

02.01.2017

O.A No 285/2002

Smt Suman S. Jamkar & Ors... Applicants

Vs.

The State of Mah & Ors ... Respondents

None for the Applicant and heard Mrs M.A Barabde, learned Presenting Officer for the Respondents.

This matter was last heard on 10.12.2012 by the Division Bench. It was observed that none was present for the Applicant and on last two occasions also, namely 31.10.2012 and 26.11.2012 also, none was present for the Applicant. The matter was then placed before the Division Bench on 11.12.2012. On that day also none was present for the Applicant. The matter was then placed before the Hon'ble Member (J) for further hearing on 25.8.2016 when also the Applicant was not present.

It was also ordered that the matter may be placed before the Division Bench whenever it was available. Accordingly the matter has been placed before us for hearing today.

Today also none is present for the Applicant. It is clear that Applicant is no longer interested in prosecuting the Application It is therefore, dismissed in default.

(Rajiv Agarwal)
Vice-Chairman

(J.D Kulkarni)
Member (J)

Akn

02.01.2017

O.A No 232/2008

Shri S.D Kamble ... Applicant

Vs.

The State of Mah & Ors ... Respondents

None for the Applicant and heard
Shri A.M Ghogre, learned Presenting Officer
for the Respondents.

It may be kept for dismissal on
6.1.2017

(Rajiv Agarwal)
Vice-Chairman

(J.D Kulkarni)
Member (J)

Akn

02.01.2017

O.A No 21/2009

Shri P.S Kohle ... Applicant

Vs.

The State of Mah & Ors ... Respondents

None for the Applicant and heard Smt
M.A Barabde, learned Presenting Officer for
the Respondents.

It may be kept for dismissal on
6.1.2017

(Rajiv Agarwal)
Vice-Chairman

(J.D Kulkarni)
Member (J)

Akn

02.01.2017

O.A No 34/2009

Shri K.H Bhalekar ... Applicant

Vs.

The State of Mah & Ors ... Respondents

None for the Applicant and heard Mrs
M.A Barabde, learned Presenting Officer for
the Respondents.

It may be kept for dismissal on
6.1.2017

(Rajiv Agarwal)
Vice-Chairman

(J.D Kulkarni)
Member (J)

Akn

02.01.2017

O.A No 151/2009

Shri N.S.G S.Suryawanshi ...

Applicant

Vs.

The State of Mah & Ors ... Respondents

None for the Applicant and heard
Shri A.M Ghogre, learned Presenting Officer
for the Respondents.

It may be kept for dismissal on
6.1.2017

(Rajiv Agarwal)
Vice-Chairman

(J.D Kulkarni)
Member (J)

Akn

02.01.2017

O.A No 236/2009

Shri G.R Ganorkar ... Applicant

Vs.

The State of Mah & Ors ... Respondents

None for the Applicant and heard
Shri H.A Pande, learned Presenting Officer
for the Respondents no 1 to 3. None for
Respondent no. 4..

It may be kept for dismissal on
6.1.2017

(Rajiv Agarwal)
Vice-Chairman

(J.D Kulkarni)
Member (J)

Akn

02.01.2017

O.A No 533/2009 with C.A
64/2010

Ms MM Taide ... Applicant
Vs.
The State of Mah & Ors ... Respondents

None for the Applicant and heard
Shri S.A Sainis, learned Presenting Officer
for the Respondents.

It may be kept for dismissal on
6.1.2017

(Rajiv Agarwal)
Vice-Chairman

(J.D Kulkarni)
Member (J)

Akn

02.01.2017

O.A No 593/2009

Ku S.P Godbole ... Applicant

Vs.

The State of Mah & Ors ... Respondents

None for the Applicant and heard
Shri P.N Warjurkar, learned Presenting
Officer for the Respondents.

It may be kept for dismissal on
6.1.2017

(Rajiv Agarwal)
Vice-Chairman

(J.D Kulkarni)
Member (J)

Akn

02.01.2017

O.A No 783/2009

Shri C.V Pimpalghare ... Applicant
Vs.
The State of Mah & Ors ... Respondents

None for the Applicant and heard Smt S.V Kolhe learned Presenting Officer for the Respondents.

This matter was last heard by Hon'ble Vice-Chairman on 11.11.2016. It is mentioned in the order that none appeared for the Applicant on that day and on last two occasions also. The matter was therefore, ordered to be placed before the Division Bench for disposal. Today also none is present for the Applicant.

In the light of aforementioned facts, it is quite clear that the Applicant has lost interest in pursuing this Original Application.

The same is therefore, dismissed in default.

(Rajiv Agarwal)
Vice-Chairman

(J.D Kulkarni)
Member (J)

Akn

02.01.2017

O.A No 68/2010

Shri R.T Lanjewar ... Applicant
Vs.
The State of Mah & Ors ... Respondents

None for the Applicant and heard
Shri H.K Pande, learned Presenting Officer
for the Respondents.

It may be kept for dismissal on
6.1.2017

(Rajiv Agarwal)
Vice-Chairman

(J.D Kulkarni)
Member (J)

Akn

02.01.2017

**O.A No 239/2010 with C.A
156/2010**

Shri H.P Yetre ... Applicant

Vs.

The State of Mah & Ors ... Respondents

None for the Applicant and heard
Shri P.N Warjurkar, learned Presenting
Officer for the Respondents 1 to 5 & 8 and
None for Respondent nos 6 & 7.

It may be kept for dismissal on
6.1.2017

**(Rajiv Agarwal)
Vice-Chairman**

(J.D Kulkarni)
Member (J)

Akn

O.A. No.600/2016 **(D.B.)**

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

Dated : 02.01.2017.

Shri S.R. Chakrawati, Id. counsel holding for Shri P.C. Madkholkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the Respts.

The copy of reply is supplied to the Id. counsel for the applicant. At the request of Id. counsel for the applicant, **S.O. two weeks.**

V.C.

dnk.

O.A. No.526/2016 **(D.B.)**

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

Dated : 02.01.2017.

Shri A.P. Tathod, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A. No.685/2016 **(D.B.)**

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

Dated : 02.01.2017.

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

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

V.C.

dnk.

O.A. No.527/2016

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

Dated : 02.01.2017.

Shri G.K. Bhusari, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A. No.462/2016

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

Dated : 02.01.2017.

None for the applicant. Shri A.P. Potnis, Id. P.O. for R-1. Await service of R-2&3. It appears that no steps are taken to serve R-2&3 though the notice was issued in August,2016. With a view to afford one more opportunity, **S.O. three weeks for dismissal.**

V.C.

dnk.

O.A. No.389/2016

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

Dated : 02.01.2017.

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

Learned P.O. files separate reply of R-2 as well as R-3&4. Same are taken on record. He undertakes to serve the copies to the other side.

Heard. Admit.

The matter relates to the compassionate appointment.

Hearing expedited.

Learned P.O. waives notice for the respondents.

S.O. two weeks.

V.C.

dnk.

O.A. No.572/2016

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

Dated : 02.01.2017.

None for the applicant. Shri M.I. Khan, Id .P.O. for R-1 to 4. None for R-5.

Learned P.O. files reply of R-3. It is taken on record. He undertakes to serve the copies to the other sides.

S.O. one week.

V.C.

dnk.

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

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

Dated : 02.01.2017.

None for the applicants. Shri M.I. Khan, Id .P.O. for the Respts.

Learned P.O. files reply of R-1. Same are taken on record. He undertakes to serve the copies to the other sides.

S.O. 5-1-2017.

V.C.

dnk.

O.A. No.586/2016

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

Dated : 02.01.2017.

None for the applicant. Shri S.A. Sainis, Id. P.O. for R-1 to 3. None for R-4.

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

V.C.

dnk.

O.A. No.614/2016

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

Dated : 02.01.2017.

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

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

V.C.

dnk.

O.A. Nos.632,633 & 634 of 2016

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

Dated : 02.01.2017.

None for the applicant. Smt. S.V. Kolhe, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A. No. 641 of 2016

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

Dated : 02.01.2017.

Shri P.P. Khaparde, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 to 3. None for R-4&5.

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

V.C.

dnk.

O.A. No. 648 of 2016

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

Dated : 02.01.2017.

None for the applicant. Shri M.I. Khan, Id. P.O. for the Respts.

Ld. P.O. files separate reply of R-3&4. Same are taken on record. He undertakes to serve the copies to the other side.

S.O. two weeks.

V.C.

dnk.

O.A. No. 741 of 2016

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

Dated : 02.01.2017.

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

Ld. P.O. files reply of R-2. It is taken on record. He undertakes to serve the copy to the other side.

At the request of learned P.O., S.O. three weeks for reply of R-3.

V.C.

dnk.

O.A. No. 770 of 2016

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

Dated : 02.01.2017.

There is a leave note from Shri S.P. Palshikar, Id. counsel for the applicant. Shri V.A. Kulkarni, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A. Nos. 190,191,192,193 & 194 of 2010

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

Dated : 02.01.2017.

Shri R.V. Shiralkar, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the Respts.

At the request of both the sides, **S.O. two weeks.**

V.C.

dnk.

O.A. No. 683 of 2014 with C.A.605/12

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

Dated : 02.01.2017.

There is a leave note from Shri S.P. Palshikar, Id. counsel for the applicant. Shri M.I. Khan, Id. P.O. for the Respts.

S.O. three weeks.

V.C.

dnk.

O.A. No. 684 of 2014

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

Dated : 02.01.2017.

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1. None for R-2.

S.O. three weeks.

V.C.

dnk.

O.A. No. 729 of 2014

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

Dated : 02.01.2017.

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

S.O. four weeks.

V.C.

dnk.

O.A. No. 787 of 2014

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

Dated : 02.01.2017.

None for the applicant. Smt. M.A. Barabde, Id. P.O. for the Respts.

Learned P.O. files reply on behalf of R-2 to the amended O.A. It is taken on record. She undertakes to serve the copy to the other side.

S.O. three weeks.

V.C.

dnk.

O.A. No.450 of 2015

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

Dated : 02.01.2017.

None for the applicant. Smt. S.V.
Kolhe, Id. P.O. for the Respts.

S.O. four weeks.

V.C.

dnk.

O.A. No.790 of 2015

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

Dated : 02.01.2017.

None for the applicant. Smt. S.V.
Kolhe, Id. P.O. for the Respts.

S.O. three weeks.

V.C.

dnk.

O.A. No.623 of 2016

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

Dated : 02.01.2017.

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

The learned counsel for the applicant files the copy of G.R. dated 7-10-2016 (P-43) regarding consideration of the service period during different nature of services. As such the O.A. can be disposed of.

At the request of Id. P.O., **S.O. Next week.**

V.C.

dnk.

O.A. No.534 of 2016

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

Dated : 02.01.2017.

Shri S.C. Deshmukh, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for R-1 to 3. None for R-4.

S.O. two weeks.

V.C.

dnk.

O.A. No.664 of 2016

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

Dated : 02.01.2017.

None for the applicant. Smt. S.V. Kolhe, Id. P.O. for the Respts.

On the earlier two dates also none appeared for the applicant. Today it is kept for disposal. However, none appeared for the applicant.

S.O. one week for dismissal.

V.C.

dnk.

O.A. No.396 of 2016

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

Dated : 02.01.2017.

Shri A.P. Tathod, Id. counsel holding for Shri A.D. Girdekar, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the Respts.

Learned P.O. wants to file reply to the amended portion. He submits that he received draft reply.

S.O.4-1-2017.

V.C.

dnk.

O.A. No.828 of 2016

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

Dated : 02.01.2017.

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

2. At the request of Id. counsel for the applicant, allowed to make the amendment in the title clause adding the respondents.

3. On amendment, issue notice to R-2 and 3 and newly added respondent, returnable on 6-1-2017. Learned P.O. waives notice for R-1.

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. The aspect of interim relief is kept open.

9. **S.O. 6-1-2017.**

V.C.

dnk.

O.A. No.775 of 2015 **(D.B.)**

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

Dated : 02.01.2017.

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

None appeared for the applicant when the matter was called out initially and then kept back. At the end of board the matter is again called but none appeared for the applicant.

The learned P.O. has produced the sealed communication from the MPSC and submits that it is the result of the applicant.

The envelope is opened which mentions about the marks secured by the applicant in interview.

The Id. P.O. wants to take the instructions so that the matter can be proceeded and disposed of. The mark sheet is put again in the sealed envelope.

S.O. two weeks.

V.C.

dnk.

O.A. No.827 of 2016

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

Dated : 02.01.2017.

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the State.

2. The applicant as District Superintendent of Agriculture Officer has impugned the transfer order dated 15-12-2016 (A-1,P-10) by which she is transferred from Bhandara to Nagpur on administrative ground. The learned counsel for the applicant submits that she has not opted for

transfer and it is a mid-term and mid tenure transfer. The order says that it is issued in compliance of the Section 4 (5) of The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (In short 'Transfer Act'). The Id. counsel for the applicant submits that these sections are merely reproduced. However when the order says that this order is issued in the light of this provisions, that aspect cannot be ignored. It is submitted that no reasons are given, however it is well settled that the reasons are reflected in the file and not in the order.

3. Moreover the State Govt. is the only party and the local office or head of the department is not a party in proceeding without whom the administration cannot be run at Mantralaya level. The order is issued long back i.e. on 15-12-2016. The Id. counsel for the applicant submits that administrative officer the Divisional Joint Director of Agriculture has issued the communication dated 19-12-2016 (A-2, P-14) for handing over the charge. The Id. counsel for the applicant also submits that the applicant is relieved but she is on leave. As such at this stage no case for ad-interim relief is made out, before notice.

4. The O.A. is filed on 27-12-2016. At this stage at the request of Id. counsel for the

applicant, allowed to make the amendment in the title clause by adding the respondents.

5. On adding the parties, issue notice to the newly added respondents returnable on **Next week**. Hamdast allowed. Learned P.O. waives notice for R-1.

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

7. 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.

8. 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.

9. 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.

10. **S.O. Next week.**

V.C.

Dnk