

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

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

Dated : 03/05/2018

C.A. No. 533/2016 & C.A.No.68/2018 -

Shri R.V. Shiralkar, Id. counsel for
the applicant, Shri V.A. Kulkarni, Id. P.O.
for R-1&2. None for R-3.

S.O. 12/06/2018.

Member(A)
dnk.

Vice-Chairman(J)

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

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

Dated : 03/05/2018

Shri S.S. Bhalerao, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for R-1. Await service of R-2 to 4.

At the request of learned counsel for the applicant, **S.O. After Vacation** for filing service affidavit.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 264/2018 (D.B.)

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

Dated : 03/05/2018

Shri A.M. Sudame, learned counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-2. Await service of R-1.

The learned counsel for the applicant submits that he will file service affidavit of R-1.

The learned P.O. seeks time to file reply of R-1. At his request, **S.O. After Vacation.**

Member(A)
dnk.

Vice-Chairman(J)

O.A. 174/2018 (D.B.)

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

Dated : 03/05/2018

None for the applicant.

Shri S.A. Deo, Id. CPO for R-1.
Await service of R-2 to 4.

S.O. After Vacation.

Member(A)
dnk.

Vice-Chairman(J)

C.P. 20/18 in O.A. 288/2016 (D.B.)

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

Dated : 03/05/2018

Shri Vishal Anand, learned counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-2. Await service of R-1.

2. The learned P.O. files reply-affidavit on behalf of R-2. It is taken on record. Copy is served on the applicant.

3. The learned counsel for the applicant submits that he will collect hamdast and file service affidavit to that effect.

4. **S.O. After Vacation.**

Member(A)
dnk.

Vice-Chairman(J)

O.A. 197/2017 (D.B.)

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

Dated : 03/05/2018

Shri S.P. Palshikar, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

At the request of learned P.O.,
S.O., After Vacation for filing reply.

Member(A)
dnk.

Vice-Chairman(J)

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

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

Dated : 03/05/2018

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

The rejoinder is not filed.

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

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

S.O. After Vacation.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 147/2018 (D.B.)

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

Dated : 03/05/2018

Shri S.K. Hatwar, learned counsel for the applicant and Shri S.A. Deo, learned CPO for the respondents.

At the request of learned CPO, **S.O.**
After Vacation for filing reply.

Member(A)
dnk.

Vice-Chairman(J)

C.P. 10/18 in O.A. 482/05 (D.B.)

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

Dated : 03/05/2018

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

At the request of learned P.O., **S.O.**
04/05/2018.

Member(A)
dnk.

Vice-Chairman(J)

C.P. 22/18 in O.A. 438/16 (D.B.)

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

Dated : 03/05/2018

Shri K.S. Malokar, learned counsel
for the applicant and Shri S.A. Sainis,
learned P.O. for the respondents.

At the request of learned P.O., **S.O.**
5th June,2018.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 287/2018 (D.B.)

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

Dated : 03/05/2018

Heard Shri G.M. Shitut, Id. counsel for the applicant and Shri S. A. Deo, Id. C.P.O. for the State.

2. Issue notice to R-1 to 3, returnable on **05/06/2018**. Learned C.P.O. waives notice for R-4. 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. 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.

8. **S.O. 05/06/2018.**

Member(A)
dnk.

Vice-Chairman(J)

O.A. No. 251/2017 (S.B.)

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

Dated : 3rd May 2018.

C.A. 314/2017.

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

S.O. after summer vacation.

Vice-Chairman(J)

pdg.

O.A. No. 175/2018 (S.B.)

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

Dated : 3rd May 2018.

Heard Shri M.V. Joshi, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondent No.1/State.

Await service to R. 2 to 4.

The Ld. counsel for the applicant submits that he will file service affidavit after summer vacation.

S.O. **after summer vacation.**

Vice-Chairman(J)

O.A. No. 205/2018 (S.B.)

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

Dated : 3rd May 2018.

Heard Shri S. C. Deshmukh, the
Ld. counsel for the applicant and Shri
P.N. Warjekar, the learned P.O. for the
State.

Await service to respondent Nos.
2 to 5.

S.O. **after summer vacation** for
filing service affidavit by the applicant.

Vice-Chairman(J)

pdg.

O.A. No. 206/2018 (S.B.)

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

Dated : 3rd May 2018.

None for the applicants. Shri A.M. Ghogre, the learned P.O. for the respondent No.1.

Await service to R. 2 and 3.

S.O. **after summer vacation.**

Vice-Chairman(J)

pdg.

O.A. No. 209/2018 (S.B.)

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

Dated : 3rd May 2018.

Heard Shri A. Ramteke, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondent No. 1.

Await service to R. 2 to 6.

The Ld. counsel for the applicant states that he will file service affidavit after vacation.

S.O. after summer vacation.

Vice-Chairman(J)

O.A. No. 210/2018

(S.B.)

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

Dated : 3rd May 2018.

Heard Shri A. Ramteke, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondent No. 1.

Await service to R. 2 to 4.

Shri A.D. Mate, the Ld. counsel for the respondent No.4 states that he will file his vakalatnama and reply on the next date. Ld. P.O. seeks time to file reply.

S.O. **after summer vacation.**

Vice-Chairman(J)

O.A. No. 211/2018

(S.B.)

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

Dated : 3rd May 2018.

Heard Shri A. Ramteke, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondent No. 1.

Await service to R. 2 to 4.

Shri A.D. Mate, the Ld. counsel for the respondent No.4 states that he will file his vakalatnama and reply on the next date. Ld. P.O. seeks time to file reply.

S.O. **after summer vacation.**

Vice-Chairman(J)

O.A. No. 658/2017 (S.B.)

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

Dated : 3rd May 2018.

Heard Shri A.D. Girdekar, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

2. The applicant has claimed that the suspension order dated 21.10.2016 passed by respondent No.1 in respect of the applicant be quashed and set aside and the respondents be directed to revoke the suspension order. Reply affidavit has been filed on behalf of the respondent No.1/State, from which it seems that the respondent is justifying the suspension on the ground that, some criminal litigation is pending against the applicant and he was kept under custody for more than 48 hours. The suspension order is dated

21.10.2016 and even till today the applicant is under suspension.

3. The Ld. counsel for the applicant today has placed on record a copy of the representation filed by the applicant on 23.4.2018 which is marked "X" for identification and submits that the directions may be issued to the respondent No.1, whereby the respondent No.1 may consider the case of the applicant for revocation. The Hon'ble High Court has observed in case of **Ajay Kumar Choudhary V/s Union of India and others** that the suspension shall not be continued for more than 90 days, in case no charge-sheet has been filed or departmental enquiry is initiated. The applicant has also placed on record the G.Rs dated 14.10.2011 and 31.1.2015 whereby guidelines have been issued and for periodical consideration of revocation of the employees under suspension.

4. In view of the aforesaid circumstances, application can be

disposed of that the directions are given to the respondent No.1. In view thereof, following order is passed:-

ORDER

- (i) The respondent No.1 is directed to consider the representation filed by the applicant on 23.4.2018 (Exh.X) on its own merits and also considering the observations made by the Hon'ble Apex Court in case of **Ajay Kumar Choudhary V/s Union of India and others** and also in view of the various G.Rs in this regard. Such a decision shall be taken on the representations of the applicant within a period of one month from the date of receipt of this order.
- (ii) No order as to costs.

Vice-Chairman(J)

pdg.

O.A. No. 36/2018 (S.B.)

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

Dated : 3rd May 2018.

Heard Shri P.S. Patil, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents.

S.O. **4.5.2018.**

Vice-Chairman(J)

pdg.

O.A. No. 120/2018 (S.B.)

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

Dated : 3rd May 2018.

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

S.O. **after summer vacation** as a last chance.

Vice-Chairman(J)

pdg.

O.A. No. 228/2018

(S.B.)

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

Dated : 3rd May 2018.

Heard Shri M.R. Patil, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents/State.

S.O. **4.5.2018.**

Vice-Chairman(J)

pdg.