

O.A. No. 113/2015 (D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.**

C.A. No.71/2017 in C.A. No. 373/2017.

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

For the reasons stated in the applications, C.As are allowed and disposed of.

O.A. No. 113/2015

S.O. 11th July 2018.

Member(A)

Vice-Chairman(J)

O.A. No.90 /2016 (D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.**

C.A. No.07/2018 in R.A. No. 2915/2017.

Heard Shri S.A. Sainis, the Ld. P.O. for the applicant (original respondent No.2). None appeared for the respondent (original applicant).

2. Issue notice to the respondents (original applicant) on Rev. Petition returnable after **two weeks**.

3. Shri S.A. Sainis, the Ld. P.O. waives notice for the applicant (original respondent No.2).

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

4. 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.

5. 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.

6. 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.

7. In case notice is not collected within **seven 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.

8. S.O. **two weeks.**

9. Put up this case alongwith C.P. No.11/2017 in O.A. No. 90/2016.

Member(A)

Vice-Chairman(J)

O.A. No.90 /2016 (D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.

C.P. No.11/2017 in O.A. No. 90/2016.

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

S.O. **two weeks.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 218/2017 (D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.**

None for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 4. None for R.5.

2. Since the pleadings are completed, matter is admitted and kept for final hearing in due course.

3. Shri P.N. Warjekar, the learned P.O. waives notice for respondent Nos. 1 to 4.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 39/2018 (D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.

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

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

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 164/2018 (D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.**

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

S.O. 2nd July 2018.

Member(A)

Vice-Chairman(J)

pdg.

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

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.**

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

S.O. July 2018.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 474/2017 (D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.**

Heard Shri D.S. Sawarkar, the
Ld. counsel for the applicant and Shri
A.M. Khadatkar, the learned P.O. for
the respondents.

Closed for orders.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 186/2013 (D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.**

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

The Ld. P.O. seeks two weeks' time to answer the queries.

S.O. **two weeks.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 713/2009 (D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.**

Heard Shri D.M. Khandait, Adv. holding for Shri S.A. Marathe, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The Ld. counsel for the applicant submits that his client informed him that the chargesheet has been dropped and the matter has become infructuous and, therefore, he does not want to proceed with the O.A. In view thereof, O.A. stands disposed of as it has become infructuous. No costs.

Member(A)

Vice-Chairman(J)

O.A. No. 51/2017 (D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.**

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

2. The applicant was working as District Town Planner whereas one Shri P.W. Charjan was serving as Assistant Director of Town Planning. Both of them were sent on compulsory leave vide order dated 14.1.2016. The said order was challenged by the applicant by filing O.A. No.915/2016 and during the pendency of the O.A., the order to proceed on compulsory leave was withdrawn. The applicant was thereafter transferred from Amravati

to Aurangabad vide order dated 12.7.2016.

3. A charge-sheet has been served on Shri Charjan on 22.3.2016. The applicant applied for supply of documents. But the documents were not supplied to him. The applicant, therefore filed representation on 7.4.2016 and requested that the enquiry shall be dropped.

4. According to the Ld. P.O., two letters were issued to the applicant, one on 31.3.2016 and another on 11.4.2016 whereby the applicant was directed to collect the documents. The applicant, however, did not appear to collect the documents and, therefore, departmental enquiry could not be proceeded further. It is not known as to why the proceedings were not continued. Even for the argument sake, it is accepted that the applicant did not appear to collect the documents.

5. The Ld. counsel for the applicant today has placed on record

one pursis, explaining certain facts. The pursis is taken on record and marked "X" for identification alongwith documents supplied. From one of the documents dated 16.12.2017, which is marked "X-1" for identification, it seems that the enquiry against Shri Charjan has been dropped. Admittedly, the charges against the applicant and Shri Charjan were same and, therefore, in the circumstances, the Ld. P.O. is requested to take instructions as to what steps the competent authority desires to take against the applicant. In view of changed circumstances, the enquiry against Shri Charjan has been dropped. Ld. P.O. seeks two weeks' time.

6. Matter be kept after two weeks.
7. S.O. **two weeks.**
8. To be treated as part heard.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 685/2017 (D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.**

Heard Shri A. Raghute, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 3. None for R.4.

2. The applicant is a District Town Planner and seeking promotion to the post of Assistant Director of Town Planning. It is stated that the name of the applicant is at Sr.No.12 in the seniority list whereas the name of respondent No.4 is at Sr. No.13. However, respondent No.4 has been promoted and, therefore, the applicant is claiming deemed date of promotion from the date on which respondent No.4 has been promoted. The Ld. P.O. submits that the applicant's case was being considered in the meeting

of D.P.C. and a conscious decision was taken in view of the G.R. of G.A.D. dated 2nd April 1976 and G.R. dated 22.4.1996 of G.A.D. in the D.P.C. meeting. Minutes of the D.P.C. meeting are not placed on record. The Ld. P.O., therefore, is directed to place the same on record for which he seeks two weeks' time.

3. S.O. **two weeks.**

4. To be treated as part heard.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 465/2018

(D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)**

Dated : 29th June 2018.

ORDER

Heard Shri R.V. Shiralkar, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondent No.2.

2. The applicant Dr. R.R. Patil has applied for the post of Professor in Physics in view of advertisement dated 6.8.2015. At that time, total seven posts were to be filled in, out of which three posts were reserved i.e. 1 for SC, 1 for ST, 1 for VJ(A). Out of other three posts, 1 was reserved for Open (General) and 1 post was reserved for Open (Female). 1 post was reserved for physically handicapped candidate i.e. locomotive disability. As per the eligibility criteria in the advertisement, person applying for the post, should have experience of not less than 10 years after completion of Ph.D. degree. Accordingly,

the applicant has applied. The application form is at page Nos. 31 to 33. From his application, it seems that on the date of application, his experience was 17 years, 10 months and 13 days. However, the said experience criteria has been amended subsequently by the M.P.S.C. on 15.6.2018 and it was stated that the candidate must be having minimum 20 years of teaching experience in University / College and / or any research at University / National Level Institution / Industry including the experience of guiding the candidates for research at doctoral level. According to the Ld. counsel for the applicant, even if this experience of 20 years is to be considered, then on the date of this notification, i.e. 15.6.2018, the applicant has already acquired more than 24 years of experience and, therefore, he is eligible for oral interview.

3. The Ld. P.O. submits that the corrigendum was issued to the advertisement on 1.10.2016. One post was reserved for Open (General) and one was reserved for Open (Female). However, no candidate from Open (Female) was available and, therefore, the said post of Open (Female) was to be filled in by Open (General).

4. Oral interviews for the posts are being held on 2nd July 2018. The M.P.S.C. has called total six candidates for the posts to be filled in. Out of this, for 1 post for SC candidate, 2 persons are called. For 1 post of OBC, only 1 candidate is called and for 1 post available for Open (Female), 3 candidates are called. Out of these 3 candidates, 1 is having the experience of 21 years, 7 months and 20 days. The other is holding the experience of 20 years, 8 months and 20 days. Whereas the 3rd candidate is holding the experience of 20 years and 27days, which is less than that of the applicant. Considering this aspect, we direct the M.P.S.C. to allow the applicant to appear for oral interview.

5. 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 hamdast of the order. The Ld. P.O. is requested to inform the M.P.S.C. accordingly. The selection process for the post of Professor (Physics) shall be suejct to outcome of this O.A.

6. In the meantime, issue notice to respondent No.1 returnable within **four weeks**.

7. Shri M.I. Khan, the Ld. P.O. waives notice for respondent No.2. Hamdast granted.

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

9. 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.

10. 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.

11. In case notice is not collected within seven days, and if service report on affidavit is not filed within three days before returnable date, O.A. shall stand dismissed without reference to the Tribunal and papers be consigned to record.

12. S.O. **four weeks.**

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 281/2017 (D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 29th June 2018.

Heard Shri D.M. Surjuse, 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 filed pursis stating that the applicant has been selected for the post of Police Constable and, therefore, he wants to withdraw the O.A. He seeks permission to withdraw the same. Permission is granted O.A. stands disposed of as withdrawn with no order as to costs.

3. Steno copy be provided to the
Ld. P.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 113/2015 (D.B.)

Coram: Shri J.D. Kulkarni, Vice-Chairman (J) and Shree Bhagwan, Member(A)

Dated : 29th June 2018.

C.A. No.71/2017 in C.A. No.373/2017.

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

S.O.

Member(A) Vice-Chairman(J)

pdg.

O.A. No. 466/2018 (SB)

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

Dated : 29.06.2018

Shri J.S. Wankhede, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1 to 3 (Caveator). 2. The applicant has challenged the impugned order of his transfer 20/06/2018 (Annex-A-3,P-19) whereby he has been transferred from the post of Assistant Professor, Vasantnao Naik Govt. Medical College, Yavatmal to Govt. Medical College, Chandrapur. From the transfer order, it seems that the applicant's transfer has been effected on account of administrative exigency and also because one Dr. Sangita Gavit and one Dr. Arun Patil have been transferred on their own request. There is mentioned of Sections 4 (1),(3),(4) (nksu) and (5) of the

Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "Transfers Act") in the order. 3. The learned counsel for the applicant submits that there is no specific reason given in the transfer order. Though the applicant has stated that he has not been relieved since he was on leave, the learned CPO has submitted on instructions that the applicant has already been relieved on 28/06/2018. Considering all these aspects whether the order is mid-tenure or not will have to be considered on merits and even otherwise whether the provisions of the Transfers Act are followed or not will have to be considered on merits after filing reply of the respondents. Hence, in such circumstances no interim stay can be granted to the impugned order of transfer. 4. In the meantime, issue notice to R-2 and 3, returnable in three 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. three weeks.

Vice Chairman (J)

dnk.

O.A. No. 467/2018 (SB)

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

Dated : 29.06.2018

Heard Shri Bharat Kulkarni, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1 to 4. None for R-5. 2. The applicant Devendra A. Rahangdale, an Accountant has been transferred from Gondia to Gadchiroli vide impugned order dated 31/05/2018 (Annex-A-1,P-10). The reason for transfer shown is on administrative ground. There is no dispute that the applicant was due for

transfer. 3. The learned counsel for the applicant submits that the applicant is a handicapped person and he should have been considered for posting nearby Gondia. It is stated that even the Competent Authority has recommended for his extension for one year, but the same was not considered by the Committee. 4. The learned CPO has invited my attention to the options given by the applicant which is at P.B. Page no.14. From the said options, it seems that the applicant himself has given Gadchiroli as choice posting at sr. no.2 out of 5 options. In such circumstances, it cannot be stated that the choice posting was not given. The learned counsel for the applicant submits that the applicant has filed representation on 28/06/2018 only and requested for cancellation of his transfer order. He has claimed extension for one year or in the alternative cancellation of his transfer. The copy of the said representation is placed on record and marked Exh-X for the purpose of

identification. 5. The learned counsel for the applicant submits that the application be disposed of with direction to the respondent authorities to consider his representation within a stipulated period. In view thereof, I pass the following order:- ORDER The O.A. stands disposed of with direction to respondent no.3 to consider applicant's representation dated 28/06/2018 as per rules and regulations and on its own merits within four weeks from the date of this order. No order as to costs.

Vice Chairman (J)

dnk.

O.A. No. 65/2015 (SB)

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

Dated : 29.06.2018

None for the applicant. Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. On 23/11/2016 and 21/12/2016 also nobody appeared for the applicant. However, to afford one opportunity, the matter is adjourned by way of last chance.

S.O. 13/07/2018.

Vice Chairman (J)

dnk.

O.A. No. 71/2015 (SB)

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

Dated : 29.06.2018 Heard Shri M.V. Mohokar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 3. None for R-4.

Closed for orders.

Vice Chairman (J)

dnk.

O.A. No. 804/2016 (SB)

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

Dated : 29.06.2018

Shri G.N. Khanzode, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. The learned counsel for the applicant submits that he has collected copy of the reply-affidavit today and he wants to go through the same and for that purpose he seeks time. At his request, Next week.

Vice Chairman (J)

dnk.

O.A. No. 507/2017 (SB)

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

Dated : 29.06.2018

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

2. None appeared for the applicant on the last date also. Since the matter was admitted on the last date, the matter be kept on 2nd week

of June,2018 for hearing as a last chance.

Vice Chairman (J)

dnk.

O.A. No. 582/2017 (SB)

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

Dated : 29.06.2018

Heard Shri M.R. Khan, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents. The learned counsel for the applicant has filed Pursis along with documents. It is taken on record.. Closed for orders.

Vice Chairman (J)

dnk.

O.A. No. 803/2017 (SB)

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

Dated : 29.06.2018

Heard Shri S.P. Kshirsagar, 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 today he has collected replyaffidavit filed by the respondents and he wants to file rejoinder and for that purpose he seeks two weeks time. At his request, S.O. two weeks for filing rejoinder.

Vice Chairman (J)

dnk.

O.A.No.266/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Shri Bharat Kulkarni, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents. The Id. P.O. submitted the Judgment of Hon'ble Supreme Court, "Life Insurance Corporation of India & Ors. Vs. Basavaraju Alias Basappa, (2016) 15 Supreme Court Cases 781" and Hon'ble High Court Judgment "Chandrakant Punju Wagh Vs. Maharashtra State Electricity Distribution Co. Ltd. with Writ Petition No. 4188 of 2017. The Hon'ble Apex Court in said Judgment has made it clear that at the fag end of the career, this type of application should not be entertained. The Hon'ble Supreme Court has also clarified that in such type of cases, service book of employee should be taken as main documents of evidence. Today, the Id.

P.O. has submitted the School leaving certificate alongwith the copy of original service book record. As per the service book record the date of birth of the applicant is 20/06/1960, the same is taken as final date of birth of the applicant. This Tribunal has no reason to interfere in that ground. The Hon'ble Supreme Court has mentioned in Para No. 5 "The law with regard to correction of date of birth has been time and again discussed by this Court and held that once the date of birth is entered in the service record, as per the educational certificates and accepted by the employee, the same cannot be changed. Not only that, this Court has also held that a claim for change in date of birth cannot be entertained at the fag end of retirement." However, the Id. Counsel for the applicant submits that his pleading should be considered. His pleadings was heard and it was not considered in the background of the Hon'ble Supreme Court Judgment. In view of the above

facts, the O.A. stands dismissed and date of birth in service book is maintained.

Member (A)

aps.

O.A.No.03/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

C.A.No.149/2018:-

Shri N.R.Saboo, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents. The applicant has continuously working in Naxal affected area for more than 10 yrs., The applicant has given choice for posting at page no. 13 on 14/07/2017 but then also the respondent has again transferred the applicant to the Naxal affected area, the copy of which is attached at (Annexure-A-1) at

P.B.Pg.No.10, the name of the applicant is mentioned in the impugned order at Sr. No. 06. The impugned order of respondent is stayed and the respondent are directed to consider posting out of his choices. The impugned order is violating the G.A.D., G.R.No.:- 'Aklu fu.AZ;] dzekad% fVvkj,Q & 2000@iz-dz3@ckjk] dated 06/08/2002. The applicant has submitted representation dated 03/05/2018, which has been submitted by the Id. Counsel for the applicant on pg. no. 19. The respondent may consider his representation and dispose off within two weeks time. Hence C.A. stands disposed off. S.O. two weeks. Steno copy granted.

Member (A)

aps.

O.A.No.334/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.
C.A.No.150/2018:-

Shri N.R.Saboo, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents. The Id. P.O. seeks two weeks time to file reply. At his request, S.O. two weeks.

The Interim order dated 04/06/2018 will continue till next date of hearing.

Member (A)

aps.

O.A.No.348/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri N.R.Saboo, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the State. Await service of respondent nos. 2 and 3. The Id. P.O. has filed affidavit-in-reply on behalf of the respondent nos. 1 to 3. The same is taken on record. Copy is served to the other side. The Id. Counsel for the applicant points out that grievances has been redressed. Applicant's application on Pg. No. 19, Annexure-A-3, dated 21/06/2018 is placed on record. Applicant desires to withdraw the O.A. In view of this, the O.A. become infructuous. Hence, the O.A. stands disposed off as withdrawn. No order as to costs.

Member (A)

aps. O.A.No.405/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri R.P.Masurkar, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondent nos. 1 to 3. Await service of respondent nos. 4 and 5. The Id. Counsel for the applicant wants to withdraw the O.A., he is permitted to withdraw the same. O.A. is disposed of as withdrawn. No order as to costs.

Member (A)

aps.

O.A.No.625/2017 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri S.P.Palshikar, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the respondents. The Id. Counsel for the applicant submits that as per the request on last hearing. Now, he does not require to file Rejoinder. The

matter is admitted and kept for final hearing after three weeks.

S.O. three weeks.

Member (A)

aps.

O.A.No.723/2017 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri A.P.Sadavarte, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the respondents. The Id. P.O. files the affidavit-in-reply on behalf of the respondent no. 4. The same is taken on record. Copy is served to the other side. The Id. P.O. has filed the

affidavit-in-reply but documentary evidence has not been attached which can prove that amount of pensionary benefits have been paid. So, the respondent are directed to file the document which proves that amount of pensionary benefit have been paid.

At his request, S.O. two weeks.

Member (A)

aps.

O.A.No.790/2017 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Ms. A.Malewar, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the respondents. The Id. Counsel for the applicant desires two weeks time to file rejoinder. The matter is admitted and kept for final hearing.

S.O. two weeks.

Member (A)

aps.

O.A.No.06/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri S.Diwedi, Id.
Counsel for the applicant and Shri
A.M.Khadatkar, Id. P.O. for the
respondents. As pointed out by Id.
P.O. the proposal has been submitted
to State of Maharashtra for approval
as per the procedure. The matter is
admitted and kept for final hearing.
S.O. three weeks.

Member (A)

aps.

O.A.No.117/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri P.S.Patil, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents. The Id. Counsel for the applicant points out that at Pg.No.44 amount Rs. 26,639/- as recovery amount, has been paid by applicant as per document at Pg. No. 30-A and 30-B. In this circumstances, the respondents should issue no objection certificate immediately. However, at the request of Id. P.O. two weeks time is granted. Meanwhile, the respondents are directed to send no due certificate as per their documentary evidence.

S.O. two weeks.

Steno copy granted.

Member (A)

aps.

O.A.No.267/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri A.Sambre, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents. The appellate authority is Commissioner, Tribal Development, Nashik. The Id. Counsel for the applicant has not made him party. So he has been directed to include the name of Commissioner, Tribal Development, Nashik as a respondent. Liberty is granted to amend the O.A.

S.O. one week.

Member (A)

aps.

O.A.No.325/2018 (S.B.) Coram :

Hon. Shri Shree Bhagwan, Member
(A)

Dated : 29.06.2018.

Heard Shri A.P.Mishra, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents. The Id. P.O. desires four weeks time. However, two weeks time is given to file affidavit-in-reply. However, till next hearing para no. 2 of order dated 04/06/2018 where stay has been granted will continue till next date of order.

S.O. two weeks as a last chance.

Member (A)

aps.

O.A.No.360/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri P.P.Khaparde, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondent nos. 1 to 4. None for respondent no. 5. The Id. P.O. submits one document on record. The same is marked Exh. "X". The same document shows that the respondent has considered this Tribunal order dated 06/06/2018. However, Id. Counsel for the applicant wants to consult his client.

At his request, S.O. 03/07/2018.

Member (A)

aps.

O.A.No.380/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri P.P.Khaparde, Id.
Counsel for the applicant and Shri
H.K.Pande, Id. P.O. for the
respondents. At the request of Id.
Counsel for the applicant,

S.O. 03/07/2018.

Member (A)

aps.

O.A.No.375/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri A.P.Sadavarte, Id.
Counsel for the applicant and Shri
A.M.Ghogre, Id. P.O. for the
respondents.

In order dated 08/06/2018 in
para no. 2, stay of the impugned order
to the extent of applicant is granted

and it has been continued. It has been pointed out by Id. Counsel for the applicant to consider his representation. As per the request of Id. Counsel for the applicant, two weeks time is granted. Meanwhile, the Id. P.O. may request respondent to decide the representation within two weeks on merit.

S.O. two weeks.

Member (A)

aps.

O.A.No.381/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018. Heard Shri N.R.Saboo, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondent nos. 1 to 3.

Shri A.S.Ambatkar, Id. Counsel for the respondent no. 4 submits that he will file vakalatnama during the course of day. The stay granted in order dated 14/06/2018 will continue till next date of hearing. At the request of Id. Counsel for the respondent no. 4,

S.O. one week. Put up this matter alongwith O.A.382/2018.

Member (A)

aps.

O.A.No.382/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri N.R.Saboo, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents. The stay granted in

order dated 11/06/2018 will continue till next date of hearing. At the request of Id. P.O., S.O. one week. Put up this matter alongwith O.A.381/2018.

Member (A)

aps.

O.A.No.410/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Shri D.M.Khandait, Id. Counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents. At the request of Id. P.O., S.O. two weeks for reply.

Member (A)

aps.

O.A.No.412/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,
Member (A)

Dated : 29.06.2018.

Heard Ms. Archita Sudame holding for Shri A.M.Sudame, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents. In the last hearing i.e. on 15/06/2018, he was working at Nagbhid and relief order was not issued. The applicant has made representation with choices to the Secretary, Animal Husbandry i.e. respondent no. 1. The respondent no. 1 is directed to decide the representation of application within three weeks time. By giving above directions, the O.A. stands disposed off. Till the disposal of the representation, the applicant should be continued at the same post.

Member (A)

aps.