

**O.A. No.582 /2017.**

**Coram : J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 31<sup>st</sup> August 2017.**

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

The Ld. counsel for the applicant submits that he will file service affidavit in respect of R.2. Ld. P.O. submits that he has filed affidavit in reply on behalf of R.3. Copy of which is supplied to the applicant. The Ld. counsel for the applicant seeks time to file rejoinder, if necessary.

**S.O. 6<sup>th</sup> September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No.420 /2017.**

**Coram : J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 31<sup>st</sup> August 2017.**

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

The learned counsel for the applicant seeks time to file an application for condonation of delay.

At his request, S.O. **14<sup>th</sup>**  
**September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No.426 /2017.**

**Coram : J.D. Kulkarni,  
Vice-Chairman (J)**  
**Dated : 31<sup>st</sup> August 2017.**

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

2. It seems that the applicant earlier filed O.A. No.728/2013 which was decided on 8.12.2015. In the said order, relief was granted to the applicant in terms of para No.8, which reads as under:-

We are, therefore, of the view that the applicants before is are entitled for the reliefs sought by them. O.A. is allowed in following terms:

- (i) It is declared that the applicants are entitled for all monetary benefits with effect from respective deemed dates assigned to them in the cadre of Assistant Police Inspector.
- (ii) There shall be no order as to costs.+

3. It has been brought to my notice that vide letter dated 12.1.2016, the Superintendent of Police (Rural), Nagpur has written a letter to the Special Inspector General of Police, Nagpur (R.3) whereby it was recommended that the reliefs be granted to the applicant. In view of this, the learned P.O. is directed to take instructions as to what steps have been taken by respondent No.3 on recommendation dated 12.1.2016 made by the respondent no.4.

S.O. 21<sup>st</sup> September 2017.

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

Vice-Chairman (J)

pdg.

**O.A. No.463/2017.**

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

**Dated : 31<sup>st</sup> August 2017.**

Heard Shri G.K. Bhusari, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

At the request of Ld. counsel for the applicant, matter be tagged with O.A. No.464/2017 and other O.As.

**S.O. 6<sup>th</sup> September 2017.**

Vice-Chairman (J)

pdg.

**O.A. No.507 /2017.**

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

**Dated : 31<sup>st</sup> August 2017.**

There is a leave note from Shri T. Rahul, the learned counsel for the applicant. Shri M.I. Khan, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O. **28<sup>th</sup> September 2017** for filing reply.

Vice-Chairman (J)

pdg.

**O.A. No.571 /2017.**

**Coram : J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 31<sup>st</sup> August 2017.**

There is a leave note from Shri N.R. Saboo, the learned counsel for the applicant. Shri S.A. Sainis, the learned P.O. for the respondents 1 and 2. None for R.3.

At the request of Ld. P.O., S.O. **21<sup>st</sup> September 2017** to file a short affidavit of R.2.

Vice-Chairman (J)

pdg.

**O.A. No.645 /2017.**

**Coram : J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 31<sup>st</sup> August 2017.**

Heard Shri S.M. Khan, the learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents 1 to 4. None for R. 5 & 6.

2. The applicant is claiming modification in the order dated 30.5.2017 whereby he has been promoted and transferred from the post of Assistant Co-operative Officer, Grade-III to the post of Co-operative Officer, Grade-II at Korpana, District Chandrapur. It is stated that the applicant and his wife are serving in the same department and they were posted in Wardha District on their request. The applicant has a son who is suffering from epilepsy. He is two years of age and, therefore, it is necessary that the parents of the child shall be with him.

3. After transfer, the applicant has filed representation dated 27.7.2017 to



respondent No.3 Divisional Joint Registrar, Co-operative Societies, Nagpur. However, no decision has yet been taken.

4. The Ld. CPO submits that, the copy of the said representation has not yet been received by respondent No.3. It is agreed that the application can be disposed of if the directions are issued to respondent No.3 to take a decision on the representation filed by the applicant on 27.7.2017. In view of the statement made by the Ld. CPO, applicant is directed to serve copy of representation filed by him dated 27.7.2017 to respondent No.3. Application stands disposed of with a direction to respondent No.3 to take a decision on the representation filed by the applicant as per rules and regulations and as per merit of the case and shall communicate to the applicant within a period of **six weeks** from the date of receipt of representation. No order as to costs.

Vice-Chairman (J)

pdg.

**O.A. No. 647 /2017.**

**Coram : J.D. Kulkarni,  
Vice-Chairman (J)  
Dated : 31<sup>st</sup> August 2017.**

Heard Shri M.M. Sudame, the learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for respondent No.1.

2. The applicant has been transferred to the post of Live Stock Supervisor as per order dated 31<sup>st</sup> May 2017 from District Veterinary Polyclinic, Gadchiroli to Valumata Project, Wadsa, Distt. Gadchiroli and in her place Shri R.P. Buddhe has been transferred. The learned counsel for the applicant submits that the applicant has not yet been relieved so also Shri R.P. Buddhe has also not joined at Gadchiroli.

3. It is the case of the applicant that, the applicant has served for almost 17 years in naxalite affected area of Gadchiroli and, therefore, as per G.R. dated 6.8.2002 she is entitled to claim choice posting. The applicant

accordingly filed representation and gave option of choice posting for her transfer at Nagpur or Gadchiroli. However, her option was not considered. Thereafter she again filed representation on 2.6.2017 and requested that she may be transferred at Borgaon, since there was a vacancy there. However, vide order dated 24.8.2017, respondent No.6 has been transferred to Borgaon and, therefore, applicant's option has not been considered. It is stated that provisions of the G.R. dated 6.8.2002 have not been followed.

4. The Ld. CPO submits that if Mr. H.S. Ghuhi is not allowed to join at Borgaon, the entire chain of transfer may be affected. However, in view of the statement made by the Ld. counsel for the applicant that the applicant has not yet been relieved from her post at Gadchiroli and that the person transferred at her place has not yet joined, the respondents are directed to maintain *status quo* in respect of transfer of the applicant for the time being. Joining of the respondent No.6 shall be subject to the outcome of this O.A.

5. Issue notice to R. 2 to 6 returnable in **three weeks**.

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

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

8. 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.

9. 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.

10. 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.

11. S.O. **three weeks.**

Vice-Chairman  
(J)

pdg.

O.A.155/2012 (D.B.)

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

**Dated : 31.08.2017.**

**C.A.341/2017 .**

Heard Shri J.B. Gandhi, Id. Counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 to 4 and Shri J.J. Alkari, Id. Counsel for Intervener. None for R-5.

2. The learned counsel for intervener submits that she may be permitted to withdraw the

application for intervention as she will be challenged in the order by filing separate O.A. In view thereof, the application for intervention stands disposed of as withdrawn.

**O.A.155/2012** .

The learned counsel for the applicant submits that he wants to file amendment application. In view of the subsequent events that had taken place during the pendency of O.A. In the interest of justice last chance is granted to file amendment application.

**S.O. 15/9/2017.**

**Vice Chairman (J)**

dnk.

O.A.419/2017 (D.B.)

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

**Dated : 31.08.2017.**

Shri J.C. Shukla, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

The learned counsel for the applicant submits that due to personal difficulties, he could not amend the O.A. and seeks two weeksqtime. At his request, **S.O. 15/9/2017.**

**Vice Chairman (J)**

dnk.

O.A.429/2017 (D.B.)

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

**Dated : 31.08.2017.**

G.R. Gajbhiye, Id. counsel holding for Shri S.D. Chande, Id. Counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondent no.1. Await service of R-2&3.

The learned P.O. submits that he will file reply-affidavit within two weeks. At his request, **S.O. 15/9/2017.**

**Vice Chairman (J)**

dnk.

O.A.436/2017 (D.B.)

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

**Dated : 31.08.2017.**

Shri Chandurkar, Id. Counsel for the applicant and Shjri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2 to 5.

The learned counsel for the applicant submits that he will file service affidavit within a week. Hence at his request, **S.O. 8/9/2017** for filing service affidavit.

**Vice Chairman (J)**

dnk.



O.A.137/2016 (D.B.)

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

**Dated : 31.08.2017.**

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

The learned P.O. seeks time to file reply  
of R-1. At his request, **S.O. 22/9/2017** for filing  
reply.

**Vice Chairman (J)**

dnk.

O.A.10/2017 (D.B.)

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

**Dated : 31.08.2017.**

Shri R.V. Shiralkar, Id. Counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

The learned counsel for the applicant seeks time to file amendment application, if necessary. At his request, **S.O. 15/9/2017**.

**Vice Chairman (J)**

dnk.

O.A.566/2017 (D.B.)

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

**Dated : 31.08.2017.**

Shri N.D. Thombre, Id. Counsel for the applicant, Smt. S.V. Kolhe, Id. P.O. for R-1 to 3 and Ms. R.C. Gadale, Id. Counsel for R-4.

The learned counsel Ms. R.C. Gadale appeared and filed vakalatname on behalf of R-4.

The learned counsel for the applicant has placed on record Pursis (P-28 to 31) along with appointment order of respondent no.4 and experience certificate. The same is taken on record. Copy has been supplied to the learned P.O. Copy of the same be supplied to the learned counsel for R-4.

At the request of Id. P.O. as well as Id. Counsel for R-4, **S.O. 15/9/2017** for filing reply-affidavit.

**Vice Chairman (J)**

dnk.