

O.A. No. 241/2013 (S.B.)

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

Dated : 13th Nov. 2017.

Shri Agrawal holding for
Adv.Sirpurkar, Id. counsel for the applicant.
Shri A.M.Ghogre, the learned P.O. for the
Respondents.

At the request of Id. counsel for the
applicant, **S.O. 23/11/2017.**

Vice-Chairman(J)

Aps

O.A. No. 775/2017 (S.B.)

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

Dated : 13th Nov. 2017.

None for the applicant. Shri S.A.Deo, the learned C.P.O. for the Respondent no. 1. Await service of Respondents no. 2 to 4.

S.O. Four Weeks.

Vice-Chairman(J)

aps

O.A. No. 803/2017 (S.B.)

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

Dated : 13th Nov. 2017.

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

S.O. Four Weeks.

Vice-Chairman(J)

aps

O.A. No. 219/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Shri G.C.Khond, Id. counsel for the applicant. Shri V.A.Kulkarni, the learned P.O. for the Respondents.

The Id. P.O. seeks time to file reply affidavit on behalf of the Respondent no. 2. At his request, **S.O. One Week.**

Vice-Chairman(J)

aps

O.A. No. 263/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Adv.Pathak, Id. counsel for the applicant. Shri Khadatkar, the learned P.O. for the Respondents.

The Id. P.O. seeks time to file reply affidavit, **S.O. Two Weeks.**

Vice-Chairman(J)

Aps

O.A. No. 124/2017 (S.B.)

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

Dated : 13th Nov. 2017.

C.A.No.62/2017:-

Shri S.D.Chande, Id. counsel for the applicant. Shri Khadatkar, the learned P.O. for the Respondents.

The Id. counsel for the applicant has filed the Rejoinder. The same is taken on record. Copy is served to the Id. P.O.

Closed for orders on C.A.

Vice-Chairman(J)

Aps

O.A. No. 139/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Shri D.M.Kakani, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for the Respondents.

Closed for orders.

Vice-Chairman(J)

aps

O.A. No. 538/2016 (S.B.)

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

Dated : 13th Nov. 2017.

Shri P.P.Khaparde, Id. counsel for the applicant. Shri A.M.Ghogre, the learned P.O. for the Respondents.

At the request of Id. counsel for the applicant, **S.O. Tomorrow i.e. 14/11/2017.**

(P.H.)

Vice-Chairman(J)

Aps

O.A. No. 872/2017 (S.B.)

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

Dated : 13th Nov. 2017.

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

2. By impugned order dated 08/11/2017, the applicant i.e. an Executive Engineer, Small Scale Irrigation (Water Conservator) Division Nagpur transferred to the post of Executive Engineer, Gosikhud Dam Division, Wahi Pauni, District Bhandara. It is mentioned that the order passed as per Section 4 (4) and 4 (5) is totally illegal. However, no reasons are given. The applicant has not completed his tenure of three years at the place i.e. at Nagpur and the order is mid- term. It is stated that the applicant has not yet been relieved. In view thereof, the respondent no. 1 is directed not to relieve the applicant till further orders.

3. The Id. counsel for the applicant further submits that he may be permitted to add the Secretary of Water Service Department as a party to the O.A. He has been permitted to do the same.

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

Vice-Chairman(J)

O.A. No. 866/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Heard Shri D.M.Kakani, Id. counsel for the applicant. Shri S.A.Deo, the learned P.O. for the State.

2. The Respondent no. 3 has issued the impugned order of transfer of the applicant who is a Medical Officer, Class – I. The applicant is an employee of Government and the Respondent no. 3 has no authority to transfer the applicant. The applicant is serving as a Medical Officer, Group-A, at Primary Health Centre, Shahapur, District Bhandara, since last 2½ years and was not due for transfer and inspite of such facts she has been transferred to Primary Health Centre, Dewhadi, Tahsil Tumsar. It is stated that the applicant has not yet been relieved. In view thereof the Respondent no. 3 has been directed not to relieve the applicant till further orders.

3. Issue notice to R-2 & 3, returnable after **four weeks.** Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. **S.O. Four Weeks.**

Vice-Chairman(J)

Aps

O.A. No. 867/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Heard Shri D.M.Kakani, Id. counsel for the applicant. Shri S.A.Deo, the learned P.O. for the State.

2. The Respondent no. 3 has issued the impugned order of transfer of the applicant who is a Medical Officer, Class – I. The applicant is an employee of Government and the Respondent no. 3 has no authority to transfer the applicant. The applicant is serving as a Medical Officer, Group-A, at Primary Health Centre, Bhuyar, Tahsil Paoni, District Bhandara. By impugned order dated 30/10/2017, she has been transferred to Primary Health Centre, Barwha, Tahsil Lakhandur, District Bhandara. It is stated that the C.E.O., Z.P., Bhandara has no authority to transfer the applicant. The applicant has been not yet relieved. In view thereof the Respondent no. 3 has been directed not to relieve the applicant till further orders.

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

Vice-Chairman(J)

O.A. No. 543/2017 (S.B.)

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

Dated : 13th Nov. 2017.

None for the applicant. Shri A.P.Potnis, the learned P.O. for the Respondents.

The matter was kept for final hearing and the Id. P.O. was directed to keep on record the minutes of meeting. The Id. P.O. has placed on record the communication dated 08/11/2017 alongwith the order passed as regards revocation of suspension of the applicant. The Id. P.O. submits that since the suspension is revoked and there is nothing survives in the O.A. However, nobody appeared for today. The matter be kept on friday for passing necessary orders.

S.O Friday i.e. 17/11/2017.

Vice-Chairman(J)

aps

O.A. No. 360/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Shri P.B.Patil, Id. counsel for the applicant. Shri A.P.Potnis, the learned P.O. for the Respondents.

The Id. P.O. seeks time to file reply affidavit of Respondent no. 4.

S.O Two Weeks for filing reply.

Vice-Chairman(J)

aps

O.A. No. 360/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Shri P.B.Patil, Id. counsel for the applicant. Shri A.P.Potnis, the learned P.O. for the Respondents.

The Id. P.O. seeks time to file reply affidavit of Respondent no. 4.

S.O Two Weeks for filing reply.

Vice-Chairman(J)

aps

O.A. No. 330/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Shri P.V.Thakre, Id. counsel for the applicant. Shri Pandey, the learned P.O. for the Respondents no. 1 to 3. Shri S.N.Gaikwad, Id. counsel for Respondent no. 4.

The Id. counsel for the Respondent no. 4 has filed reply. The same is taken on record. Copy is served to the applicant. The Id. counsel for the applicant files Rejoinder. The same is taken on record. The matter is admitted and kept for final hearing.

S.O Four Weeks.

Vice-Chairman(J)

aps

O.A. No. 64/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Shri S.Majid, Id. counsel for the applicant. Shri A.M.Ghogre, learned P.O. for the Respondent no. 1 and Shri W.G.Paunikar, Id. counsel for Respondent no. 2.

Shri Gavit, Under Secretary is present on behalf of Principal Secretary, Public Health Dept. The Id. P.O. has placed on record the copy of the letter received from Principal Secretary dated 09/11/2017, expressing difficulty for its not remaining present and claimed apology. The Id. P.O. also placed on record the reply affidavit on behalf of the Respondent no. 1. The same is taken on record. Copies are served to the other sides. It is further stated that the cost is also deposited. In view thereof, since the pleadings are now completed, the matter be admitted and kept for final hearing.

S.O Next Week.

Vice-Chairman(J)

O.A. No. 661/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Shri P.P.Khaparde, Id. counsel for the applicant. Shri A.M.Ghogre, learned P.O. for the Respondent no. 1 to 3. None for Respondent no. 4.

The Id. P.O. has filed reply affidavit on behalf of the Respondents no. 1 to 3. The same is taken on record. Copy is served to the applicant.

At the request of Id. counsel for the applicant, **S.O One Week** for filing rejoinder.

Vice-Chairman(J)

aps

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

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

Dated : 13th Nov. 2017.

Shri N.R.Saboo, Id. counsel for the applicant. Shri A.M.Ghogre, learned P.O. for the Respondent no. 1 to 3. None for Respondent no. 4.

After hearing the matter for considerable time, the Id. P.O. seeks time to take instructions from Chief Conservator of Forest, Chandrapur and, therefore, the matter be kept on Friday.

S.O. Friday i.e. 17/11/2017 (P.H.)

Vice-Chairman(J)

aps

O.A. No. 637/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Adv.R.Prajapati holding for
Adv.H.N.Potbhare, Id. counsel for the
applicant. Shri Khadatkhar, learned P.O. for
the Respondents no. 1 to 4. None for
Respondent no. 5.

The Id. P.O. has filed the reply
affidavit on behalf of the Respondent no. 2
& 3. The same is taken on record. Copy is
served to the applicant.

S.O. One Week for filing Rejoinder

Vice-Chairman(J)

aps

O.A. No. 415/2017 (S.B.)

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

Dated : 13th Nov. 2017.

Shri Bhusan Dafle holding for Shri H. Dangre, Id. counsel for the applicant. Shri V.A.Kulkarni, learned P.O. for the Respondents no. 1 to 4. None for Respondent no. 5.

The Id. P.O. has filed the reply affidavit on behalf of the Respondent no. 3. The same is taken on record. Copy is served to the applicant. The pleadings are now completed. The matter be admitted and kept for final hearing.

S.O. Four Week for final hearing.

Vice-Chairman(J)

aps

O.A. No.68/2016. (D.B.)

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 13th November 2017.

None for the applicant. Shri P.N. Warjekar, the learned P.O. for respondents.

In view of pursis filed by the applicant, the Ld. P.O. was requested to take instructions. Today the Ld. P.O. has placed on record reply to the pursis which is marked "X" for the purpose of identification. On the said reply, it seems that no assurance was given to the applicant as stated by the applicant in his pursis. It is however mentioned in the pursis that respondent No.3 may consider the cases in view of vacancy, but on merit. Since nobody is present for the applicant today, O.A. be kept for dismissal on **30.11.2017.**

Vice-

Chairman(J)

pdg

O.A. No.829/2016. (D.B.)

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 13th November 2017.

C.A. No. 13/2017.

Shri A.P. Tathod, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for respondents.

S.O. four weeks.

Vice-

Chairman(J)

pdg

O.A. No.520/2017. (D.B.)

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 13th November 2017.

None for the applicant. Shri A.M. Khadatkar, the learned P.O. for respondent Nos.1 and 4. Shri Vinay Dahat, Adv. for R. 2 & 3.

Adv. for R. 2 & 3 has filed reply on behalf of the said respondents, it is taken on record.

Ld. P.O. seeks two weeks' time to file reply of R.1 and 4.

S.O. two weeks.

Vice-
Chairman(J)

Pdg

O.A. No.772/2017. (D.B.)

**Coram: J.D.Kulkarni, Vice-
Chairman**

Dated : 13th November 2017.

Shri S.N. Gaikwad, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents.

The Ld. counsel for the applicant seeks one week's time to file service affidavit.

S.O. one week.

Vice-
Chairman(J)

Pdg

O.A. No.268/2017. (D.B.)

**Coram: J.D.Kulkarni, Vice-
Chairman**

Dated : 13th November 2017.

None for the applicant. Shri M.I. Khan, the learned P.O. for the respondents 1 and 2. Shri G.K. Bhusari, Advocate for R.3.

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

Vice-
Chairman(J)

pdg

O.A. No.773/2017. (D.B.)

**Coram: J.D.Kulkarni, Vice-
Chairman**

Dated : 13th November 2017.

Shri G.K. Bhusari, Ld. counsel
for the applicant and Shri S.A. Deo,
the learned C.P.O. for the
respondents.

The Ld. counsel for the applicant seeks two weeks' time for filing service affidavit.

S.O. two weeks.

Vice-
Chairman(J)

pdg

O.A. No.687/2017. (D.B.)

**Coram: J.D.Kulkarni, Vice-
Chairman**

Dated : 13th November 2017.

Shri D.M. Surjuse, Ld. counsel for the applicant and Shri H.K. Pande,

the learned P.O. for the respondents
1 & 2 and 4 to 6. None for R.3.

At the request of Ld. P.O., S.O.
four weeks.

Vice-
Chairman(J)

pdg

O.A. No.372/2017. (D.B.)

**Coram: J.D.Kulkarni, Vice-
Chairman**

Dated : 13th November 2017.

Shri Sachin Khandekar, Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

S.O. 14.11.2017.

Vice-
Chairman(J)

pdg

O.A. No.533/2017. (S.B.)

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 13th November 2017.

Smt. T.D. Khade, the learned counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for respondent Nos. 1 and 2. None for R.3.

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

Vice-
Chairman(J)

pdg

O.A. No.534/2017. (S.B.)

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 13th November 2017.

Smt. T.D. Khade, the learned counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for respondent Nos. 1 and 2. None for R.3.

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

Vice-
Chairman(J)

pdg

O.A. No.643/2017. (S.B.)

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 13th November 2017.

Shri S.P. Palshikar, the learned counsel for the applicant states that he would file his power / Vakalatnama during the course of the day on record.

Shri M.I. Khan, the learned P.O. for the respondents.

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

Vice-
Chairman(J)

pdg

O.A. No.772/2014. (S.B.)

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 13th November 2017.

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

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

Vice-
Chairman(J)

pdg