

O.A. (St.) No. 3003/2017. (S.B.)

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

Dated : 8th February 2018.

C.A.No.560/2017.

Shri S.N. Gaikwad, the Ld. counsel for the applicant and Shri A.P. Potnis, the Ld. P.O. for the respondent No.1.

Await service to R. 2 and 3.

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

Vice-Chairman(J)

pdg

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O.A. No. 567/2017. (S.B.)

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

Dated : 8th February 2018.

C.A.No. 09/2018.

None for the applicant. Shri P.N. Warjekar, the Ld. P.O. for the respondent Nos. 1 and 2. Shri A. Parihar, Adv. for R. 3 and 4. Shri D.M. Kakani, Adv. for R.5.

S.O. three weeks for filling reply by Ld. P.O. on behalf of R. 1 and 2.

Vice-Chairman(J)

pdg

O.A. No. 779/2017. (S.B.)

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

Dated : 8th February 2018.

None for the applicant. Shri M.I. Khan, the Ld. P.O. for the respondent Nos. 1 to 3.

Await service to R.4.

S.O. three weeks.

Vice-Chairman(J)

pdg

O.A. No. 839/2017. (S.B.)

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

Dated : 8th February 2018.

Shri A.R. Manhare, the Ld. counsel for the applicant and Shri A.P. Potnis, the Ld. P.O. for the respondent No. 1. Shri R.P. Ambarwele, Adv. for R.3.

Applicant to collect hamdast by the of R.2 during the course of the day.

S.O. three weeks.

Vice-Chairman(J)

pdg

O.A. No. 933/2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri S.N. Gaikwad, the Ld. counsel for the applicant and Shri H.S. Pande, the Ld. P.O. for the respondent No.1.

Await service to R. 2 to 4.

S.O. **three weeks.**

Vice-Chairman(J)

pdg

O.A. No. 968/2017. (S.B.)

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

Dated : 8th February 2018.

None for the applicant. Shri M.I. Khan, the Ld. P.O. for the respondent No.1.

Await service to R. 2 and 3.

S.O. **three weeks.**

Vice-Chairman(J)

pdg

O.A. No. 13/2018. (S.B.)

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

Dated : 8th February 2018.

None for the applicant. Shri A.M. Khadatkar, the Ld. P.O. for the respondent No.1.

Await service to R. 2 and 3.

S.O. three weeks.

Vice-Chairman(J)

pdg

O.A. No. 123/2014. (S.B.)

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

Dated : 8th February 2018.

Rev. A. No. 01/2018.

Heard Shri P.V. Thakre, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents.

S.O. 16.2.2018..

Vice-Chairman(J)

pdg

O.A. No. 421 of 2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri S.M. Khan, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents.

ADMIT.

Shri M.I. Khan, the Ld. P.O. waives service for all the respondents.

The Ld. counsel for the applicant seeks time to file rejoinder.

S.O. four weeks for final hearing.

Vice-Chairman(J)

pdg

O.A. No. 422 of 2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri S.M. Khan, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the Ld. P.O. for the respondents.

ADMIT.

Shri V.A. Kulkarni, the Ld. P.O. waives service for all the respondents.

The Ld. counsel for the applicant seeks time to file rejoinder.

S.O. four weeks for final hearing.

Vice-Chairman(J)

pdg

O.A. No. 423 of 2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri S.M. Khan, the Ld. counsel for the applicant and Shri H.K. Pande, the Ld. P.O. for the respondents.

ADMIT.

Shri H.K. Pande, the Ld. P.O. waives service for all the respondents.

The Ld. counsel for the applicant seeks time to file rejoinder.

S.O. four weeks for final hearing.

Vice-Chairman(J)

pdg

O.A. No. 424 of 2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri S.M. Khan, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the Ld. P.O. for the respondents.

ADMIT.

Shri A.M. Khadatkar, the Ld. P.O. waives service for all the respondents.

The Ld. counsel for the applicant seeks time to file rejoinder.

S.O. four weeks for final hearing.

Vice-Chairman(J)

pdg

O.A. No. 425 of 2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri S.M. Khan, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents.

ADMIT.

Shri M.I. Khan, the Ld. P.O. waives service for all the respondents.

The Ld. counsel for the applicant seeks time to file rejoinder.

S.O. four weeks for final hearing.

Vice-Chairman(J)

pdg

O.A. No. 586/2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri P.V. Thakre, the Ld. counsel for the applicants and Shri P.N. Warjekar, the Ld. P.O. for the respondents.

S.O. **16.2.2018** for filing rejoinder.

Vice-Chairman(J)

pdg

O.A. Nos. 866 & 867 of 2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri D.M. Kakani, the Ld. counsel for the applicants and Shri S.A. Sainis, the Ld. P.O. for the respondents 1, 2 and 4. Mrs. M.P. Munshi, Adv. for R.3.

S.O. next week for reply of R.4.

Vice-Chairman(J)

pdg

O.A. No. 894/2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri Bharat Kulkarni, the Ld. counsel for the applicant and Shri P.N. Warjekar, the Ld. P.O. for the respondents.

S.O. 15.2.2018 for filing reply by Ld. P.O.

Vice-Chairman(J)

pdg

O.A. No. 898/2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri R.A. Haque, the Ld. counsel for the applicant and Shri S.A. Sainis , the Ld. P.O. for the respondents.

S.O. four weeks for filing reply by Ld. P.O.

Vice-Chairman(J)

pdg

O.A. No. 960/2017. (S.B.)

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

Dated : 8th February 2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the Ld. P.O. for the respondents.

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

Vice-Chairman(J)

pdg

O.A. 972/2017 (DB)

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

Dated : 8.2.2018

Shri S.M. Khan, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2 to 4.

The learned counsel for the applicant submits that he will file service affidavit of R-2 to 4. At his request, **S.O. next week.**

Vice Chairman (J)

dnk.

C.P. 40/17 in O.A. 687/16 (DB)

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

Dated : 8.2.2018

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

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

Vice Chairman (J)

dnk.

O.A. 611/2016 (DB)

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

Dated : 8.2.2018

Shri G.G. Bade, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the Respts.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A. 612/2017 (DB)

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

Dated : 8.2.2018

Shri P.S. Sahare, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1&2 and Shri Y. Yerawar, Id. counsel for R-3.

At the request of Id. counsel for the applicant, **S.O. next week**.

Vice Chairman (J)

dnk.

O.A. 679/2017 (DB)

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

Dated : 8.2.2018

Shri N.R. Saboo, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the Respts.

S.O. next week.

Vice Chairman (J)

dnk.

O.A. 936/2017 (DB)

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

Dated : 8.2.2018

Shri D.M. Kakani, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the Respts.

S.O. three weeks.

Vice Chairman (J)

dnk.

C.P. 05/2018 in O.A. 76/2017 (DB)

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

Dated : 8.2.2018

Heard Ms. A. Lanjewar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. In this application the applicant is claiming contempt action against the respondents for not complying with the order passed by this Tribunal in O.A.76/2017 on 2/8/2017. The respondent no.1 was directed to release the regular pension as well as pensionary benefits to the applicant and to take appropriate decision on the proposed punishment on the basis of show cause notice issued to the applicant on 21/7/2016 within three months from the date of the order. It is stated that no action has been taken till today. It prima

facie seems that the order is not complied. The learned P.O. is therefore directed to take instructions as to what is the status of compliance in this matter and to intimate the Tribunal accordingly within two weeks.

3. In the meantime, issue notice to R-2 to 4, returnable in four weeks. Learned 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)

dnk.

O.A. 39/2018 (DB)

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

Dated : 8.2.2018

Heard Shri S.M. Khan, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. The applicant is claiming that the order of initiation of departmental enquiry and appointment of inquiry officer dated 11/10/2017 passed by the Special Inspector General of Police, Nagpur Range, Nagpur for conducting departmental inquiry against him be quashed and set aside. It is stated that the applicant has not got an opportunity to give reply since the charge sheet was not served earlier, i.e., prior to appointment of inquiry officer. Admittedly, the applicant has now received the charge sheet and is appearing before the inquiry officer. He can very well ask for time to file reply to the charges. The learned counsel for the applicant submits that the inquiry officer is conducting inquiry at Wardha, whereas, the applicant is at Nagpur and therefore it has become difficult for the applicant to attend the inquiry at every time at Wardha. The applicant will be at liberty to file

representation to that effect before the competent authority. So far as the prayer clause (b) as regards declaration of suspension from 21/2/2012 to 25/4/2012 as illegal, the said claim seems to be prima facie barred by limitation and since the applicant is already reinstated that will have to be considered on merits. The applicant may take steps to that effect.

3. So far as the applicant's request that the suspension period from 21/2/2012 to 25/4/2012 as regular period of service, the same seems to be premature since the said decision will depend upon the outcome of inquiry. For the reasons stated above, the reply of the respondents will be necessary.

4. Hence, issue notice to R-2 and 3, returnable in **four weeks**. Learned 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)

dnk.