

C.P. No. 18/2017 in O.A. No. 574/2016.

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 9th April 2018.

C.P. No. 18/2017.

At the request of the learned Advocate for
the applicant, S.O to **10.4.2018.**

Shri M.I. Khan, the learned P.O. for the
respondents.

(Justice A.H. Joshi)
Chairman

pdg.

C.P. No. 20/2018 in O.A. No. 376/2007.

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 9th April 2018.

C.P. No. 20/2018.

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

At the request of the learned P.O., S.O.
22.8.2018.

(Justice A.H. Joshi)
Chairman

pdg.

C.P. No. 32/2017 in O.A. No. 75/2016.

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 9th April 2018.

C.P. No. 32/2017.

None for the applicant. Shri A.M. Khadatkar, learned P.O. for the respondent Nos. 1 to 3. Miss. Vrushali Mohite, Adv. holding for Shri S.M. Bhangde, Advocate for R.4.

S.O. 10.4.2018.

(Justice A.H. Joshi)
Chairman

pdg.

C.P. No. 33/2017 in O.A. No. 42/2016.

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 9th April 2018.

C.P. No. 33/2017.

None for the applicant. Shri A.M. Khadatkar, learned P.O. for the respondent Nos. 1 to 3. Miss. Vrushali Mohite, Adv. holding for Shri S.M. Bhangde, Advocate for R.4.

S.O. 10.4.2018.

(Justice A.H. Joshi)
Chairman

pdg.

C.P. No. 05/2018 in O.A. No. 76/2017.

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 9th April 2018.

C.P. No. 32/2017.

Heard Ms. A. Lanjewar, the learned Advocate for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

At the request of Ld. P.O., S.O. 27.4.2018.

(Justice A.H. Joshi)
Chairman

pdg.

C.P. No. 19/2018 in O.A. No. 386/2016.

**Coram : Justice A.H. Joshi,
Chairman.**

Dated : 9th April 2018.

C.P. No. 19/2018.

Heard Shri D.M. Surjuse, the learned Advocate for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

At the request of the Ld. Advocate for the applicant, S.O. 10.4.2018.

(Justice A.H. Joshi)
Chairman

pdg.

O.As. 256, 359, 360 & 822 of 2009 (D.B.)

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

Dated : 09/04/2018

None for the applicants.

Shri M.I. Khan, learned P.O. and other Id. P.Os. in other matters for the respondents.

At the request of learned P.O., **S.O.**
10/04/2018.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 917/2017 (D.B.)

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

Dated : 09/04/2018

Shri Y.P. Kaslikar, Id. counsel for the applicant for the applicant and Shri A.M. Khadatkar, learned P.O. for R-1&2. None for R-3.

At the request of learned P.O., **S.O.**
10/04/2018.

Put up along with other connected matter.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 918/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Shri Y.P. Kaslikar, Id. counsel for the applicant for the applicant and Shri A.M. Khadatkar, learned P.O. for R-1&2. None for R-3.

At the request of learned P.O., **S.O.**
10/04/2018.

Put up along with other connected matter.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 614/2017 (D.B.)

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

Dated : 09/04/2018

C.A. 533/16 in C.A. 68/18

Shri R.V. Shiralkar, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1&2 and Shri Nitesh Gwalwansh, Id. counsel holding for Shri N.B. Rathod, Id. counsel for R-3.

At the request of learned counsel for R-3, **S.O. one week** for filing reply to the amended application.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 191/2017 (D.B.)

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

Dated : 09/04/2018

C.A. 103/2017 -

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2 to 4.

At the request of learned counsel for the applicant, **S.O. one week** for filing service affidavit of R-2 to 4.

Member(A)

Vice-Chairman(J)

O.A. 51/2017 (D.B.)

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

Dated : 09/04/2018

C.A. 439/2017 –

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

For the reasons stated in the application, the C.A. for early hearing is allowed.

O.A. 51/2017 –

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

Since the pleadings are complete, with the consent of learned counsel for parties, the matter is admitted and kept for final hearing.

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

S.O. Next week.

Member(A) Vice-Chairman(J)

dnk.

O.A. 703/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Smt. K.N. Saboo, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2 to 4.

The learned counsel for the applicant submits that she will file service affidavit during the course of day.

The learned P.O. seeks time to file reply. At his request, **S.O. four weeks**.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 843/2017 (D.B.)

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

Dated : 09/04/2018

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

The learned P.O. seeks time to file reply-affidavit of all the respondents. At his request, **S.O. two weeks.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 665/2016 (D.B.)

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

Dated : 09/04/2018

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

Since the pleadings are complete, the matter is admitted and kept for final hearing.

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

S.O. two weeks.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 685/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Shri Ravi Kumar Chachra, Id.
counsel holding for Shri A. Raghute, Id.

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

The learned P.O. files reply-affidavit on behalf of respondents. It is taken on record. Copy is served on the applicant.

S.O. two weeks for filing rejoinder, if any.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 772/2017 (D.B.)

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

Dated : 09/04/2018

Shri S.N. Gaikwad, Id .counsel for
the applicant and Shri A.M. Ghogre, Id.
P.O. for the respondents.

At the request of Id. P.O., **S.O. one
week** for filing reply.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 780/2017 (D.B.)

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

Dated : 09/04/2018

Shri Rohan Lihare, Id. counsel holding for Shri S.S. Dhengale, Id .counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 and Shri W.G. Paunikar, Id. counsel for R-2.

At the request of learned counsel for the applicant, **S.O. 16/04/2018.**

Member(A)

Vice-Chairman(J)

O.A. 920/2017 (D.B.)

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

Dated : 09/04/2018

Shri A.M. Haque, Id .counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 to 3 and Shri P.P. Khaparde, Id. counsel for R-4.

The learned counsel for the applicant submits that during the pendency of the O.A. the respondent no.4 has been appointed to the post of Assistant Professor and the applicant wants to challenge the said order by amending the O.A. At his request, **S.O. two weeks** for amendment.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 102/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Shri S.R. Khobragade, Id .counsel for
the applicant and Shri A.P. Potnis, Id. P.O.
for the respondents.

S.O. three weeks.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 102/2018 (D.B.)

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

Dated : 09/04/2018

Shri S.R. Khobragade, Id .counsel for
the applicant and Shri A.P. Potnis, Id. P.O.
for the respondents.

S.O. three weeks.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 342/2009 with C.A. 100/2017 (D.B.)

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

Dated : 09/04/2018

Shri M.V. Mohokar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1&2. There is a leave note from Shri P.R. Pudke, Id. counsel for R-3&4.

S.O. 16/04/2018.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 112/2008 (D.B.)

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

Dated : 09/04/2018

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

2. The learned counsel for the applicant submits that he will obtain the information as regards the ground on which the Director of Sports has rejected the applicant's Certificate as regards participation of the sport events and for that purpose he seeks two weeks' time. At his request, **S.O. two weeks.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 477/15 with C.A.571/17 (D.B.)

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

Dated : 09/04/2018

Heard Shri S.C. Deshmukh, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 to 3. None for R-4 to 8.

2. During the pendency of the O.A., the respondent no.8 has resigned the post and therefore the applicant is claiming that she shall be accommodated in place of respondent no.8 and this can be done without going into merits of the O.A.

3. The learned P.O. submits that the wait list has lapsed. However, since the selection was already challenged in this O.A., the learned P.O. is directed to take instructions as to whether the post resigned by respondent no.8 is still vacant and if yes, whether the applicant can be accommodated on that post.

S.O. one week.

Steno copy be supplied to the
learned counsel for parties.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 232/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Heard Shri S.S. Bhalerao, learned counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The applicant had applied for the post of Professor in English in response to the advertisement dated 06/08/2015 (Annex-A-3,P-17). The learned counsel for

the applicant submits that as per advertisement Clause no.4.3, the education qualification is required for this post. The respondents have published the list at P.B. page no.38 mentioning therein that 4 candidates including the applicant are not qualified as per Academic Performance Indicator Score (API). Only respondent no.4 has been declared qualified, she has been called for interview and interview is to be held tomorrow. It seems that the respondent no.4 is only called for interview. The

applicant has not claimed any substantive relief against respondent no.4 in this O.A. and therefore no interim relief can be granted. However, it is made clear that the outcome of the interview that may be held will be subject to the result of this O.A.

3. The learned counsel for the applicant submits that he wants to amend the O.A. and for that purpose he seeks one week time. In view thereof, issue notice to R-2 to 4, returnable in **four weeks**. Learned C.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. **S.O. four weeks.**

9. Steno copy be supplied to the learned counsel for parties.

Member(A)

Vice-Chairman(J)

O.A. 689/2015 (D.B.)

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

Dated : 09/04/2018

Heard Shri R. Joshi, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. After hearing the matter for considerable period, the learned counsel for the applicant submits that he will place on record the relevant rules and acts and so also the Judgments under which the present O.A. is covered. It is stated that similar matter i.e. O.A. No. 835/2016 is posted on 16/04/2018 is also pending and therefore at the

request of learned counsel for parties, the matter be kept on 16/04/2018.

3. In the meantime, since the pleadings are complete, the matter is admitted and kept for final hearing.

4. The learned P.O. waives notice for the respondents.

5. **S.O. 16/04/2018 (P.H.)**

6. Put up along with O.A.No. 835/2016.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 367/2008 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

None for the applicant.

Heard Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. As per the directions in the Writ Petition no.2983/2009 before the Hon'ble

High Court of Judicature at Bombay, Bench at Nagpur, the Hon'ble High Court vide order dated 16/02/2017 was pleased to quash and set aside the order passed by this Tribunal and remanded the matter to the Tribunal for deciding the O.A. afresh on merits. The parties were directed to appear before this Tribunal on 06/03/2017. It seems that accordingly, the applicant's Advocate appeared before this Tribunal on 06/03/2017 and the matter was kept before Division Bench as and when available. The Division Bench was available on 02/04/2018, but on that date nobody appeared for the applicant

though the regular Division Bench was available and therefore the matter was adjourned and has been kept today. Today also nobody appeared for the applicant. The learned P.O. submits that he is ready to argue the matter on merits even today. However, in the interest of justice, the matter be posted after two weeks and the same will be heard on merits, even if the applicant appears or not.

S.O. two weeks.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 173/2018 (D.B.)

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

Dated : 09/04/2018

C.A.84/2018

Heard Shri M.K. Mishra, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1.

2. Notice on application be issued returnable on **16/04/2018**.

3. Shri S.A. Deo, the learned C.P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A.

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 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.

8. **S.O. 16/04/2018.**

Member(A)

Vice-Chairman(J)

dnk.

O.As. 256, 359, 360 & 822 of 2009 (D.B.)

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

Dated : 09/04/2018

None for the applicants.

Shri M.I. Khan, learned P.O. and other Id. P.Os. in other matters for the respondents.

At the request of learned P.O., **S.O.**
10/04/2018.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 917/2017 (D.B.)

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

Dated : 09/04/2018

Shri Y.P. Kaslikar, Id. counsel for the applicant for the applicant and Shri A.M. Khadatkar, learned P.O. for R-1&2. None for R-3.

At the request of learned P.O., **S.O.**
10/04/2018.

Put up along with other connected matter.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 918/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Shri Y.P. Kaslikar, Id. counsel for the applicant for the applicant and Shri A.M. Khadatkar, learned P.O. for R-1&2. None for R-3.

At the request of learned P.O., **S.O.**
10/04/2018.

Put up along with other connected matter.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 614/2017 (D.B.)

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

Dated : 09/04/2018

C.A. 533/16 in C.A. 68/18

Shri R.V. Shiralkar, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1&2 and Shri Nitesh Gwalwansh, Id. counsel holding for Shri N.B. Rathod, Id. counsel for R-3.

At the request of learned counsel for R-3, **S.O. one week** for filing reply to the amended application.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 191/2017 (D.B.)

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

Dated : 09/04/2018

C.A. 103/2017 -

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2 to 4.

At the request of learned counsel for the applicant, **S.O. one week** for filing service affidavit of R-2 to 4.

Member(A)

Vice-Chairman(J)

O.A. 51/2017 (D.B.)

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

Dated : 09/04/2018

C.A. 439/2017 –

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

For the reasons stated in the application, the C.A. for early hearing is allowed.

O.A. 51/2017 –

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

Since the pleadings are complete, with the consent of learned counsel for parties, the matter is admitted and kept for final hearing.

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

S.O. Next week.

Member(A) Vice-Chairman(J)

dnk.

O.A. 703/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan, Member(A)

Dated : 09/04/2018

Smt. K.N. Saboo, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2 to 4.

The learned counsel for the applicant submits that she will file service affidavit during the course of day.

The learned P.O. seeks time to file reply. At his request, **S.O. four weeks**.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 843/2017 (D.B.)

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

Dated : 09/04/2018

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

The learned P.O. seeks time to file reply-affidavit of all the respondents. At his request, **S.O. two weeks.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 665/2016 (D.B.)

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

Dated : 09/04/2018

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

Since the pleadings are complete, the matter is admitted and kept for final hearing.

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

S.O. two weeks.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 685/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Shri Ravi Kumar Chachra, Id. counsel holding for Shri A. Raghute, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

The learned P.O. files reply-affidavit on behalf of respondents. It is taken on record. Copy is served on the applicant.

S.O. two weeks for filing rejoinder, if any.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 772/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Shri S.N. Gaikwad, Id .counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. one week** for filing reply.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 780/2017 (D.B.)

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

Dated : 09/04/2018

Shri Rohan Lilhare, Id. counsel holding for Shri S.S. Dhengale, Id .counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 and Shri W.G. Paunikar, Id. counsel for R-2.

At the request of learned counsel for the applicant, **S.O. 16/04/2018.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 920/2017 (D.B.)

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

Dated : 09/04/2018

Shri A.M. Haque, Id .counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 to 3 and Shri P.P. Khaparde, Id. counsel for R-4.

The learned counsel for the applicant submits that during the pendency of the O.A. the respondent no.4 has been appointed to the post of Assistant Professor and the applicant wants to challenge the

said order by amending the O.A. At his request, **S.O. two weeks** for amendment.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 102/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Shri S.R. Khobragade, Id .counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

S.O. three weeks.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 102/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Shri S.R. Khobragade, Id .counsel for
the applicant and Shri A.P. Potnis, Id. P.O.
for the respondents.

S.O. three weeks.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 342/2009 with C.A. 100/2017 (D.B.)

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

Dated : 09/04/2018

Shri M.V. Mohokar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1&2. There is a leave note from Shri P.R. Pudke, Id. counsel for R-3&4.

S.O. 16/04/2018.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 112/2008 (D.B.)

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

Dated : 09/04/2018

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

2. The learned counsel for the applicant submits that he will obtain the information as regards the ground on which the Director of Sports has rejected the applicant's Certificate as regards

participation of the sport events and for that purpose he seeks two weeks' time. At his request, **S.O. two weeks.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 477/15 with C.A.571/17 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Heard Shri S.C. Deshmukh, Id.
counsel for the applicant and Shri H.K.

Pande, Id. P.O. for R-1 to 3. None for R-4 to 8.

2. During the pendency of the O.A., the respondent no.8 has resigned the post and therefore the applicant is claiming that she shall be accommodated in place of respondent no.8 and this can be done without going into merits of the O.A.

3. The learned P.O. submits that the wait list has lapsed. However, since the selection was already challenged in this O.A., the learned P.O. is directed to take instructions as to whether the post resigned by respondent no.8 is still vacant and if yes, whether the applicant can be accommodated on that post.

S.O. one week.

Steno copy be supplied to the learned counsel for parties.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 232/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

Heard Shri S.S. Bhalerao, learned counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. The applicant had applied for the post of Professor in English in response to the advertisement dated 06/08/2015 (Annex-A-3,P-17). The learned counsel for the applicant submits that as per advertisement Clause no.4.3, the education qualification is required for this post. The respondents have published the list at P.B. page no.38 mentioning therein that 4 candidates including the applicant are not qualified as per Academic Performance Indicator Score (API). Only respondent no.4 has been declared qualified, she has

been called for interview and interview is to be held tomorrow. It seems that the respondent no.4 is only called for interview. The

applicant has not claimed any substantive relief against respondent no.4 in this O.A. and therefore no interim relief can be granted. However, it is made clear that the outcome of the interview that may be held will be subject to the result of this O.A.

3. The learned counsel for the applicant submits that he wants to amend the O.A. and for that purpose he seeks one week time. In view thereof, issue notice to R-2 to 4, returnable in **four weeks**. Learned C.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. **S.O. four weeks.**

9. Steno copy be supplied to the learned counsel for parties.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 689/2015 (D.B.)

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

Dated : 09/04/2018

Heard Shri R. Joshi, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. After hearing the matter for considerable period, the learned counsel for the applicant submits that he will place on record the relevant rules and acts and so also the Judgments under which the present O.A. is covered. It is stated that similar matter i.e. O.A. No. 835/2016 is posted on 16/04/2018 is also pending and therefore at the request of learned counsel for parties, the matter be kept on 16/04/2018.

3. In the meantime, since the pleadings are complete, the matter is admitted and kept for final hearing.

4. The learned P.O. waives notice for the respondents.

5. **S.O. 16/04/2018 (P.H.)**

6. Put up along with O.A.No. 835/2016.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 367/2008 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 09/04/2018

None for the applicant.

Heard Shri P.N. Warjurkar, Id. P.O.
for the respondents.

2. As per the directions in the Writ Petition no.2983/2009 before the Hon'ble High Court of Judicature at Bombay, Bench at Nagpur, the Hon'ble High Court vide order dated 16/02/2017 was pleased to quash and set aside the order passed by this Tribunal and remanded the matter to the Tribunal for deciding the O.A. afresh on merits. The parties were directed to appear before this Tribunal on 06/03/2017. It seems that accordingly, the applicant's Advocate appeared before this Tribunal on

06/03/2017 and the matter was kept before Division Bench as and when available. The Division Bench was available on 02/04/2018, but on that date nobody appeared for the applicant

though the regular Division Bench was available and therefore the matter was adjourned and has been kept today. Today also nobody appeared for the applicant. The learned P.O. submits that he is ready to argue the matter on merits even today. However, in the interest of justice, the matter be posted after two weeks and the same will be heard on merits, even if the applicant appears or not.

S.O. two weeks.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 173/2018 (D.B.)

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

Dated : 09/04/2018

C.A.84/2018

Heard Shri M.K. Mishra, Id. counsel
for the applicant and Shri S.A. Deo, Id.
CPO for R-1.

2. Notice on application be issued returnable on **16/04/2018**.

3. Shri S.A. Deo, the learned C.P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A.

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 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.

8. **S.O. 16/04/2018**.

Member(A)

Vice-Chairman(J)

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

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

Dated : 09.04.2018.

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

At the request of Id. counsel for the applicant, **S.O. tomorrow i.e. 10/04/2018.**

Member (A)

Vice Chairman (J)

aps.

O.A.No.101/2017 (S.B.)

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

Dated : 09.04.2018.

M.C.A.No.77/2017:-

None for the original applicant.

Shri M.I.Khan, Id. P.O. for the original respondents.

On 12/03/2018, the respondent no. 1 was directed to state that the details of the step taken by it to comply with the order and to depute some person to get the order complied with and it was specifically stated in O.A. that if such order is not complied within four weeks, the respondent no. 2 i.e. The Chief Conservator of Forest & Field Director, Melghat Tiger Project, Amravati will have to appear before the Court for filing affidavit. The Id. P.O. submits that the respondents have complied with the order except some

difference and he will file the short affidavit alongwith the necessary documents. The Id. P.O. further submits that the order will be complied on or before 05/05/2018. The respondents are directed to file short affidavit alongwith the necessary documents. For that condition time to comply the order of the Tribunal is extended till 05/05/2018. If the short affidavit is filed the same will be taken on record.

M.C.A. stands disposed of.

Vice Chairman (J)

aps.

O.A.No.915/2017 (S.B.)

Coram : Hon. Shri J.D.Kulkarni,

Vice-Chairman (J).

Dated : 09.04.2018.

Shri S.S.Bhalerao, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 to 4. Shri V.Dongre, the Id. counsel for respondent no. 5.

At the request of Id. counsel for the applicant, **S.O. day after tomorrow i.e. 11/04/2018.**

Vice Chairman (J)

aps.

O.A.No.484/2016 (S.B.)

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

Dated : 09.04.2018.

M.C.A.No.07 & 09/2018

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

M.C.A. No. 09/2018 is application for restoration of M.C.A. No. 07/2018 in O.A. No. 484/2016. It seems that the O.A. No. 484/2016 was dismissed in default on 14/02/2018 and in order to get it restored the M.C.A. No. 07/2018 was filed but the same is also dismissed on 16/03/2018. Now, in order to restored the M.C.A. No. 07/2018 and O.A. No. 484/2016, the M.C.A. No. 09/2018 is filed. The Id. counsel for the applicant submits that it was his mistake that he could not attend the matter and, therefore, the matter was dismissed in default. He has also filed affidavit separately. Considering the fact, that it was the mistake on the part of the advocate, I feel that if the application are not restored

then it may cause heavy loss to the applicant. The applicant cannot be punished for the mistake on the part of the Advocate and, therefore, in the interest of justice both the M.C.As. are allowed and O.A. No. 484/2016 stand restored on its original file. Since the O.A. No. 484/2016 was fixed for final hearing. At the request of Id. counsel for the applicant, O.A. be

heard on merit in next week. O.A. shall be kept for final hearing on 19/04/2018.

S.O. 19/04/2018.

Vice Chairman (J)

aps.

O.A.No.644/2016 (S.B.)

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

Dated : 09.04.2018.

M.C.A.No.59 & 60/2017

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

Nobody appeared for the applicant on 06/01/2017 and then on 07/03/2017 and 21/03/2017. On 21/03/2017, specific order was passed to the effect that the matter be dismissed in default in case no steps were taken and the matter was posted on 02/04/2018.

On 02/04/2018, Shri S.M.Vaishnav Advocate appears for the applicant and stated that his father was appearing in this matter but due to personal difficulty and ill health no steps could be taken, he requested one week time for taking necessary steps and, therefore, the matter was posted today. Today also nobody appears for the applicant. It seems that, the applicant may not be interested in prosecuting the O.A. and, therefore, the O.A.

stands dismissed in default, subsequently the M.C.As. also dismissed in default.

Vice Chairman (J)

aps.

O.A.No.86/2015 (S.B.)

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

Dated : 09.04.2018.

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

At the request of Id. counsel for the applicant, **S.O. 17/04/2018.**

Vice Chairman (J)

aps.

O.A.No.664/02017 (S.B.)

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

Dated : 09.04.2018.

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

At the request of Id. P.O., **S.O. four weeks** as a last chance for reply.

Vice Chairman (J)

aps.

O.A.No.717/2017 (S.B.)

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

Dated : 09.04.2018.

C.A.No.64 & 65/2018:-

Ms.M.P.Munshi, Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondents.

The Id. counsel for the applicant submits that she will remove all the objections.

S.O.16/04/2018.

Vice Chairman (J)

aps.

O.A.No.718/2017 (S.B.)

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

Dated : 09.04.2018.

Ms.M.P.Munshi, Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the respondent nos. 1 & 2. Await service of respondent nos. 3 & 4.

The Id. P.O. files the affidavit-in-reply on behalf of the respondent no. 2. The same is taken on record. Copy is served to the other side.

S.O.16/04/2018.

Vice Chairman (J)

aps.

O.A.No.170/2018 (S.B.)

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

Dated : 09.04.2018.

Heard Smt. K.N.Saboo, the Id. counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the respondent no. 1 and Shri H.D.Marathe, the Id. counsel for respondent nos. 2 to 4.

The Id. counsel for respondent nos. 2 to 4 submits that he will file vakalatnama on or before next date. The Id. counsel for the applicant is only claiming that since the applicant is due for transfer, his claim shall be considered in the Annual General Transfer, 2018. The Id. C.P.O. submits that the competent authority to transfer the applicant is Government and no representation is filed before the Government. The Id. counsel for the applicant seeks time to take instructions from the applicant, whether to

withdraw the application. The Id. C.P.O. also submits that he will take instruction from the competent authority as to whether the applicant can be considered for transfer at the time of Annual General Transfer of

2018. The Id. counsel for the applicant seeks time. At her request, **S.O. 20/04/2018.**

Vice Chairman (J)

aps.

O.A.No.938/2017 (S.B.)

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

Dated : 09.04.2018.

Shri M.Rajkondwar, the Id. counsel for the applicant and Shri Khadatkar, the Id. P.O. for the respondent nos. 1 to 3. None for respondent 4.

The Id. P.O. submits that he will file reply affidavit on behalf of respondent no. 2 during the course of the day. S.O. two weeks for filing rejoinder, if any.

S.O. two weeks.

Vice Chairman (J)

aps.

O.A.No.980/2017 (S.B.)

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

Dated : 09.04.2018.

Shri G.K.Bhusari, the Id. counsel for the applicant, Shri A.P.Potnis, the Id. P.O. for the respondent no. 1 and Shri A.Parihar, the Id. counsel for respondent nos. 2 & 3.

The Id. counsel for the applicant submits that as per the order dated 19/03/2018, the applicant approached the Deputy Director, Health Services, Latur to joined at the transfer post but he was not allowed to do so. The respondent no. 1 is directed to take instructions in this regard and the applicant is allowed to file affidavit in this regard alongwith the documents. The Id. counsel for the applicant submits that he will file the documents during the course of the day and, therefore, the matter be kept on Friday i.e. 13/04/2018.

S.O. 13/04/2018 for proper instruction.

Vice Chairman (J)

aps.

O.A.No.927/2017 (S.B.)

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

Dated : 09.04.2018.

Shri P.P.Kotwal, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

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

Vice Chairman (J)

aps.