

O.A. No. 176/2010 with C.A.114/2017(S.B.)

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

Dated : 01st Nov. 2017.

Heard Shri M.B.Agasti, Id. counsel for the applicant. Shri S.A.Sainis, the learned P.O. for respondents.

Closed for order.

Vice-Chairman(J)

aps

O.A. No. 823/2017 (S.B.)

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

Dated : 01st Nov. 2017.

Heard Shri G.G.Bade, Id. counsel for the applicant. Shri S.A.Deo, the learned C.P.O. for the respondents.

The applicant is a Medical Superintendent. He was initially transferred from Gondia to Deori vide order dated 05/08/2017, the said order was subsequently modified and now applicant is transferred to Rajegaon. In place of applicant one Shri Amrish Mohabe has been posted at Deori, but the said order has been stayed by this Tribunal. Admittedly, both the posts, i.e., at Rajegaon as well as at Deori are vacant. The applicant is ready to join at Rajegaon for the time being. The applicant submits that he is going to retire on 31/10/2018. The Id. C.P.O., however, objects for this statement on the ground that the retirement age of the applicant is 60 years and not 58 years.

It is an admitted fact that the applicant has filed the representations prior to the impugned order of his

transfer on 28/02/2016, 05/03/2016 and thereafter 08/03/2017. The Id. counsel for the applicant submits that the application can be disposed of, if the Respondents are directed to consider his representations on its own merits within a stipulated period. Since the applicant undertakes to join at Rajegaon, the O.A. stands disposed of with following directions:-

ORDER

1. The Respondent no. 1 is directed to consider the applicant's representations dated 05/03/2016 and 08/03/2017 alongwith options given vide letter dated 28/02/2016 with a proper perspective on its own merits.
2. Decision on such representations shall be taken within one month from the date of this order and the same shall be communicated to the applicant in writing.
3. No order as to costs.

Steno copy is allowed.

Vice-Chairman(J)

O.A. No. 123/2017 (S.B.)

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

Dated : 01st Nov. 2017.

Heard Shri S.P.Palshikar, Id. counsel for the applicant. Shri Khadatkar, the learned P.O. for respondents.

Closed for order.

Vice-Chairman(J)

aps

O.A. No. 200/2017 (S.B.)

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

Dated : 01st Nov. 2017.

C.A.104/2017:-

Shri H.D.Futane, Id. counsel for the applicant. Shri V.A.Kulkarni, the learned P.O. for respondents.

The Id. P.O. has filed reply affidavit on behalf of Respondent no. 3 for C.A. as well as O.A., both are taken on record.

S.O. four weeks.

Vice-Chairman(J)

aps

O.A. No. 202/2017 (S.B.)

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

Dated : 01st Nov. 2017.

Shri M.I.Dhatrak, Id. counsel for the applicant. Shri Pandey, the learned P.O. for respondents.

The Id. P.O. has filed reply affidavit on behalf of Respondent no. 2, i.e. Divisional Commissioner, Nagpur. It is taken on record. Copy is served to the applicant. The Id. P.O. seeks time to file reply affidavit on behalf of Respondent no. 3.

S.O. one week.

Vice-Chairman(J)

aps

O.A. No. 412/2017 (S.B.)

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

Dated : 01st Nov. 2017.

C.A.No.277/2017:-

Shri R.V.Shiralkar, Id. counsel for the applicant. Shri V.A.Kulkarni, the learned P.O. for Respondents.

The Id. P.O. has filed reply affidavit on behalf of Respondent no. 2. It is taken on record. Copy is served to the applicant. At the request of Id. counsel for the applicant, **S.O. Two Weeks.**

Vice-Chairman(J)

aps

O.A. No. 453/2017 (S.B.)

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

Dated : 01st Nov. 2017.

None for the applicant. Shri
M.I.Khan, the learned P.O. for Respondents.

The Id. P.O. seeks time to file reply
affidavit on behalf of all the Respondents,

S.O. Four Weeks.

Vice-Chairman(J)

aps

O.A. No. 117/2017 (S.B.)

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

Dated : 01st Nov. 2017.

Shri A.K.Waghmare, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for Respondents.

Since the pleadings are completed, the matter is admitted and kept for final hearing.

S.O. Four Weeks.

Vice-Chairman(J)

aps

O.A. No. 256/2017 (S.B.)

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

Dated : 01st Nov. 2017.

C.A.No. 237/17 :-

None for the applicant. Shri S.A.Deo, the learned C.P.O. for the Respondents.

On 18/07/2017, the matter was adjourned and kept for preliminary hearing on the point of maintainability. It was posted on 01/08/2017. But none appeared for the applicant on 01/08/2017 and thereafter on 29/08/2017. The matter was kept for final hearing on 06/09/2017. On 06/09/2017, Adv. Sharad Shinde appeared on behalf of Shri V.B.Dhage, Adv. for the applicant and the matter was posted on 27/09/2017. On 27/09/2017 also, Adv. Shri Dhage was on leave as per leave note and, therefore, none appeared for the applicant. Hence, the matter was adjourned and kept today. Today also nobody appeared for the applicant.

Hence the matter be kept on 03/11/2017 for dismissal.

S.O. 03/11/2017.

Vice-Chairman(J)

O.A. No. 648/2017 (S.B.)

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

Dated : 01st Nov. 2017.

C.A. 413 & 414 of 2017:-

Shri Vaishnav, Id. counsel for the applicant. Shri Pandey, the learned P.O. for Respondent no. 1. Await service of Respondents no. 2 & 3.

The Id. P.O. seeks time to file affidavit on behalf of Respondent no. 1. The Id. counsel for the applicant seeks time to file service affidavit in respect of Respondents no. 2 and 3.

S.O. Four Weeks.

Vice-Chairman(J)

aps

O.A. No. 610/2017 (S.B.)

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

Dated : 01st Nov. 2017.

Shri G.G.Bade, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for Respondent no. 1. Await service of Respondents no. 2 to 5.

The Id. counsel for the applicant seeks time to file acknowledgment. The Id. P.O. submits that he has no instruction, hence await service.

S.O. Two Weeks.

Vice-Chairman(J)

aps

O.A. No. 686/2017 (S.B.)

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

Dated : 01st Nov. 2017.

None for the applicant. Shri S.A.Deo,
the learned C.P.O. for Respondent no. 1.
Await service of Respondents no. 2 & 3.

S.O. Two Weeks.

Vice-Chairman(J)

aps

O.A. No. 734/2017 (S.B.)

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

Dated : 01st Nov. 2017.

Shri N.R.Saboo, Id. counsel for the applicant. Shri P.N.Warjurkar, the learned P.O. for Respondent no. 1 & 2. Await service of Respondents no. 3 & 4.

The Id. P.O. seeks time to file reply on behalf of Respondent no. 2. The Id. counsel for the applicant seeks time to file service affidavit.

S.O. Two Weeks.

Vice-Chairman(J)

aps

O.A. No. 776/2017 (S.B.)

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

Dated : 01st Nov. 2017.

Shri I.N.Choudhari, Id. counsel for the applicant. Shri S.A.Deo, the learned C.P.O. for Respondent no. 1. Await service of Respondents no. 2 & 3.

The Id. counsel for the applicant seeks time to file service affidavit.

S.O. One Week.

Vice-Chairman(J)

aps

O.A. No. 829/2011 (S.B.)

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

Dated : 01st Nov. 2017.

R.A.No.16/2017:-

Shri S.U.Bhuyar, Id. counsel for the applicant. Shri S.A.Sainis, the learned P.O. for Respondents.

The Id. P.O. seeks time to file reply affidavit.

S.O. One Week.

Vice-Chairman(J)

aps

O.A. No. 119/2017 (S.B.)

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

Dated : 01st Nov. 2017.

Shri Kadu holding for Shri V.A.Kothale, Id. counsel for the applicant. Smt. S.V.Kolhe, the learned P.O. for Respondents.

Since the pleadings are complete, the matter is admitted and kept for final hearing.

S.O. 13/11/2017.

Vice-Chairman(J)

aps

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

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

Dated : 01st Nov. 2017.

Shri Vishal Anand, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for Respondents no. 1 to 4. Shri M.L.Vairagade, Id. counsel for Respondent no. 5.

At the request of Id. P.O., **S.O. One Week.**

Vice-Chairman(J)

aps

O.A. No. 274/2017 (S.B.)

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

Dated : 01st Nov. 2017.

Shri M.R.Khan, Id. counsel for the applicant. Shri A.P.Potnis, the learned P.O. for Respondents.

The Id. P.O. wants to go through the Rejoinder affidavit. The Id. counsel for the applicant submits that the Respondents authority is insisting the applicant to face the enquiry and the applicant is being called time and again. The Respondents are directed not to call the applicant till next date.

The Id. P.O. submits that matter comes under Division Bench Jurisdiction. Registrar to examine the issue and submit his note.

S.O. Two Weeks.

Vice-Chairman(J)

aps

O.A. No. 507/2017 (S.B.)

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

Dated : 01st Nov. 2017.

None for the applicant. Shri Pandey,
the learned P.O. for Respondents.

S.O. Four Weeks.

Vice-Chairman(J)

aps

O.A. No. 639/2017 (S.B.)

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

Dated : 01st Nov. 2017.

Shri A.J.Kadu, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for Respondents no. 1 to 4.

The Id. P.O. seeks time to file reply affidavit. Similarly, the Id. counsel for the Respondent no. 5, Shri Shekhar Dhengale, files the Vakalatnama and seeks time to file service affidavit.

S.O. 14/11/2017.

Vice-Chairman(J)

aps

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

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

Dated : 01st Nov. 2017.

None for the applicant. Smt.
S.V.Kolhe, the learned P.O. for
Respondents no. 1 to 4. None for R-5.

S.O. Two Weeks.

Vice-Chairman(J)

aps

O.A. No. 648/2016 (S.B.)

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

Dated : 01st Nov. 2017.

Shri R.M.Ahirrao, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for Respondents.

The Id. P.O. seeks time to file reply affidavit to the amended O.A.

S.O. 08/11/2017.

Vice-Chairman(J)

aps

O.A. No. 617/2014 (D.B.)

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

Dated : 01st Nov. 2017.

C.A.No. 285/16 in C.P.St.1136/16:-

Ms.Nisha Khope holding for Shri S.D.Zoting, Id. counsel for the applicant. Shri S.A.Sainis, the learned P.O. for Respondent no. 1. Shri Parihar, Id. counsel for Respondent no. 2

At the request of Id. counsel for the applicant, **S.O. 03/11/2017.**

Vice-Chairman(J)

aps

O.A. No. 618/2014 (D.B.)

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

Dated : 01st Nov. 2017.

C.A.No. 323/16 in C.P.St.1261/16:-

Ms.Nisha Khope holding for Shri S.D.Zoting, Id. counsel for the applicant. Shri V.A.Kulkarni, the learned P.O. for Respondents no. 1 to 3. Shri P.Kadu, Id. counsel for Respondent no. 4.

At the request of Id. counsel for the applicant, **S.O. 03/11/2017.**

Vice-Chairman(J)

aps

O.A. No. 561/2017 (SB)

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

Dated : 1.11.2017

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

2. The learned counsel for the applicant seeks permission to withdraw the O.A. He has filed Pursis to that effect. The same is taken on record and marked Exh-X for the purpose of identification.

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

Vice Chairman (J)

dnk.

O.A. No. 624/2017 (DB)

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

Dated : 1.11.2017

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

At the request of Id. P.O., **S.O.**
6/11/2017 for filing reply.

Vice Chairman (J)

dnk.

O.A. No. 624/2017 (DB)

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

Dated : 1.11.2017

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

At the request of Id. P.O., **S.O.**
6/11/2017 for filing reply.

Vice Chairman (J)

dnk.

O.A. No. 584/2017 (DB)

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

Dated : 1.11.2017

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

2. The learned P.O. submits that the reply-affidavit of other respondents is not necessary.

3. Since the pleadings are complete, the matter is admitted and kept for final hearing with the consent of learned counsel for parties.

4. The learned P.O. waives notice for the respondents.

5. **S.O. two weeks** along with other connected matter.

Vice Chairman (J)

dnk.

O.A. No. 585/2017 (DB)

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

Dated : 1.11.2017

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

2. The learned P.O. submits that the reply-affidavit of other respondents is not necessary.

3. Since the pleadings are complete, the matter is admitted and kept for final hearing with the consent of learned counsel for parties.

4. The learned P.O. waives notice for the respondents.

5. **S.O. two weeks** along with other connected matter.

Vice Chairman (J)

dnk.

O.A. No. 43/2017 (DB)

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

Dated : 1.11.2017

None for the applicant.

Smt. S.V. Kolhe, Id. P.O. for the respondents.

Since the respondents have already filed reply-affidavit, the matter is admitted and kept for final hearing.

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

Put up before regular D.B. as and when available.

Vice Chairman (J)

dnk.

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

Dated : 1.11.2017

The applicant in person present.

Shri P.N. Warjurkar, Id. P.O. for the
respondents.

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

Vice Chairman (J)

dnk.

O.A. No. 699/2017 (DB)

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

Dated : 1.11.2017

None for the applicants.

Shri A.P. Potnis, Id. P.O. for R-1.
Await service of R-2 to 6.

S.O. two weeks for filing service
affidavit of R-2 to 6.

Vice Chairman (J)

dnk.

O.A. No. 733/2017 (DB)

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

Dated : 1.11.2017

Shri S.S. Shinde, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondent no.1. Await service of R-2 to 5.

The learned counsel for the applicant submits that the respondents and he is filing service affidavit to that effect.

The learned P.O. seeks time to file reply. At his request, **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. No. 662/2016 (DB)

Coram : Hon. Shri J.D.Kulkarni,

Vice-Chairman (J).

Dated : 1.11.2017

Heard Shri R.L. Khapre, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 to 3 and Shri N.M. Kolhe, Id. counsel for R-4 to 6. None for R-7.

2. The learned P.O. seeks time to file reply-affidavit to the amended portion of the O.A. The time is granted as a last chance.

3. The learned counsel for the applicant submits that the applicant's claim for appointment may be protected keeping one post vacant. However it is made clear that whatever appointment that may be made will be subject to outcome of this O.A. and therefore there is no need of special protection. The matter be kept for final hearing with the consent of learned counsel for parties.

4. In the meantime, the learned P.O. to file reply-affidavit and supply the copy to the other side in advance.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A. No. 731/2014(DB)

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

Dated : 1.11.2017

Heard Shri P.S. Wathore, Id. counsel
for the applicant and Shri P.N. Warjurkar, Id.
P.O. for R-1&2. None for R-3.

Closed for orders.

Vice Chairman (J)

dnk.

O.A. No. 160/2017 (DB)

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

Dated : 1.11.2017

None for the applicants.

Shri Sainis, Id. P.O. for the respondents.

The learned P.O. files return on behalf of R-1 to 3. It is taken on record.

Matter be kept on 10/11/2017.

Vice Chairman (J)

dnk.

O.A. No. 494/2015 (SB)

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

Dated : 1.11.2017

Shri A. Deshpande, Id .counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1&2 and Shri R.V. Shiralkar, Id. Counsel for R-3.

At the request of Id. Counsel for R-3,
S.O. one week.

Vice Chairman (J)

dnk.

O.A. No. 713/2015 (SB)

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

Dated : 1.11.2017

Shri R.V. Shiralkar, Id. Counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1&2, Shri N.R. Saboo, Id. Counsel for R-3 and none for R-4.

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

Vice Chairman (J)

dnk.