

O.A. (St.) No.1947 /2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.
C.A. No.483/2016.

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

Ld. P.O. has filed reply of R.2 and 3. It is
taken on record.

S.O. **one week.**

Vice-Chairman(J)

pdg

O.A. No. 610/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

C.A. No.395/2017.

Heard Shri G.G. Bade, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent 1.

Await service to R. 2 to 5.

The learned counsel for the applicant submits that the respondents have been served and he will file service affidavit within one week. For the reasons stated in the application, application to sue jointly is allowed with requisite Court fee to be paid to the Registry of this Tribunal. C.A. stands disposed of.

S.O. **four weeks.**

. Vice-Chairman(J)

pdg

O.A. No. 175/2010.

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

Dated : 18th September 2017.

M.C.A. No.31/2017.

Heard Miss Bhagyashree Savhale, Adv. holding for Shri A.R. Patil, the learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

The learned counsel for the applicant seeks one week's time to file service affidavit.

S.O. one week.

Vice-Chairman(J)

pdg

O.A. No.123/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

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

The Ld. P.O. submits that he is depositing the cost in the office and will file reply affidavit during the course of the day.

S.O. **two weeks.**

Vice-Chairman(J)

pdg

O.A. No.338 /2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

None for the applicant. Smt. S.V. Kolhe,
the learned P.O. for the respondent No.1.

Await service to R.2.

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

Vice-Chairman(J)

pdg

O.A. No.402 /2014.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

R.A.No.03/2016.

None for the applicant (original respondent No.2). None for original applicant and two other respondents. None for the respondent No.1. Shri V.A. Kulkarni, Ld. P.O. for R. 1 to 3 (original respondents).

At the request of P.O., S.O. **5.10.2017.**

Vice-Chairman(J)

pdg

O.A. No. 840/2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard Shri N. Autkar, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O. **three weeks** as a last chance.

Vice-Chairman(J)

pdg

O.A. No. 137/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

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

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

Vice-Chairman(J)

pdg

O.A. No. 320/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

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

ADMIT.

Smt. S.V. Kolhe, the learned P.O. waives notice for all the respondents.

S.O. **first week of October 2017** for final hearing.

Vice-Chairman(J)

pdg

O.A. No. 415/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard Shri Y. Kinkhede, the learned
counsel for the applicant and Shri V.A. Kulkarni,
the learned P.O. for the respondents.

S.O. **three weeks.**

Vice-Chairman(J)

pdg

O.A. No. 440/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard Shri G.G. Bade, the learned counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents.

The Ld. P.O. has filed reply affidavit on behalf of R.2 to 4. The same is taken on record and a copy thereof is supplied to the the learned counsel for the applicant.

ADMIT.

Shri V.A. Kulkarni, the learned P.O. waives notice for all the respondents.

S.O. **two weeks** for final hearing.

Vice-Chairman(J)

pdg

O.A. No. 677/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard Shri O.A. Ghare, the learned counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondent No.1.

2. Issue notice returnable after four weeks.
3. Shri S.A. Sainis, the learned P.O. waives notice for the respondent No.1. Hamdast granted.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.
6. 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.
7. 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.

S.O. **four weeks.**

Vice-Chairman(J)

pdg

O.A. No. 538/2016.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.**

Heard Shri G.G. Bade, the learned 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. **two weeks.**

Vice-Chairman(J)

pdg

O.A. No. 376/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard Shri N.N.Thengre, the learned counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents 1 to 4. None for R.5.

Closed for orders.

Vice-Chairman(J)

pdg

O.A. No. 844/2012.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard Shri M.V. Mohokar, the learned
counsel for the applicant and Smt. S.V. Kolhe,
the learned P.O. for the respondents 1 and 2.
Shri D.M. Kale, Adv. for R.3. None for R.4.

Closed for orders.

Vice-Chairman(J)

pdg

O.A. No. 222/2013.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard Shri S.P. Palshikar, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

At the request of both the parties, S.O.
27th September 2017.

Vice-Chairman(J)

pdg

O.A. No. 241/2013.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard Shri Ved Deshpande, Adv. holding for Dr. (Mrs.) R.S. Sirpurkar, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

The learned counsel for the applicant submits that he wants to file C.A. for filing relevant documents on record. In view thereof, S.O. **27th September 2017.**

Vice-Chairman(J)

pdg

O.A. No. 631/2014.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard Shri Arjun Ragit, Adv. holding for Shri S.P. Kshirsagar, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

At the request of the learned counsel for the applicant, S.O. **26th September 2017.**

Vice-Chairman(J)

pdg

O.A. No. 677/2014.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

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

Closed for orders.

Vice-Chairman(J)

pdg

O.A. No. 101/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

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

Closed for orders.

Vice-Chairman(J)

pdg

O.A. No. 294/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.
C.A. 365/2017.

Heard Shri S.N. Gaikwad, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for respondents 1 and 2. Shri A.P. Tathod, Adv. for R.3.

2. It seems that the applicant who is Deputy Director in the department of Skill Development, has been transferred from Mumbai to Amravati vide order dated 23.6.2015 and respondent No.3 was transferred from Amravati to Nagpur. Respondent No.3 requested that he may be re-accommodated at Amravati. At the same time, the applicant also requested that he may be accommodated at Pune. However, the impugned order dated 13.5.2017 came to be passed vide which the applicant has been transferred from Amravati to Nagpur. But the respondent No.3 has been accommodated at Amravati in place of the applicant. The learned P.O. submits that the

applicant's request has been considered, so also that of respondent No.3. However, from the record, it seems that the applicant's request was for Pune and not for Nagpur and, therefore, it cannot be said that the applicant's request has been considered.

3. So far as the impugned order of transfer is concerned, admittedly the applicant has been transferred to Amravati vide order dated 23.6.2015 and thereafter to Nagpur vide order dated 31.5.2017. Thus, the applicant has not completed his tenure at Amravati and it is a mid-tenure transfer.

4. The Ld. P.O. submits that there were complaints against the applicant as regards misappropriation and it has been decided to initiate enquiry against the applicant and, therefore, the applicant has been transferred. If it is accepted as true, that does not seem to be prima facie seen the impugned order will be nothing but the punitive order.

5. The Ld. P.O. submits that he will take instructions as to whether the applicant can be accommodated at Pune as requested by him and

for that purpose, he seeks one week's time. In view thereof, S.O. **one week.**

To be treated as part heard.

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

Vice-Chairman(J)

pdg

O.A. No. 307/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard Shri D.R. Karnik, Adv. holding for Shri P.C. Marpakwar, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

At the request of the Ld. P.O., S.O. **27th**
September 2017.

Vice-Chairman(J)

pdg

O.A. No. 470/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Heard N.R. Saboo, the learned counsel for
the applicant and Smt. S.V. Kolhe , the learned
P.O. for the respondents 1 to 3. None for R.4.

S.O. 29th September 2017.

Vice-Chairman(J)

pdg

O.A. No.736 /2015.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

R.A. 09/2016.

None for the applicant. Shri A.M. Ghogre,
the learned P.O. for the respondent Nos. 1 to 3.
None for R.4.

S.O. **two weeks.**

Vice-Chairman(J)

pdg

O.A. No.358 /2009.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 18th September 2017.

Shri S.P. Palshikar, the learned counsel for the applicant and Smt. S.V. Kolhe, the learned P.O. for the respondent Nos. 1 to 3. None for R. 4 and 5.

S.O. 26th September 2017.

Vice-Chairman(J)

pdg

O.A. No. 370/2017

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

Dated : 18.09.2017.

Shri D.T. Shinde, Id. counsel holding for Shri S.O. Ahmed, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. No. 305/2013 (D.B.)

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

Dated : 18.09.2017.

C.A.391/2015 in C.P. St.1595/15

Shri D.M. Khandait, Id. counsel holding for
Shri R.V. Shirkar, Id. counsel for the applicant
and Shri A.M. Ghogre, Id. P.O. for the
respondents.

At the request of learned P.O., **S.O.**
5/10/2017 for filing additional affidavit.

Vice Chairman (J)

dnk.

O.A. No. 402/2014 (D.B.)

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

Dated : 18.09.2017.

C.A.394/2015 in C.P. St.1576/15

None for the applicant.

Shri V.A. Kulkarni, Id. P.O. for R-1 and
Shri P.A. Kadu, Id. counsel for R-2.

At the request of learned counsel for R-2,
S.O. 5/10/2017 along with Rev.App. 03/16 in
O.A.402/14 (S.B.).

Vice Chairman (J)

dnk.

O.A. No. 61/2010 (D.B.)

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

Dated : 18.09.2017.

C.A.270/2016 in C.P. St.1057/16

Heard Bharat Kulkarni, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1&2. None for R-3.

2. The learned counsel for the applicant submits that the applicant has received encashment amount only, but he has not received the pension amount. The learned P.O. submits that the applicant himself has given the statement that he has received everything. The copy of the statement is placed on record and marked Exh-X for the purposes of identification. However he further submitted that the pension case is referred to the Treasury for payment which is in other word to be said that the applicant has not been received the payment of pension. It cannot be said to be compliance of the order dated 12/1/2016.

3. Hence, put up the matter on **5/10/2017** for necessary orders.

Vice Chairman (J)

dnk.

O.A. No. 112/2015 (D.B.)

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

Dated : 18.09.2017.

C.A.281/2016 in C.P. St.1092/2016

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

2. Admittedly the order dated 1/9/2017 is not complied. The learned P.O. has placed on record some communication addressed to the Medical Officer from A.G. office for clarification of objections. The copy of the same is placed on record and marked Exh-X for the purpose of identification. The learned P.O. submits that four weeks time may be granted. Such time cannot be granted as the period of two weeksq time has already been granted as per order dated 1/9/2017.

3. Hence, matter be kept before Hon^{ble} Chairman on 5/10/2017.

Vice Chairman (J)

dnk.

O.A. No. 553/2015 (D.B.)

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

Dated : 18.09.2017.

C.A.492/16 in C.P. St.1979/16

Heard Shri G.K. Bhusari, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. The learned counsel for the applicant and learned P.O. admit that the order has been complied and the applicant has already been appointed to the post which he required.

3. In view thereof nothing survives in the application for C.A. in Contempt Petition (St.). Hence, the C.A. stands disposed of. Consequently the Contempt Petition (St.) also stands dismissed.

Vice Chairman (J)

dnk.

O.A. No. 116/2015 (D.B.)

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

Dated : 18.09.2017.

C.A.493/16 in C.P. St.1982/16

None for the applicant.

Shri H.K. Pande, Id. P.O. for R-1 and Shri
A.M. Kukday, Id .counsel for R-2.

2. The learned counsel for R-2 as well as the learned P.O. submits that the order has been complied and the matter was disposed of on the last date before the Honorable Chairman. However, it has been wrongly stated that the arrears will be disbursed within two weeks. In fact the application should have been disposed of. In view thereof, put up the matter on 5/10/2017 for passing necessary orders.

Vice Chairman (J)

dnk.

O.A. No. 28/2010 (D.B.)

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

Dated : 18.09.2017.

C.A.03/17 in C.P.St.09/17

Shri S.D. Shukla, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

2. The learned counsel for the applicant submits that the order to be complied has been complied and nothing survives in the C.A. and Contempt Petition (St.) and the same can be disposed of. In view of his request, the C.A. as

well as Contempt Petition (St.) stand disposed of as duly complied. No order as to costs.

Vice Chairman (J)

dnk.

O.A. No. 37/2016 (D.B.)

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

Dated : 18.09.2017.

C.A.75/17 in C.P.St.397/17

Ms. R. Pande, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondent no.2. none for R-1&3,

2. The learned counsel for the applicant submits that the final order has been passed in the departmental enquiry. As such the representation filed by the applicant has been disposed of. The learned P.O. has also placed on record a copy of the order dated 29/3/2017 which is marked Exh-X for the purposes of identification. In view thereof, the C.A. as well as

Contempt Petition (St.) stand disposed of since duly complied.

Vice Chairman (J)

dnk.

O.A. No. 915/2012 (D.B.)

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

Dated : 18.09.2017.

C.A.85/17 in C.P.St.446/17

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. None for R-2&3.

2. The learned counsel for the applicant submits that vide impugned order passed in O.A.Nos. 905, 915,936, & 937 of 2012 the termination order of the applicant was quashed and set aside and the applicant was to be reinstated, since he was not reinstated the applicant filed C.A. along with contempt petition (St.). The learned counsel for the applicant submits that the applicant has been reinstated in the service and therefore the order passed by the Tribunal has been complied. In view thereof, C.A. as well as Contempt Petition (St.) can be disposed of. In view of this statement, the C.A. as well as Contempt

Petition (St.) stands disposed of accordingly with no order as to costs.

Vice Chairman (J)

dnk.

C.A.Nos. 241/17 in 304/17 in O.A.08/2017 (D.B.)

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

Dated : **18.09.2017.**

Shri N.R. Saboo, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned P.O. files reply-affidavit on behalf of R-3 in O.A. It is taken on record. Copy is given to the other side.

3. The learned P.O. seeks time to file reply on behalf of R-1&2. Time is granted as a last chance.

S.O. three weeks.

Put up along with O.A. Nos.07/2017 & 09/2017.

Vice Chairman (J)

dnk.

O.A.07/2017 (D.B.)

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

Dated : 18.09.2017.

Shri N.R. Saboo, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondent nos. 1 to 3. None for R-4.

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

Put up along with O.A. Nos.08/2017 & 09/2017.

Vice Chairman (J)

dnk.

O.A.09/2017 (D.B.)

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

Dated : 18.09.2017.

Shri N.R. Saboo, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondent nos. 1 to 3. None for R-4.

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

Put up along with O.A. Nos.08/2017 & 07/2017.

Vice Chairman (J)

dnk.

O.A.688/2017 (D.B.)

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

Dated : 18.09.2017.

C.A.446/2017

Shri D.M. Khandait, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the State.

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

Vice Chairman (J)

dnk.

O.A.580/2015 (D.B.)

Coram : Hon. Shri J.D.Kulkarni,

Vice-Chairman (J).

Dated : 18.09.2017.

Mrs. U. Patil, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 & 2. Await service of R-3. None for R-4.

2. Issue fresh notice to R-3, returnable in **four weeks**. Hamdast allowed.

3. 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.

8. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. Nos. 545 & 546 of 2017 (D.B.)

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

Dated : 18.09.2017.

Shri S.K .Bansod, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2&3.

The learned counsel for the applicants submits that he will file service affidavit during the course of day. The learned P.O. submits that the Government is planning to take some decision for

which he requires one week's time. At his request, **S.O. one week.**

Vice Chairman (J)

dnk.

O.A.607/2017 (D.B.)

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

Dated : **18.09.2017.**

None for the applicant.

Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2 to 5.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A.612/2017 (D.B.)

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

Dated : 18.09.2017.

None for the applicant.

Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2 and 3.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A.244/2013 (D.B.)

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

Dated : 18.09.2017.

None for the applicant.

Smt. S.V. Kolhe, Id. P.O. for R-1 to 3.
None for R-4.

The learned P.O. files reply-affidavit on behalf of R-3. It is taken on record. She seeks time to file reply on behalf of other respondents.

At her request, **S.O. two weeks** for filing reply.

Vice Chairman (J)

dnk.

O.A.745/2016 (D.B.)

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

Dated : 18.09.2017.

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

S.O. 19/9/2017.

Vice Chairman (J)

dnk.

O.A.442/2016 (D.B.)

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

Dated : 18.09.2017.

Shri D.A. Mahajan, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondent nos. 1 to 3. Await service of R-4.

2. At the request of Id. counsel for the applicant, Issue fresh notice to R-4, returnable in **four weeks**. Hamdast allowed.

3. 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. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A.235/2015 (D.B.)

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

Dated : 18.09.2017.

C.A.299/2017

Heard Shri G.K. Bhusari, Id. counsel holding for Shri S.E. Raghorte, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. In this O.A. the applicant has claimed a direction to the respondents to implement the order of promotion dated 27/6/2013 in respect of applicant and to allow him to join as Range Forest Officer. The learned P.O. has placed on record the order of promotion dated 16/9/2017 which is marked Exh-X for the purpose of identification. The learned counsel for the applicant submits that he has received the copy of the order just now and therefore he wants to go through the same. He, therefore, seeks one week time. **S.O. one week.**

Vice Chairman (J)

dnk.

O.A.285/2017 (D.B.)

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

Dated : 18.09.2017.

C.A.405/2017

Heard Shri G.N. Khanzode, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. Vide order dated 24/8/2017 the respondent no.1 was directed to peruse two documents and take a decision, according to law within a period of three weeks and shall file compliance report accordingly. Therefore the matter was posted on 14/9/2017.

3. On 14/9/2017 it was stated by the learned P.O. that the said compliance could not be done as the file was not traceable and he sought time till Monday. In view thereof time was extended till Monday for compliance of the order. It was specifically stated that in case the order is not complied on or before Monday, the Secretary of R-1 shall appear before the Tribunal.

4. Today the learned P.O. submits that the Secretary is not appeared though he has intimated the Secretary by e-mail Mr. Sanjay Deshmukh. Today the learned P.O. has placed on record reply on behalf of R-1&2 in the O.A. The same is taken on record. However, it cannot be said to be compliance of the orders dated 24/8/2017 as well as 14/9/2017. The learned P.O. is therefore directed to intimate in writing to Mr. Sanjay Deshmukh the Secretary of respondent no.1 to appear before this Tribunal on 5/10/2017.

S.O. 5/10/2017.

Steno copy be supplied to the learned
P.O.

Vice Chairman (J)

dnk.

O.A.247/2016 (D.B.)

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

Dated : 18.09.2017.

Shri Akash Khobragade, Id. counsel holding for Shri I. N. Choudhari, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4&5.

2. The learned counsel for the applicant seeks time to file rejoinder. The learned P.O.

submits that reply has already been filed in February,2017 and till today no rejoinder is filed. In view thereof, the O.A. is admitted with liberty to file rejoinder, if any, to the applicant. Copy of the rejoinder shall be served well in advance to the learned P.O.

The learned P.O. waives notice for R-1 to 3.

Put up before regular D.B. as and when available.

Vice Chairman (J)

dnk.

O.A. 98/2016 with C.A.461/2017 (D.B.)

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

Dated : 18.09.2017.

Heard Shri S.R. Charpe, Id. counsel for the applicants and Shri H.K. Pande, Id. P.O. for the respondent nos. 1 to 4. None for R-5.

2. The learned counsel for the applicants submits that the petition is to be decided within three months from the date of communication of this order dated 9/6/2017 to the respondents. The respondents were served a copy of the order on 12/7/2017 and therefore the matter is to be

decided on or before 12/10/2017. The learned P.O. seeks two weeks time to file reply, but it is not possible.

3. The learned counsel for the applicants submits that he has filed C.A. No.461/2017 whereby they have sought direction to the respondents to supply detailed addresses of the candidates declared successful in the written examination on 8/1/2017 and the names included in the select list. There are in all 17 such persons to whom the applicant wants to add as party/ respondent as he thinks that those may be necessary parties. If it is so even the applicant does not know their addresses. Even if addresses are given to the applicants, it may take long time for their services and thereafter he may file their reply-affidavits to the application. In fact, this fact should have been brought to the notice of the Hon'ble High Court by the applicants. Considering all these aspects it may not be possible to dispose of the application within three months as directed by the Hon'ble High Court. The learned counsel for the applicants to take steps and to get the time extended from the Hon'ble High Court.

S.O. 31/10/2017 for reply of R-1.

Vice Chairman (J)

dnk.

