

O.A.No.432/2017. (S.B.)

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

Dated : 23rd January 2019.

Shri S.A. Sainis, the Ld. P.O. for the original respondents and Shri N.D. Thombre, the Id. counsel for the original applicant.

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

Vice-Chairman(J)

Dt. 23.1.2019.

pdg.

O.A.No.498`/2017. (S.B.)

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

Dated : 23rd January 2019.

Shri S.A. Sainis, the Ld. P.O. for the original respondents and Shri N.D. Thombre, the Id. counsel for the original applicant.

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

Vice-Chairman(J)

Dt. 23.1.2019.

pdg.

O.A.No.113/2017. (S.B.)

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

Dated : 23rd January 2019.

C.A. 347/2017.

Shri A.P. Sadavarte, Adv. holding for Shri R.V. Shiralkar, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the Id. P.O. for the respondents.

At the request of the Id. P.O., S.O. **two weeks** to file reply to the C.A.

Vice-Chairman(J)

Dt. 23.1.2019.

pdg.

O.A.No.670/2017. (S.B.)

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

Dated : 23rd January 2019.

Shri Manoj Jaiswal, Adv. holding for Shri N.R. Saboo, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Id. P.O. for the respondents.

At the request of the Id. P.O., S.O. **one week** to file reply of the respondents as a last chance.

Vice-Chairman(J)

Dt. 23.1.2019.

pdg.

O.A.No.553/2018. (S.B.)

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

Dated : 23rd January 2019.

Shri A.P. Sadavarte, the Ld. counsel for the applicant and Shri H.K. Pande, the Id. P.O. for the respondents.

At the request of the Id. P.O., S.O. **one week** to file reply of the respondents.

Vice-Chairman(J)

Dt. 23.1.2019.

pdg.

O.A.No.616/2018. (S.B.)

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

Dated : 23rd January 2019.

None for the applicant. Shri A.M. Khadatkar, the Id. P.O. for the respondents. Shri P.V. Thakare, Adv. for the Intervener.

Applicant to remove office objection.

S.O. in due course.

Vice-Chairman(J)

Dt. 23.1.2019.

pdg.

O.A.No.262/2018. (S.B.)

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

Dated : 23rd January 2019.

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

The Ld. P.O. has filed reply affidavit on behalf of R. 3, 4 and 5, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

S.O. **one week** for filling rejoinder, if any.

Vice-Chairman(J)

Dt. 23.1.2019.

pdg.

O.A.No.478/2018. (S.B.)

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

Dated : 23rd January 2019.

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

The Id. counsel for the applicant has filed rejoinder, it is taken on record and a copy thereof is supplied to the Ld. P.O.

At the request of the Ld. counsel for the applicant, S.O. **24.1.2019.**

Vice-Chairman(J)

Dt. 23.1.2019.

pdg.

O.A.Nos .900 & 901/2017. (S.B.)

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

Dated : 23rd January 2019.

Oral order

Heard Shri Bharat Kulkarni, the Ld. counsel for the applicants and Shri V.A. Kulkarni, the Id. P.O. for the respondents.

2. In both these O.As., the applicants are claiming quashing and setting aside the communication of Accountant General, (M.S.), Nagpur (dated 9.10.2017 in O.A.No.900/2017) and (dated 5.10.2016 in O.A.No.901/2017) and also directions to the Accountant General, (M.S.), Nagpur to sanction pension to the applicants, considering their work charge service which is more than five years till they were recruited on regular establishment. They are claiming directions to the respondent

No.2 to sanction pension and all retiral benefits alongwith interest.

3. From the impugned communications, it seems that the applicants were denied the benefit of five years' service on work charge basis to be counted for the purpose of pension.

4. The respondent No.3 i.e. the Executive Engineer, P.W.D. (Electrical Division), Nagpur has filed reply affidavit and submitted that he has already recommended the cases of the applicants in view of order passed by the Hon'ble High Court of Judicature at Bombay, Bench at Nagpur in W.P No.3796/2016 delivered on 26.4.2017, which is admittedly maintained by the Hon'ble Apex Court also and also the order passed by this Tribunal in O.A. No. 61/2010 dated 12.1.2016. However, the Accountant General, Nagpur has not considered their claim. It, therefore, seems that the respondent

No.3 is shifting the burden on respondent No.2.

5. I have perused the reply filed by respondent No.2 and from the said reply, it seems that the respondent No.2 has taken benefit of the Govt. letter dated 18.2.2017 in Finance Department, whereby the Under Secretary, Finance Department has directed the Deputy Accountant General (P), Mumbai not to take cognizance of the service of the applicants on work charge establishment. Thus, the respondent No.2 is shifting the burden on respondent No.1. The judgment in W.P. No.3796/2017 of the Hon'ble High Court, Bench at Nagpur dated 26.4.2017 is very clear and in the said judgment, it is stated as under:-

“The learned Tribunal found that the respondent-employee has initially joined as Mustering Assistant on daily wages under E.G.S. from 29.12.1989. On 10.10.1995, he was appointed

as Mustering Assistant on work charge establishment in regular pay scale of Rs. 750-940. He was appointed in Group-D as a Peon on 30.4.1998. It could further be seen that the original applicant was also granted benefits of 5th Pay Commission and his service book also shows that he has been in continuous service from 29.12.1989. In this factual background that the original applicant's service book shows that he is in continuous service from 29.12.1989 and as his appointment is shown as Mustering Assistant on work charge establishment in the regular pay scale of Rs. 750-940 from 10.2.1995, it cannot be said that the view taken by the learned Tribunal that he has completed more than ten years which is qualifying service for pension purposes is perverse nor it can be said that the

learned Tribunal has taken a view which is not sustainable in law.”

6. The said judgment has been confirmed by the Hon'ble Apex Court, since the **SLP (C) No. 19844/2017** filed against the said judgment by the State, has been dismissed by the Hon'ble Apex Court on 21.8.2017. The learned counsel for the applicant has also placed reliance on the judgment delivered by this Tribunal in **O.A. No. 660/2017 in case of Dhanraj Mahadeo Gotekar V.s State of Maharashtra and others, delivered by undersigned on 4.7.2018** and in the said judgment, Rule 30 of the M.C.S. (Pension) Rules, 1982 has been considered and the respondents were directed to consider temporary service period of the said applicant. In such circumstances, it is very surprising as to how the Govt. can direct the Dy. Accountant General, Mumbai not to accept the temporary service period of the applicant for considering

pension. The respondent No.1 i.e. the Chief Secretary, Govt. of Maharashtra, Mantralaya, Mumbai is, therefore, directed to file an affidavit in reply, making it clear as to whether the Govt. is bound by the judgment of the Hon'ble High Court of Judicature at Bombay, Bench at Nagpur in W.P. No.3756/2016 delivered on 26.4.2017 in case of State of Maharashtra V/s Sadashiv Nagpure which is confirmed by the Hon'ble Apex Court, so also the judgment in O.A. No. 660/2017 passed by this Tribunal in case of Dhanraj Gotekar V/s State of Maharashtra and others dated 4.7.2018.

7. Affidavit shall be filed within **four weeks**.

8. Steno copies be provided to both the parties.

9. In the meantime, matter is admitted and be placed for final hearing after four weeks.

10. Shri V.A. Kulkarni, Ld. P.O.
waives notice for the respondents.

11. S.O. **four weeks**

Vice-Chairman(J)

Dt. 23.1.2019.

pdg.

O.A.No. 118/2016. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 23rd January 2019.**

Shri H.Dangre, the Id. Counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

The Id. counsel for the applicant pleads for the time. However, the Id. P.O. has been submitted that reply has been filed. Hence, the matter is **admitted** and kept for final hearing.

The Id. P.O. waives notice for the respondents.

S.O. in due course.

**Member(J)
Date:-23/01/2019.
aps.**

Member(A)

O.A.No. 520/2016. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 23rd January 2019.

C.A.No.457/2017:-

Ms. Supriya Deshmukh, the Id. Counsel
for the applicant and Shri M.I.Khan, the Id. P.O.
for the respondents.

S.O. one week.

**Member(J)
Date:-23/01/2019.
aps.**

Member(A)

O.A.No. 940/2017. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 23rd January 2019.**

Shri A.P.Sadavarte, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

The other connected matter involving same facts and issues of laws are decided i.e. O.A. No. 282/2017. As matter is similar and relief claim is also similar, therefore, as per the order pass in O.A. No. 282/2017, **this application is disposed of with no order as to costs.**

Member(J)
Date:-23/01/2019.
aps.

Member(A)

O.A.No. 465/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 23rd January 2019.

C.A.No.388/2018:-

Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

The Id. Counsel for the applicant has moved amendment application by C.A. No. 388/2018. It is kept pending. In order dated 29/06/2018, in para no. 5, it is mentioned:-

"The marks obtained by the applicant shall be kept in a sealed cover till further orders. Whether the applicant is entitled or not and whether his experience is as per norms or not, all these points are kept open. The applicant is allowed to have handast of the order. The Id. P.O. is requested to inform the M.P.S.C. accordingly. The selection process for the post of Professor (Physics) shall be subject to outcome of the O.A."

However, we feel, it is necessary to direct M.P.S.C. to publish the result and file the copy of the result before the Tribunal.

S.O. 20/02/2019.

Steno copy is granted.

Member(J)
Date:-23/01/2019.
aps.

Member(A)

O.A.No. 508/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 23rd January 2019.

Shri P.N.Shende, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

The Id. P.O. filed the affidavit-in-reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side.

The Id. Counsel for the applicant desires one week time to file Rejoinder. **S.O. one week.**

Member(J)
Date:-23/01/2019.
aps.

Member(A)

O.A.Nos. 991 & 992/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**
Dated : 23rd January 2019.

None for the applicant. Shri S.A.Deo,
the Id. C.P.O. for the State. Await service of
respondent nos. 2 to 4.

S.O. two weeks.

Member(J)
Date:-23/01/2019.
aps.

Member(A)

O.A.No. 1003/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 23rd January 2019.

Shri S.P.Chavhan, the Id. Counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the Respondent nos. 1 to 5 and Ms. A.Lanjewar, the Id. Counsel for the respondent no. 6.

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

Member(J)
Date:-23/01/2019.
aps.

Member(A)

O.A.No. 1007/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 23rd January 2019.

C.A.No.12/2019:-

Heard Shri S.C.Deshmukh, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

2. The Id. Counsel for the applicant submitted that after filing this application, he received material information after exercising his right under Right to Information Act. Therefore, it is necessary to amend the application. **The civil application is allowed.** The Id. Counsel for the applicant is directed to carry out the amendment within a week. Issue notice to the newly added respondents.

3. Issue notice to R-4 & 5, returnable on 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. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. four weeks.**

Member(J)

Member(A)

Date:-23/01/2019.

aps.

O.A.No. 12/2015.

(D.B.)

Coram: Shri Shree Bhagwan,

**Member (A) and
Shri A.D.Karanjkar, Member(J)**
Dated: 23rd January 2019.

Heard Ms. P.N.Kakde, holding for Shri R.R.Suryawanshi, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the Respondents.

The Id. P.O. submitted that reply has been filed. The matter is **admitted** and kept for final hearing.

The Id. P.O. waives notice for the respondent nos. 1 to 5.

S.O. in due course of time.

Member(J)
Date:-23/01/2019.
aps.

Member(A)

O.A.Nos. 58, 59, 60, 61 & 62/2016. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 23rd January 2019.**

Heard Shri Harshal Bobde, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

The Id. Counsel for the applicant submits that he wants to withdraw the O.A. He is permitted to withdraw the same. Hence, **the O.A. is disposed of as withdrawn with no order as to costs.**

Member(J)
Date:-23/01/2019.
aps.

Member(A)

O.A.No. 69/2016. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 23rd January 2019.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondents.

The Id. P.O. submitted that the process is over and relief sought in the O.A. has become infructuous. However, the Id. Counsel for the applicant desires three weeks time to take instructions.

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

Member(J)
Date:-23/01/2019.
aps.

Member(A)

O.A.No. 669/2016. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 23rd January 2019.

Heard Shri B.M.Kharkate, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the Respondent nos. 1 to 4. None for the respondent nos. 5 & 6.

The Id. P.O. submitted that the reply has been filed. The matter is **admitted** and kept for final hearing.

The Id. P.O. waives notice for the respondent nos. 1 to 4.

S.O. in due course.

Member(J)
Date:-23/01/2019.
aps.

Member(A)

O.A. No. 555/2010 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

The applicant in person present. Shri P.N. Warjurkar, learned P.O. for the respondents.

2. The applicant in person submits that due to some reasons his Advocate is not available today and hence he seeks further time.

3. In view thereof, the matter be kept **on 24/01/2019**.

Member (J)

Member (A)

Dnk.

O.A. No. 746/2011 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Ms. Supriya Deshmukh, learned counsel holding for Shri A.M. Kukday, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for the respondents.

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

Member (J)

Member (A)

Dnk.

O.A. No. 445/2010 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &**

**Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Heard Shri R.V. Shiralkar, learned counsel for the applicants and Shri P.N. Warjurkar, learned P.O. for the respondents.

2. As per the Home Department letter No.ih, e, u 0304@i7d7328@i7y&5c] dated 21st September, 2004 (A-2,P-15) common seniority list of police constables in Motor Transport Section and other Department has been approved by the Government of Maharashtra as per the proposal submitted by the Director General of Police vide letter No. ih, e, u 06@7784] dated 01/03/1999 (A-1, P-13).

3. The Superintendent of Police, Akola is directed to produce common seniority list of all the Police Constables as per the Government direction vide letter No.ih, e, u 0304@i7d7328@i7y&5c] dated 21st September, 2004 (A-2,P-15). It is quite clear that first common seniority list of Police Constables of Motor Section and other Department can be of 01/01/2005 per the letter dated 21st September, 2004.

S.O. three weeks.

Steno copy is granted.

Member (J)

Member (A)

Dnk.

O.A. No. 243/2012 **(DB)**

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Heard Shri R.V. Shiralkar, learned counsel for the applicant and Shri P.N. Warjurkar, learned P.O. for the respondents.

Closed for orders.

Member (J)

Member (A)

Dnk.

O.A. Nos. 267,268 & 269 of 2011 **(DB)**

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Shri G.G. Bade, learned counsel for the applicants and Shri S.A. Sainis, learned P.O. for the respondents.

2. As per para-1 of the O.A. it appears that the applicant was continued in service after 15/07/1991 and subsequently he was absorbed in Class-IV category vide order

dated 29/09/2003 at Tahsil Office, Umred, Dist. Nagpur. However, the learned counsel to clear the applicant's continuity from 01/10/1988. The learned counsel for the applicant seeks three weeks time to file necessary documents in this regard. At his request, **S.O. three weeks.**

Member (J)

Member (A)

Dnk.

O.A. No. 799/2011 with C.A.312/16 **(DB)**

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Heard Shri R.V. Shiralkar, learned counsel for the applicant and Shri H.K. Pande, learned P.O. for the respondents.

2. As per record available at P.B. page no.25 at Annex-A-5 letter no. iæ[|@di uh oxl @2002 6470] dated 29/06/2002 issued by the Commandant, SRPF, Group No.3, Jalna the

applicant is at 26 and respondent no.4 is at sr.no.57.

3. It appears that subsequently this position has been changed and it is not explained in the reply filed by the respondents.

4. The learned P.O. is directed to take necessary instructions in this regard and also to file service book record of the applicant as well as respondent no.4 to show if there is any order regarding this change.

S.O. three weeks (PH)

Steno copy is granted.

Member (J)

Member (A)

Dnk.

O.A. No. 830/2011 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Shri Manoj Jaiswal, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicant and Shri A.m. Ghogre, Id. P.O. for the respondents.

The Id. P.O. files reply on behalf of R-1 to 3. It is taken on record. Copy is served on the applicant.

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

Member (J)

Member (A)

Dnk.

O.A. No. 140/2012 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

None for the applicant.

Shri A.M. Ghogre, Id. P.O. for the
respondents.

S.O. 24/01/2019.

Member (J)

Member (A)

Dnk.

O.A. No. 255/2012 **(DB)**

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

None for the applicant.

Shri A.P. Potnis, Id. P.O. for the
respondents.

S.O. 24/01/2019.

Member (J)

Member (A)

Dnk.

O.A. No. 275/2012 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Shri Manoj Jaiswal, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicant and Shri A.m. Ghogre, Id. P.O. for the respondents.

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

Member (J)

Member (A)

Dnk.

O.A. No. 588/2012 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

None for the applicant.

Shri H.K. Pande, Id. P.O. for the respondents.

The Id. P.O. files reply to the rejoinder. It is taken on record. The Id. P.O. to supply the copy of the applicant.

S.O. 24/01/2019.

Member (J)

Member (A)

Dnk.

O.A. No. 752/2012 **(DB)**

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

None for the applicant.

Shri H.K. Pande, Id. P.O. for R-1.

None for remaining respondents.

S.O. 24/01/2019.

Member (J)

Member (A)

Dnk.

O.A. No. 845/2012 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,**

Member (J).

Dated : 23.01.2019

Shri S. Borkar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned counsel for the applicant submits that due to non availability of correct address of respondent no.4 he could not serve the notice to respondent no.4. The learned P.O. is directed to take correct address of respondent no.4 from the Tribal Development and supply to the learned counsel for the applicant.

3. After correcting the address of respondent no.4 issue fresh notice to 4, returnable **in two weeks**. 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. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. two weeks.**

Member (J)

Member (A)

Dnk.

O.A. No. 861/2012 (DB)

Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).

Dated : **23.01.2019**

Shri S. Majid, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

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

Member (J)

Member (A)

Dnk.

O.A. No. 865/2012 **(DB)**

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

None for the applicant. Shri S.A. Sainis, Id .P.O. for the respondents.

The Id. P.O. files reply on behalf of R-3. It is taken on record.

S.O. two weeks.

Member (J)

Member (A)

Dnk.

O.A. Nos. 876,946 & 165 of 2012 & 66 of 2014 **(DB)**

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Shri S.A. Marathe, Id. counsel holding for Shri M.M. Sudame, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The learned counsel for the applicant wants to take instructions regarding filing of pursis and for that purpose he seeks time. At his request, **S.O. two weeks.**

Member (J)

Member (A)

Dnk.

O.A. No. 897/2012 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Shri S. P. Palshikar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

Member (J)

Member (A)

Dnk.

O.A. No. 961/2012 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

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

S.O. two weeks.

Member (J)

Member (A)

Dnk.

O.A. Nos. 983 & 984 of 2012 **(DB)**

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Shri P.S. Wathore, Id. counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the respondents.

The learned counsel for the applicants submits that he received the reply and he wants to go through the same and request for filing rejoinder if any. At his request, **S.O. two weeks.**

Member (J)

Member (A)

Dnk.

O.A. No. 40/2019 (DB)

**Coram : Hon'ble Shri Shri Bhagwan,
Member (A) &
Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 23.01.2019

Heard Shri S.A. Marathe, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the State.

2. The Id. CPO files letter no.DMER/BondServiceRecommendation/PGB W/8-A/2018, dated 19/01/2019 issued by the Director of Medical Education and Research, Mumbai. The copy of the same is taken on record and marked Exh-X for the purposes of identification. The copy of the same is also supplied to the applicant.

3. The learned counsel for the applicant is directed to add Director of Medical Education and Research, Mumbai as party respondent in this O.A.

4. In the meantime, issue notice to the respondents returnable **in four weeks**. Learned C.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. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

10. **S.O. four weeks.**

Member (J)

Member (A)

Dnk.