

O.A. No. 332/2017

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

Dated : 12.09.2017.

C.A.378/17 & C.A.432/17:-

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

In this O.A., the applicant has challenged the impugned order dated 15/05/2017 issued by Respondent no. 1 where by the applicant has been transferred from Government Medical College, Nagpur to Shri Bhausahab Hire Government Medical College, Dhule. During the pendency of this O.A., the applicant has joined at Dhule, keeping her right open. Thereafter she has filed C.A.Nos. 432/17 & 378/17. The Id. counsel for the applicant submits that he is not pressing the C.A.378/17 and, therefore, the said C.A. being disposed of.

During the pendency of the O.A. and C.A.No. 378/17, the applicant filed another C.A. bearing no. 432/17 and requested that the Respondent no. 1 be directed to consider her representation dated 07/09/17 for her posting on the post

of Associate Professor (Medicine) at Government Medical College, Nagpur, which is lying vacant due to death of Dr. Sunil Agrawal and the said post has not been filled in till her representation is decided for that purpose she has filed the C.A. 432/17.

The applicant's husband is also Associate Professor. But he has become 100% disabled due to Brain Tumour and he needs continuous attention for this purpose. The applicant is requesting the authorities time and again to accommodate her at Nagpur but her request was rejected. Unfortunately, Dr. Sunil Agrawal has died and, therefore, the said post is lying vacant. The respondent authority therefore, can very well consider the application filed by the applicant in this regard by showing kindness and mercy.

Perusal of the representation filed by the applicant as well as various documents on record, I am satisfy that prima facie, the case of the applicant seems to be genuine for consideration. However, this Tribunal is not excepted to go into the merits of the representation filed by the applicant. In view thereof the following order:-

ORDER:-

1. C.A. 432/17 is partly allowed.
2. The Respondent no. 1 is directed to consider the representation of the applicant dated 07/09/2013 for her posting on the post of Associate Professor (Medicine) at Government Medical College, Nagpur on the post which has become vacant due to death of Dr. Sunil Agrawal.
3. Any decision in this regard on merits of the case as well as considering the ground made out by the applicant, be taken within one month from the date of this order and shall be communicated to the applicant in the writing.
4. The Respondents are directed not to fill up the post of Associate Professor which is lying vacant at Government Medical College, Nagpur till the decision of the representation.
5. It is needless to say that O.A. 332/17 stands disposed of so also C.A.378/17 being not pressed.
6. No order as to costs.

Vice Chairman (J)

aps.

O.A. No. 557/2017

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

Dated : 12.09.2017.

Shri G.K.Bhusari, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents no. 1 to 3. None for R-4.

The Id. P.O. was directed to take instructions from the concerned Respondents as to why the present applicant is not being allowed to join and file brief note of reasons on or before 12/09/2017. However, the Id. P.O. submits that he has not received any instruction. The Id. P.O. further submits that he has written a letter to R-2 in this regard, the copy of the same letter is mark "X" for the purpose of convenience it is dated 28/08/2017.

The Id. P.O. further submits that the concerned officer is out of town and therefore the instructions cannot be given. The Director of textile, Maharashtra State, Nagpur i.e. Respondent no. 2 is therefore, directed to personally appear before this Tribunal

and to explain as to why he is not allowing to the applicant to join the duties.

S.O. one week.

Steno copy granted.

Vice Chairman (J)

aps.

O.A. No. 444/2016

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

Dated : 12.09.2017.

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

Closed for orders.

Vice Chairman (J)

aps.

O.A. No. 519/2015

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

Dated : 12.09.2017.

Heard Shri M.A.Sable, Id. counsel
for the applicant and Shri P.N.Warjurkar,
Id. P.O. for the respondents.

Closed for orders.

Vice Chairman (J)

aps.

O.A. No. 321/2017

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

Dated : 12.09.2017.

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

The applicant has challenged the impugned order of his transfer dated 31/05/2017 whereby he has been transferred from the post of Circle officer Chandrapur, Tahsil Office, Chandrapur to Patan, Tahsil Jivti, District Chandrapur. It is admitted fact that the applicant was transferred to Chandrapur vide order dated 11/02/2016 and as such he was not due for transfer. In the reply affidavit, The Collector, Chandrapur has stated that the applicant was transferred as he was not doing work properly and the competent authority requested for his transfer.

Vide order dated 18/08/2017 the Id. P.O. was directed to take instruction and to file short affidavit as to whether approval of the competent authority was obtained from transfer of the applicant vide impugned order.

Admittedly, the impugned order passed by the competent authority in mid-term and mid-tenure and has without any reason. If there is any complaint against the applicant, in that circumstances liberty is granted to initiate the enquiry. Therefore, the premature transfer cannot be a solution in such case.

For the reasons stated as above, the impugned order of transfer in respect of applicant is illegal and as such the impugned order stands quashed and set aside. The applicant be allowed to continue work as Circle Officer, Chandrapur, Tahsil office, Chandrapur. No order as to costs.

Steno copy be granted.

Vice Chairman (J)

aps.

O.A. No. 648/2016

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

Dated : 12.09.2017.

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

The Id. counsel for the applicant submits that he will submit the amendment during the course of the day. Copy of the amended portion be supplied to the Id. P.O.

S.O. four weeks.

Vice Chairman (J)

aps.

O.A. No. 792/2016

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

Dated : 12.09.2017.

M.C.A.29/17 :-

Shri S.S.Shingane, Id. counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the State. Await service R-2 & 3.

The Id. counsel for the applicant submits that he will serve the R-2 & 3 while filing service affidavit during the course of the day. For the reasons stated in the application for restoration, the application for restoration is allowed. The Id. counsel for the applicants seeks time to file application for condonation of delay.

S.O. two weeks.

Vice Chairman (J)

aps.

O.A. No. 138/2017

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

Dated : 12.09.2017.

Shri R.Shiralkar, holding for Shri A.P.Tathod, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the Respondents.

The Id. counsel for the applicant submits that all the respondents have been served. The Id. P.O. file reply affidavit on behalf of Respondent no. 2 & 3. The same is taken on record. He states that there is no need of reply affidavit of Respondent no. 1. The Id. counsel for the applicant seeks two weeks time to file Rejoinder.

S.O. two weeks.

Vice Chairman (J)

aps.

O.A. No. 359/2017

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

Dated : 12.09.2017.

Shri R.A.Gupte, Id. counsel for the applicant and Shri S.A.Dev, Id. C.P.O. for the State.

The Id. counsel for the applicant submits that he has been instructed to withdraw the O.A. The Id. counsel for the applicant therefore, seeks permission to withdraw the O.A. In view thereof the O.A. stands disposed of. With no order as to costs.

Vice Chairman (J)

aps.

O.A. No. 596 & 597/2017

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

Dated : 12.09.2017.

Shri S.M.Khan, Id. counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the State. Await service of R-2 to 5.

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

S.O. two weeks.

Vice Chairman (J)

aps.

O.A. No. 599/2017

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

Dated : 12.09.2017.

Shri S.M.Khan, Id. counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the State. Await service of R-2.

The Id. counsel for the applicant submit that he will file the service affidavit during the course of the day.

S.O. four weeks.

Vice Chairman (J)

aps.

O.A. No. 612/2016

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

Dated : 12.09.2017.

None for the applicant and Shri
V.A.Kulkarni, Id. P.O. for the
Respondents.

S.O. four weeks.

Vice Chairman (J)

aps.

O.A. No. 599/2017

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

Dated : 12.09.2017.

Shri S.M.Khan, Id. counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the State. Await service of R-2.

The Id. counsel for the applicant submit that he will file the service affidavit during the course of the day.

S.O. four weeks.

Vice Chairman (J)

aps.

O.A. No. 798/2016

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

Dated : 12.09.2017.

Mrs.K.N.Saboo, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the Respondents no. 1 to 3. None for R-4.

S.O. two weeks.

Vice Chairman (J)

aps.

O.A. No. 81/2017

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

Dated : 12.09.2017.

Shri P.S.Patil, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the Respondents.

The Id. P.O. files reply affidavit on behalf of Respondents no. 1 to 3. It is taken on record. Copies are served to the other side.

Admit.

The matter be kept for final hearing.

S.O. 19/09/2017.

Vice Chairman (J)

aps.

O.A. No. 114/2017

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

Dated : 12.09.2017.

Mrs.K.N.Saboo, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the Respondents.

S.O. two weeks.

Vice Chairman (J)

aps.

O.A. No. 156/2017

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

Dated : 12.09.2017.

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

The Id. P.O. files reply affidavit on behalf of Respondents no. 1 to 3. It is taken on record. Copies are served to the other side.

S.O. two weeks.

Vice Chairman (J)

aps.

O.A. No. 157/2017

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

Dated : **12.09.2017.**

Shri N.D.Thombre, Id. counsel for the applicant and Shri Pandey, Id. P.O. for the Respondents.

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

Vice Chairman (J)

aps.

O.A. No. 216/2017

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

Dated : 12.09.2017.

Shri S.M.Khan, 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. two weeks** as a last chance.

Vice Chairman (J)

aps.

O.A. No. 324/2017

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

Dated : 12.09.2017.

Shri N.R.Saboo, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the Respondents no. 1 & 2. None for R-3.

The Id. counsel for the applicant submits that he will file fresh representation giving options and also file affidavit to that effect for that purpose he seeks time. **S.O. 27/09/2017.**

Vice Chairman (J)

aps.

O.A. No. 324/2017

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

Dated : 12.09.2017.

Shri N.R.Saboo, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the Respondents no. 1 & 2. None for R-3.

The Id. counsel for the applicant submits that he will file fresh representation giving options and also file affidavit to that effect for that purpose he seeks time. **S.O. 27/09/2017.**

Vice Chairman (J)

aps.

O.A. No. 438/2017

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

Dated : **12.09.2017.**

Shri A.S.Chakotkar, Id. counsel for
the applicant and Shri A.P.Potnis, Id. P.O.
for the Respondents.

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

Vice Chairman (J)

aps.

O.A. No. 594/2017

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

Dated : **12.09.2017.**

Shri Bharat Kulkarni, Id. counsel
for the applicant and Shri P.N.Warjurkar,
Id. P.O. for the Respondents.

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

Vice Chairman (J)

aps.

O.A. No. 601/2017

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

Dated : **12.09.2017.**

Shri N.D.Thombre, 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. two
weeks.**

Vice Chairman (J)

aps.

O.A. No. 602/2017

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

Dated : 12.09.2017.

Shri Nayse holding for Shri G.G.Bade, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the Respondents.

S.O. four weeks.

Vice Chairman (J)

aps.

O.A. No. 652/2017

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

Dated : 12.09.2017.

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

The applicant in this case has transferred from the post of Senior Clerk from Khamgaon to Amravati vide impugned order dated 30/05/2017. However, he was not relieved and therefore this application.

The Id. P.O. has placed on record the communication dated 12/09/2017 from Commanding Officer, Khamgaon i.e. Respondent No. 3. It is stated that the applicant will be relieved on 23/09/2017 on completion of camp documents. In view of this statement the application stands disposed of with no order as to costs.

Vice Chairman (J)

aps.

O.A. No. 433/2014

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

Dated : 12.09.2017.

Shri Nayse holding for Shri G.G.Bade, Id. counsel for the applicant and Shri Khadatkar, Id. P.O. for the Respondents.

S.O. one week.

Vice Chairman (J)

aps.

O.A. No. 482/2014

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

Dated : 12.09.2017.

Shri S.Malode, Id. counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the Respondents no. 1 & 2. None for R-3 to 5.

S.O. 21/09/2017.

Vice Chairman (J)

aps.

O.A. No. 747/2015

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

Dated : 12.09.2017.

Shri S.M. Khan, Id. counsel holding for Shri M.R. Khan, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the Respts.

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

Vice Chairman (J)

dnk.

O.A. No. 254/2017 (D.B.)

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

Dated : **12.09.2017.**

Ms. N. Khope, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the Respts.

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

Vice Chairman (J)

dnk.

O.A. No. 814/2016 (D.B.)

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

Dated : **12.09.2017.**

Ms. A.M. Gupta, Id. counsel
holding for Shri P.B. Patil, Id. counsel for

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

Heard. Admit.

Learned P.O. waives notice for the
respondents.

The applicant is at liberty to file
rejoinder.

S.O. in due course.

Vice Chairman (J)

dnk.

O.A. No. 113/2015 (D.B.)

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

Dated : 12.09.2017.

C.A.Nos.71/2017 & C.A. 373/2015 –

None for the applicant.

Shri H.K. Pande, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. in due course.**

Vice Chairman (J)

dnk.

O.A. No. 374/2016 (D.B.)

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

Dated : 12.09.2017.

C.A. 91/2017 –

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

2. The learned counsel for the applicant agrees that the same application be heard along with the O.A. Hence, the C.A. stands disposed of.

C.A.302/2017 –

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

2. For the reasons stated in the application, the applicant is allowed to amend the O.A. by adding respondent nos. 4&5. Amendment be carried out today itself. In view of this, the C.A. stands allowed.

O.A. 374/2016 –

After amendment, issue notice to newly added R-4 to 5, returnable in **four weeks**. Hamdast allowed.

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

3. 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.

4. 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.

5. 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.

6. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. No. 692/2014 (D.B.)

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

Dated : 12.09.2017.

C.A. Nos. 374 & 375 of 2017

Shri S.P. Kshirsagar, Id. Counsel
for the applicant and Shri H.K. Pande, Id.
P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. No. 663/2017 (D.B.)

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

Dated : 12.09.2017.

C.A.421/2017

None for the applicants.

Shri S.A. Deo, Id. CPO for the State.

By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. stands disposed of accordingly.

O.A. 663/2017 –

Issue notice to R-2 to 10, returnable in **four weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

3. 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.

4. 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.

5. 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.

6. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. No. 80/2016 (D.B.)

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

Dated : 12.09.2017.

Shri H.D. Futane, Id. Counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

Since the similar matter i.e. O.A. No.265/2016 is fixed in next week.

S.O. Next week for final hearing.

Vice Chairman (J)

dnk.

O.A. No. 265/2016

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

Dated : **12.09.2017.**

Shri H.D. Futane, Id. Counsel for
the applicant and Shri A.M. Khadatkar, Id.
P.O. for the respondents.

S.O. Next week for hearing.

Vice Chairman (J)

dnk.

O.A. No. 474/2017 (D.B.)

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

Dated : **12.09.2017.**

Shri D.S. Sawarkar, 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** for filing reply.

Vice Chairman (J)

dnk.

O.A. No. 539/2017 (D.B.)

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

Dated : **12.09.2017.**

Shri M.M. Sudame, Id. Counsel for
the applicant and Shri P.N .Warjurkar, Id.
P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. No. 615/2017 (D.B.)

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

Dated : **12.09.2017.**

Shri P.J. Mehta, Id. Counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

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

Put up along with similar O.A.481/2017.

Vice Chairman (J)

dnk.

O.A. No. 600/2017 (D.B.)

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

Dated : **12.09.2017.**

Shri R.V. Shiralkar, Id. Counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

The learned counsel for the applicant submits that respondents have been served .

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

Vice Chairman (J)

dnk.

O.A. No. 671/2017 (D.B.)

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

Dated : 12.09.2017.

Shri V.G. Wankhde, Id. Counsel for
the applicant and Shri A.M. Khadatkar, Id.
P.O. for the State.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A. No. 541/2017 (D.B.)

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

Dated : 12.09.2017.

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

2. Vide order dated 9/8/2017 the learned P.O. was requested to go through the order passed in O.A.635/2013 on 13/12/2016 by this Tribunal and to state whether the present case is covered by that Judgment. The learned P.O. submits that only difference in the two cases is that in the present case the applicants are retired servants. Whereas in O.A.635/2013 the applicants are in service. He submits that otherwise the case of the applicants seems to be covered by that Judgment. In view thereof, the matter is closed for orders.

Vice Chairman (J)

dnk.

O.A. No. 367/2017 (D.B.)

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

Dated : 12.09.2017.

None for the applicant.

Shri S.A. Deo, Id. CPO for the respondent nos. 1&2. None for R-3.

The learned CPO files reply on behalf of R-2. It is taken on record. He submits that there is no need to file reply on behalf of other respondents.

Hence, the matter is admitted and kept for final hearing.

The learned CPO waives notice for R-1&2.

The applicant is at liberty to file rejoinder, if necessary.

S.O. in due course.

Vice Chairman (J)

dnk.

O.A. No. 481/2017 (D.B.)

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

Dated : 12.09.2017.

Heard Shri P.J. Mehta, Id. Counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. It seems that the applicant earlier filed W.P. No. 1289/2017 before the Hon'ble High Court. The said Petition was dismissed on the ground that it was premature. It seems that thereafter the applicant again filed W.P.No.4349/2017. It is not known for what purpose the said Writ Petition was filed and what was the order passed therein. The leaned counsel for the applicant is therefore directed to file documents regarding W.P. No.4349/2017 and the order passed therein.

S.O. two weeks.

Put up along with O.A.615/2017.

Vice Chairman (J)

dnk.

O.A. No. 695/2016 (D.B.)

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

Dated : 12.09.2017.

Shri M.R. Pillai, Id. Counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

The learned P.O. submits that he has sought time to obtain written consent from the concerned authority of the respondents for hearing the matter by Single Bench and he seeks one week's time for the same.

Hence, **S.O. one week.**

Vice Chairman (J)

dnk.

O.A. No. 673/2017 (D.B.)

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

Dated : 12.09.2017.

Heard Shri A.K. Waghmare, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. This application can be disposed of even without reply of the respondents. The applicant in the O.A. has challenged the initiation of departmental enquiry vide charge sheet dated 12/2/2016. Even though, it is stated that the respondents are allotted illegal and invalid procedure for conduction of the inquiry, perusal of the record shows that there is nothing on record to show that any illegality has been committed except the fact that there seems to be held in initiating inquiry. It seems from the record that charge sheet has been served on the applicant vide letter dated 24/2/2016. The applicant has already filed written statement along with the explanation and his explanation has not been found satisfactory. The respondents therefore decided to initiate departmental enquiry. It seems that the Enquiry Officer as well as Presenting Officer has also been appointed vide letter dated 8/8/2017 respectively. Considering this aspect, there may not take any further time to complete the inquiry. The learned counsel for the applicant submits that the respondents be

directed to complete the inquiry within stipulated period.

3. Considering the facts and circumstances of the case, the O.A. stand disposed of with a direction to the respondent no.2 to see that the inquiry shall be completed in all respect as early as possible and in any date within four months from the date of this order. The applicant is directed to cooperate with the Inquiry Officer.

Vice Chairman (J)

dnk.