

C.P. No. 16/2017 in O.A. No. 260/2004. (D.B.)

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 15th April 2019.

C.P. No. 16/2017.

Heard Mrs. Vaishali Khadekar, Adv. holding for Shri M.I. Dhattrak, learned Advocate for the applicant and Shri M.I.Khan, learned P.O. for the respondents.

At the request of learned Advocate for the applicant, S.O. 16.4.2019.

(Justice A.H. Joshi)
Chairman

Dt. 15.4.2019

pdg.

C.P. No. 17/2017 in O.A. No. 687/2014. (D.B.)

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 15th April 2019.

C.P. No. 17/2017.

Heard Mrs. R.P.Jog, learned Advocate for the applicant and Shri H.K. Pande, learned P.O. for the respondents 1 to 3. Miss Vaishali Khadekar, Advocate for R. 4 and 5 and Shri Z. Shekhani, Advocate for R.6.

At the request of learned of R. 4 and 5,
S.O. 16.4.2019

(Justice A.H. Joshi)
Chairman

Dt. 15.4.2019

pdg.

C.P. No. 23/2018 in O.A. No. 480/2016. (D.B.)

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 15th April 2019.

C.P. No. 23/2018.

Heard Bharat Kulkarni, Adv. holding for Shri S.P. Palshikar, learned Advocate for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

At the request of learned Advocate for the applicant, S.O. 16.4.2019.

(Justice A.H. Joshi)
Chairman

Dt. 15.4.2019

pdg.

C.P. No. 43/2018 in O.A. No.444/2017. (D.B.)

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 15th April 2019.

C.P. No. 43/2018.

Heard Shri N.R. Saboo, learned Advocate for the applicant and Shri A.M. Khadatkar, learned P.O. for the respondents.

In view of compliance and apology. C.P. is disposed.

(Justice A.H. Joshi)
Chairman

Dt. 15.4.2019

pdg.

C.P. No. 46/2018 in O.A. No.403/2017. (D.B.)

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 15th April 2019.

C.P. No. 46/2018.

Heard Shri N.R. Saboo, learned Advocate for the applicant and Shri P.N. Warjekar, learned P.O. for the respondents 1 to 3. Shri S.N. Gaikwad, Advocate for R.4.

At the request of learned Advocate for the applicant, S.O. 19.8.2019.

(Justice A.H. Joshi)
Chairman

Dt. 15.4.2019

pdg.

C.P. No. 45/2018 in O.A. No.114/2017. (D.B.)

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 15th April 2019.

C.P. No. 45/2018.

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

At the request of learned P.O. S.O.
3.5.2019.

(Justice A.H. Joshi)
Chairman

Dt. 15.4.2019

pdg.

C.P. No. 06/2019 in O.A. No.112/2008. (D.B.)

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 15th April 2019.

C.P. No. 09/2019.

Heard Shri R.V. Shiralkar, learned
Advocate for the applicant and Shri learned
P.O. for the respondents.

S.O.

(Justice A.H. Joshi)
Chairman

Dt. 15.4.2019

pdg.

C.P. No. 08/2019 in O.A. No.538/2016. (D.B.)

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 15th April 2019.

C.P. No. 08/2019.

Heard Shri W.N. Nayse, learned Advocate for the applicants and Shri A.M. Ghogre, learned P.O. for the respondents.

P.O. is directed to secure instructions from Dr. Pradeep Vyas, Secretary, Health Department as to status of compliance of Tribunal's order in O.A. 538/2016 and reason of failure to reply the notice of show cause for contempt.

S.O. to 18.4.2019.

(Justice A.H. Joshi)
Chairman

Dt. 15.4.2019

pdg.

C.P. No. 09/2019 in O.A. Nos. 673 & 674
of 2018. (D.B.)

Coram : Justice A.H. Joshi,
Chairman.

Dated : 15th April 2019.

C.P. No. 09/2019.

Heard Shri Bharat Kulkarni, learned
Advocate for the applicant and Shri A.M.
Khadatkar, learned P.O. for the respondents.

At the request of learned P.O., S.O.
16.4.2019.

(Justice A.H. Joshi)
Chairman

Dt. 15.4.2019

pdg.

C.P. No. 06/2019 in O.A. No. 112/2008. (D.B.)

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 15th April 2019.

C.P. No. 06/20109.

Heard Shri Prafulla Kangale, Adv.
holding for Shri R.V. Shiralkar, learned
Advocate for the applicant and Shri P.N.
Warjekar, learned P.O. for the respondents.

At the request of learned P.O. S.O.
16.4.2019.

(Justice A.H. Joshi)
Chairman

Dt. 15.4.2019

pdg.

O.A. No. 614/2017 (DB)

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

Dated : 15.04.2019

Heard Shri Prafulla Kangale, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1&2 and Shri N.B. Rathod, Id. counsel for R-3.

2. The learned P.O. submitted the letter written by the Joint Director of Health Department, Pune-1. In the letter it is mentioned that the registration certificate submitted by the applicant was valid only upto 01/01/2015 and it was necessary to submit the renew registration certificate. In view of this matter, **S.O. 29/04/2019**.

Member (J)

dnk.

O.A. No. 544/2018 (SB)

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

Dated : 15.04.2019

C.A. 35/2019 -

None for the applicant. Shri V.A. Kulkarni, Id. P.O. for R-1.

It seems that the notice of R-2&3 is not collected.

S.O. After Vacation.

Member (J)

dnk.

O.A. No. 938/2018 (SB)

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

Dated : 15.04.2019

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

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

Member (J)

dnk.

O.A. No. 23/2019 **(SB)**

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

Dated : 15.04.2019

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

At the request of Id. P.O., **S.O.** **29/04/2019** for filing reply.

Member (J)

dnk.

O.A. No. 81/2019 **(SB)**

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

Dated : **15.04.2019**

Heard Shri S.N. Gaikwad, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O.

for R-1 to 3 and Shri N.S. Autkar, Id. counsel for Intervener (R/4).

2. The matter is admitted and be kept for final hearing on 29/04/2019.

3 The Id. P.O. as well as learned counsel for intervener waives respective notices.

4. In the meantime, the applicant may file rejoinder.

S.O. 29/04/2019.

Member (J)

dnk.

O.A. No. 93/2019 (SB)

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

Dated : 15.04.2019

None for the applicant. Shri S.A. Deo, Id. CPO for the respondents.

S.O. After Vacation for filing reply.

Member (J)

dnk.

O.A. No. 174/2019 **(SB)**

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

Dated : 15.04.2019

Heard Shri V.A. Kothale, Id. counsel holding for Shri D.P. Dapurkar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

2. It is submitted that on 28/02/2019 request was made by the applicant to transfer him in the general transfers in the month of April/May, 2019. The applicant has also given the choice posting. It is submitted that the applicant has completed period of 4 years and

11 months in the tribal area and therefore he be considered for transfer. After hearing the submission of the learned P.O., I think it suitable to direct the respondent nos. 1 to 3 to consider the representation of the applicant during general transfers in April/May, 2019.

3. In view thereof, the O.A. stands disposed of with no order as to costs.

Member (J)

dnk.

O.A. No. 181/2019 **(SB)**

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

Dated : 15.04.2019

The applicant in person present. Shri S.A. Deo, Id. CPO for the respondents.

The respondents are directed to submit their reply within three weeks.

S.O. three weeks.

Member (J)

dnk.

O.A. No. 182/2019 (SB)

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

Dated : 15.04.2019

None for the applicant. Shri H.K. Pande, Id. P.O. for R-1&3. Await service of R-2.

S.O. two weeks.

Member (J)

dnk.

O.A. No. 183/2019 (SB)

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

Dated : 15.04.2019

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

S.O. two weeks.

Member (J)

dnk.

O.A. No. 184/2019 **(SB)**

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

Dated : 15.04.2019

None for the applicant. Shri A.P. Potnis, Id. P.O. for R-1. Await service of R-2&4. None for R-3.

S.O. After Vacation.

Member (J)

dnk.

O.A. No. 185/2019 **(SB)**

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

Dated : 15.04.2019

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

S.O. After Vacation.

Member (J)

dnk.

O.A. No. 1019/2018 **(SB)**

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

Dated : 15.04.2019

Heard Shri V.A. Kothale, Id. counsel for the applicant and Shri A.P. Potnis, Id .P.O. for the respondents.

Heard. Admit.

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

S.O. in due course.

Member (J)

dnk.

O.A. No. 254/2019 (SB)

Coram : Hon. Shri A.D. Karanjkar,

Member (J).

Dated : 15.04.2019

Heard Shri V.A. Kothale, Id. counsel holding for Shri G.R. Sadar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1.

2. Issue notice to R-2 to 5, returnable on 29-04-2019. 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. 29/04/2019.**

Member (J)

dnk.

O.A. Nos. 900 of 2017 **(SB)**

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

Dated : 15.04.2019

Shri Sunil Pande, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-2&3 and Shri D.M. Kakani, Id. special counsel for R-1.

2. Shri Kakani, the learned special counsel has submitted reply on behalf of R-1 to the counter affidavit. It is taken on record. Copies are served to the other sides.

3. The matter be kept on 24/04/2019 along with other connected matter.

Member (J)

dnk.

O.A. Nos. 901 of 2017 (SB)

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

Dated : 15.04.2019

Shri Sunil Pande, Id. counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-2&3 and Shri D.M. Kakani, Id. special counsel for R-1.

2. The matter be kept on 24/04/2019 along with other connected matter.

Member (J)

dnk.

O.A. Nos. 350/2018 **(SB)**

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

Dated : 15.04.2019

Shri N.D. Thombre, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 to 3 and Shri J. Mokadam, Id. counsel for R-4.

S.O. 24/04/2019.

Member (J)

dnk.

O.A. No. 548 of 2018 with C.A. 315/18 **(SB)**

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

Dated : 15.04.2019

Heard the applicant in person and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. It is brought to my notice that in O.A.481/2018 order was passed on 22/02/2019 to keep that matter along with O.A.548/2018 with C.A.315/2018. It is submitted that the O.A.481/2018 is fixed for hearing on 23/04/2019. Therefore, this matter be kept on 23/04/2019.

S.O. 23/04/2019 (PH)

Put up along with O.A.481/2018.

Member (J)

dnk.

O.A.No.657/2015 (S.B.)

Coram: Shri B.P.Patil, Member(J)
Dated : 15th April 2019.

Heard Shri Ambagade holding for Shri A.C.Dharmadhikari, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 18.04.2019.**

Date:-15/04/2019.
aps.

Member(J)

O.A.No.671/2015 (S.B.)

Coram: Shri B.P.Patil, Member(J)
Dated : 15th April 2019.

Heard Shri Ambagade, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

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

Date:-15/04/2019.
aps.

Member(J)

O.A.No.751/2015 (S.B.)

Coram: Shri B.P.Patil, Member(J)

Dated : 15th April 2019.

Heard Shri M.R.Khan, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

2. At the request of Id. counsel for the applicant, **S.O. 25.04.2019 as a last chance.**

Date:-15/04/2019.
aps.

Member(J)

O.A.No.814/2015 (S.B.)

Coram: Shri B.P.Patil, Member(J)

Dated : 15th April 2019.

None for the applicant. Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. The matter is very old and pending since long for hearing. It is fixed for hearing on 18.04.2019. **S.O. 18.04.2019.**

Member(J)

Date:-15/04/2019.
aps.

O.A.No.826/2015 (S.B.)

Coram: Shri B.P.Patil, Member(J)

Dated : 15th April 2019.

Shri R.Joshi, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

2. Ld. counsel for the applicant has submitted that the applicant is entitled to get salary on the post of Associate Professor from the date of decision of this Tribunal in O.A. No. 667/2011, till his reinstatement on the post by the order dated 01.03.2014 and, therefore, has filed the present Original Application.

3. On perusal of the documents on records, it reveals that the applicant has been reinstated on the post of Associate Professor (Pediatrics) in view of the order passed by the Tribunal in the O.A. No. 667/2011 dated 20/09/2012. On the basis of the said order, the applicant approached to the respondents with a request to allow him to join on the post of Associate Professor (Pediatrics) by filing the application on 12/10/2012, but the respondents had not allowed him to join the service as per the decision of this Tribunal in O.A. No. 667/2011. Therefore, the applicant had filed Contempt Petition St.No.1451/2013 in O.A. No.667/2011. During the pendency of

the Contempt Petition St.No.1451/2013, the applicant was reinstated by the order dated 01.03.2014. Accordingly, the applicant joined on the post of Associate Professor.

4. Record shows that the proposal regarding the salary of the applicant for the period for which he was out of service i.e. from 20/09/2011 to 28/02/2014 has been sent by the Dean, Government Medical College to the Director, Medical Education & Research, Mumbai. The Director raised same queries in the matter. The Dean submitted his reply/explanation to those queries on 10.09.2015.

5. On perusal of the record it reveals that the applicant was not on duty during the period from 20/09/2011 to 28/02/2014 and he is claiming the salary for the above said period.

6. On perusal of the records it reveals that the communication dated 01.11.2014 has been issued by the Desk Officer, Government of Maharashtra to the applicant and in view of that Contempt Application No. 1451/2013 in O.A. No. 667/2011 was disposed of. No order regarding the salary of the applicant for the said period has been issued by the

respondents. At this juncture Id. Advocate of the applicant has sought time to produce the copy of the contempt application and to take instruction from the applicant as to whether the applicant has claimed salary for the said period from respondents by filing an application/representation.

7. Time as prayed for is granted.

8. **S.O. one week.**

Date:-15/04/2019.
aps.

Member(J)