

O.A. No.679,680,681,682 & 683 of 2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

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

2. Suspension of the applicants is revoked on 20.12.2016. The learned P.O. submits that the O.As can be disposed of. However, the learned counsel for the applicants submits that, though the suspension is revoked, posting of the applicants is changed, though original posts they were holding, are lying vacant. He also submits that the nature of suspension period is not decided and the full salary is also not paid. He further submits that he will make representations for rest of the two prayers and if the representations are decided, the O.A. can be disposed of.

3. In the above state of affairs, representations moved by the applicants regarding change in the posting to be considered before 5th January 2017, if the representations are made within 2-3 days. So far as the salary period is concerned, the applicants can file representations and the respondents to decide the same within two weeks from the receipt of representations. So far as the nature of suspension period is concerned, the department to decide the same at an earliest.

4. It is made clear that the applicants will be at liberty to take recourse, if aggrieved.

5. With this, the O.As are disposed of.

6. Steno copies be supplied to both the parties.

Vice-Chairman

Pdg

O.A. No.551 /2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

None for the applicant. Smt. S.V. Kolhe, learned P.O. for the respondents 1 & 2. None for R.3 to 5.

S.O. **four weeks.**

Vice-Chairman

Pdg

O.A. No.276 /2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Shri R.R. Rathod, learned counsel for the applicant and Shri S.A. Sainis, learned P.O. for the respondent No.1. None for R.2 & 3.

S.O. **four weeks.**

Vice-Chairman

Pdg

O.A. No.543 /2015.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Shri S.M. Khan, learned counsel for the applicant and Smt. M.A. Barabde, learned P.O. for the respondents.

At the request of learned P.O.,
S.O. **four weeks to file reply as a last chance.**

Vice-Chairman

Pdg

O.A. No. 524/2013.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

R.A.No.14/2015.

Heard Shri S.U. Bhuyar, learned counsel for the applicant and Shri S.A. Sainis, learned P.O. for the respondent No.1. Shri P.V. Thakre, Ld. Adv. for R. 2 to 5.

The O.A. No.524/2013 was disposed of vide order dated 23.12.2014 on the submission made by the learned counsel for the applicant. However, the applicant has come with a case that he has never instructed his counsel to get the O.A. disposed of, on mere submission without adjudication. Hence he has filed this application to review the order. The learned counsel for the applicant placed reliance on a case **Board of Control for Cricket, India and another V/s Netaji Cricket Club and ohters, AIR 2005 SC 592 (1)** wherein Their

Lordships held that if the order is passed on the basis of mistake, same can be subjected to review. The learned counsel for the applicant proceeded to argue that it was a mistake of the learned counsel for the applicant and no such submission as alleged, were with the consent of the applicant. In the interest of justice and to have a complete, effective and peremptory adjudication of the matter, review application is allowed and the O.A. No. 524/2013 is restored to file.

O.A. No. 524/2013

O.A. is restored to file vide R.A. No.14/2015.

S.O. **three weeks.**

Vice-Chairman

Pdg

O.A. No. 563 & 564 of 2015.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

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

S.O. **three weeks** alongwith
connected O.A. No. 564/2015.

To be treated as part heard.

Vice-Chairman

Pdg

O.A. No. 743/2015.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

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

S.O. **four weeks.**

Vice-Chairman

Pdg

O.A. No. 779/2015.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

None for the applicant. Shri H.K. Pande, learned P.O. for the respondents.

S.O. **four weeks.**

Vice-Chairman

Pdg

O.A. No. 34/2014.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Shri S.Y. Deopujari, learned counsel for the applicant and Shri P.N. Warjekar, learned P.O. for the respondents 1 & 2. Shri A. Deshpande, Adv. for R.3 & 4.

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

Vice-Chairman

Pdg

O.A. No. 311/2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Shri R.V. Shiralkar, learned counsel for the applicant and Smt. S.V. Kolhe, learned P.O. for the respondents.

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

Vice-Chairman

Pdg

O.A. No. 621/2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Shri R.V. Shiralkar, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

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

Vice-Chairman

Pdg

O.A. No. 384/2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Shri R.V. Shiralkar, learned counsel for the applicant and Smt. S.V. Kolhe, learned P.O. for the respondents 1 & 2. None for R.3.

At the request of the learned counsel for the applicant, S.O. **18th January 2017.**

Vice-Chairman

Pdg

O.A. No. 843/2014.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Shri N.R. Saboo, learned counsel for the applicant and Smt. S.V. Kolhe, learned P.O. for the respondent No. 1. None for R. 2 to 5.

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

Vice-Chairman

Pdg

O.A. No. 630/2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Shri Anand Deshpande, learned counsel for the applicant and Shri S.A. Deo, learned C.P.O. for the respondent Nos. 1 to 4. Shri T.U. Tathod, Adv. for R. 5.

The learned counsel for the applicant and the learned C.P.O. submits that Mr. M.I. Khan, Ld. P.O. is incharge of this case. He has some personal difficulty. Therefore, the mater be adjourned. The learned counsel for the applicant submits that the matter be taken up tomorrow. However, the learned counsel for the applicant submits that today he is going to attend the marriage ceremony at home.

At the request of the learned counsel for the applicant, S.O. **6th January 2017.**

Vice-Chairman

Pdg

O.A. No. 411 /2014.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

C.A. No.362/2016.

Heard Shri Neware, learned counsel for the applicant and Smt. S.V. Kolhe, learned P.O. for the respondents.

The learned counsel for the applicant has relied on the decision in **Misc. First Appeal No. 6526/2013 (LAC) decided on 2.12.2016** by His Lordship of Karnataka High Court, Principal Seat at Bangalore.

It is submitted that the matter was only once appeared before the Review Committee, which decides the revocation of suspension.

Now the matter be placed before the Review Committee in the forthcoming meeting.

S.O. **four weeks.**

Vice-Chairman

Pdg

O.A. No. 789/2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

1. Heard Shri P.J. Mehta, learned counsel for the applicant and Shri S.A. Deo, learned C.P.O. for the respondent No.1. Shri B.W. Patil, Adv. for R.3-Caveator.
2. R.3 has filed a pursis showing that R.3 is appointed as Police Patil vide order dated 18.11.2016. Said document is taken on record and marked "X" for identification.
3. Issue notice to R.2 **returnable after service.**
4. The learned C.P.O. waives notice for R.1. Hamdast granted.
5. Shri B.W. Patil, Adv. for R.3-Caveator waives notice for R.3 being a Caveator.
6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
7. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A

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

9. The service may be done by hand delivery, speed post or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

10. S.O. after service.

Vice-Chairman

pdg

O.A. No. 658/2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

C.A. No.495/2016.

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

The learned counsel for the applicants wants to take instructions as per order dated 17.11.2016 of this Tribunal.

S.O. **four weeks to take instructions.**

Vice-Chairman

pdg

O.A. No. 776/2015.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

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

At the request of learned P.O.,
S.O. **four weeks to file reply by way of last chance.**

Put up with connected O.A. No. 777/2015.

Vice-Chairman

pdg

O.A. No. 495/2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

None for the applicant. Shri V.A. Kulkarni, learned P.O. for the respondents.

At the request of learned P.O., S.O. **four weeks to file reply.**

Vice-Chairman

pdg

O.A. No. 505/2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

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

The learned P.O. has filed communication dated 22.12.2016 showing that five posts are vacant. The applicant submits that he is working at Hirapur and nobody is posted there. However, according to the respondents, there is no sufficient strength of students to continue the applicant there. This aspect being administrative one, the department alone has to consider the same. However, there are vacant posts at the same place, the respondents can decide whether the applicant can be accommodated, if possible.

The learned counsel for the applicant and the learned P.O. want to take instructions.

S.O. **one week.**

Vice-Chairman

O.A. No. 506/2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

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

The learned P.O. has filed communication dated 25.11.2016 showing that five posts are vacant. The applicant submits that he is working at Koylari and nobody is posted there. However, according to the respondents, there is no sufficient strength of students to continue the applicant there. This aspect being administrative one, the department alone has to consider the same. However, there are vacant posts at the same place, the respondents can decide whether the applicant can be accommodated, if possible.

The learned counsel for the applicant and the learned P.O. want to take instructions.

S.O. 4th January 2017.

Vice-Chairman

O.A. No. 570 /2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

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

At the request of learned P.O., S.O. **four weeks for reply.**

Vice-Chairman

Pdg

O.A. No. 677 /2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Shri N.D. Thombre, learned counsel for the applicant and Smt. M.A. Barabde, learned P.O. for the respondents.

At the request of learned P.O., S.O. **four weeks for reply.**

Vice-Chairman

pdg

O.A. No. 799 /2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Heard Shri P.R. Puri, the learned counsel for the applicant and Shri S.A. Deo, learned C.P.O. for the respondents.

On oral request of the learned counsel for the applicant, allowed to delete prayer clause (a) and make amendment.

The applicant is transferred on promotion from Amravati to Akola on 11.5.2015. Thereafter he made representation to post him at Amravati on the ground of self illness and the illness of his parents. He has made several representations to the respondents from 17.6.2015 (P.17) till 28.11.2016 (P.45). The applicant has filed medical certificates showing his illness. The grievance of the applicant is that, his representations are decided or looked into.

The respondents to decide the representation of the applicant dated 28.11.2016 before **15th February 2017.**

With this direction, O.A. is disposed of.

Vice-Chairman

pdg

O.A. No. 800 /2016.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Heard Shri V.B. Bhise, the learned counsel for the applicant and Shri S.A. Deo, learned C.P.O. for the respondents.

The applicant is seeking transfer from Amravati to Akola and for that she has made representation on 31.8.2016. The applicant submitted that her representation is not yet decided. It is submitted that the applicant has some family problems. One post is vacant and she is going to retire in June 2017 and, therefore, she wants posting at Women Hospital, Amravati i.e. near her home town.

The respondents to decide the representation of the applicant before **28th February 2017.**

With this, the O.A. is disposed of.

Vice-Chairman

Pdg

O.A. No. 305 /2015.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

Heard Shri M.R. Patil, the learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the respondents.

As per order dated 19.10.2016, it was ordered to collect information to demonstrate the discretion. However, that information is not collected by the learned P.O. on the ground that the information from the different offices is to be collected. In the meantime, the applicant also can take recourse under the Right to Information Act, so that the matter can be decided.

The information needs to be collected from local office i.e. the office of R.3 under whom the applicant is working.

S.O. 9th January 2017 as a last chance.

Vice-Chairman

Pdg

O.A. No. 668 /2011.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

C.A. No.236/2012.

There is a leave note from Shri S.P. Palshikar, the learned counsel for the applicant.

Smt. S.V. Kolhe, learned P.O. for the respondents 1 & 2. None for R. 3 & 4.

The learned P.O. has filed communications dated 27.7.2015 and 7.3.2015 and submits that the applicant is given deemed date of promotion for the post of API & P.I. Documents are taken on record.

S.O. **three weeks.**

Vice-Chairman

Pdg

O.A. No.642 /2011.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.

M.C.A. No.06/2016.

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

2. This M.C.A. is moved for execution of order passed in O.A.No.642/2011 dated 30.8.2011 wherein the respondents are directed to pay interest at the prevailing rates of interest in the respective years to all the applicants on the outstanding amount from the date on which the same have become due. According to the applicants, this order is not correctly interpreted and the interest is calculated from the date of the order i.e. 8.10.2008, when the representations for interest are made. The applicants also filed contempt petition bearing C.P.No.02/2015.

3. There are four applicants and they have filed to O.As i.e. O.A. No. 255/2011 and 642/2011 which are decided by a common order.

Earlier they had filed O.A. No. 499/99 before this Tribunal which is decided on 6.2.2006. Thereafter the applicants made representation for interest. But their claim was rejected on 9.4.2011. It is submitted that now at the most, interest can be granted from the date of order of this Tribunal dated 6.2.2006 when the O.A. NO. 409/99 is decided.

4. The applicants were working as Instructors. They superannuated on different dates. Their salary was not fixed consequent to the 4th Pay Commission of 1986. It is observed in the order that if fixation is not done for no reason, it is the negligence on the part of the Government office and, therefore, they are liable to pay interest for delayed payment. It is not proper to say that the applicants are entitled to get interest consequent to the date of order of the Court, particularly when the Court has observed that they are entitled for interest on the outstanding amount when the same has become due. The amount

becomes due when it is payable i.e. when the pay fixation was or ought to have been done. But it was not done by the department. The stand of the respondents is that, the interest can be calculated from the date of passing of the order, is not correct. It is worthwhile to note that the Govt. has issued a G.R. dated 19.9.2007, wherein it is observed that in case of Physical Instructors, the date of granting benefits is to be taken from the date of fixation of pay. Relying on the said G.R., the Director of Education has issued directions, 23.01.2009 (A.15, P.87) reiterating that view. Thus, it is crystal clear that the benefits are to be extended from the date of fixation of pay and not from the date of order of the Court. If any valuable right is accrued in favour of the applicants from the particular date and the Court endorses it, that does not mean that the benefits are to be extended from the date of endorsement by the Court. Such entitlement can be from the date when the right is accrued.

As such it is clarified that the applicants are entitled for interest when the amount has become payable which will differ in case of each applicant. Fact remains that they are entitled from the date when the 4th Pay Commission is implemented. The calculation be done accordingly.

5. With this clarification, M.C.A. stands disposed of.

Vice-Chairman

Pdg

O.A. No.642 /2011.

Coram :S.S. Hingne,Vice-Chairman

Date: 22nd December 2016.
M.C.A. No.06/2016.

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

2. This M.C.A. is moved for execution of order passed in O.A.No.642/2011 dated 30.8.2011 wherein the respondents are directed to pay interest at the prevailing rates of interest in the respective years to all the applicants on the outstanding amount from the date on which the same have become due. According to the applicants, this order is not correctly interpreted and the interest is calculated from the date of the order i.e. 8.10.2008, when the representations for interest are made. The applicants also filed contempt petition bearing C.P.No.02/2015.

3. There are four applicants and they have filed to O.As i.e. O.A. No. 255/2011 and 642/2011 which are decided by a common order. Earlier they had filed O.A. No.

499/99 before this Tribunal which is decided on 6.2.2006. Thereafter the applicants made representation for interest. But their claim was rejected on 9.4.2011. It is submitted that now at the most, interest can be granted from the date of order of this Tribunal dated 6.2.2006 when the O.A. NO. 409/99 is decided.

4. The applicants were working as Instructors. They superannuated on different dates. Their salary was not fixed consequent to the 4th Pay Commission of 1986. It is observed in the order that if fixation is not done for no reason, it is the negligence on the part of the Government office and, therefore, they are liable to pay interest for delayed payment. It is not proper to say that the applicants are entitled to get interest consequent to the date of order of the Court, particularly when the Court has observed that they are entitled for interest on the outstanding amount when the same has become due. The amount becomes due when it is payable i.e.

when the pay fixation was or ought to have been done. But it was not done by the department. The stand of the respondents is that, the interest can be calculated from the date of passing of the order, is not correct. It is worthwhile to note that the Govt. has issued a G.R. dated 19.9.2007, wherein it is observed that in case of Physical Instructors, the date of granting benefits is to be taken from the date of fixation of pay. Relying on the said G.R., the Director of Education has issued directions, 23.01.2009 (A.15, P.87) reiterating that view. Thus, it is crystal clear that the benefits are to be extended from the date of fixation of pay and not from the date of order of the Court. If any valuable right is accrued in favour of the applicants from the particular date and the Court endorses it, that does not mean that the benefits are to be extended from the date of endorsement by the Court. Such entitlement can be from the date when the right is accrued. As such it is clarified that the

applicants are entitled for interest when the amount has become payable which will differ in case of each applicant. Fact remains that they are entitled from the date when the 4th Pay Commission is implemented. The calculation be done accordingly.

5. With this clarification, M.C.A. stands disposed of.

Vice-Chairman

Pdg

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.498/2016 -

Shri M.R. Khan, Id. counsel for the applicant, Smt. M.A. Barabde, Id. P.O. for R-1, 3 to 5 and Shri P.V. Thakre, Id. counsel for R-2.

The learned counsel for the applicant submits that he received the reply of R-2 and he wants to take the instructions. At his request, **S.O. three weeks for disposal.**

V.C.

dnk.

Cont. P.St. 1644/16 in O.A.No.859/2014
(D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.405/2016 -

Shri G.K. Bhusari, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1. None for R-2 to 4.

The learned P.O. submits that the order is complied. The learned counsel for the applicant wants to take the instructions.

S.O. three weeks for disposal.

V.C.

dnk.

Cont. P.St. 1257/16 in O.A.No.562/13
(D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.326/2016 -

Shri J.S. Wankhede, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the Respts.

The Id. P.O. files additional affidavit-in-reply on behalf of R-2. It is taken on record. Copy is served to the Id. counsel for the applicant.

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

V.C.

dnk.

Cont. P.St. 73/16 in O.A.No.315/14 (D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.10/2016 -

Shri P.J. Mehta, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the Respts.

The learned counsel for the applicant submits that the C.A. can be disposed of but the amount may be released at an earliest. Accordingly, the C.A. is disposed of and the amount be paid at an earliest.

With this, the C.A. stands disposed of.

V.C.

dnk.

Cont. P.St. 490/16 in O.A.No.530/13 **(D.B.)**

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.126/2016 -

Ms. Soniya Gajbhiye, Id. counsel holding for Shri S.R. Narnware, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the Respts.

S.O. four weeks.

V.C.

dnk.

Cont. P.St. 694/16 in O.A.No.248/14 **(D.B.)**

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.165/2016 -

None for the applicant. Shri A.M. Ghogre, Id. P.O. for the Respts.

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

V.C.

dnk.

Cont. P.St. 1415/16 in O.A.No.161/16
(D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.354/2016 -

Shri P.V. Thakre, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the Respts.

The learned P.O. submits that the W.P. is listed in the month of March.

S.O.

V.C.

dnk.

Cont. P.St. 1477/16 in O.A.No.639/09
(D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.371/2016 -

Shri V.V. Tekade, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the Respts.

The learned P.O. files the stay order dated 5-12-2016 passed by the Hon'ble High Court in W.P.No.6646/2016 (P-5).

S.O. After six weeks.

V.C.

dnk.

Cont. P.St. 1669/15 in O.A.No.554/04
(D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.438/2016& C.A.399/15 -

None for the applicant. Smt. M.A. Barabde, Id. P.O. for the Respts.

At the request of Id. P.O., S.O. three weeks to file extract so that the C.A. can be disposed of.

S.O. three weeks for filing extract / disposed of.

V.C.

dnk.

Cont. P.St. 2138/16 in O.A.No.496/16
(D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.519/2016 -

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

The learned P.O. files order dated 3-12-2016 (P-5) issued by the DGP Office, Mumbai that the applicant is transferred from Gadchiroli to Kolhapur and as such the C.A. can be disposed of.

The learned counsel for the applicant submits that the applicant has opted for Kolhapur but in the Anti-Corruption Bureau. For that he is at liberty to make the representation and the department may consider it. Since the order is complied and the applicant's grievance is redressed and he is transferred from Gadchiroli to Kolhapur, the C.A. is disposed of.

V.C.

dnk.

C.P. No.02/15 in O.A.642/11 **(D.B.)**

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the Respts.

The detailed order is passed today and MCA No.06/2016 is disposed of giving the clarification. Now the time is given therein to comply the order till 28-02-2017.

S.O. in the 1st week of March,2017.

V.C.

dnk.

O.A.712/2013 (D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

MCA 79/2016 -

Heard Original applicant in person and Smt. M.A. Barabde, Id. P.O. for applicant (Org. Respt.)

2. The learned P.O. sought extension of time to comply the order for four months. The MCA is filed on 6-12-2016. The applicant submits that earlier also the time was granted, but there is no progress.

3. It is also contended that the code of conduct is in force till 9th January,2017 and therefore order cannot be issued.

4. In the above state of affairs so far as the deemed date promotion is concerned, the time is granted. The time is granted to comply the order till 31-1-2017 as last chance so far as the issue of promotion is concerned.

5. With this, the M.C.A. stands disposed of.

V.C.

dnk.

O.A.383/2016 (D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for the Respts.

Earlier also none appeared for the applicant. It seems that the hamdast is yet not collected by the applicant. With a view to afford one more opportunity, **S.O. four weeks for dismissal.**

V.C.

dnk.

O.A.511/2016 (D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

None for the applicant. Shri S.A. Deo, Id. CPO for the R-2 to 3. Await service of R-1,4 to 7.

It seems that the respondents are not served though the O.A. is filed in July,2016. The objections are also not removed. With a view to afford one more opportunity, **S.O. three weeks for taking steps / dismissal.**

V.C.

dnk.

Cont. P.St. 1535/16 in O.A.No.487/16
(D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.390/2016 -

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the Respts.

The learned P.O. files the communication dated 29-11-2016 (P-3) and submits that the amount of Rs.1,03,809/- is disbursed by way of interest. However, the applicant disputes the quantum and submits that the interest comes to Rs. 3,67,184/-. Both the sides to clarify so that the C.A. can be disposed of.

S.O. three weeks for clarification/ disposal.

V.C.

dnk.

Cont. P.St. 1711/16 in O.A.No.266/14
(D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.427/2016 -

Shri N.R. Tekade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 3. None for R-4.

2. The applicant files Affidavit and submitted that the interest is not awarded. The applicant admits that he received the receipt of Rs.8,91,157/- by way of difference of the salary as he is given the pay scale of the District Judge at the entry level.

3. Thus the order stands complied with. However, the learned counsel for the applicant submits that no interest is received. The order dated 29-04-2015 in O.A.No.266/2014 does not mention about the payment of interest.

4. The learned counsel for the applicant submits that was claimed in the O.A. The applicant is at liberty to take the available recourse.

5. With this, the C.A. stands disposed of.

V.C.

dnk.

Cont. P.St. 1914/16 in O.A.No.655/16
(D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.472/2016 -

Mrs. K.N. Saboo, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the Respts.

In view of the Pursis dated 22-12-2016 (P-20) filed by the applicant, the C.A. stands disposed of as withdrawn.

V.C.

dnk.

O.A.No.655/16

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

Mrs. K.N. Saboo, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the Respts.

The matter is taken up on mention. The applicant's counsel files the Pursis (P-37) to withdraw the O.A. It is taken on record. Accordingly, the O.A. is disposed of as withdrawn.

V.C.

dnk.

Cont. P.St. 2266/16 in O.A.No.494/16
(D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

C.A.550/2016 -

Heard Shri R.G. Kavimandan, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the Respts.

The learned counsel for the applicant wants to withdraw the C.A. Accordingly, the C.A. stands disposed of as withdrawn.

V.C.

dnk.

O.A. 460/2016 (D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

Shri S.D. Chande, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the Respts.

At the request of Id. P.O., S.O. 4-1-2017 to take instructions about the vacant posts.

V.C.

dnk.

O.A. 720/2016 (D.B.)

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

Shri Bharat Kulkarni, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A. 785/2016 **(D.B.)**

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 22.12.2016.

Smt. K.N. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the Respts.

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

V.C.

dnk.

