

O.A. No. 232/2011.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Shri A.J. Mirza, 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. 555/2010.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Miss R.V. Kukday, Adv. holding
for Shri V.S. Kukdaly, Ld. counsel for
the applicant. Shri P.N. Warjekar, the
learned P.O. for the respondents.

S.O. **26.10.2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 413/2016.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

C.A.No.267/2018.

Heard Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents 1 and 2. Shri A.D. Tote, Adv for R.3.

Application for early hearing is granted. C.A. stands disposed of.

O.A. No. 413/2016.

With consent of parties, S.O. **after Diwali vacation** for final hearing.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 614/2017.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

C.A.No.533/2016.

Heard Shri R.V. Shiralkar, the
Ld. counsel for the applicant and Shri
V.A. Kulkarni, the learned P.O. for the
respondents 1 and 2. Adv. N.B.
Rathod for R.3.

At the request of Ld. P.O., S.O.
28.11.2018 as a last chance.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 667/2017.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

C.A.No.423/2017.

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

The Ld. counsel for the applicants submits that he has been instructed by the applicant to withdraw the O.A. and, therefore, he wants permission to withdraw the same. In view of this submission, O.A. stands disposed of as withdrawn with no order as to costs.

Since the O.A. stands disposed of, hence the C.A. stands infructuous.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 668/2017.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

C.A.No.424/2017.

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

The Ld. counsel for the applicants submits that he has been instructed by the applicant to withdraw the O.A. and, therefore, he wants permission to withdraw the same. In view of this submission, O.A. stands disposed of as withdrawn with no order as to costs.

Since the O.A. stands disposed of, hence the C.A. stands infructuous.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 669/2017. (D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

C.A.No.425/2017.

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

The Ld. counsel for the applicants submits that he has been instructed by the applicant to withdraw the O.A. and, therefore, he wants permission to withdraw the same. In view of this submission, O.A. stands disposed of as withdrawn with no order as to costs.

Since the O.A. stands disposed of, hence the C.A. stands infructuous.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 516/2018.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Mrs. P.M. Giratkar, the
Ld. counsel for the applicant and Shri
A.M. Ghogre, the learned P.O. for the
respondents.

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

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 542/2018.

(D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.**

C.A.265/2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **after Diwali vacation.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 603/2016.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

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

As per the directions of this Tribunal, the Ld. P.O. has placed on record a chart showing the dates of examination conducted and appearance / non-appearance of the applicant for the said examination, which are marked "X" and "X-1" for identification.

Matter is heard on merit and closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 110/2017.

(D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.**

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

Applicant submits that his grievance has been redressed in this O.A. and, therefore, O.A. be disposed of. In view thereof, O.A. stands disposed of accordingly with no order as to costs.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 863/2017.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Shri S. Borkute, the Ld. counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents 1 to 4. None for R.5.

The Ld. counsel for the applicant submits that the grievance of the applicant has been redressed and, therefore, matter be disposed of. In view thereof, O.A. stands disposed of accordingly 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 : 23rd October 2018.

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

The Ld. P.O. wants to take instructions about filing of fresh chargesheet by withdrawing the present chargesheet due to technical difficulty.

At the request of the Ld. counsel for the applicant, S.O. **25.10.2018.**

Steno copy be provided to Ld. P.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 639/2018.

(D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.**

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

2. In this O.A., the applicant has claimed that the chargesheet dated 19.9.2016 issued against him be quashed and set aside and the respondents be further directed to issue the order of promotion in favour of the applicant as Dy. Director of Education.

3. In the order dated 21.8.2018, it was specifically mentioned in para 2 as under:-

“the Ld. counsel for the applicant pointed out that the order dated 4.1.2018 in O.A. Nos. 584 & 585 of 2017 passed

by this Tribunal in which it was directed to complete the enquiry in any case within six months from the date of order. However, the Ld. counsel for the applicant submits that the said enquiry is still not completed.”

4. With this observation, matter was again taken on board on 31.8.2018. It was observed that no progress was made for completion of enquiry, though it was to be completed within six months. Ld. P.O. was directed to take necessary instructions as to how many days the order of promotion of the applicant will be issued, since the applicant is going to retire in December 2018. Matter was thereafter taken on 5.9.2018 wherein one document (Exh.1) was placed on record by Ld. P.O. and it was stated that the Ld. CPO was directed to take instructions from the Govt. and by which date the Govt. was going to promote the applicant. It was specifically mentioned that in case order is not complied with by

11.9.2018, this Tribunal will be constrained to start contempt proceedings and last chance was given for compliance. Matter, thereafter, came up for hearing on 11.9.2018 wherein following observations were made:-

“In view thereof, the respondents are directed to take necessary decision as regards promotion of the applicant within 2 weeks from the date of this order and the same shall be communicated to the applicant in writing.”

5. Thereafter matter again came for hearing on 4.10.2018 and 5.10.2018. However, nothing was done.

6. The Ld. counsel for the applicant has filed an affidavit, stating therein that no steps have been taken in respect of applicant's promotion in spite of repeated orders passed by this Tribunal. It is stated that one Shri Santosh Mamdapure, Desk Officer,

Department of Education and Sports, Govt. of Maharashtra, Mantralaya, Mumbai is a person behind such non-compliance. The Ld. counsel for the applicant seeks permission to add Shri Santosh Mamdapure, Desk Officer, Department of Education and Sports, Govt. of Maharashtra, Mantralaya, Mumbai as party respondent in this O.A., since personal allegations are made against him. The applicant is allowed to make Shri Santosh Mamdapure, Desk Officer, Department of Education and Sports, Govt. of Maharashtra, Mantralaya, Mumbai as party respondent in this O.A.

7. In view of the fact that the order is not being complied with inspite of repeated directions from this Tribunal and inspite of repeated observations that the contempt proceedings will be initiated in case of non-compliance, this Tribunal is satisfied that this is a fit case where contempt notice shall be issued against the Secretary, Department of Education and Sports,

Govt. of Maharashtra, Mantralaya,
Mumbai (R.1) and Shri Santosh
Mamdapure, Desk Officer,
Department of Education and Sports,
Govt. of Maharashtra, Mantralaya,
Mumbai.

8. Issue show cause notice to R.1
i.e. Secretary, Department of
Education and Sports, Govt. of
Maharashtra, Mantralaya, Mumbai
calling upon him to appear before this
Tribunal and explain as to why action
for contempt of order of this Tribunal
shall not be initiated against him.

9. Shri A.M. Khadatkar, Ld. P.O.
waives notice for R.2. Hamdast
allowed.

10. After adding Shri Santosh
Mamdapure, issue notice to Shri
Santosh Mamdapure, Desk Officer,
Department of Education and Sports,
Govt. of Maharashtra, Mantralaya,
Mumbai returnable in four weeks.

11. Shri A.M. Khadatkar, Ld. P.O. waives notice for R.2. Hamdast allowed.

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

13. 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.

14. 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.

15. 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.

16. 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.

17. S.O. **22.11.2018.**

18. Steno copy be supplied to the Ld. P.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 859/2012.

(D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.**

Shri C. Dasgupta, Adv. holding
for Shri B.D. Pandit, the Ld. counsel
for the applicant and Shri H.K. Pande,
the learned P.O. for the respondents.

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 114/2012.

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Shri Bharat Kulkarni, the
Ld. counsel for the applicant and Shri
the learned P.O. for the respondent
No.1. None for R.2.

S.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 699/2012.

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Shri K.V. Kotwal, the Ld. counsel for the applicant and Shri H,K. Pande, the learned P.O. for the respondents.

Notes of argument filed by the applicant are placed on record. Ld. P.O. has placed on record one communication dated 20.10.2018 which marked "X" for identification and submits that the enquiry will be completed within six months.

Matter is heard on merits and closed for orders.

Member(A) Vice-Chairman(J)

pdg.

O.A. No. 915/2012. (D.B.)

**Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.**

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

The Ld. counsel for the applicant files an affidavit in view of order passed on 24.7.2018, it is taken on record and a copy of which is supplied to other side. He seeks time to file copies of judgments of this Tribunal passed in similar matters.

S.O. 24.10.2018.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 619/2015.

(D.B.)

**Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.**

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri the learned P.O. for the respondent Nos. 1 to 3. None for R.4.

S.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 410/2017. (D.B.)

**Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.**

Heard Shri V.R. Borkar, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

The applicant has applied for the post of Police Constable from OBC (Sportsman) category. Only one post was reserved for that category. According to the applicant, he qualified for the post and got 39 marks in written test and was even called for physical

test and production of documents. However, his name was not found in the final list. He was informed that since he has not obtained qualifying marks of 40 in the examination, he was not considered. The OBC (Sports) post has been kept vacant, since no candidate of that category was available. In para 6 of the reply affidavit, the respondents have stated that the applicant has scored below 40% marks and is not eligible for physical test. Documents verification by respondents have not displayed his name after written examination in the eligibility of list of candidates for further process. However, the applicant has filed an affidavit stating that he was called for physical test and has undergone the same. The Ld. P.O. is requested to take instructions as to what was the criteria for fixing bench mark of 40 for calling the persons for physical test and for submitting documents, if there are any rules regarding providing for such bench marks. The respondents shall also make it clear as to how many candidates from OBC (Sports) category participated in the process and how many marks were obtained by each of them in the examination.

S.O. **one week.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 581/2017.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **after Diwali vacation.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 733/2017.

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Shri C.V.Khadse, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents 1 to 4. None for R.5.

S.O. **24.10.2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 93/2018.

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

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

S.O. **24.10.2018.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 221/2010

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Shri Bharat Kulkarni, the
Ld. counsel for the applicant and Shri
H.K. Pande, the learned P.O. for the

respondent No. 1. Adv. Shri M.I.
Mourya for R.2.

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 114/2012.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Shri Bharat Kulkarni, the
Ld. counsel for the applicant and Shri
H.K. Pande, the learned P.O. for the

respondent No. 1. Shri D.M. Kale,
Adv. for R.2.

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 480/2015.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Shri P.K. Mishra, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 545/2015.

(D.B.)

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

Dated : 23rd October 2018.

C.A. No. 479/2017 in C.A. No. 577/2017

Heard Shri Bharat Kulkarni, the Ld. counsel for the applicant and Shri P.N.

Warjekar, the learned P.O. for the respondent Nos. 1 to 4. Shri N.R. Saboo, Adv.for R.5 to 15.

Written notes of argument filed by the Ld. counsel for the applicant in O.A.No. 545/2015 and 97/2016 are kept on record. The Ld. counsel for the applicant files on record documents i.e. copies of orders of transfer of the applicants. It is marked "X" and "X-1" for the purpose of identification.

At the request of learned counsel for both the parties, matter be kept tomorrow i.e. on **24.10.2018.**

This O.A. be kept with O.A. Nos. 761, 802 and 805 of 2015 and 97/2016.

To be treated as part heard.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 761/2015.

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri the learned P.O. for the respondent Nos. 1 to 4. Shri N.R. Saboo, Adv. for R.5 to 12 and 14..

S.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 802/2015.

(D.B.)

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

Dated : 23rd October 2018.

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri the learned P.O. for the respondent Nos. 1 to 4. Shri N.R. Saboo, Adv. for R.5 to 5 and 12 to 14.

S.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 805/2015.

(D.B.)

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

Dated : 23rd October 2018.

Heard Shri G.G. Bade, 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. 97/2016.

(D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.**

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

Nos. 1 to 4. Shri N.R. Saboo, Adv. for
R. 5 to 7 and 11 and 14. None for
rest of the respondents.

S.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 265/2010.

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 23rd October 2018.

Heard Miss Divya Joshi, Adv.
holding for Dr. (Mrs.) R.S. Sirpurkar,
the Ld. counsel for the applicant and
Shri P.N. Warjekar, the learned P.O.

for the respondents 1 and 2. None for R.3.

S.O. after Diwali vacation.

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 : 23rd October 2018.**

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

Heard Miss Divya Joshi, Adv.
holding for Dr. (Mrs.) R.S. Sirpurkar,

the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

S.O. after Diwali vacation.

Member(A)

Vice-Chairman(J)

pdg.

O.A.Nos.381 & 382/2018 (S.B.)

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

Dated : 23.10.2018.

Smt. K.N.Saboo, the Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondent nos. 1 to 3. None for the respondent no. 4.

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

Member

(J)

aps.

O.A.No.228/2016 (S.B.)

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

Dated : 23.10.2018.

Smt. K.N.Saboo, the Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

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

Member

(J)

aps.

O.A.No.670/2017 (S.B.)

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

Dated : 23.10.2018.

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

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

Member

(J)

aps.

O.A.No.963/2017 (S.B.)

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

Dated : 23.10.2018.

C.A.No.230/2018:-

None for the applicant. Shri S.A.Sainis,
Id. P.O. for the respondents.

**C.A. No. 230/2018 for early hearing
is disposed of.**

At the request of Id. P.O., **S.O. After
Diwali Vacation for final hearing.**

Member

(J)

aps.

O.A.No.112/2018 (S.B.)

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

Dated : 23.10.2018.

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

The Id. P.O. submits that he will file the affidavit-in-reply on behalf of the respondent no. 2 during the course of the day. He further submits that the reply of other respondents are not necessary.

At the request of Id. P.O., **S.O. Three Weeks.**

Member

(J)

aps.

O.A.No.280/2018 (S.B.)

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

Dated : 23.10.2018.

Shri S.N.Gaikwad, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent nos. 2 & 3.

At the request of Id. counsel for the applicant, **S.O. three weeks for filing service affidavit.**

Member

(J)

aps.

O.A.No.307/2018 (S.B.)

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

Dated : 23.10.2018.

None for the applicant. Shri S.A.Deo,
the Id. C.P.O. for the State. Await service of
respondent no. 2.

**S.O. four weeks for filing service
affidavit.**

Member

(J)

aps.

O.A.No.354/2018 (S.B.)

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

Dated : 23.10.2018.

Shri S.N.Gaikwad, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent nos. 2 & 3.

At the request of Id. counsel for the applicant, **S.O. three weeks for filing service affidavit.**

Member

(J)

aps.

O.A.No.354/2018 (S.B.)

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

Dated : 23.10.2018.

Shri S.N.Gaikwad, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent nos. 2 & 3.

At the request of Id. counsel for the applicant, **S.O. three weeks for filing service affidavit.**

Member

(J)

aps.

O.A.No.446/2018 (S.B.)

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

Dated : 23.10.2018.

Shri A.Husain, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State. None for the respondent no. 9.

At the request of Id. counsel for the applicant, **S.O. next week for filing pursis on record.**

Member

(J)

aps.

O.A.No.525/2018 (S.B.)

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

Dated : 23.10.2018.

Shri S.N.Gaikwad, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 & 2. Await service of respondent no. 3.

At the request of Id. counsel for the applicant, **S.O. three weeks for filing service affidavit.**

Member

(J)

aps.

O.A.No.569/2018 (S.B.)

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

Dated : 23.10.2018.

C.A.No.187/2018:-

Shri S.N.Gaikwad holding for Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

Permission granted to sue jointly. Therefore, the C.A. No. 187/2018 is disposed of.

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

Member

(J)

aps.

O.A.No.589/2018 (S.B.)

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

Dated : 23.10.2018.

Shri G.K.Bhusari, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

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

Member

(J)

aps.

O.A.No.243/2018 (S.B.)

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

Dated : 23.10.2018.

Shri G.K.Bhusari, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

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

Member

(J)

aps.

O.A.No.594/2018 (S.B.)

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

Dated : 23.10.2018.

Shri A.M.Tiwari, the Id. counsel for the applicant and Shri A.M.Khadatar, the Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. three weeks as a last chance.**

Member

(J)

aps.

O.A.No.801/2015 (S.B.)

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

Dated : 23.10.2018.

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

Closed for orders.

Member

(J)

aps.

O.A.No.276/2016 (S.B.)

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

Dated : 23.10.2018.

Heard Shri R.R.Rathod, the Id. counsel
for the applicant, Shri S.A.Sainis, the Id. P.O.
for the State and Shri S.S.Bhalerao, the Id.
counsel for the respondent nos. 2 & 3.

Closed for orders.

Member

(J)

aps.

O.A.No.349/2018 (S.B.)

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

Dated : 23.10.2018.

Heard Shri G.G.Bade, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 to 4. None for the respondent nos. 5 & 6.

Closed for orders.

Member

(J)

aps.

O.A.No.370/2018 (S.B.)

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

Dated : 23.10.2018.

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

Closed for orders.

Member

(J)

aps.

O.A.No.41/2018 (S.B.)

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

Dated : 23.10.2018.

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

The Id. P.O. files the affidavit-in-reply on behalf of the respondent nos. 3 & 4. It is taken on record. Copy is served to the other side.

S.O. two weeks for reply of respondent no. 2.

Member

(J)

aps.

O.A.No.351/2018 (S.B.)

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

Dated : 23.10.2018.

Shri A.S.Dhore, the Id. counsel for the applicant, Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 to 3. None for the respondent no. 4.

The Id. P.O. files the affidavit-in-reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other sides. The Id. P.O. further submitted the C.C.T.V. footage on record and he submits that the same will be supply to the Id. counsel for the applicant.

The matter is **admitted** and kept for final hearing.

The Id. P.O. waives notices for the respondent nos. 1 to 3.

S.O. three weeks.

Member

(J)

aps.

O.A.No.116/2017 (S.B.)

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

Dated : 23.10.2018.

Heard Shri U.J.Deshpande, the Id.
counsel for the applicant and Shri H.K.Pande,
the Id. P.O. for the State. None for the
respondent no. 2.

Closed for orders.

Member

(J)

aps.

O.A.No.954/2017 (S.B.)

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

Dated : 23.10.2018.

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

At the request of Id. counsel for the applicant, **S.O. tomorrow i.e. 24/10/2018.**

Member

(J)

aps.

O.A.No.839/2018 (S.B.)

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

Dated : 23.10.2018.

Heard Shri S.P.Palshikar, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. Heard Id. counsel for the applicant, the applicant is Chief Engineer, Water Resources, Shinchan Bhavan, Shivaji Nagar, Amravati. It is submitted that, the applicant is due for retirement in June, 2019, he has not completed tenure of three years at Amravati, therefore, the order is in violation of the Government Resolution. The second submission is that by the impugned transfer order charge of the post of Chief Engineer is kept with Superintending Engineer, Akola and it has violated the Government circular which says that the charge of senior officer under transfer be kept with his immediate junior in the same cadre and if not available, it be kept with the senior most officer of the

subordinate cadre. It is contended that the transfer order is apparently in contravention of the Government policy, therefore, as the applicant is not relieved from the post it be stayed till respondent files the reply.

3. Considering these circumstances, I am of the opinion that it is suitable to protect the applicant till respondent submits its reply. The impugned order be stayed till next date.

4. Issue notice to Respondent, returnable after three weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

6. 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.

7. 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.

8. 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.

9. 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.

10. **S.O. three weeks.**

11. **Steno copy is allowed.**

Member

(J)

aps.

O.A.No.838/2018 (S.B.)

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

Dated : 23.10.2018.

Heard Shri S.Shirsat, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State.

2. It is submitted that salary of the applicant is not paid, pension case is not prepared, therefore, no provisional pension order is passed.

3. Issue notice to Respondent nos. 2 to 5, returnable after three weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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 **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.

9. **S.O. three weeks.**

Member

(J)

aps.

O.A.Nos.89 & 193/2017 (S.B.)

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

Dated : 23.10.2018.

The applicant in person and Shri
S.A.Deo, the Id. C.P.O. for the respondents.

At the request of the applicant-in-
person, **S.O. four weeks.**

Member

(J)

aps.

O.A.No.42/2017 (S.B.)

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

Dated : 23.10.2018.

Ms. Joshi holding for Mrs. R.S.Sirpurkar, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

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

Member

(J)

aps.

O.A.No.344/2018 (S.B.)

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

Dated : 23.10.2018.

Shri P.V.Thakre, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents.

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

Interim relief is continued till next date of hearing.

Member

(J)

aps.

O.A.No.152/2018 (S.B.)

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

Dated : 23.10.2018.

None for the applicant. Shri S.A.Deo,
the Id. C.P.O. for the respondents.

S.O. in due course.

Member

(J)

aps.

O.A.No.573/2018 (S.B.)

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

Dated : 23.10.2018.

None for the applicant. Shri A.P.Potnis,
the Id. P.O. for the respondent nos. 1 to 4.
None for the respondent no. 5.

S.O. in due course.

Member

(J)

aps.

O.A.No.494/2018 (S.B.)

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

Dated : 23.10.2018.

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

Not before me.

Member

(J)

aps.

O.A.No.389/2016 (S.B.)

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

Dated : 23.10.2018.

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

For order

Member

(J)

aps.

O.A.No.297/2018 (S.B.)

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

Dated : 23.10.2018.

None for the applicant. Shri
A.M.Ghogre, the Id. P.O. for the State. Await
service of respondent nos. 2 to 5.

S.O. three weeks.

Member

(J)

aps.

O.A.No.241/2018 (S.B.)

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

Dated : 23.10.2018.

None for the applicant. Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent no. 2.

It is informed by the Id. C.P.O. that suspension of the applicant is already revoked by the order dated 04/06/2018. In the present matter the applicant challenged his suspension order and that the order itself is revoked, therefore, there appears no reason to keep this matter pending.

Hence, the matter is disposed of with no order as to costs.

Member

(J)

aps.

O.A.No.899/2017 (S.B.)

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

Dated : 23.10.2018.

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

The Id. P.O. files the affidavit-in-reply on behalf of the respondent nos. 1 to 3. The same is taken on record. Copy is served to the other side.

The matter is **admitted** and kept for final hearing.

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

S.O. three weeks.

Member

(J)

aps.

O.A.No.01/2018 (S.B.)

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

Dated : 23.10.2018.

Shri Nalamwar holding for Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

The Id. P.O. files the affidavit-in-reply on behalf of the respondent nos. 1 & 2. The same is taken on record. Copy is served to the other side.

The matter is **admitted** and kept for final hearing.

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

S.O. in due course.

Member

(J)

aps.

O.A.No.221/2017 (S.B.)

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

Dated : 23.10.2018.

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

At the request of Id. P.O., **S.O. four weeks.**

Member

(J)

aps.

O.A.No.294/2018 (S.B.)

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

Dated : 23.10.2018.

Shri P.V.Thakre, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

The Id. P.O. files the affidavit-in-reply on behalf of the respondent nos. 3 & 4. The same is taken on record. Copy is served to the other side. He further submits that reply of respondent no. 2 is not necessary.

The matter is **admitted** and kept for final hearing.

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

S.O. in due course.

Member

(J)

O.A.No.158/2018 (S.B.)

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

Dated : 23.10.2018.

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

The Id. P.O. files the affidavit-in-reply on behalf of all the respondents. The same is taken on record. Copy is served to the other side.

The matter is **admitted** and kept for final hearing.

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

S.O. in due course.

Member

(J)

aps.

O.A.No.837/2018 (S.B.)

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

Dated : 23.10.2018.

Ms. Joshi, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State.

2. Issue notice to R-2 to 5, returnable on three 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. three weeks.**

Member

(J)

aps.