no order as to costs.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 578/2016 (D.B.)

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

Dated : 12th April 2018.

M.C.A.No.46/2017 in C.P. 06/2018.

Heard Shri N.D. Thombre, the Ld. Counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The Ld. P.O submits that the State is filing writ petition against the order passed by this Tribunal and will file reply to the appropriate order.

At the request of Ld. P.O., S.O. **5th**
June 2018.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 578/2016 (S.B.)

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

Dated : 12th April 2018.

M.C.A.No.46/2017.

Heard Shri N.D. Thombre, the Ld. Counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The State is claiming extension of time for compliance of the order passed in O.A. No.578/2016. Period for which the applicant is claiming extension has already lapsed and, therefore the application has become infructuous. In view thereof, MCA stands disposed of accordingly.

S.O. 5th June 2018.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 102/2008 (D.B.)

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

Dated : 12th April 2018.

Shri J.A. Malnas, Adv. holding for Shri R.J. Mirza, the Ld. Counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

On 6.4.2018, earlier matter was taken for final hearing and it was adjourned for today on the own request of the Ld. Counsel for the applicant. When the matter was taken up for hearing in the morning session, Shri J.A. Malnas, Adv. holding for Shri R.J. Mirza states that Shri Mirza is busy in the High Court and, therefore, the matter be kept back. At his request, matter was kept back. Again when the matter was taken up for hearing, Shri J.A. Malnas, Adv. holding for Shri R.J. Mirza submits that Mr. Mirza, Advocate is not available.

At the request of Ld. Counsel for the applicant, matter be kept tomorrow i.e. on 13.4.2018 at 11.00 1.m. on the top of the board.

S.O. 13.4.2018.

Member(A)

Vice-Chairman(J)

pdg.

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

Dated : 12th April 2018.

Heard Shri R.V. Shiralkar, Adv. holding for Shri A.H. Laddha, the Ld. Counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

2. Shri R.V. Shiralkar submits that the senior counsel Shri A.H. Laddha has been appointed as District Judge.

3. In view thereof, issue notice to the applicant through this office by R.P.A.D. returnable after **two weeks**.

4. S.O. **two weeks**.

Member(A)

Vice-Chairman(J)

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

Dated : 12th April 2018.

Heard Shri R.V. Shiralkar, Adv. holding for Shri A.H. Laddha, the Ld. Counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

2. Shri R.V. Shiralkar submits that the senior counsel Shri A.H. Laddha has been appointed as District Judge.

3. In view thereof, issue notice to the applicant through this office by R.P.A.D. returnable after **two weeks.**

4. S.O. **two weeks.**

Member(A)

Vice-Chairman(J)

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

Dated : 12th April 2018.

Heard Shri R.V. Shiralkar, Adv. holding for Shri A.H. Laddha, the Ld. Counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

2. Shri R.V. Shiralkar submits that the senior counsel Shri A.H. Laddha has been appointed as District Judge.

3. In view thereof, issue notice to the applicant through this office by R.P.A.D. returnable after **two weeks**.

4. S.O. **two weeks**.

Member(A)

Vice-Chairman(J)

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

Dated : 12th April 2018.

Heard Shri R.V. Shiralkar, Adv. holding for Shri A.H. Laddha, the Ld. Counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

2. Shri R.V. Shiralkar submits that the senior counsel Shri A.H. Laddha has been appointed as District Judge.

3. In view thereof, issue notice to the applicant through this office by R.P.A.D. returnable after **two weeks**.

4. S.O. **two weeks**.

Member(A)

Vice-Chairman(J)

O.A. No. 491/2015 (D.B.)

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

Dated : 12th April 2018.

Heard Shri Bharat Kulkarni, the Ld. Counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent Nos. 1 and 2. None for R.3.

Affidavit filed on behalf of R. 1 and 2 is taken on record. Copy has been served on the applicant. The Ld. Counsel for the applicant submits that he will go through the affidavit and will argue the matter on merits tomorrow.

S.O.13.4.2018.

Member(A)

Vice-Chairman(J)

O.A. No. 768/2016 (D.B.)

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

Dated : 12th April 2018.

Heard Shri N.R. Saboo, the Ld. Counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

The Ld. Counsel for the applicant is directed to file typed copies of Page Nos. 39 and 40 of the O.A.

S.O. 13.4.2018.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 241/2017 (D.B.)

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

Dated : 12th April 2018.

Heard Shri Bharat Kulkarni, the
Ld. Counsel for the applicant and Shri
A.P. Potnis, the learned P.O. for the
respondent 1 to 3. None for R.4.

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 522/2017 (D.B.)

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

Dated : 12th April 2018.

Heard Shri S. Dewani, the Ld. Counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

At the request of Ld. Counsel for the applicant, S.O. **after summer vacation.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 699/2017 (D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 12th April 2018.

Heard Shri A.A. Sayyad, the Ld. Counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 186/2013 (D.B.)

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

Dated : 12th April 2018.

Heard Shri A.P. Raghute, the Ld. Counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

The applicant is claiming promotion to the post of MES-II form GSS-II. The relevant rules are not placed on record. The Ld. Counsel for the applicant as well as Ld. P.O. are directed to place on record the Recruitment Rules, providing for promotion to the post of MES-II.

S.O. after summer vacation.

Member(A)

Vice-Chairman(J)

pdg.

O.A. 750/2015 (SB)

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

Dated : 12.04.2018

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1&2. Await service of R-3.

The learned counsel for the applicant seeks time to file service affidavit of R-3. At his request, **S.O. After Vacation** for filing service affidavit.

Vice Chairman (J)

dnk.

O.A. 986/2017 (SB)

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

Dated : 12.04.2018

C.A. 582/2017 -

Shri A.D. Dangore, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2.

The learned counsel for the applicant seeks time to file service affidavit of R-2. At his request, **S.O. two weeks** for filing service affidavit.

Vice Chairman (J)

dnk.

O.A. 249/2017 (SB)

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

Dated : 12.04.2018

C.A. 13/2018 -

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

Closed for orders.

Vice Chairman (J)

dnk.

O.A. 178/2018 (SB)

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

Dated : 12.04.2018

C.A. 61/2018 -

Heard Shri R.V. Shiralkar, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the Respts.

2. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. stands disposed of accordingly.

O.A.178/2018 –

Heard Shri R.V. Shiralkar, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the Respts.

At the request of Id. CPO, **S.O. four weeks** for filing reply.

Vice Chairman (J)

dnk.

O.A. 199/2018 **(SB)**

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

Dated : 12.04.2018

C.A. 70/2018 -

Heard Shri D.M. Khandait, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. stands disposed of accordingly.

O.A.199/2018 –

Heard Shri D.M. Khandait, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2 and 3, returnable in **four weeks**. 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. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. 26/2018 **(SB)**

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

Dated : 12.04.2018

C.A.79/2018 -

Heard Shri S.K. Tambde, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1&2 and Shri A.P. Kalmegh, Id. counsel for R-3. and none for R-4.

2. In the application, the applicant has prayed for permission to correct typographical mistake in the rejoinder. The mistake seems to be typographical and therefore in the interest of justice, the C.A. is allowed.

O.A.26/2018 –

Heard Shri S.K. Tambde, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1&2 and Shri A.P. Kalmegh, Id. counsel for R-3. and none for R-4.

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

The learned P.O. as well as learned counsel for R-3 waives respective notices.

S.O. 23/04/2018.

Vice Chairman (J)

dnk.

O.A. 677/2017 (SB)

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

Dated : 12.04.2018

Shri P.V. Ghare, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1&2 and Shri B.N. Jaipurkar, Id. counsel for R-3&4.

2. The learned counsel for the applicant submits that he is challenging the order of cancellation of his promotion along with suspension order and the said subject comes within the jurisdiction of Division Bench and therefore matter be kept before Division Bench. He is ready to supply the necessary copies.

3. The Registrar is therefore directed to remove the matter from Single Bench and same may be placed before Division Bench.

Vice Chairman (J)

dnk.

O.A. 954/2017 (SB)

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

Dated : 12.04.2018

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

2. The applicant has been kept under suspension vide order dated 06/11/2017 by respondent no.2. In the order itself it is stated that the subsistence allowances admissible will be paid to the applicant. The learned counsel for the applicant however submits that till today the subsistence allowance has not been paid. On 12/03/2018 the learned P.O. was directed to take instructions as regards payment of subsistence allowance to be paid to the applicant. The learned P.O. submits that as per the instructions, no subsistence allowance is paid, but the learned P.O. seeks two weeks time. Time cannot be granted for payment of subsistence allowance. The respondent no.2 is directed to pay subsistence allowance within seven days, failing which, the respondent no.2 shall appear personally before this Tribunal and file affidavit as to why the subsistence allowance was not paid to the applicant.

S.O. 19/04/2018.

Vice Chairman (J)

dnk.

O.A. 979/2017 **(SB)**

Coram : Hon. Shri J.D.Kulkarni,

Vice-Chairman (J).

Dated : 12.04.2018

Shri A.P. Tathod, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3 and Shri P.A. Kadu, Id. counsel for R-4.

2. The Id. P.O. files reply-affidavit on behalf of R-2. It is taken on record. The reply of respondent no.1 is also necessary, but it is not filed. The learned P.O. is therefore directed to file reply of respondent no.1 within one week. It is made clear that matter will be heard on merits on the next date, even if the reply is not filed.

S.O. 19/04/2018.

Vice Chairman (J)

dnk.

O.A. 982/2017 (SB)

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

Dated : 12.04.2018

Shri J.S. Deshmukh, Id .counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 to 3 & 6. None for R-4&5.

At the request of Id. P.O., **S.O.**
06/06/2018 for filing reply.

Vice Chairman (J)

dnk.

O.A. 15/2018 (SB)

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

Dated : **12.04.2018**

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

At the request of learned P.O., **S.O.**
16/04/2018.

Put up along with O.A.21/2018.

Vice Chairman (J)

dnk.

O.A. 222/2018 (SB)

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

Dated : **12.04.2018**

1. Heard Shri D.R. Karnik, Id. Counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for R-1.
2. Issue notice to R-2 to 4, returnable in **four weeks**. 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. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. 181/2015 **(SB)**

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

Dated : 12.04.2018

Heard Shri N.R. Saboo, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1&2 and Shri P.V. Thakre, Id. counsel for R-3.

Closed for orders.

Vice Chairman (J)

dnk.

O.A. 549/2016 **(SB)**

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

Dated : 12.04.2018

Heard Shri N.D. Thombre, Id. counsel
for the applicant and Shri H.K. Pande, Id. P.O.
for the respondents.

Closed for orders.

Vice Chairman (J)

dnk.

O.A. 478/2017 (SB)

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

Dated : 12.04.2018

Shri J.S. Deshmukh, Id .counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 to 3 & 6. None for R-4&5.

At the request of Id. P.O., **S.O.**
06/06/2018 for filing reply.

Vice Chairman (J)

dnk.

O.A. 750/2015 (SB)

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

Dated : 12.04.2018

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1&2. Await service of R-3.

The learned counsel for the applicant seeks time to file service affidavit of R-3. At his request, **S.O. After Vacation** for filing service affidavit.

Vice Chairman (J)

dnk.

O.A. 986/2017 **(SB)**

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

Dated : 12.04.2018

C.A. 582/2017 -

Shri A.D. Dangore, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2.

The learned counsel for the applicant seeks time to file service affidavit of R-2. At his request, **S.O. two weeks** for filing service affidavit.

Vice Chairman (J)

dnk.

O.A. 249/2017 (SB)

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

Dated : 12.04.2018

C.A. 13/2018 -

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

Closed for orders.

Vice Chairman (J)

dnk.

O.A. 178/2018 (SB)

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

Dated : 12.04.2018

C.A. 61/2018 -

Heard Shri R.V. Shiralkar, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the Respts.

2. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. stands disposed of accordingly.

O.A.178/2018 –

Heard Shri R.V. Shiralkar, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the Respts.

At the request of Id. CPO, **S.O. four weeks** for filing reply.

Vice Chairman (J)

dnk.

O.A. 199/2018 **(SB)**

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

Dated : 12.04.2018

C.A. 70/2018 -

Heard Shri D.M. Khandait, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. stands disposed of accordingly.

O.A.199/2018 –

Heard Shri D.M. Khandait, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2 and 3, returnable in **four weeks**. 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. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. 26/2018 **(SB)**

Coram : Hon. Shri J.D.Kulkarni,

Vice-Chairman (J).

Dated : 12.04.2018

C.A.79/2018 -

Heard Shri S.K. Tambde, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1&2 and Shri A.P. Kalmegh, Id. counsel for R-3. and none for R-4.

2. In the application, the applicant has prayed for permission to correct typographical mistake in the rejoinder. The mistake seems to be typographical and therefore in the interest of justice, the C.A. is allowed.

O.A.26/2018 –

Heard Shri S.K. Tambde, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1&2 and Shri A.P. Kalmegh, Id. counsel for R-3. and none for R-4.

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

The learned P.O. as well as learned counsel for R-3 waives respective notices.

S.O. 23/04/2018.

Vice Chairman (J)

dnk.

O.A. 677/2017 (SB)

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

Dated : 12.04.2018

Shri P.V. Ghare, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1&2 and Shri B.N. Jaipurkar, Id. counsel for R-3&4.

2. The learned counsel for the applicant submits that he is challenging the order of cancellation of his promotion along with

suspension order and the said subject comes within the jurisdiction of Division Bench and therefore matter be kept before Division Bench. He is ready to supply the necessary copies.

3. The Registrar is therefore directed to remove the matter from Single Bench and same may be placed before Division Bench.

Vice Chairman (J)

dnk.

O.A. 954/2017 **(SB)**

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

Dated : 12.04.2018

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

2. The applicant has been kept under suspension vide order dated 06/11/2017 by respondent no.2. In the order itself it is stated that the subsistence allowances admissible will be paid to the applicant. The learned counsel for the applicant however submits that till today the subsistence allowance has not been paid. On 12/03/2018 the learned P.O. was directed

to take instructions as regards payment of subsistence allowance to be paid to the applicant. The learned P.O. submits that as per the instructions, no subsistence allowance is paid, but the learned P.O. seeks two weeks time. Time cannot be granted for payment of subsistence allowance. The respondent no.2 is directed to pay subsistence allowance within seven days, failing which, the respondent no.2 shall appear personally before this Tribunal and file affidavit as to why the subsistence allowance was not paid to the applicant.

S.O. 19/04/2018.

Vice Chairman (J)

dnk.

O.A. 979/2017 **(SB)**

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

Dated : 12.04.2018

Shri A.P. Tathod, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 3 and Shri P.A. Kadu, Id. counsel for R-4.

2. The Id. P.O. files reply-affidavit on behalf of R-2. It is taken on record. The reply of respondent no.1 is also necessary, but it is not filed. The learned P.O. is therefore directed to file reply of respondent no.1 within one week. It is made clear that matter will be heard on merits on the next date, even if the reply is not filed.

S.O. 19/04/2018.

Vice Chairman (J)

dnk.

O.A. 982/2017 **(SB)**

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

Dated : 12.04.2018

Shri J.S. Deshmukh, Id .counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 to 3 & 6. None for R-4&5.

At the request of Id. P.O., **S.O.**
06/06/2018 for filing reply.

Vice Chairman (J)

dnk.

O.A. 15/2018 **(SB)**

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

Dated : 12.04.2018

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

At the request of learned P.O., **S.O.**
16/04/2018.

Put up along with O.A.21/2018.

Vice Chairman (J)

dnk.

O.A. 222/2018 (SB)

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

Dated : 12.04.2018

1. Heard Shri D.R. Karnik, Id. Counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for R-1.
2. Issue notice to R-2 to 4, returnable in **four weeks**. 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. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. 181/2015 **(SB)**

Coram : Hon. Shri J.D.Kulkarni,

Vice-Chairman (J).

Dated : 12.04.2018

Heard Shri N.R. Saboo, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1&2 and Shri P.V. Thakre, Id. counsel for R-3.

Closed for orders.

Vice Chairman (J)

dnk.

O.A. 549/2016 (SB)

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

Dated : 12.04.2018

Heard Shri N.D. Thombre, Id. counsel
for the applicant and Shri H.K. Pande, Id. P.O.
for the respondents.

Closed for orders.

Vice Chairman (J)

dnk.

O.A. 478/2017 **(SB)**

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

Dated : 12.04.2018

Shri J.S. Deshmukh, Id .counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 to 3 & 6. None for R-4&5.

At the request of Id. P.O., **S.O.**
06/06/2018 for filing reply.

Vice Chairman (J)

dnk.