

**O.A. No. 275/2012**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 21<sup>st</sup> September 2018.**

**C.A. 207/2018.**

Shri N.R. Saboo, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

2. In this O.A., the applicant is claiming that the impugned order dated 17.11.2011 (Annexure-A) be quashed and the order dated 31.7.2008 (Annexure A-4) (Page 30 & 31) be maintained. It seems that vide order dated 31.7.2008, the applicant was given deemed date of promotion w.e.f. 29.7.1982 and 26.6.1991 and accordingly his pay was also revised. But vide impugned order dated 17.11.2011, the said order was cancelled.

3. It is stated that during the pendency of the O.A., the respondents again modified the order and passed the order dated 26<sup>th</sup> July 2016, thereby granting deemed date of promotion to the applicant w.e.f. 1991, but did not allow final benefits out of such promotion. Since the relief claim is to be decided in this O.A. is whether the applicant is entitled for monetary benefits also in view of deemed date of promotion granted to him in 1991. This can be considered on merits and amendment is sought only because of the subsequent events that took place during the pendency of the O.A. Hence the amendment is allowed in the interest of justice and equity. It be incorporated forthwith. The respondents will be at liberty to file reply, if any to the amended O.A. within a week. Since the matter is of the year 2012 and issue involved is very short, matter be fixed for final hearing on 22.10.2018. C.A. stands disposed of.

S.O. **22.10.2018** for final  
hearing.

Member(A) Vice-Chairman(J)

pdg.

**O.A. No. 775/2010**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 21<sup>st</sup> September 2018.**

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

Yesterday also, nobody appeared for the applicant and, therefore, the matter was kept today for dismissal. Since no-one appeared for the applicant, O.A. stands dismissed in default with no order as to costs.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 760/2010**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 21<sup>st</sup> September 2018.**

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

A detailed order has already been passed on 19.9.2018. However, matter has been kept today in the interest of justice. Today also, none appeared. It seems that the applicant may not be interested in prosecuting the O.A. Hence, the O.A. stands dismissed in default with no order as to costs.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 275/2012**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 21<sup>st</sup> September 2018.**

**C.A. 277/2018 in C.P. No.39/2018.**

Shri D.N. Mathur, the Ld.  
counsel for the applicant and Shri ,  
the learned P.O. for the respondents.

S.O.;

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 450/2017**

**(D.B.)**

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 21<sup>st</sup> September 2018.**

**C.A. 308/2017.**

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

Earlier circulation was granted on 13.4.2018. But none appeared for the applicant and, therefore, it was decided to take the matter in due course. Hence, the matter has been kept today. Today also, none appeared for the applicant. Hence, the matter be kept in due course.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 776/2010**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 21<sup>st</sup> September 2018.**

Heard Shri P.V. Thakre, Ld. counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents.

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.



**O.A. No. 797/2010**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 21<sup>st</sup> September 2018.**

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

2. A detailed order was passed on 19.9.2018 and was kept today for dismissal. Today also, none appeared for the applicant. The Ld. P.O. submits that the applicant in this O.A. has claimed following reliefs:-

“Issue an appropriate writ, order or direction requiring the respondents to permit performing of family planning operations of vasectomy, tubectomy and laparoscopic tubectomy by the applicant and hold that the two G.Rs whereby restrictions are placed are

violative of Article 19 (G) 246 of the Constitution and the two Act referred to in the O.A.”

3. It is stated that the applicant took voluntary retirement on 5.2.2017 and retired voluntarily. In view thereof, this application has become infructuous and, therefore, the applicant may not be interested in prosecuting this O.A. In view thereof, O.A. stands disposed of with no order as to costs.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 400/2018**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 21<sup>st</sup> September 2018.**

**C.A. 276/2018**

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

The Ld. counsel for the applicant submits that he is not pressing for relief claimed in C.A. No.276/2018 and, therefore, this application stands disposed of.

**O.A. No. 400/2018**

The Ld. P.O. has placed on record reply affidavit of R. 1 to 3, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. The Ld. counsel for the

applicant wants to go through the reply and will file rejoinder, if necessary within four weeks.

**C.A. 152/2018.**

So far as this C.A. is concerned, the Ld. counsel for the applicant submits that since the reply has already been filed and rejoinder if necessary will be filed within one week, other matter be appeared and be fixed for decision on merits. In view thereof, O.A. shall be heard on merits on 23.10.2018. In view thereof, C.A. 152/2018 also stands disposed of accordingly.

**S.O. 23.10.2018.**

Interim relief to continue till then.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 688/2009**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 21<sup>st</sup> September 2018.**

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

Yesterday, Shri V.P. Marpakwar, Adv. holding for Shri P.C. Marpakwar was present and at his request, this O.A. has been posted today. This O.A. was to be heard alongwith O.A. No. 931/2012 which has already been heard yesterday. In view thereof, O.A. is closed and it be kept with O.A. No. 931/2012.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 85/2017**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 21<sup>st</sup> September 2018.**

**C.P. 39/2018.**

Heard Shri D.N. Mathur, the Ld. counsel for the applicants and Shri M.I. Khan, the learned P.O. for the respondent No.3.

2. Issue notice on C.P.No.39/2018 to respondents Nos. 1 and 2 returnable within **four weeks.**

3. Shri M.I. Khan, the learned P.O. waives notice for the respondent No.3. Hamdast granted.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

7. 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 seven 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.

**C.A. No. 257/2018.**

Heard Shri D.N. Mathur, the Ld. counsel for the applicants and Shri M.I. Khan, the learned P.O. for the respondent No.3.

2. The employee filed O.A.No.85/2017 which was decided on 14.3.2018. The said order has not been complied with and in the meantime, original employee died. The present applicants are legal heirs of Smt. Vijayshree wd/p Kamlakar Kulkarni and they want that the order dated 14.3.2018 passed by this Tribunal in O.A.No.85/2017 shall be complied with. It is stated that some financial deals are accrued, require to be recovered by the applicant being L.Rs of Smt. Vijayshree wd/p Kamlakar Kulkarni. The applicant is seeking permission to allow L.Rs to be brought on record. However, the applicant has already filed an application for contempt proceedings



after issuing a due notice to the concerned respondents and the said contempt petition has already been registered. In view thereof, this C.A. stands disposed of. There is no need to bring the L.Rs on record specifically when they have already filed contempt petition. Hence, the C.A. stands disposed of accordingly.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 838/2010**

**(D.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 21<sup>st</sup> September 2018.**

Shri S. Borkar, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **24.9.2018.**

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 881/2009**

**(D.B.)**

**Coram:Shri J.D. Kulkarni,  
Vice-Chairman (J) and  
Shree Bhagwan, Member(A)  
Dated : 21<sup>st</sup> September 2018.**

**C.A. Nos.260,261,262 & 263 of 2018.**

Heard Dr.(Mrs.) R.S. Sirpurkar,  
the Ld. counsel for the applicant and  
Shri M.I. Khan, the learned P.O. for  
the respondents.

The Ld. counsel for the  
applicant submits that the applicant  
has filed representation before the  
Superintendent of Police, Gadchiroli  
in view of the fact that the applicant  
has been acquitted by the Hon'ble  
High Court. Ld. counsel has  
requested that in view of the said  
acquittal, dismissal be quashed and  
the applicant be granted pension and  
pensionary benefits. She submits that  
she will file a copy of the said  
representation alongwith C.A. in due

course. The Ld. counsel for the applicant also wants to take instructions from her client and hence seeks two weeks' time.

S.O. **two weeks.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 801/2010

(D.B.)

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 21<sup>st</sup> September 2018.**

None for the applicants. Heard Shri A.P. Potnis, the learned P.O. for the respondents 1 and 2. Shri N.R. Saboo, Ld. counsel for respondent Nos. 5 to 7 and 11. None for R.3,4 and 8,9,10..

The applicants are claiming that the appointment order of respondent Nos. 3 and 4 as Taluka Health Officer be quashed and set aside.

Shri N.R. Saboo, Ld. counsel for respondent Nos. 5 to 7 and 11 submits that the private respondents have already been absorbed in Govt. service and the applicants were already in Govt. service. The very purpose of the applicants seems to be frustrated. That seems to be the reason as to why they may not be interested in prosecuting the O.A. Hence, the O.A. stands dismissed in default with no order as to costs.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 848/2010**

**(D.B.)**

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 21<sup>st</sup> September 2018.**

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

The only prayer in this O.A. is that the respondent No.3 be directed to allow the applicant to participate in the selection process for the post of Lecturer in Plastic and Polymer Technology. The said recruitment process has already been completed and, therefore, nothing survives in this O.A. That seems to be the reason as to why the applicant may not be interested in prosecuting the O.A. Hence, the O.A. stands dismissed with no order as to costs.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 832/2010

(D.B.)

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 21<sup>st</sup> September 2018.**

None for the applicant. Heard Shri S.A. Sainis, the learned P.O. for the respondent No.1. None for R.2.

Shri S.P. Palshikar, the learned counsel for the applicant submits that he has already handed over a brief to Advocate Mr. M.I. Dhattrak and, therefore, he may be discharged from this O.A. At his request, he is discharged from the O.A.

Matter be kept for dismissal in next week.

S.O. **26.10.2018** for dismissal.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 753/2010**

**(D.B.)**

**Coram:Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 21<sup>st</sup> September 2018.**

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

Yesterday when the matter was fixed, Mrs. Charlewar holding for Mr. I.S. Charlewar was present and at her request only, this matter has been kept today. Today also, none appeared. In view thereof, O.A.stands dismissed in default with no order as to costs.

Member(A)

Vice-Chairman(J)

pdg.



O.A. No. 769/2010

(D.B.)

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J) and**  
**Shree Bhagwan, Member(A)**  
**Dated : 21<sup>st</sup> September 2018.**

Heard Shri S.U. Nemade, Ld. counsel  
for the applicants and Shri A.M. Ghogre, the  
learned P.O. for the respondents.

S.O. **25.10.2018.**

To be treated as part heard.

Member(A)

Vice-Chairman(J)

pdg.

**O.A. No. 716/2018**

**(S.B.)**

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

**Dated : 21<sup>st</sup> September 2018.**

Shri P.S. Wathore, the Ld.  
counsel for the applicant and Shri ,  
the learned P.O. for the respondents.

S.O.

Vice-Chairman(J)

pdg.

O.A. No. 89/2017

(S.B.)

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

**Dated : 21<sup>st</sup> September 2018.**

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

S.O. **25.9.2018.**

Vice-Chairman(J)

pdg.

O.A. No. 193/2017 (S.B.)

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

**Dated : 21<sup>st</sup> September 2018.**

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

The Ld. CPO submits that the pension case of the applicant has not been finalized, since the amount of Rs.2,14,980/- was due against the applicant towards house rent and till today, the applicant has not vacated the Govt. quarter, though he got retired in 2015. This amount is recurring one. The Ld. counsel for the applicant submits that he will take instructions as to whether the applicant is ready to deposit the house rent upto date and for that purpose, he seeks time till Tuesday.

S.O. **25.9.2018.**

Vice-Chairman(J)

pdg.

**O.A. No. 507/2017**

**(S.B.)**

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

**Dated : 21<sup>st</sup> September 2018.**

Heard Shri T. Rahul, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents.

The Ld. counsel for the applicant has placed on record the copies of rules called as, "Biochemists in the Directorate of Health Services (Recruitment) Rules, 1990 and the Rules called as, "Biochemists under the Directorate of Medical Education and Research of Govt. of Maharashtra (Class-II) Recruitment) Rules, 1986 which are marked "x" and "X-1" respectively for the purpose of identification. The Ld. counsel for the applicant also placed reliance on the judgment in O.A. No. 420/2004 which is marked "X-2" for the purpose of identification. It is taken on record. Copy of which is served to the other side. The Ld. P.O. wants to go through it.

**S.O. 28.9.2018.**

Vice-Chairman(J)

**O.A. No. 619/2017**

**(S.B.)**

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

**Dated : 21<sup>st</sup> September 2018.**

Shri Sunil Pande, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

Rejoinder is filed by the Ld. counsel for the applicant, it is taken on record and a copy thereof is supplied to the Ld. P.O.

Closed for orders.

Vice-Chairman(J)

pdg.

**O.A. No. 369/2018**

**(S.B.)**

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

**Dated : 21<sup>st</sup> September 2018.**

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

At the request of the Ld. counsel for the applicant, S.O. **24.10.2018.**

I.R. to continue till then.

Vice-Chairman(J)

pdg.

**O.A. No. 726/2018**

**(S.B.)**

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

**Dated : 21<sup>st</sup> September 2018.**

Shri P.S. Wathore, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

2. The applicant has challenged the order dated 30.8.2018 (A-1), whereby he has been kept under suspension. No reasons are given for keeping the applicant under suspension. The order of suspension, however, shows that some enquiry under Section 4 (1) (a) of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979 has been proposed against the applicant and in view of the said enquiry, the applicant has been kept under suspension. The Ld. counsel for the applicant



submits that the applicant is going to retire on 31<sup>st</sup> January 2019 and only with intention to malign his career, the applicant has been kept under suspension. The Ld. counsel for the applicant also placed reliance on the judgment reported in **(2015) 5 Mh.L.J. 791 in case of State of Maharashtra V/s Subhash Dhondiram Mane** and also the order passed in O.A. No. 79/2011 by this Tribunal on 8.2.2011 and submits that the suspension order has been issued due to prejudice against the applicant and with malafide intention.

3. As already stated, the order of suspension shows that the enquiry is contemplated against the applicant. The Ld. CPO submits that the preliminary enquiry was conducted against the applicant and there are number of complaints against the applicant, which are concerning his character. Therefore, enquiry is proposed against the applicant. Considering these facts, it would be necessary to obtain reply affidavit of

the respondents before passing of the order.

4. Issue notice to rest of the respondents returnable in **four weeks.**

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 shall 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. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

8. 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.

9. 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.

10. In case notice is not collected within seven 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.

11. S.O. **four weeks.**

Vice-Chairman(J)

pdg.

O.A.St.2912/2017 (SB)

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

**Dated : 21.09.2018**

**C.A.553/2017 -**

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

2. In C.A.No. 553/2017 the reasons mentioned for condonation of delay have been replied by the learned P.O. and he has justified today. However, considering the problems of the applicant and in the interest of justice the C.A. is allowed.

**O.A.St.2912/2017 -**

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

2. Issue notice to R-2 **returnable in four weeks.** Learned P.O. waives notice for R-1. Hamdast allowed.

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall

stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. four weeks.**

**Member (A).**

dnk.

O.A.468/2017 (SB)

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

**Dated : 21.09.2018**

None for the applicant. Shri A.P. Potnis, Id. P.O. for R-1&2 and none for R-3.

2. The learned P.O. submits that he has received draft of reply and he will file reply-affidavit within three weeks.

3. At his request, **S.O. three weeks** for filing reply.

**Member (A).**

dnk.

O.A.506/2017 (SB)

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

**Dated : 21.09.2018**

Smt. K.N. Saboo, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. It appears that on 11/01/2018 the reply of R-2 was filed by the Id. P.O. and four weeks' time was sought for filing reply of other respondents. However, the learned P.O. seeks further time to file reply of other respondents.

3. At his request, **S.O. two weeks** for filing reply of other respondents.

**Member (A).**

dnk.

Rev.A.15/18 in O.A.974/2017 **(SB)**

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

**Dated : 21.09.2018**

Shri N.S. Warulkar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2 to 4.



2. The learned counsel for the applicant points out that as mentioned in Tribunal's order dated 11/09/2018 the applicant's matter was heard in Pension Adalat at Accountant General office on 18/09/2018. On that date the applicant was present in the AG Office and he was told that since the matter is pending with the Tribunal, the decision cannot be taken.

3. However, it is made clear that the Tribunal has not prohibited the Accountant General office for taking any decision. They are at liberty to take final decision.

4. In Review Application after the notices have been served and after reply has been filed by the respondents, the matter will be heard.

5. **S.O. after three weeks.**

**Member (A).**

dnk.

O.A.304/2018 (SB)

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

**Dated : 21.09.2018**

Shri G.G. Bade, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. The learned P.O. seeks three weeks time to file reply.

3. However, as per the record, it appears that the learned counsel for the applicant has filed Pursis dated 17/09/2018 in which the application has been made to the Collector, Nagpur. However, the Collector, Nagpur is directed to take into consideration application's application dated 14/08/2018 while filing the reply.

4. **S.O. three weeks.**

**Member (A).**

dnk.

O.A.406/2018 (SB)

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

**Dated : 21.09.2018**

Mrs. R.C. Joshi, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1 to 3. Await service of R-4.

2. The learned counsel for the applicant submits that the notice of R-4 has been served on 19/09/2018 and he will file affidavit within a week.

3. The learned P.O. seeks three weeks time to file reply. At his request, **S.O. three weeks** for filing reply.

**Member (A).**

dnk.

O.A.511/2018 (SB)

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

**Dated : 21.09.2018**

Shri O.Y. Kashid, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-

1. Await service of R-2.

2. The learned counsel for the applicant submits that he will file service affidavit of R-2 before the next date.

3. The learned CPO seeks time to file reply. At his request, **S.O. four weeks.**

**Member (A).**

dnk.

O.A.604/2017 **(SB)**

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

**Dated : 21.09.2018**

Heard Shri V.P. Karhade, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. As per the order dated 19/09/2018 the learned counsel for the applicant will file Civil Application during the course of day in the office. However, the learned P.O. has shown today the original copy of Service Book of the applicant before the Court. It appears that the Service Book has been verified by the Pay Verification Unit as on 01/01/1996. It is also mentioned that the office of the Commissioner of Police has forwarded the verified service book to the Head Clerk of Pension Branch in Police Commissioner

office, Nagpur City on 19/09/2018. The learned P.O. submits that the pension proposal will be submitted to the Accountant General office within 3-4 days.

**S.O. four weeks.**

**Member (A).**

dnk.

O.A.410/2018 **(SB)**

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

**Dated : 21.09.2018**

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

2. It appears that the reply has already been filed.

3. The learned counsel for the applicant submits that he wants to file rejoinder and will argue the matter on the next date. He is permitted to do so.

4. **S.O. 27/09/2018.**

**Member (A).**

dnk.

O.A.436/2018 (SB)

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

**Dated : 21.09.2018**

Shri Krushna D. Manwatkar, Id. counsel holding for Shri S.N. Gaikwad, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The interim order passed on dated 25/06/2018 in para no.2 is continued till next date of hearing.

3. At the request of Id. counsel for the applicant, **S.O. 28/09/2018.**

Put up the matter along with O.A.No.437/2018.

**Member (A).**

dnk.

O.A.437/2018 (SB)

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

**Dated : 21.09.2018**

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

2. The learned P.O. files reply-affidavit on behalf of R-1,2&3 along with copy of Government order no. cnyh 1318@i@d 155@09 0&&3] e#ky; ]epb] dated 2<sup>nd</sup> July,2018 in which the Government has modified the order by issuing corrigendum. However, the learned counsel for the applicant desires to file rejoinder and for that purpose he seeks further time.

3. At his request, **S.O. 28/09/2018 for filing rejoinder.**

Put up the matter along with O.A.No.436/2018.

**Member (A).**

dnk.

O.A.476/2018 (SB)

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

**Dated : 21.09.2018**

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

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

3. The learned P.O. waives notice for the respondents. In the meanwhile the applicant is at liberty to file rejoinder, if any.

4. The learned counsel for the applicant points out that there are vacancies in Akola also. The Id. P.O. will take instructions regarding vacancies at Akola and if available whether the applicant can be accommodated at Akola.

5. **S.O. two weeks** for taking instructions.

7. Steno copy is granted.

**Member (A).**

O.A.573/2018 (SB)



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

**Dated : 21.09.2018**

Heard Shri A.S. Moon, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1 to 4. None for R-5.

2. With the consent of both the sides, the matter is admitted and be kept for final hearing.

3. The learned P.O. waives notice for R-1 to 4.

**S.O. two weeks.**

**Member (A).**

dnk.

O.A.107/2017 (SB)

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

**Dated : 18.09.2018**

None for the applicant. Shri V.A. Kulkarni, Id. P.O. for the State. Await services of respondent nos.2 to 4.

2. The Id. P.O. has pointed out the order dated 02/03/2017, in which para no.3, stay has been continued as a interim relief. It seems that, the applicant is in the presence of interim relief taking no interest in appearing before the Tribunal.

3. In view of the above information, the interim relief granted to the applicant on dated 02/03/2017 in para no.3 is vacated.

**S.O. 24/09/2018 for dismissal.**

**Member (A).**

dnk.

