

O.A. No. 01/2017.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

Shri A.P. Tathod, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents 1 to 4. None for R.5.

Taken up on mention.

The learned counsel for the applicant submits that the appointment order is issued and the grievance of the applicant is redressed. Applicant wants to withdraw the O.A. Accordingly, the O.A. is disposed of withdrawn, as the grievance of the applicant is redressed.

Vice-Chairman

pdg

O.A. No. 219/2016.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

C.A.No.10/2017 in C.P.(St.) 67/2016.

Shri R.H. Chandurkar, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

At the request of the learned counsel for the applicant, leave to amend in title clause is granted.

S.O. 11th January 2017.

Vice-Chairman

Pdg

O.A. No. 661/2016.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

Shri G.K. Bhusari, learned counsel for the applicant and Shri V.A. Kulkarni, learned P.O. for the respondents 1 & 2. Shri S.C. Deshmukh, Ld. Adv. for R.3.

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

Vice-Chairman

Pdg

O.A. No. 413/2016.

Coram : S.S. Hingne, Vice-Chairman
Dated : 10th January 2017.

Shri S.P. Palshikar, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents 1 and 2. Shri A.D. Tote, Adv. for R.3.

The learned P.O. has filed reply on behalf of R.2. It is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

Put up before the D.B. when available.

Vice-Chairman

Pdg

O.A. No. 700/2016.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

Shri R.V. Shiralkar, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for the respondents.

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

Vice-Chairman

pdg

O.A. No. 710/2016.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

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

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

Vice-Chairman

pdg

O.A. No. 733/2015.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

None for the applicant. Shri V.A. Kulkarni, learned P.O. for the respondents.

On the earlier two dates, none appeared for the applicant. On the last date, other Adv. for the applicant was holding for the Ld. counsel for the applicant.

Ld. P.O. submits that as mentioned in the reply para 4, the applicant does not hold the requisite qualification for possessing DMLT from the recognized Govt. institute which is required as an essential condition for the post of Laboratory Assistant as mentioned at page 38. The applicant has filed an application form.

With a view to afford one more opportunity, S.O. **four weeks.**

Vice-Chairman

pdg

O.A. No. 766/2016.

Coram : S.S. Hingne, Vice-Chairman
Dated : 10th January 2017.

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

The Ld. counsel for the applicant submits that respondent No.2 is served. However, office note shows that R.2 is not served. Applicant to take necessary steps before the next date.

S.O. **one week as a last chance.**

Vice-Chairman

pdg

O.A. No. 408/2014.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

None for the applicant. Shri H.K. Pande, learned P.O. for the respondents 1 and 2. None for R. 3 to 8.

The O.A. is filed in June 2014. Yet the respondent Nos. 3,4,10,11,15 and 16 are not served. Matter is adjourned from time to time.

With a view to afford one more opportunity, some other Advocate appeared for the applicant. No steps are taken. Matter was twice adjourned by way of last chance and for dismissal. Accordingly it was today listed for dismissal. Despite this, none present. Hence, the O.A. stands dismissed for default.

Vice-Chairman

Pdg

O.A. No. 409/2014.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

None for the applicant. Shri H.K. Pande, learned P.O. for the respondents 1 and 2. None for R. 3 to 8.

The O.A. is filed in June 2014. Yet the respondent Nos. 3,4,10,11,15 and 16 are not served. Matter is adjourned from time to time.

With a view to afford one more opportunity, some other Advocate appeared for the applicant. No steps are taken. Matter was twice adjourned by way of last chance and for dismissal. Accordingly it was today listed for dismissal. Despite this, none present. Hence, the O.A. stands dismissed for default.

Vice-Chairman

Pdg

O.A. No. 402/2014.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

R.A. 03/2016.

None for the applicant (original R.2) and Shri M.I. Khan, learned P.O. for the respondents 1 and 3. Shri S.P. Palshikar, Adv. for R. 1 (original applicant).

At the request of Shri S.P. Palshikar, Adv. for R. 1 (original applicant), S.O **four weeks.**

Vice-Chairman

pdg

O.A. No. 701/2016.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

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

Ld. P.O. filed reply of R.3 Collector. Washim. It is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

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

Vice-Chairman

pdg

O.A. No. 477/2012.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

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

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

Vice-Chairman

pdg

O.A. No. 241/2013.

Coram : S.S. Hingne, Vice-Chairman
Dated : 10th January 2017.

Miss Nazia Pathan, Adv. holding for (Dr.) Smt. R.S. Sirpurkar, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the respondents.

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

Vice-Chairman

pdg

O.A. No. 119/2014.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

Shri Sandeep Tatke, Adv. holding for Shri V. Bhise, learned counsel for the applicant and Smt. S.V. Kolhe, learned P.O. for the respondents.

At the request of Ld. counsel for the applicant, **Stand over.**

Put up with O.A. No.120/2014.

Vice-Chairman

pdg

O.A. No. 757/2015.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

Shri P.J. Mehta, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents 1 to 4. Shri J.S. Wankhede, Adv. for R.5.

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

Vice-Chairman

pdg

O.A. No. 499/2016.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

Shri B. Kulkarni, Adv. holding for Shri S.K. Verma, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

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

Vice-Chairman

pdg

O.A. No. 474/2016.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

Shri P.V. Thakre, learned counsel for the applicant and Smt. S.V. Kolhe, learned P.O. for the respondents.

The Ld. counsel for the applicant filed an affidavit of the applicant. It is taken on record. Copy served to the Ld. P.O.

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

Vice-Chairman

pdg

O.A. No. 500/2016.

Coram : S.S. Hingne, Vice-Chairman

Dated : 10th January 2017.

C.A. 530/2016.

Shri P.V. Thakre, learned counsel for the applicant and Smt. S.V. Kolhe, learned P.O. for the respondents.

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

Vice-Chairman

pdg

O.A. No. 623/2016.

Coram : S.S. Hingne, Vice-Chairman
Dated : 10th January 2017.

Shri Katkar, Adv. holding for Shri N.R. Saboo, learned counsel for the applicants and Shri A.M. Khadatkhar, learned P.O. for the respondents.

At the request of Ld. counsel for the applicant, **Stand over.**

Vice-Chairman

pdg

O.A. No.548/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

C.A.548/2016 -

Ms. R. Singh, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the Respts.

The C.A. is disposed of keeping the aspect of limitation open, which will be decided in O.A.

O.A.548 /2016 -

The Id. P.O. files reply of R-2. It is taken on record. Copy is served to the Id. counsel for the applicant. At her request, **S.O. four weeks.**

V.C.

dnk.

O.A. No.330/2015

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

M.C.A.87/2016 -

Shri A. M. Ghogre, Id. P.O. for the applicant (Org. Respts) and Shri S.M. Khan, Id. counsel for respondent (Org. applicant).

The period of three months is sought to comply the order. Considering the nature of the matter, the time is granted as prayed for. With this, the MCA is allowed.

V.C.

dnk.

O.A. No.857/2014

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

M.C.A.77/2016 -

Shri M.I. Khan, Id. P.O. for the applicant (Org. Respts) and Shri S.M. Khan, Id. counsel holding for Ku. K.K. Pathak, Id. counsel for respondent (Org. applicant).

Shri S.M. Khan, Id. counsel submits that Ku. K.K. Pathak, Id. counsel for respondent (Org. applicant) is busy in the High Court and he seeks time. At his request, **S.O. 11-01-2017.**

V.C.

dnk.

O.A. No.607/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

M.C.A. 03/2017 -

Heard Shri P.S. Patil, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the Respts.

Considering the technical nature of the modification and in the light of import of order, interpretation as stated appears to be improper, the MCA is allowed to the extent that there should be some time limit to implement the order because the applicant apprehends that the Govt. has not issued the General transfer orders from 2012 and order may remain only order on paper. It is necessary that there should be specific time limit to execute order and accordingly the order is modified, clarified and classified in usual proforma, accordingly.

In the result, the MCA is allowed.

V.C.

dnk.

O.A. No.441/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Shri N.R.Saboo, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for R-1&2 and Shri H. Dangre, Id. counsel for R-3.

Learned P.O. undertakes to file reply during the course of day and supply the copies to the other sides.

S.O. 12-1-2017.

V.C.

dnk.

O.A. No. 544/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A. No. 405/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Heard Shri S.M. Khan, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the Respts.

2. The applicant's terminal benefits are already released as per the Chart (P-51). The applicant submitted the V.Rs. application and thereafter he stood retired on 30-5-2014. Needless to mention that some time is required to prepare the pension case. Usually if the process starts one year in advance. Meaning thereby at least one year is required to finalize the process. When the V.Rs. application is moved, the department

that cannot be expected to start the process well in advance.

3. In case the in hand the applicant got the provident fund, so also the provisional pension was started immediately. However the applicant's case is that the regular pension was started late. The facts remains that the applicant got some pension amount.

4. As per Clause 126 (6) of the Maharashtra Civil Services (Pension) Rules, 1982 (in short "Pension Rules"), the applicant can be entitled for interest.

5. As per Clause no.2 of Rule 129 (A) of the Pension Rules the applicant has to make application to the administration department. The terminal benefits are thus released and main grievance of the applicant is redressed. From the above aspect has several facets which can be well decided by department.

6. In the above state of affairs, the O.A. is disposed of with a liberty to the applicant to move the application as per rule 129A (2) of the Pension Rules to the concerned department. The applicant if aggrieved is at liberty to take legal recourse. The respondents to decide the claim of interest in the light of the legal provisions, within four months from the date of receipt of application.

7. With this, the O.A. is disposed of.

V.C.

dnk.

O.A. No. 631/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Shri A.P. Tathod, Id. counsel for the applicant, Smt. M.A .Barabde, Id. P.O. for R-1 and Ms. P.V. Shendre, Id. counsel for R-2 to 4.

Ms. Shende, Id. counsel files reply on behalf of R-2 to 4. It is taken on record. Copies are served to the other sides.

Ld. counsel for the applicant wants to go through the same. At his request, **S.O. four weeks.**

V.C.

dnk.

O.A. No. 808/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Shri N.S. Badhe, Id .counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the Respts.

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

V.C.

dnk.

Rev. A. 07/16 in O.A. No. 243/2015

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Shri N.R. Saboo, Id. counsel for the applicant, Shri A.P.Potnis, Id. P.O. for R-1 to 3 and Shri D.A. Sonwane, Id. counsel for R-4.

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

V.C.

dnk.

O.A. No. 88/2012

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Shri J.L. Bhoot, Id. counsel for the applicants and Smt. M.A. Barabde, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A. No. 517/2013

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Shri Bharat Kulkarni ,dl .counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the Respts.

The learned counsel for the applicant files the Chart (P-150). Copy is served to the Id. P.O.

S.O. four weeks.

V.C.

dnk.

O.A. No. 07/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

None for the applicant. Shri A.M. Ghogre, Id. P.O. for R-1 to 4. Shri M.M. Choudhary, Id. counsel for R-4.

S.O. four weeks.

V.C.

dnk.

O.A. No.113/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Shri N.D. Thombre, Id. counsel holding for Shri S. Borkar, Id. counsel for the applicants, Shri M.I. Khan, Id. P.O. for R-1&2 and Shri A. Dighe, Id. counsel for R-3 to 60.

At the request of Id .counsel for the applicants, **S.O. four weeks.**

V.C.

dnk.

O.A. No.686/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Shri D.S. Raut, Id. counsel for the applicant and Shri A.M. Khadatkhar, Id. P.O. for R-1 & 2. None for R-3.

S.O. Next week.

V.C.

dnk.

O.A. No.451/2016 with C.A.502/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Heard Shri N.D. Thombre, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R- 1 to 4. None for R-5&6.

Learned counsel for the applicant files the Pursis (P-24) along with some documents. The same are taken on record. Copies are served to the Id. P.O. The Id. P.O. submits that the deputation order is already is cancelled as per order dated 10-11-2016 (P-38). The copy is filed on record.

Closed for orders.

V.C.

dnk.

O.A. 586/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Shri Anand Deshpande, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1 to 3. None for R-4.

The applicant is allowed to correct the name/ designation of R-1. Necessary amendment be carried out.

At the request of Id. P.O., **S.O. one week for reply.**

V.C.

dnk.

O.A. No. 595/2015

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Heard Shri M.I. Dhattrak, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the Respts.

2. The learned counsel for the applicant files the communication issued by Tahsildar, Ghatanji dated 9-1-2017 (P-55) to the effect that the Thanegaon and Dattapur no person from NT (D) category resides in those villages. The copy of the same is taken on record.

3. The reservation for the post of Police Patil for five different villages of Taluka Ghatanji, dist. Yavatmal is at stake in this O.A. So far as two villages are concerned i.e. Dattapur and Thanegaon, no applications are received. As such for those villages the

recruitment process requires to be done afresh.

4. So far as Karmana village is concerned that is reserved for Open. For village Khapri for the candidate from NT (C) is reserved. For village Kondjai the post is reserved for SBC candidate.

5. The learned counsel for the applicant submits that according to the applicant the population of NT (D) category is large in these three villages, however this aspect is not considered.

6. On submission made by both the sides, the O.A. is disposed of with a direction to consider the matter afresh for all the five villages in the light of the G.Rs. and reservation policy. If reservation for two villages is changed it may affect the chain because as per G.R. dated 16-10-2008 (A-3,P-27) reservation is to be earmarked considering all posts of different villages and then reservation category is determined. As such, it appears chain the reservation point of other villages may change in reshuffle. If it is so, then all available posts may be taken in hotchpotch and then reservation category may be determined. In the result, the position of reservation only of all posts may be required to be done. In that event the points at

dispute may be resolved considering point afresh. The SDO (R/3) to consider the matter in the light of these observations and take the steps, according to law.

V.C.

dnk.

O.A. Nos. 581, 582,583 & 584 of 2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Heard Shri Anand Deshpande, Id. counsel for the applicants and Shri S.A. Deo, Id. C.P.O. for the Respts.

Closed for orders.

V.C.

dnk.

O.A. No. 630 of 2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 10.01.2017.

Heard Shri Anand Deshpande, Id. counsel for the applicant, Shri S.A. Deo, Id. C.P.O. for the R-1 to 4 and Shri A.P. Tathod, Id. counsel holding for Shri T.U. Tathod, Id. counsel for the R-5.

Closed for orders.

V.C.

dnk.