

**O.A. (St.) No. 2296/2016. (S.B.)**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

**C.A. No.556/2016.**

Heard Shri S.D. Malke, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

At the request of the learned counsel for the applicant, S.O. **7<sup>th</sup> September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 289/2016. (S.B.)**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

Heard Smt. K.N. Saboo, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents 1 to 3. Miss K.E. Meshram, Adv. holding for Shri D.M. Kale, Adv. for R.4.

At the request of the learned counsel for the applicant, S.O. **1st September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 259/2017. (S.B.)**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

Shri Vishal Anand, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents 1 to 4. None for R.5.

At the request of the learned counsel for the applicant, S.O. **11<sup>th</sup> September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 470/2017. (S.B.)**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

Heard Smt. K.N. Saboo, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents 1 to 3. None for R.4.

At the request of the learned counsel for the applicant, S.O. **1st September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 103/2017.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

Heard J.S. Wankhede, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 3. None for R.4.

The learned counsel for the applicant on instructions from the applicant submits that, in view of copy of appointment order filed alongwith the present pursis,, the applicant does not wish to proceed with the O.A. He, however, submits that liberty to file any proceedings in case any other exigency arises lateron may be granted. Allowed to withdraw the O.A. with liberty as prayed for. O.A. stands disposed of without any order as to costs.

Vice-Chairman (J)

pdg.

**O.A. No.556 /2002.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

**C.A. 377/2017.**

Heard Miss Meenaxi Iyer, the learned counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

For the reasons stated in the application, permission to file additional documents is hereby granted. Copies of the documents are already served on the Ld. P.O.

S.O. **29<sup>th</sup> September 2017** for hearing of the O.A.

Vice-Chairman (J)

pdg.

**O.A. No.345 /2017.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

**C.A. 251/2017.**

Heard Mrs. R.V. Kukday, the learned counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondents.

This is an application to sue jointly. For the reasons stated in the application, application is allowed.

**O.A. No.345 /2017.**

Place this O.A. for preliminary hearing on **6<sup>th</sup> September 2017.**

Vice-Chairman (J)

pdg.

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

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

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

None for the applicant. Smt. S.V. Kolhe,  
the learned P.O. for respondent No.1.

Await service to R.2 & 3.

S.O. **8<sup>th</sup> September 2017.**

Vice-Chairman (J)

pdg.



**O.A. No. 160/2017.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

Shri S.D. Kotkar, learned counsel for the applicants and Shri S.A. Sainis, the learned P.O. for the respondents.

**S.O. 22<sup>nd</sup> September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 58/2017.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

Shri G.K. Bhusari, learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

At the request of the learned counsel for the applicant, S.O. **25<sup>th</sup> September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 43/2017.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

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

At the request of the learned P.O., S.O.  
**21<sup>st</sup> September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 611/2016.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

Shri P.P. Khaparde, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

At the request of the learned P.O., S.O. **1<sup>st</sup> September 2017** as a last chance for filing reply.

Vice-Chairman (J)

pdg.

**O.A. No. 253/2016.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

Smt. K.N. Saboo, the learned counsel for the applicant and Smt. S.V. Kolhe, the learned P.O. for the respondents 1 to 3. None for 4 & 5.

**S.O. 14<sup>th</sup> September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 402/2017.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

None for the applicant. Smt. S.V. Kolhe,  
the learned P.O. for the respondents.

Amendment is not carried out.

S.O. **14<sup>th</sup> September 2017** for carrying  
out amendment or for passing necessary order.

Vice-Chairman (J)

pdg.

**O.A. No. 268/2017.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

None for the applicant. Shri A.M. Khadatkar, the learned P.O. for respondent Nos. 1 and 2. Shri G.K. Bhusari, Adv. for R.3.

**S.O. 13<sup>th</sup> September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 70/2017.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

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

S.O. **11<sup>th</sup> September 2017** as a last chance for filing reply by the learned P.O.

Vice-Chairman (J)

pdg.



**O.A. No. 69/2017.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

Heard Shri S.C. Deshmukh, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents 1 to 4. None for R.5.

This O.A. pertains to the Division Bench.

**ADMIT.**

Shri A.M. Ghogre, the learned P.O. waives notice for respondents 1 to 4.

Place before the regular D.B. whenever it is available.

Hearing expedited.

Vice-Chairman (J)

pdg.

**O.A. No. 756/2016.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

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

**ADMIT.**

Shri A.M. Khadatkar, the learned P.O. waives notice for all the respondents.

Place this O.A. for hearing after admission on **20<sup>th</sup> September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 159/2016.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

**C.A. 345/2017.**

Heard Shri J.C. Shukla, the learned counsel for the applicants and Shri S.A. Sainis, the learned P.O. for the respondents.

The learned counsel for the applicants upon hearing both the sides and on instructions from the applicants submits that the applicants are not pressing the present C.A. It is allowed to withdraw with liberty to file similar application as and when exigency arises. C.A. stands granted.

**O.A. No. 159/2016.**

The present O.A. be kept alongwith connected O.A. Nos. 523, 524 & 525 of 2016.

**S.O. 13<sup>th</sup> September 2017.**

Vice-Chairman (J)

**O.A. No. 203/2016.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

Heard Shri S.N. Gaikwad, the learned counsel for the applicants and Shri P.N. Warjekar, the learned P.O. for the respondents.

The learned P.O. submits that the process for seeking permission from the competent authority to challenge the decision passed in O.A. No. 199/2016 by the Principal Bench at Mumbai is under process. The issue involved in the present O.A. is also the same that was involved in the same O.A. In the circumstances, S.O. **12<sup>th</sup> October 2017.**

Vice-Chairman (J)

pdg.

**O.A. No. 83/2015.**

**Coram : Justice M.T. Joshi  
Vice-Chairman (J)**

**Dated : 18<sup>th</sup> August 2017.**

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

The learned P.O. submits that due to heavy pendency of the work with respondent No.3, the Caste Scrutiny Committee's compliance could not be completed within the period as directed by this Tribunal. In the circumstances, last chance to decide the case is hereby extended to six months for the date of this order. Application is accordingly disposed of.

S.O. **six months.**

Vice-Chairman (J)

pdg.



O.A. 616/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

1. Heard Shri N.R.Saboo, Id. Counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for R-1.
2. Issue notice to R-2 to 4, returnable on 26-09-2017. Learned C.P.O. waives notice for R-1. Hamdast allowed.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry

within one week. Applicant is directed to file Affidavit of compliance and notice.

7. Considering the material on record without making any comments on merit at this stage, I am finding that the present applicant is being posted at a post which is vacant today. *Status-quo* as on today is hereby granted until further orders.

8. **S.O. 26-09-2017.**

**Vice Chairman (J)**

dnk.

O.A. 617/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**



1. Heard Shri N.S. Warulkar, Id. Counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for R-1.
2. Issue notice to R-2, returnable on **19-09-2017**. Learned C.P.O. waives notice for R-1. Hamdast allowed.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. **S.O. 19-09-2017.**

**Vice Chairman (J)**

dnk.

O.A. 376/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

Applicant in person present.

Shri S.A. Sainis, Id. P.O. for R-1 to 4.

None for R-5.

At the request of applicant in person, **S.O.**  
**to 24/8/2017.**

**Vice Chairman (J)**

dnk.

O.A. 321/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

Heard Shri A.B. Bambal, Id. Counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

Upon hearing both the sides, the issue as to whether prior approval of the next higher authority is obtained by Collector, Chandrapur (R/2), is not clarified in the affidavit-in-reply filed by respondent no.2. In the circumstances, an

additional short affidavit shall be filed by respondent no.2 within a period of two weeks explaining the above fact.

At the request of Id. P.O., **S.O. 12/9/2017** for compliance. Matter be treated as **P.H.**

I.R. to continue till then. To act on steno copy.

**Vice Chairman (J)**

dnk.

O.A. 145/2017

**Coram** : Justice M.T. Joshi,  
Vice-Chairman (J).

**Dated** : 18.08.2017.

Shri M.V. Bute, Id. Counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

**S.O. to 21/9/2017** for hearing or for passing necessary orders.

**Vice Chairman (J)**

dnk.

O.A. 241/2013

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

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

At the request of Id. Counsel for the  
applicant, **S.O. to 7/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 318/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

Shri S.N. Gaikwad, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

The learned counsel for the applicant submits that he will seek instructions regarding withdrawal, if any, from the applicant. At his request, **S.O. to 21/8/2017.**

**Vice Chairman (J)**

dnk.

O.A. 609/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

1. Heard Shri D.M. Kakani, Id. Counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for R-1.
2. Upon hearing both the sides, the learned counsel for the applicant submits that in fact the order passed by respondent no.1 is being at Annex-A-1, Page-12, is not being implemented by respondent no.2. In such circumstances, issue notice to respondent no.2 directing him to give reason as to why the said order is not being implemented. In the meantime, the respondent no.2 may implement the said order and file compliance report in this Tribunal on or before the returnable date.
3. Issue notice to R-2, returnable on **01/09/2017**. 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. **S.O. 01/09/2017.**

To act on steno copy.

**Vice Chairman (J)**

dnk.

O.A. 608/2017



**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

Heard Mr. A.A.. Dhawas, Id. Counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the State.

2. The learned counsel for the applicant submits that the applicant wants to withdraw the O.A. with permission to file appeal against the order. Allowed to withdraw the O.A. with liberty as prayed for.

3. Accordingly the O.A. stands disposed of as withdrawn with no order as to costs.

**Vice Chairman (J)**

dnk.

O.A. 565/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

Shri P.V. Thakre, Id. Counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. to 11/9/2017** for filing as a last chance.

**Vice Chairman (J)**

dnk.

O.A. 467/2017

**Coram : Justice M.T. Joshi,**

**Vice-Chairman (J).**

**Dated : 18.08.2017.**

Ms. Pooja Daga, Id. Counsel holding for Shri S.V. Bhutada, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

Learned P.O. files affidavit-in-reply on behalf of R-2. It is taken on record. Copy is given to the Id. Counsel for the applicant.

At the request of Id. Counsel for the applicant, **S.O. to 24/8/2017.**

**Vice Chairman (J)**

dnk.

O.A. 440/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

Shri P.P. Khaparde, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. to 11/9/2017** for filing as a last chance.

**Vice Chairman (J)**

dnk.

O.A. 494/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

Mrs. S. Vyas, Id. Counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2 to 5.

Learned counsel for the applicant seeks time to file service affidavit on behalf of R-2 to 5. At her request, **S.O. to 7/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 491/2017

**Coram : Justice M.T. Joshi,**  
**Vice-Chairman (J).**

**Dated : 18.08.2017.**

Shri R.M. Wasnik, Id. Counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2&3.

Learned counsel for the applicant seeks time to file service affidavit on behalf of R-2 &3. At his request, **S.O. to 13/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 408/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

None for the applicant.

Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2.

Ld. P.O. files affidavit-in-reply on behalf of respondent no.3. It is taken on record.

**S.O. to 26/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 148/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

**C.A.79/2017**

Shri H.K. Pande, Id. P.O. for the respondents. There is a leave note from Shri R.V. Shiralkar, Id. Counsel for the applicant.

In view thereof, **S.O. to 14/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 243/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

Ms. N. Pathan, Id. Counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

The learned counsel for the applicant submits that she will file affidavit during the course of day and will serve the copy on the other side.

The learned P.O. also seeks time to file reply.



At the request of both the sides, **S.O. to 21/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 358/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

None for the applicant.

Shri S.A. Sainis, Id. P.O. for R-1. Await service of R-2&3.

2. The learned P.O. on instructions submits that in fact the order of transfer is implemented as the applicant had joined at the place where he was transferred and incumbent also joined at his place. In the circumstances, as none present for the applicant, **S.O. to 21/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 812/2016

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

Shri S.N. Gaikwad, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1. Await service of R- 4.

The learned P.O. seeks time to file reply on behalf of R-2.

The learned counsel for the applicant seeks time to file service affidavit on behalf of R-4.

At the request of both the sides, **S.O. to 19/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 301/2017

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

Heard Shri V. Kulsange, Id. Counsel for the applicant, Shri H.K. Pande, Id. P.O. for the R-1&2 and Shri G.K. Bhusari, Id. Counsel for R-4. None for R-3.

2. The learned P.O. files affidavit-in-reply on behalf of R-1. It is taken on record. Copies are served to the other sides.

3. The learned P.O. has drawn the attention of the Tribunal as well as the parties to the para no.9 of the present affidavit-in-reply. It would show that the Government has now reversed the decision to transfer the present applicant from the post which he is holding. The learned counsel for respondent no.3 submits that he has no objection for taking such a step.

4. In view of the above facts, nothing survives in the present O.A., the O.A. is therefore disposed of with no order as to costs.

To act on steno copy.

**Vice Chairman (J)**

dnk.  
O.A. 418/2016

**Coram : Justice M.T. Joshi,  
Vice-Chairman (J).**

**Dated : 18.08.2017.**

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

2. Upon hearing both the sides, it appears that the preliminary issue regarding the limitation has to be crystallized as the applicant is seeking quashment of the communication dated 7/8/2014 after a period of one year and whether the notice of the said communication was given to the present applicant within a period of one year from the date of filing of the present O.A. on 30/4/2016.

Both the sides seek time to clarify on this issue. At their request, **S.O. to 23/9/2017.**

**Vice Chairman (J)**

dnk.

