

O.A. No. 175/2010 (S.B.)

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

Dated : 15th Nov. 2017.

M.C.A.31/2017:-

Heard Ms. Bhagyashree holding for Shri A.R.Patil, Id. counsel for the applicant. Shri Pandey, the learned P.O. for the Respondents.

The O.A. was dismissed on 05/04/2017. A detailed order was passed from which it seems that the Id. counsel for the applicant was present only once in the Tribunal and he instructed his junior to prosecute the O.A. Even in the application for restoration i.e. O.A.175/2010, the Id. counsel for the applicant was not diligent enough to prosecute the O.A. Ms. Bhagyashree, Adv. holding for Shri A.R.Patil submits that her senior Adv. is busy in Hon'ble High Court and, therefore, he cannot appear today. It is material to note that except one date, Shri A.R.Patil never appeared before this Tribunal and all the time his Junior appeared and mostly Ms. Bhagyashree appeared for the applicant. On number of occasions she has also not

appeared for the applicant and, therefore, the matter was kept for dismissal. In such circumstances, I don't find any reason in fact to restore the matter. However, considering the fact that, it is a matter of 2010 and the litigant is a pensioner, fighting for his pensionary benefits, the same is restored to its original file on condition that the matter be heard on merits tomorrow. Therefore, M.C.A. stands disposed off & O.A. is restored to file.

S.O. Tomorrow i.e. 16.11.2017.

Vice-Chairman(J)

aps

O.A. No. 82/2017 (S.B.)

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

Dated : 15th Nov. 2017.

Heard Mrs. K.N.Saboo, Id. counsel for the applicant, Shri H.K.Pandey, the learned P.O. for the Respondents no. 1 & 2 & Shri T.M.Zaheer, Id. counsel for Respondent no. 3 & 4.

On 11/08/2017, a detailed order was passed and cost of Rs. 5000/- was saddled on the respondents. A most last chance was already granted to file reply of respondents no. 1 & 2. The cost is not paid till today. It is stated that the respondents are depositing cost today. It seems that the department of Health is not co-operating the P.Os. for filing the reply-affidavit. Earlier also in number of cases cost has been saddled.

The Id. P.O. has placed on record one letter received by him from the Deputy Director of Health Services, Akola Circle, Akola in which it is casually stated that a person has been sent for depositing the cost and three weeks time be granted for filing reply. This shows the casual approach on the part of Deputy Director of Health in filing the reply-affidavit. The Secretary of

Department of Public Health, Mantralaya, Mumbai was earlier called for the similar reasons to appear personally, but he appeared through Under Secretary. Considering these aspects the respondent no. 1 & 2 shall personally appear before this Tribunal to explain as to why the reply has not been filed inspite repeated chances.

S.O. 29/11/2017.

Steno copy be granted.

Vice-Chairman(J)

aps

O.A. No. 662/2016 (D.B.)

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

Dated : 15th Nov. 2017.

Heard Shri R.L.Khapre, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for the Respondents no. 1 to 3. Shri N.M.Kolhe, Id. counsel for Respondents No. 4 to 6. None for the Respondent no. 7.

Closed for orders.

Vice-Chairman(J)

aps

O.A. No. 244/2013 (D.B.)

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

Dated : 15th Nov. 2017.

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

Closed for orders.

Vice-Chairman(J)

aps

O.A. No. 424 & 664/2010 (S.B.)

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

Dated : 15th Nov. 2017.

Heard Shri S.M.Khan holding for Shri P.C.Marpakwar, Id. counsel for the applicant. Shri Khadatkar, the learned P.O. for the Respondents.

Closed for orders.

Vice-Chairman(J)

aps

O.A. No. 89/2010 (S.B.)

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

Dated : 15th Nov. 2017.

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

The Id. P.O. submits that the applicant's suspension period from October 6, 2007 to June 4, 2008, be considered in accordance with law. The Id. P.O. submits that the applicant has already been made to retired compulsorily in view of the order in departmental enquiry, vide order dtd. 25/10/2017. He has also placed on record the said order which is marked Exh-X for the purpose of identification. In view thereof, the application can be disposed of. However, since nobody appeared for the applicant today, It be kept tomorrow.

S.O. Tomorrow i.e. 16/11/2017.

Vice-Chairman(J)

aps

O.A. No. 89/2010 (S.B.)

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

Dated : 15th Nov. 2017.

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

The Id. P.O. submits that the applicant is under suspension from October 6, 2007 to June 4, 2008, be considered in accordance with law. The Id. P.O. submits that the applicant has already been made to retired compulsory within the period of departmental enquiry, vide order dtd. 25/10/2017. He has also placed on record the said order which is marked Exh-X for the purpose of identification. In view thereof, the application can be disposed of. However, since nobody appeared for the applicant today. It will be kept for tomorrow.

S.O. Tomorrow i.e. 16/11/2017.

Vice-Chairman(J)

aps

O.A. No. 556/2002 (S.B.)

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

Dated : 15th Nov. 2017.

C.A.No.526/2017:-

Mrs.M.Iyer, Id. counsel for the applicant and Shri P.N.Warjurkar, the learned P.O. for the Respondents.

The Id. counsel for the applicant itself stated that the documents are already supplied to the Id. P.O. For the reasons stated in the application, the applicant is allowed to keep on record the said documents. Hence, C.A. 526/2017 is allowed.

The Id. P.O. has filed the reply affidavit on behalf of the respondent no. 2. The same is taken on record. Copy is served to the applicant. Since the matter is of 2002 and the same is already admitted and kept for final hearing. **S.O. 28/11/2017.**

Vice-Chairman(J)

Aps

O.A. No. 565/2017 (S.B.)

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

Dated : 15th Nov. 2017.

C.A.No.534/2017:-

Heard Shri P.V.Thakre, Id. counsel for the applicant and Shri Khadatkar, the learned P.O. for the Respondents.

The Id. P.O. has filed the reply affidavit on behalf of the respondent no. 2. The same is taken on record. Copy is served to the applicant. The representation of the applicant has been rejected during the pendency of the O.A. and the applicant wants to challenge that rejection by way of amendment. For the reasons stated in the application the C.A. 534/2017 is allowed, the amendment be carried out today itself. The Id. P.O. submits that the point of rejection of representation has been considered in the reply affidavit and, therefore, there has no need to file the separate reply to the amended O.A. In view thereof, since the pleadings are now completed, the matter be admitted and kept for final hearing.

S.O. Two Weeks.

Vice-Chairman(J)

O.A. No. 04 & 11/2008 (S.B.)

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

Dated : 15th Nov. 2017.

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

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

Vice-Chairman(J)

aps

**O.A. No. 99, 452, 454, 455, 542, 543, 583,
658, 703, 704, 705 & 706/2009 (S.B.)**

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

Dated : 15th Nov. 2017.

None for the applicant. Shri
P.N.Warjurkar, the learned P.O. for the
Respondents.

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

Vice-Chairman(J)

aps

**O.A. No. 267, 437, 438, 439, 623, 624, 672,
825/2010, 160, 161, 162/2011 (S.B.)**

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

Dated : 15th Nov. 2017.

Shri T.Mandekar, Id. counsel for the applicant. Shri Khadatkar, the learned P.O. for the Respondents.

The Id. P.O. submits that all the matters are connected and in some matters reply of respondents has already filed. The same reply shall be adopted in all the matters. In view thereof, the matters can be heard on merits.

At the request of Id. counsel for the applicant, **S.O. Two Weeks.**

Vice-Chairman(J)

aps

O.A. No. 147/2017 (S.B.)

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

Dated : 15th Nov. 2017.

Shri P.V.Thakre, holding for Shri R.V.Shiralkar, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for the Respondents.

The Id. counsel for the applicant submits that the amendment will be carried out during the course of the day. **S.O Four Weeks** for filing reply to the amended O.A.

Vice-Chairman(J)

aps

O.A. No. 438/2017 (S.B.)

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

Dated : 15th Nov. 2017.

Shri A.S.Chakotkar, Id. counsel for the applicant. Shri V.A.Kulkarni, the learned P.O. for the Respondents.

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 Id. P.O. seeks time to file reply affidavit of other respondents.

S.O. Two Weeks.

Vice-Chairman(J)

aps

O.A. No. 592/2017 (S.B.)

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

Dated : 15th Nov. 2017.

Ms. K.Agrawal holding for Shri S.Borkute, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for the Respondents.

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

S.O. Two Weeks.

Vice-Chairman(J)

Aps

O.A. No. 370/2017 (S.B.)

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

Dated : 15th Nov. 2017.

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

S.O. One Week.

Vice-Chairman(J)

Aps

O.A. No. 577/2017 (S.B.)

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

Dated : 15th Nov. 2017.

None for the applicant, Shri S.A.Sainis, the learned P.O. for the Respnts no. 1, 2, 4, 5 & 6 & None for Respnt no. 3.

The Id. P.O. seeks time to file reply,
S.O. Three Weeks.

Vice-Chairman(J)

aps

O.A. No. 781/2017 (S.B.)

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

Dated : 15th Nov. 2017.

Ms.S.Dhore, holding for
Mrs.B.P.Maldhure, Id. counsel for the
applicant, Shri Khadatkar, the learned P.O.
for the Respondents no. 1 to 3. None for
Respondent no. 4.

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

Vice-Chairman(J)

aps

O.A. No. 222/2013 (S.B.)

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

Dated : 15th Nov. 2017.

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

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

Vice-Chairman(J)

aps

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

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

Dated : 15th Nov. 2017.

C.A.No. 277/2017:-

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

The Id. counsel for the applicant submits that the counter affidavit will be carried out during the course of the day. **S.O**
Four Weeks.

Vice-Chairman(J)

aps

O.A. No. 784/2017 (S.B.)

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

Dated : 15th Nov. 2017.

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

S.O Four Weeks for filing service affidavit.

Vice-Chairman(J)

aps

O.A. No. 786/2017 (S.B.)

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

Dated : 15th Nov. 2017.

Shri A.S.Deshpande, Id. counsel for the applicant. Shri S.A.Deo, the learned C.P.O. for the State. Await service of Respondents no. 2 & 3.

The Id. counsel for the applicant submits that the respondents are served and he will file acknowledgement today itself. The Id. C.P.O. seeks time to file reply affidavit, **S.O Four Weeks.**

Vice-Chairman(J)

aps

O.A. No. 792/2016 (S.B.)

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

Dated : 15th Nov. 2017.

Shri S.S.Shingane, Id. counsel for the applicant. Shri A.P.Potnis, the learned P.O. for the Respondents.

The Id. counsel for the applicant submits that he will file application for condonation of delay today itself. **S.O Four Weeks.**

Vice-Chairman(J)

aps

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

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

Dated : 15.11.2017

None for the applicants.

Shri A.M.Ghogre, Id. P.O. for
respondent no.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. 785/2017 (DB)

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

Dated : 15.11.2017

C.A.496/2017 -

Mrs. K.N. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2&3.

At the request of Id. counsel for the applicant, **S.O. one week** for filing service affidavit of R-2&3.

Vice Chairman (J)

dnk.

O.A. No. 787/2017 (DB)

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

Dated : 15.11.2017

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

At the request of Id. counsel for the applicant, **S.O. two weeks** for filing acknowledgement in respect of service of R-2&3.

Vice Chairman (J)

dnk.

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

Dated : 15.11.2017

Mr. Shahir Ansari, Id. counsel holding
for Shri T. Patil, Id. counsel for the applicant
and Shri H.K. Pande, Id. P.O. for the
respondents.

2. The learned P.O. submits that he will
file reply-affidavit during the course of day.
3. **S.O. two weeks** for filing rejoinder, if
any.

Vice Chairman (J)

dnk.

O.A. No. 436/2017 **(DB)**

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

Dated : 15.11.2017

Shri R. Chandurkar, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. No. 638/2017 (DB)

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

Dated : 15.11.2017

Shri R. Chandurkar, Id. counsel holding for Shri R. Joshi, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1&3. None for R-2.

The learned P.O. files reply on behalf of R-3. It is taken on record. Copy is served on the applicant.

The learned P.O. seeks time to file reply of R-1. At his request, **S.O. three weeks.**

Vice Chairman (J)

dnk.

O.A. No. 704/2017 **(DB)**

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

Dated : 15.11.2017

None for the applicant.

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

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

Vice Chairman (J)

dnk.