

O.A. No.586 /2017. (S.B.)

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

Dated : 5th January 2018.

Heard Shri P.V. Thakre, the Ld. counsel for the applicant and Shri P.N. Warjekar, the Ld. P.O. for the respondents.

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

Vice-Chairman(J)

pdg

O.A. No. 44/2017. (S.B.)

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

Dated : 5th January 2018.

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

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

Vice-Chairman(J)

pdg

O.A. No. 641/2017. (S.B.)

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

Dated : 5th January 2018.

Heard Shri N.D. Thombre, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondent Nos. 1 to 4. None for R.5.

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

Vice-Chairman(J)

pdg

O.A. No. 48/2017. (D.B.)

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

Dated : 5th January 2018.

C.A. 284/2017.

Heard Shri S.R. Deshpande, the Ld. counsel for the applicant and Shri H.K. Pande, the Ld. P.O. for the respondents.

The applicant wants to bring on record subsequent events after filing of the O.A. by way of amendment. If the amendment is there, it cannot change the reliefs claimed in the O.A. so also pleadings. Considering this fact, C.A. for amendment is allowed. Amendment be incorporated within a week. The respondents will be at liberty to file an affidavit to the amended O.A.

S.O. two weeks.

Vice-Chairman(J)

O.A. No. 358/2009. (D.B.)

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

Dated : 5th January 2018.

Heard Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondent Nos. 1 to 3. Shri N.R. Saboo, Adv. for R.5. None for R.4.

Closed for orders.

Vice-Chairman(J)

pdg

O.A. No.346/2017. (D.B.)

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

Dated : 5th January 2018.

Heard Shri Bharat Kulkarni, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the Ld. P.O. for the respondent

S.O. two weeks.

Vice-Chairman(J)

pdg

O.A. No.940/2017. (D.B.)

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

Dated : 5th January 2018.

Heard Shri A.P. Sadavarte, the Ld. counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondent

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

Vice-Chairman(J)

pdg

O.A. No.630/2017. (D.B.)

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

Dated : 5th January 2018.

None for the applicant. Shri S.A. Deo, the Ld. C.P.O. for respondent Nos. 1 and 2.

Await service to R. 1-A.

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

Vice-Chairman(J)

pdg

O.A. No.572/2017. (D.B.)

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

Dated : 5th January 2018.

C.A. Nos. 513 and 514 of 2017.

Heard Shri D.T. Shinde, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondent s.

Ld. P.O. seeks two weeksqtime for filing reply to the C.As.

S.O. **two weeks** for filing reply affidavit.

Vice-Chairman(J)

pdg

O.A. No.573/2017. (D.B.)

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

Dated : 5th January 2018.

C.A. Nos. 515 and 516 of 2017.

Heard Shri D.T. Shinde, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondent s.

Ld. P.O. seeks two weeksqtime for filing reply to the C.As.

S.O. **two weeks** for filing reply affidavit.

Vice-Chairman(J)

pdg

O.A. No.574/2017. (D.B.)

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

Dated : 5th January 2018.

C.A. Nos. 515 and 518 of 2017.

Heard Shri D.T. Shinde, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondent s.

Ld. P.O. seeks two weeksqtime for filing reply to the C.As.

S.O. **two weeks** for filing reply affidavit.

Vice-Chairman(J)

pdg

O.A. No.575/2017. (D.B.)

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

Dated : 5th January 2018.

C.A. Nos. 519 and 520 of 2017.

Heard Shri D.T. Shinde, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondent s.

Ld. P.O. seeks two weeksqtime for filing reply to the C.As.

S.O. **two weeks** for filing reply affidavit.

Vice-Chairman(J)

pdg

O.A. No.268/2017. (D.B.)

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

Dated : 5th January 2018.

Heard Shri Mirza, Adv. holding for Shri R.J. Mirza, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondent Nos. 1 and 2. Shri G.K. Bhusari, Adv. for R.3.

Ld. P.O. has filed reply affidavit on behalf of R. 1 and 2 and a copy thereof is supplied to the Ld. counsel for the applicant.

S.O. **two weeks** for filing rejoinder.

Vice-Chairman(J)

O.A. No.662/2017. (D.B.)

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

Dated : 5th January 2018.

Heard Shri D. M. Surjuse, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. 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.

Ld. P.O. states that reply of other respondents is not necessary.

S.O. **two weeks** for filing rejoinder.

Vice-Chairman(J)

pdg

O.A. 07/2018 (SB)

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

Dated : 5.1.2018

Heard Shri G.N.Khanzode, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The applicant came to be appointed as Assistant Professor in (Radio Diagnosis) vide order dated 13/6/2006 and his services were regularized vide order dated 22/1/2009. He was promoted as Senior Associate Professor (Radio Diagnosis) on 8/10/2014 and was transferred to Government Medical College, Aurangabad. Subsequently he was transferred to Government Medical, Nagpur on 15/7/2015. Vide impugned order dated 1/1/2018 the applicant has been transferred at Government Medical College, Gondia.

3. The learned counsel for the applicant submits that the applicant is expert in Radio diagnosis. It is stated that there are only two experts in the State of Maharashtra and the services of the applicant can be very well utilized for the poor patients undergoing operations at Trama Center. However instead of utilizing the applicant's services at Trama Center for the poor patients, he has been transferred to Gondia to teach the Students. In fact there are number of

other Medical Officers who are more experts in teaching job than the applicant and who are due for transfer, but the applicant was transferred though he was not due for transfer. Prima facie it seems that the applicant was not due for transfer. However, the Id. CPO submits that the applicant has already been relieved from the post.

4. The learned counsel for the applicant invited my attention to the representation filed by the applicant to the Secretary, Medical Education and Drugs Department, Mumbai on the next day of i.e. on 2/1/2018 after his transfer. He has requested that his transfer may be cancelled and he may be reposted at Nagpur. The said representation is however filed on 2/1/2018 and the O.A. is filed on 4/1/2018. The learned counsel for the applicant submits that the O.A. can be disposed of, if directions are issued to respondent no.1 to consider his

representation dated 2/1/2018 within a stipulated period. The learned CPO also agrees for directions, if issued.

5. The learned counsel for the applicant submits that the applicant for the time being will join at Gondia on Monday, i.e., on 8/1/2018 itself. In view thereof, the application stands disposed of with direction to respondent no.1 to consider

the representation filed by the applicant on 2/1/2018 (Annex-A-4) as early as possible and in any case within two months from the date of this order.

Steno copy be supplied to the learned counsel for the parties.

Vice Chairman (J)

dnk.

O.A. 494/2015 (SB)

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

Dated : 5.1.2018

Shri A.K. Tripathi, Id. counsel holding for Shri A. Deshpande, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&2. None for R-3.

2. The learned P.O. submits that he does not want to file reply to the amended portion of the O.A. At the request of Id. counsel for the applicant the matter be kept for final hearing on **8.1.2018.**

Vice Chairman (J)

dnk.

O.A. 393/2017 (SB)

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

Dated : 5.1.2018

C.A.265/2017

Shri N.D. Thombre, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

3. **S.O. two weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 394/2017 (SB)

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

Dated : 5.1.2018

C.A.266/2017

Shri N.D. Thombre, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for the respondent no. 1 and Shri B.B. Mehadia, Id. counsel for R-2&3.

2. The learned P.O. files reply on behalf of R-2&3. It is taken on record. Copies are served on the other sides.

3. The learned counsel for R-2&3 appears and submits that the applicant is not employee of State Government and therefore this Tribunal has no jurisdiction. The learned counsel for the applicant submits that he will verify the fact and make a statement on the next date.

4. **S.O. two weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 395/2017 (SB)

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

Dated : 5.1.2018

C.A.267/2017

Shri N.D. Thombre, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for the respondent no. 1 and Shri B.B. Mehadia, Id. counsel for R-2&3.

2. The learned P.O. files reply on behalf of R-2&3. It is taken on record. Copies are served on the other sides.

3. The learned counsel for R-2&3 appears and submits that the applicant is not employee of State Government and therefore this Tribunal has no jurisdiction. The learned counsel for the applicant submits that he will verify the fact and make a statement on the next date.

4. **S.O. two weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 396/2017 (SB)

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

Dated : 5.1.2018

C.A.268/2017

Shri N.D. Thombre, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

3. **S.O. two weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 397/2017 (SB)

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

Dated : 5.1.2018

C.A.269/2017

Shri N.D. Thombre, Id. counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the respondents.

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

3. **S.O. two weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 398/2017 (SB)

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

Dated : 5.1.2018

C.A.270/2017

Shri N.D. Thombre, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

3. **S.O. two weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 399/2017 (SB)

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

Dated : 5.1.2018

C.A.271/2017

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

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

3. **S.O. two weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 400/2017 (SB)

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

Dated : 5.1.2018

C.A.272/2017

Shri N.D. Thombre, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

3. **S.O. two weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 401/2017 (SB)

Coram : Hon. Shri J.D.Kulkarni,

Vice-Chairman (J).

Dated : 5.1.2018

C.A.273/2017

Shri N.D. Thombre, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned P.O. files reply on behalf of R-
3. It is taken on record. Copy is served on the applicant.
3. **S.O. two weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 183/2017 (SB)

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

Dated : 5.1.2018

C.A.525/2017

None for the applicant. Shri G.K. Bhusari, Id. counsel holding for Shri D.M. Kakani, Id. Special counsel for R-1.

S.O. four weeks for filing affidavit along with other connected matter.

Vice Chairman (J)

dnk.

O.A. 931/2017 (SB)

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

Dated : **5.1.2018**

None for the applicant. Shri G.K. Bhusari, Id. counsel holding for Shri D.M. Kakani, Id. Special counsel for R-1.

S.O. four weeks for filing affidavit along with other connected matter.

Vice Chairman (J)

dnk.

O.A. St.3008/2017 (SB)

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

Dated : 5.1.2018

C.A.561/2017

Shri S.S. Joshi, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2.

2. The learned CPO has taken objection to the application for condonation of delay on the ground that the delay is not calculated properly since the applicant's representation for the relief claim was already rejected vide communication dated 7/3/2011. The learned counsel for the applicant submits that he will go through the documents and will make necessary amendment in the application for condonation of delay and for that purpose he seeks time.

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

Vice Chairman (J)

dnk.

O.A. 85/2017 (SB)

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

Dated : 5.1.2018

C.A.568/2017

Heard Shri D.N. Mathur, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. The applicant wants to amend the O.A. on account of certain facts which came to his knowledge from the reply-affidavit filed by the respondents and because of some documents placed on record along with the reply. In fact he has challenged those documents in the rejoinder-affidavit, but the pleadings in the rejoinder-affidavit cannot be said to be pleadings and therefore he wants to amend the O.A. In the interest of justice the application for amendment is allowed. The said amendment be carried out within one week. The respondents will be at liberty if he wants to file additional reply to the amended O.A. However, the learned P.O. submits that there is no need to file additional reply since the facts are already covered in the affidavit filed by respondent no.2. The amended copy be supplied to the other side.

S.O. one week.

Vice Chairman (J)

dnk.

O.A. 887/2017 (SB)

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

Dated : 5.1.2018

Shri S.M. Khan, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2 to 4.

2. The learned counsel for the applicant submits that he will file service affidavit till Monday, i.e., 8.1.2008.

S.O. one week.

Vice Chairman (J)

dnk.

O.A. 896/2017 (SB)

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

Dated : 5.1.2018

Shri G.G. Bade, Id .counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2 to 6.

At the request of Id. counsel for the applicant, **S.O. one week** for filing service affidavit of R-2 to 6.

Vice Chairman (J)

dnk.

O.A. 283/2016 (SB)

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

Dated : 5.1.2018

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

2. The learned P.O. files parawise reply on behalf of R-4. It is taken on record. Copy is served on the applicant. The learned P.O. submits that the reply of R-1 to 3 is not necessary.

3. **S.O. four weeks** for filing rejoinder, if any.

Vice Chairman (J)

dnk.

O.A. 744/2016 (SB)

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

Dated : 5.1.2018

Smt. K.N. Saboo, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1,

none for R-2,3&5 and Shri S.S. Shinde, Id. counsel for R-4.

2. Shri Shinde, Id. counsel files reply on behalf of R-4. Same is taken on record. Copies are served on the other sides.

3. The learned P.O. submits that there is no need to file reply of R-1.

4. **S.O. two weeks** for filing rejoinder, if any.

Vice Chairman (J)

dnk.

O.A. 59/2017 (SB)

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

Dated : 5.1.2018

Smt. K.N. Saboo, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 to 3. None for R-4&5.

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

Put up along with other connected matter.

Vice Chairman (J)

dnk.

O.A. 60/2017 (SB)

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

Dated : 5.1.2018

Smt. K.N. Saboo, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 to 3. None for R-4. Shri D.A. Sonwane, Id. counsel for R-5.

At the request of Id. P.O. as well as Id. counsel for R-5, **S.O. three weeks** for filing reply.

Put up along with other connected matter.

Vice Chairman (J)

dnk.

O.A. 65/2017 (SB)

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

Dated : 5.1.2018

Heard Shri G.G. Mishra, Id. counsel for the applicant and Shri H.K. Pande, 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. two weeks.

Vice Chairman (J)

dnk.

O.As. 421, 422,423,424 & 425 of 2017 (SB)

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

Dated : 5.1.2018

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

2. The learned P.O. files separate reply-affidavit on behalf of R-2&3. Same are taken on record. Copies are served on the applicant. The learned counsel for the applicant wants to go through the same.

3. **S.O. three weeks** for filing rejoinder, if necessary.

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Vice Chairman (J)

dnk.

O.A. 540/2016 (SB)

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

Dated : 5.1.2018

None for the applicant.

Shri V.A. Kulkarni, Id. P.O. for the respondents.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A. 326/2017 (SB)

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

Dated : 5.1.2018

Shri G.G. Bade, Id. counsel for the applicant and Shri M.I. Khan, Id .P.O. for the respondent nos. 1 to 4. None for R-5.

S.O. Next week.

Vice Chairman (J)

dnk.

O.A. 661/2017 (SB)

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

Dated : 5.1.2018

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Ghogre, Id .P.O. for respondent nos. 1 to 3. None for R-4.

S.O. Next week.

Vice Chairman (J)

dnk.