

O.A. No 779/2009.

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

Dated : 20th March 2017.

C.A. 177/2016 in Rev.(St.) 741/2016.

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

Closed for orders.

Vice-Chairman(J)

Pdg

O.A. No 133/2016.

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

Dated : 20th March 2017.

None for the applicant. Shri S.A. Sainis, the learned P.O. for respondent Nos. 1 and 2. None for R. 3 to 5.

The learned counsel for the applicant filed pursis and submits that the applicant is not responding. The applicant was served notice. But he did not turn up. In view thereof, application stands dismissed in default.

Vice-Chairman(J)

Pdg

O.A. No 123/2016.

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

Dated : 20th March 2017.

Shri D.S. Sawarkar, the learned counsel for the applicants and Shri V.A. Kulkarni, the learned P.O. for the respondents.

At the request of the learned counsel for the applicants, S.O. **3rd April 2017.**

Vice-Chairman(J)

Pdg

O.A. No 577/2016.

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

Dated : 20th March 2017.

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

The learned counsel for the applicant has already filed rejoinder. As the pleadings are complete, O.A. is admitted and kept for final hearing when the regular D.B. is available.

Shri A.M. Khadatkar, the learned P.O. waives notice for all the respondents.

Vice-Chairman (J)

O.A. No 696/2016.

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

Dated : 20th March 2017.

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

No rejoinder is filed. As the pleadings are complete, O.A. is admitted and kept for final hearing when the regular D.B. is available.

Shri A.M. Ghogre, the learned P.O. waives notice for all the respondents.

Vice-Chairman (J)

pdg

O.A. No 834/2016.

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

Dated : 20th March 2017.

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

The learned P.O. seeks time to file reply.

S.O. 17th April 2017.

Vice-Chairman (J)

Pdg

O.A. No. 150/2016.

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

Dated : 20th March 2017.

Shri S.P. Palshikar, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 and 2. None for R. 3 to 10.

The learned P.O. has filed reply on behalf of R.1, the same is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

The learned counsel for the applicant submits that he will go through it and will file rejoinder, if necessary

S.O. 3rd April 2017.

Vice-Chairman (J)

O.A. No 63/2017.

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

Dated : 20th March 2017.

C.A. No.47/2017

Shri S.P. Kshirsagar, the learned counsel for the applicant, Shri M.I. Khan, learned P.O. for the respondents No. 1, 2 4 and 5 and Shri F.T. Mirza, Id. counsel for R/3.

At the request of Id. P.O. S.O. **21/3/2017** for final hearing.

Vice-Chairman(J)

Skt.

**Rev. Appn. No. 9/16 in O.A. No
736/2015.**

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

Dated : 20th March 2017.

Shri Sandeep Tatke,
,holding for Shri Shiralkar, the learned
counsel for the applicant, Shri A.M.
Ghogare, learned P.O. for the
respondents No. 1 to 3 and Shri B.D.
Pandit, Id. counsel for R/4.

S.O. 17/4/2017.

Vice-Chairman(J)

Skt.

O.A. No 289/2016.

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

Dated : 20th March 2017.

Smt. K. Saboo, the learned
counsel for the applicant, V.A.
Kulkarni, learned P.O. for the
respondents No. 1, to 3 . None for R/4.

At the request of Id. P.O. S.O.
27/3/2017.

Vice-Chairman(J)

Skt.

O.A. No 515/2016.

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

Dated : 20th March 2017.

Shri S.S. Dhengale, the learned counsel for the applicant and Shri S. Khadatkar, learned P.O. for the respondents.

At the request of Id. P.O. S.O.
27/3/2017.

Vice-Chairman(J)

Skt.

O.A. No 702/2016.

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

Dated : 20th March 2017.

Smt. K. Saboo, the learned counsel for the applicant, and Shri S. Khadatkar, learned P.O. for the respondents .

At the request of Id. P.O. S.O.
17/4/2017.

Vice-Chairman(J)

Skt.

O.A. No 728/2018.

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

Dated : 20th March 2017.

Shri N.D. Thomnbre, the learned counsel for the applicant, and Shri A.P. Potnis, learned P.O. for the respondents .

At the request of Id. P.O. S.O. **3/4/2017** by way of last chance.

Put up with O.A. Nos. 578,613, 677 and 729/2016

Vice-Chairman(J)

Skt.

O.A. No 755/2016

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

Dated : 20th March 2017.

None for the applicant.
Shri M.I. Khan, learned P.O. for the
respondents No. 1 and 2 and
Shri A.P. Tathod, Id. counsel for R/4.
None for R/3.

Pleading are complete.

Matter is admitted.

Ld. P.O. and Id. counsel for R/4
waive notice for the respective parties.

It be placed for final hearing on

3/4/2017.

Vice-Chairman(J)

Skt.

O.A. No.778/2016.

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

Dated : 20th March 2017.

Shri S.B. Tiwari, the learned counsel for the applicant and Shri S.A. Sanis, the learned P.O. for the respondents No. 1 and 2. Shri S. Pande, Id. counsel for R/3.

Ld. P.O. seeks time to file reply-in-affidavit. Last chance was granted on 27/2/2017. The Id. counsel for R/3 submits that he will file the reply during the course of the day.

At the request of Id. P.O. S.O. **27/3/2017 by way of one more chance to file reply.**

Vice-Chairman(J)

Skt.

O.A. No.55/2017.

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

Dated : 20th March 2017.

Shri S.B. Tiwari, the learned counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents.

At the request of Id. P.O. S.O.

27/3/2017

Vice-Chairman(J)

Skt.

O.A. No.778/2016.

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

Dated : 20th March 2017.

Heard Shri P.S. Wathore, the learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents .

Closed for orders.

Vice-Chairman(J)

Skt.

O.A. No.394/2011 .

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

Dated : 20th March 2017.

Heard Shri P.S. Wathore, the learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents .

Closed for orders.

Vice-Chairman(J)

Skt.

O.A. No.743/2016.

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

Dated : 20th March 2017.

Heard Shri T.U. Tathod, the learned counsel for the applicant and Shri S.A. Sabnis, the learned P.O. for the respondents .

Closed for orders.

Vice-Chairman(J)

Skt.

O.A. No.390/2016.

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

Dated : 20th March 2017.

None for the applicant.
Smt. S.V. Kolhe, the learned P.O. for
the respondents .

Ld. P.O. files reply of R/ 2 and 3.
The same is taken on record.

S.O.17/4/2017

Vice-Chairman(J)

Skt.

O.A. No.93/2017.

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

Dated : 20th March 2017.

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

At the request of Id. P.O. S.O. **3/4/2017** for filing reply.

Vice-Chairman(J)

Skt.

O.A. No.778/2016.

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

Dated : 20th March 2017.

Heard Shri P.S. Wathore, the learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents .

Closed for orders.

Vice-Chairman(J)

Skt.

O.A. No.119/2017.

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

Dated : 20th March 2017.

Shri M.P. Gulhane, the learned
counsel for the applicant.

Issue Notice returnable in
17/4/2017.

Hamdast granted

Shri S. Deo, Ld. C.P.O. waives
notice for R/1.

The Tribunal may take the case
for final disposal at this stage and

separate notice for final disposal shall not be issued.

Applicant is authorized and directed to serve on respondents intimation / notice of date of hearing duly authenticated by Registry, alongwith complete paper book of the O.A.

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

The service may be done by Hand delivery, speed post, courier and acknowledgment be obtained and produced along with an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file affidavit of compliance of notice.

Vice-Chairman(J)

Skt.

O.A. No.121/2017.

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

Dated : 20th March 2017.

Shri M.V. Bute, the learned
counsel for the applicant.

Issue Notice returnable in
17/4/2017.

Hamdast granted

Shri S. Deo, Ld. C.P.O. waives
notice for R/1. Shri A.P. Potnis , Id.
CP.O. waives notice for R/1.

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

Applicant is authorized and directed to serve on respondents intimation / notice of date of hearing duly authenticated by Registry, alongwith complete paper book of the O.A.

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

The service may be done by Hand delivery, speed post, courier and acknowledgment be obtained and produced along with an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file affidavit of compliance and notice.

Vice-Chairman(J)

Skt.

O.A. No.175/2010.

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

Dated : 20th March 2017.

None for the applicant .
Shri H.K. Pande, the learned P.O. for
the respondents .

From the record, it seems that
the applicant and his advocate remain
absent on previous so many dates. It
was clearly observed in the order dtd.
7/2/2017 that the applicant was not
diligent enough to prosecute the O.A.
and the matter was fixed for 20/2/2017.
On that date also nobody appears for

the applicant. Today also nobody appears for the applicant. The Id. P.O. submits that the pay scale of the applicant has been rightly fixed. It seems that the applicant may not be interested in prosecuting the O.A. However, in the interest of justice, the matter be kept on 24/3/2017 for dismissal.

Vice-Chairman(J)

Skt.

O.A. No.177/2011.

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

Dated : 20th March 2017.

Heard Shri S.M. Khan, Advocate holding for Shri P.C. Marpakwar, the learned counsel for the applicant and Shri A.M. Ghogare, the learned P.O. for the respondents .

The Id. counsel for the applicant submits that the applicant was due for promotion in the cadre of Super Class-I category in the pay scale of Rs.15600-39100 + G.P. 6600 w.e.f. 21/10/2010. The applicant has not yet been promoted as seen from the record.

Unless and until the applicant is promoted , there is no question of granting deemed date of promotion. The applicant has not challenged the order not granting him promotion. The Id. counsel for the applicant states that he will take instructions whether to withdraw the O.A. or to make amendment for which he seeks 6 weeks time.

S.O. 3/4/2017.

Vice-Chairman(J)

Skt.

O.A. No.640/2015.

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

Dated : 20th March 2017.

Heard Shri N.M. Zibhkate, the learned counsel for the applicant and Smt. S.V. Kolhe, the learned P.O. for the respondents .

Closed for orders.

Vice-Chairman(J)

Skt.

O.A. No.193/2011.

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

Dated : 20th March 2017.

None for the applicant.
Smt. S.V. Kolhe, the learned P.O. for
the respondents .

From the record it appears that
nobody is appearing for the applicant
since long and particularly from
5/5/2016.

Today, the Id. P.O. has placed
on record the documents which are
marked exhibit ~~X~~qfor the purposes of
identification. From the said

correspondence, it seems that on 21/2/2017, the applicant has filed one application before the Divisional Commissioner, Amravati making it clear that he does not want to prosecute the O.A. No. 193/2011. However, such application has not been filed in this O.A. From the documents filed today, it seems that the pay scale of Rs.5500-9000 has been given to the applicant as per the order dtd 21/7/2014.

The applicant in this O.A. is claiming grant of pay scale of Rs.5500 to 9000. The said claim of the applicant seems to have been redressed by the respondents and that may be the reason that the applicant may not be interested in prosecuting this O.A. Hence the O.A. stands dismissed in default.

Vice-Chairman(J)

Skt.

O.A. No.05/2017.

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

Dated : 20th March 2017.

None for the applicant.
Shri M.I. Khan, the learned P.O. for
the respondents 1 to 3. Shri T.U.
Tathod, ld. counsel holding for Shri A.P.
Tathod, ld. counsel for R/4.

Ld. P.O. files reply of R/1. The
same is taken on record. Ld. counsel
for R/4 seeks time to file reply

S.O. 3/4/2017.

Vice-Chairman(J)

Skt.

O.A. No.833/2012.

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

Dated : 20th March 2017.

Heard Shri A.L. Kawalkar, the learned counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondents 1 and 2. None for R/3 and 4.

In this O.A., the applicant is claiming direction to R/1 to grant him deemed date of promotion as Dy.

Engineer and to revise his pay accordingly.

The R/1 has filed reply-in-affidavit . In para no. 4 of the said affidavit, it is stated that the applicant has submitted a representation dtd. 14/9/2009 to the Secretary and not to the Rural Development Department. On the basis of this statement, the Secretary, Water Resources, Govt. of Maharashtra has been added as R/1-A. It seems that the Rural Development Department has been bifurcated during the pendency of this O.A. and earlier the concerned department was Rural Development and Water Resources Department. For such bifurcation, the applicant cannot be said to be responsible. What it may be the case the fact now remains is that the R/1-A is the competent authority to consider the claim of the applicant and therefore, the reply of R/1-A is necessary. It was expected that the reply should have been filed today. The Id. P.O. however, submits that she may be granted two weeksq time

to file reply-in-affidavit and therefore, in the interest of justice time is granted to file reply-in-affidavit of R/1-A. The Id. P.O. is directed to take instructions as to within how many days the representation filed by the applicant dtd. 14/9/2009 will be considered by the R/1-A.

S.O. 3/4/2017.

Vice-Chairman(J)

O.A. No.316/2014.

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

Dated : 20th March 2017.

None for the applicant .
Smt. M.A. Barabde, the learned P.O.
for the respondents .

S.O.10/4/2017

Vice-Chairman(J)

Skt.

O.A. No.366/2015.

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

Dated : 20th March 2017.

Shri S.R. Charpe, the learned counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondents .

Ld. P.O. places on record the copy of the order dtd. 24/1/2017 from which it seems that the benefit of 2nd time bound promotion has been

granted to the applicant. The Id. counsel for the applicant submits that he will go through it and will make a statement for which he seeks one week's time.

S.O.27/3/2017.

Vice-Chairman(J)

Skt.

O.A. No.176/2010.

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

Dated : 20th March 2017.

Heard Shri M.B. Agasti, the learned counsel for the applicant and Shri S.A. Sanis, the learned P.O. for the respondents .

The Id. counsel for the applicant submits that he has received one document dtd. 1/1/2006 alongwith the

affidavit-in-reply of Respondent nos. 2 and 3. Ld. P.O. submits that the said document was never placed on record. The document bears stamp of Civil Surgeon, Gondia. The ld. counsel for the applicant submits that he will file the said document alongwith the affidavit. Ld. P.O. submits that he will also take instructions about the said document from the concerned authority.

P.H.

S.O.3/4/2017.

Vice-Chairman(J)

Skt.

