

O.A. No.161/2017. (DB)

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

Dated : 29th March 2017.

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

2. The Ld. counsel for the applicant submits that vide impugned order No.58 dated 28.2.2017, seniority number of the applicant has been changed and he has been shown under Special Backward Class (SBC) category w.e.f. 15.6.1995. He submits that the said action is totally wrong and against the order passed by the Hon^{ble} High Court in W.P. No.4055/1988. In the said Writ Petition, the Hon^{ble} High Court was pleased to observe that, *“if the petitioner is entitled to any benefit on the basis of cast to which he has been found to belong, the petitioner shall be free to move application for appropriate reliefs before*

the authority". The applicant accordingly had filed representation on 6.12.2003, however without giving an opportunity to the applicant, impugned communication dated 28.2.2017 has been issued.

3. The Ld. counsel for the applicant submits that the Departmental Promotion Committee (DPC) meeting is being conducted within a short period and because of the retrospective date of seniority of the applicant, the applicant will be at loss, as he may not be considered in the DPC meeting. In my opinion, if the DPC does not consider the applicant, the applicant will always be entitled to challenge the said decision.

4. In view thereof, issue notice to the respondents returnable within **two weeks.**

5. Shri P.N. Warjekar, the learned P.O. waives notice for both the respondents. Hamdast granted.

6. Tribunal may take the case for final disposal at this stage and separate

notice for final disposal need 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

8. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunals (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 or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

Vice-Chairman(J)

pdg..

O.A. No. 103/2017.(DB)

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

Dated : 29th March 2017.

Heard Shri J.S. Wankhede, the learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for respondents.

2. The learned counsel for the applicant seeks time to amend the O.A. He is allowed to amend the O.A. forthwith.

3. After amendment, issue notice to the newly added respondent returnable after four weeks.**(19.4.2017)**

4. Shri S.A. Deo, the learned C.P.O. waives notice for newly added respondents. Hamdast granted.

5. Tribunal may take the case for final disposal at this stage and separate

notice for final disposal need 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.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunals (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 or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

Vice-Chairman(J)

pdg..

O.A. (St.) No. 1908/2016.

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

Dated : 29th March 2017.

C.A.No.474/2016.

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

At the request of Ld. CPO, S.O.
two weeks.

Vice-Chairman(J)

pdg..

O.A. No. 837/2015.

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

Dated : 29th March 2017.

None for the applicant. Shri V.A. Kulkarni, the learned P.O. for respondents 1 & 2.

Notice to R. 3 to 7 have not been served. On 15.3.2017, last chance was granted to take necessary steps. However, no steps are taken. Today nobody appeared for the applicant. Hence, the matter be kept for dismissal in the **first week of April 2017.**

Vice-Chairman(J)

pdg..

O.A. No. 600/2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 29th March 2017.

There is a leave note from the Ld. counsel for the applicant.

Heard Shri A.M. Khadatkar, the learned P.O. for respondents.

ADMIT.

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

Put up before the regular D.B. when available for final hearing.

Vice-Chairman(J)

pdg..

O.A. No. 662/2016.

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

Dated : 29th March 2017.

None for the applicant. Shri M.I. Khan, the learned P.O. for respondents 1 to 3.

Advocate Shri N.M. Kolhe submits that he will file vakalatnama for respondent Nos. 4, 5 and 6 and prays for time to file reply affidavit.

S.O. four weeks.

Vice-Chairman(J)

O.A. No. 234/2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 29th March 2017.

Shri G.G. Bade, Ld. counsel for the applicant and Shri A.M.Ghogre, the learned P.O. for the respondents.

Ld. P.O. seeks time to file reply affidavit.

S.O. two weeks.

Vice-Chairman(J)

pdg..

O.A. No. 374/2016.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 29th March 2017.**

Heard Shri N. Autkar, Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

ADMIT.

Shri S.A. Sainis, the learned P.O. waives notice for the respondents.

At the request of both parties, put up this O.A. for final hearing after **two weeks.**

Vice-Chairman(J)

pdg..

O.A. No. 766/2016.

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

Dated : 29th March 2017.

Heard Shri Bharat Kulkarni, Adv. holding for Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents.

At the request of Ld. counsel for the applicant, S.O. **30th March 2017.**

Vice-Chairman(J)

pdg..

O.A. No. 32/2017.

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

Dated : 29th March 2017.

Heard Shri Bharat Kulkarni, Adv. holding for Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

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

Vice-Chairman(J)

pdg..

O.A. No. 790/2016.

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

Dated : 29th March 2017.

Shri A.P. Tathod, the Ld. counsel
for the applicant and Shri A.P.Potnis, the
learned P.O. for the respondents.

At the request of Ld. P.O., S.O.
3rd April 2017.

Vice-Chairman(J)

pdg..

O.A. No. 90/2017.

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

Dated : 29th March 2017.

Shri A.J. Gilda, the Ld. counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondents.

Ld. P.O. has filed reply affidavit on behalf of the respondents. The same is taken on record and a copy thereof supplied to the other side.

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

S.O. 17th April 2017.

Vice-Chairman(J)

pdg..

O.A. No. 435/2016. (SB)

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

Dated : 29th March 2017.

Miss Aditi Pardhi, Adv. holding for Shri P.V. Thakre, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

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

Vice-Chairman(J)

pdg..

O.A. No. 588/2016. (SB)

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

Dated : 29th March 2017.

Miss Aditi Pardhi, Adv. holding for Shri P.V. Thakre, the Ld. counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents.

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

Vice-Chairman(J)

pdg..

O.A. No. 524/2013. (SB)

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

Dated : 29th March 2017.

Shri S.U. Bhuyar, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondent No1. Miss Aditi Pardhi, Adv. holding for Shri P.V. Thakre, the Ld. counsel for R. 2 to 5.

At the request of the Ld. counsel for respondent Nos. 2 to 5, S.O. **one week.**

Vice-Chairman(J)

pdg..

O.A. No. 747/2015. (SB)

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

Dated : 29th March 2017.

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

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

Vice-Chairman(J)

pdg..

O.A. No. 173/2016. (SB)

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

Dated : 29th March 2017.

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

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

Vice-Chairman(J)

pdg..

O.A. No.784 /2016. (SB)

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

Dated : 29th March 2017.

Heard Shri Bharat Kulkarni, the Ld. counsel for the applicant, Shri A.P. Potnis, the learned P.O. for respondents 1 to 3 and Shri A.D. Girdekar, Adv. for R.4.

Ld. P.O. has filed affidavit in reply on behalf of R. 1 to 3, the same is taken on record and a copy thereof is supplied to the other sides.

Closed for orders.

Vice-Chairman(J)

pdg..

O.A. No.828/2016. (SB)

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

Dated : 29th March 2017.

Heard Shri Bharat Kulkarni, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for respondents 1 & 2. Shri A.D. Girdekar, Adv. for R.3. Shri A.P. Sadavarte, Adv. for R.4.

Closed for orders.

Vice-Chairman(J)

pdg..

O.A. No.304 /2016. (SB)

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

Dated : 29th March 2017.

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

Closed for orders.

Vice-Chairman(J)

pdg..

O.A. No.548 /2016. (SB)

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

Dated : 29th March 2017.

Heard Shri A. Mardikar, the Ld. counsel for the applicant, Smt. S.V. Kolhe, the learned P.O. for the respondents.

Closed for orders.

Vice-Chairman(J)

pdg..

O.A. Nos.592 & 636 of 2011. (SB)

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

Dated : 29th March 2017.

Heard Ku. K.K. Pathak, the Ld. counsel for the applicant, Shri A.M. Ghogre, the learned P.O. for the respondents 1 to 3. None for R.4.

Closed for orders.

Vice-Chairman(J)

pdg..

**O.A. Nos.649, 650, 651, 652, & 653 of 2016.
(SB)**

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

Dated : 29th March 2017.

Shri Tripathi, Advocate holding for
Shri A. Deshpande , the Ld. counsel for
the applicant and Smt. S.V. Kolhe, the
learned P.O. for the respondents.

At the request of Ld. P.O., S.O.
30th March 2017.

Vice-Chairman(J)

pdg..

O.A. No. 56/2017. (SB)

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

Dated : 29th March 2017.

Smt. K.N. Saboo, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

The Ld. P.O. has filed reply on behalf of R.2. The same is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. Ld. counsel for the applicant seeks one week time to file rejoinder, if necessary.

S.O. **one week.**

Vice-Chairman(J)

pdg..

O.A. No. 495 /2016. (SB)

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

Dated : 29th March 2017.

Heard Shri J.R. Kidilay, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The Ld. P.O. has filed reply on behalf of R.4. It appears that copy of reply has been served on the applicant.

ADMIT.

Shri P.N. Warjekar, the learned P.O. waives notice for the respondents.

S.O. **13th April 2017** for final hearing.

Vice-Chairman(J)

O.A. No. 721/2016. (SB)

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

Dated : 29th March 2017.

Heard Shri Gaurav Sengar, Adv. holding for Shri S.S. Ghate, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The Ld. P.O. has filed reply on behalf of R.1. The same is taken on record and a copy thereof has been served on the applicant.

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

S.O. four weeks.

Vice-Chairman(J)

O.A. No. 736/2016. (SB)

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

Dated : 29th March 2017.

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

The Ld. P.O. has filed reply on behalf of R.4. The same is taken on record and a copy thereof has been served on the applicant.

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

S.O. three weeks.

Vice-Chairman(J)

pdg..

O.A. No. 776/2016. (SB)

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

Dated : 29th March 2017.

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

The Ld. P.O. has filed reply on behalf of R.4. The same is taken on record and a copy thereof has been served on the applicant.

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

S.O. three weeks.

Vice-Chairman(J)

O.A. No. 40/2017. (SB)

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

Dated : 29th March 2017.

Heard Shri S.M. Khan, the Ld. counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondents 1 to 3. Shri A. Mardikar, Adv. for R.4.

The Ld. P.O. has filed reply on behalf of R.3. The same is taken on record and a copy thereof has been served on the applicant and other side.

ADMIT.

Smt. M.A. Barabde, the learned P.O. waives notice for the respondents 1 to 3 and Shri Mardikar, Adv. waives notice for R.4.

With consent of the parties, S.O. **one week for final hearing.**

Vice-Chairman(J)

pdg..

O.A. No. 46/2017. (SB)

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

Dated : 29th March 2017.

Heard Shri S.M. Khan, the Ld. counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondents 1 to 3. Shri A. Mardikar, Adv. for R.4.

The Ld. P.O. has filed reply on behalf of R.3. The same is taken on record and a copy thereof has been served on the applicant and other side.

ADMIT.

Smt. M.A. Barabde, the learned P.O. waives notice for the respondents 1 to 3 and Shri Mardikar, Adv. waives notice for R.4.

With consent of the parties, S.O. **one week for final hearing.**

Vice-Chairman(J)

pdg..

O.A. No. 47/2017. (SB)

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

Dated : 29th March 2017.

Heard Shri S.M. Khan, the Ld. counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondents 1 to 3. None for for R.4.

The Ld. P.O. has filed reply on behalf of R.3. The same is taken on record and a copy thereof has been served on the applicant and other side.

ADMIT.

Smt. M.A. Barabde, the learned P.O. waives notice for the respondents 1 to 3.

With consent of the parties, S.O. **one week for final hearing.**

Vice-Chairman(J)

pdg..

O.A. No. 466/2008. (SB)

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

Dated : 29th March 2017.

C.A.No.46/2017.

Heard Shri A.P. Sadavarte, the Ld. counsel for the applicant and Smt. S.V. Kolhe, the learned P.O. for the respondents.

The Ld. counsel for the applicant submits that he has taken instructions from his client. The applicant is not ready to withdraw the C.A. In view thereof, Ld. P.O. seeks time to file reply affidavit on the C.A.

S.O. four weeks.

Vice-Chairman(J)

pdg..

O.A. No. 681/2015. (SB)

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

Dated : 29th March 2017.

Heard Shri J.R. Kidilay, the Ld. counsel for the applicants and Shri M.I. Khan, the learned P.O. for the respondents 1 and 2. Shri P.V. Thakre, Adv. for R. 3 to 5.

At the request of the Ld. counsel for the parties, S.O. **two weeks.**

Keep this O.A. alongwith O.A. No. 375/2016.

Vice-Chairman(J)

pdg..

O.A. No. 375/2016. (SB)

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

Dated : 29th March 2017.

Heard Shri B.D.Pandit, the Ld. counsel for the applicants and Shri M.I. Khan, the learned P.O. for the respondents.

S.O. two weeks.

Keep this O.A. alongwith O.A. No. 681/2015.

Vice-Chairman(J)

pdg..

O.A. No. 275/2016. (SB)

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

Dated : 29th March 2017.

Heard Miss Ashwini R. Manhare, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents 1& 2. Shri M.R. Khan, Adv. for R.3.

The Ld. counsel for the applicant submits that the respondents have been served and service of notice is also filed. Ld. P.O. seeks time to file affidavit in reply.

S.O. three weeks.

Vice-Chairman(J)

pdg..

O.A. No. 725/2016. (SB)

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

Dated : 29th March 2017.

None for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents.

S.O. four weeks.

Vice-Chairman(J)

pdg..

O.A. No. 22/2016. (SB)

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

Dated : 29th March 2017.

Shri Bharat Kulkarni, Adv. holding
for Shri S.P. Palshikar, the Ld. counsel
for the applicant and Smt. M.A. Barabde,
the learned P.O. for the respondents.

S.O. four weeks.

Vice-Chairman(J)

pdg..

O.A. No. 497/2016. (SB)

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

Dated : 29th March 2017.

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

S.O. four weeks.

Vice-Chairman(J)

pdg..

O.A. No. 704/2016. (SB)

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

Dated : 29th March 2017.

Shri Bharat Kulkarni, Adv. holding for Shri S.P. Palshikar, the Ld. counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O. **four weeks** for filing reply on behalf of R.1.

Vice-Chairman(J)

pdg..

O.A. No. 771/2016. (SB)

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

Dated : 29th March 2017.

Shri J.S. Deshmukh, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents 1 to 3. None for R.4 & 5.

At the request of Ld. P.O., S.O. **22nd April 2017** for filing affidavit in reply on behalf of R. 1 to 3.

Vice-Chairman(J)

pdg..

O.A. No. 793/2016. (SB)

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

Dated : 29th March 2017.

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

Ld. P.O. submits that prayer clause C & D is barred by limitation for which the applicant shall file an application for condonation of delay. Matter is already posted for filing reply on behalf of the respondents. The respondents would be at liberty to raise that objection in their affidavit in reply.

At the request of Ld. P.O., S.O. **three weeks.**

Vice-Chairman(J)

pdg..

O.A. No. 827/2016. (SB)

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

Dated : 29th March 2017.

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

The Ld. counsel for the applicant submits that he has received copy of reply. He wants to file rejoinder.

The Ld. P.O. submits that the impugned order has been stayed and, therefore, the matter be heard urgently. In view of this fact, matter be kept for final hearing. In the meantime, the Ld. counsel for the applicant may file rejoinder and serve its copy in advance to the Ld. P.O.

S.O. two weeks.

Vice-Chairman(J)

pdg..

O.A. No. 06/2017. (SB)

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

Dated : 29th March 2017.

Shri Bharat Kulkarni, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

S.O. two weeks.

Vice-Chairman(J)

pdg..

O.A. No. 822/2015. (SB)

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

Dated : 29th March 2017.

None for the applicant. Smt. S.V. Kolhe, the learned P.O. for the respondents 1 to 4. None for R.5.

S.O. four weeks.

Vice-Chairman(J)

pdg..

O.A. No. 71/2016. (SB)

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

Dated : 29th March 2017.

Heard Shri Bharat Kulkarni, Adv. holding for Shri S.P. Palshikar, the Ld. counsel for the applicant and Smt. S.V. Kolhe, the learned P.O. for the respondents.

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

Vice-Chairman(J)

pdg..

O.A. No. 282/2016. (SB)

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

Dated : 29th March 2017.

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

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

Vice-Chairman(J)

pdg..

