

O.A. 420/2017 (SB)

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

**Dated : 12.03.2018**

**C.A.452/2017**

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

At the request of learned counsel for the applicant, **S.O. three weeks** for filing rejoinder.

**Vice Chairman (J)**

dnk.

O.A. 614/2017 (DB)

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

**Dated : 12.03.2018**

**C.A.533/2016**

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

The learned P.O. submits that he will file reply-affidavit on C.A. during the course of day.

**S.O. three weeks.**

**Vice Chairman (J)**

dnk.

O.A. 590/2017 (DB)

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

**Dated : 12.03.2018**

**C.A.32/2018**

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

The learned counsel for the applicant wants that the matter be heard on merits by consent. The learned P.O. submits that he will take instructions in this matter and make a statement within one week.

Hence, **S.O. next week.**

**Vice Chairman (J)**

dnk.

O.A. 39/2018 (DB)

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

**Dated : 12.03.2018**

Shri S.M. Khan, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2&3.

The learned counsel for the applicant submits that he has received acknowledgement of R-2&3 and he will file service affidavit of R-2&3 during the course of day.

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

**Vice Chairman (J)**

dnk.

O.A. 411/2017 (DB)

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

**Dated : 12.03.2018**

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

The learned P.O. files reply-affidavit on behalf of R-2. It is taken on record. Copy is served on the applicant. The learned counsel for the applicant wants to go through the same. At his request, **S.O. 15/03/2018.**

Put up along with O.A. 22/2016 (S.B.)

**Vice Chairman (J)**

dnk.

O.A. 22/2016 (SB)

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

**Dated : 12.03.2018**

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

**S.O. 15/03/2018.**

Put up along with O.A. 411/2017  
(D.B.)

**Vice Chairman (J)**

dnk.

O.A. 655/2017 (DB)

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

**Dated : 12.03.2018**

Shri D.M. Surjuse, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of learned counsel for the applicant, **S.O. two weeks** for filing rejoinder.

**Vice Chairman (J)**

dnk.

O.A. 703/2017 (DB)

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

**Dated : 12.03.2018**

Heard Smt. K.N. Saboo, Id. counsel for the applicant Shri H.K. Pande, Id. P.O. for the State.

2. Issue notice to R-2 to 4, returnable in **four weeks**. Learned P.O. waives notice for R-1. 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. 102/2018 (DB)

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

**Dated : 12.03.2018**

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

At the request of Id. CPO, **S.O.**  
**four weeks** for filing reply.

**Vice Chairman (J)**

dnk.

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

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

**Dated : 12<sup>th</sup> March 2018.**

**MCA No. 77/2017.**

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

2. In this application, the respondents are claiming extension of time to comply with the order passed by this Tribunal in O.A. No. 101/2017. The order passed on 9.10.2017 in which three months time was granted for refund of excess amount recovered. By way of this application, the respondents are claiming six months time. Such a prayer cannot be considered, particularly when in the O.A., three months time was granted.

3. It is stated that the proposal has been submitted on 19.12.2018 to the Accountant General, Nagpur. The respondent No.1 is directed to state the details of the steps taken by it to comply with the order and they shall depute some person to get the order complied with. In case such an order is not complied

with within four weeks, the respondent No.2 shall appear in person before this Tribunal and to file an affidavit.

4. S.O. four weeks.

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

Vice-  
Chairman(J)

pdg

**O.A. No.511/2017. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri S. Sohailuddin, the Ld. counsel for the applicant and Shri A.P. Potnis, the Ld. P.O. for the respondent No.1.

Await service to R.2.

Ld. P.O. seeks one week's time to file reply affidavit on behalf of the respondents.

S.O. one week.

Chairman(J) Vice-

pdg

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

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Mrs. M.P. Munshi, the Ld. counsel for the applicant and Shri A.P. Potnis, the Ld. P.O. for the respondents.

The Ld. counsel for the applicant submits that she will file an application for condonation of delay within two days and remove objection.

S.O. **16.3.2018.**

Vice-  
Chairman(J)

pdg

**O.A. No.795/2017. (S.B.)**

**Coram: Shri J.D. Kulkarni,**

**Vice-Chairman(J)**

**Dated : 12<sup>th</sup> March 2018.**

**C.A. 08/2018.**

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

S.O. four weeks.

Chairman(J) Vice-

pdg

**O.A. No.28/2018. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondent No.1.

Await service to R.2 and 3.

The Ld. counsel for the applicant seeks time to file service affidavit of R. 2 and 3.

S.O. one week.

Vice-  
Chairman(J)

pdg

**O.A. No.380/2017. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri S.C. Deshmukh, the Ld. counsel for the applicant and Shri S.A. Sainis, the Ld. P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **one week** for filing rejoinder by the applicant.

Chairman(J) Vice-

pdg

**O.A. No.527/2017. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

None for the applicant. Shri P.N. Warjekar, the Ld. P.O. for the respondents.

S.O. **four weeks** at the request of Ld. P.O. for filing reply to the amended O.A.

Chairman(J) Vice-

pdg

**O.A. No.576/2017. (S.B.)**

**Coram: Shri J.D. Kulkarni,**

**Vice-Chairman(J)**

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the Ld. P.O. for the respondents.

Ld. P.O. has filed reply of R.3, it is taken on record and a copy thereof is supplied to the other side.

S.O. **two weeks** for filing rejoinder.

Chairman(J) Vice-

pdg

**O.A. No.610/2017. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri G.G. Bade, the Ld. counsel for the applicants and Shri A.M. Khadatkar, the Ld. P.O. for the respondents.

**ADMIT.**

Shri A.M. Khadatkar, the Ld. P.O. waives notice for the respondents.

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

Vice-  
Chairman(J)

**O.A. No.650/2017. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the Ld. P.O. for the respondents 1 and 2. None for R.3.

The Ld. counsel for the applicant submits that the Hon'ble High Court has already disposed of the W.P. challenging the order passed by this Tribunal and placed on record a copy of the said order. He submits that there are other five matters of similar nature and the matter be placed in the next week along with those matters.

S.O. one week.

Vice-  
Chairman(J)

pdg

O.A. No.665/2017. (S.B.)

Coram: Shri J.D. Kulkarni,

Vice-Chairman(J)

Dated : 12<sup>th</sup> March 2018.

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

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

Chairman(J) Vice-

pdg

**O.A. No.682/2017. (S.B.)**

**Coram: Shri J.D. Kulkarni,**

**Vice-Chairman(J)**

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri S.M. Khan, Adv. holding for Shri P.C. Marpakwar, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents.

**ADMIT.**

Shri M.I. Khan, the Ld. P.O. waives notice for the respondents.

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

Vice-  
Chairman(J)

pdg

**O.A. No.792/2017. (S.B.)**

**Coram: Shri J.D. Kulkarni,**

**Vice-Chairman(J)**

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri N.D. Thombre, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the Ld. P.O. for the respondents 1 and 2. Shri A.P. Tathod, Adv. for R.3.

The applicant has challenged the order of his transfer from District Tuberculosis Centre, Wardha to P.H.C., Kanhan dated 10.10.2017 passed by respondent No.1 and prayed that the said transfer order be quashed and set aside. The Ld. P.O. has placed on record the order dated 9.3.2018 issued by R.1 which is marked "X" for identification from which, it seems that the impugned order has been cancelled. The Ld. counsel for the applicant, therefore submits that the application be disposed of, since the grievance of the applicant has been redressed. In view thereof, O.A. stands disposed of accordingly with no order as to costs.

Chairman(J) Vice-

pdg

**O.A. No.794/2017. (S.B.)**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman(J)**  
**Dated : 12<sup>th</sup> March 2018.**

Heard Shri K.N. Dadhe, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents 1 to 4.. Shri P.A. Kadu, Adv. for R.6. None for R.5.

S.O. **one week** as a most last chance.

Chairman(J) Vice-

pdg

**O.A. No.834/2017. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondents.

The applicant is claiming directions to the respondents to decide his representation

filed before the competent authority on 6.11.2012. The application is filed on 28.1.2017 and *prima facie*, same seems to be barred by limitation. Keeping open the point on merit, the applicant takes time to file an application for condonation of delay.

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

Vice-  
Chairman(J)

pdg

**O.A. No.954/2017. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

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

Ld. P.O. is directed to take instructions as regards payment of subsistence allowance to be paid to the applicant from the respondent authorities.

S.O. **three weeks.**

Vice-  
Chairman(J)

pdg

**O.A. No.961/2017. (S.B.)**

**Coram: Shri J.D. Kulkarni,**

**Vice-Chairman(J)**

**Dated : 12<sup>th</sup> March 2018.**

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

The Ld. counsel for the applicant submits that he has been instructed by his client to withdraw the O.A. and seeks permission to withdraw the same. In view thereof, O.A. stands disposed of as withdrawn with no order as to costs.

Vice-  
Chairman(J)

pdg

**O.A. No.894/2017. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri Bharat Kulkarni, the Ld. counsel for the applicant and Shri S.A. Sainis, the Ld. P.O. for the respondents.

S.O. Closed for orders.

Chairman(J) Vice-

pdg

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

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri G.K. Bhusari, the Ld. counsel for the applicant and Shri A.P. Potnis, the Ld. P.O. for the respondent No.1. Shri A. Parihar, Adv. for R. 2 and 3.

At the request of Ld. Adv. for R. 2 and 3, S.O. **one week** as a last chance.

Chairman(J) Vice-

pdg

**O.A. No.18/2018. (S.B.)**

**Coram: Shri J.D. Kulkarni,**

**Vice-Chairman(J)**

**Dated : 12<sup>th</sup> March 2018.**

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

After hearing the matter for a considerable time, the Ld. P.O. is directed to produce the original record of the minutes of mee4ting whereby the applicant has been kept under suspension and his suspension has been extended.

At the request of Ld. P.O., S.O.  
**19.3.2018.**

Vice-  
Chairman(J)

pdg

**O.A. No.99/2018. (S.B.)**

**Coram: Shri J.D. Kulkarni,**

**Vice-Chairman(J)**

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri A.P. Sadavarte, the Ld. counsel for the applicant and Shri H.K. Pande, the Ld. P.O. for the respondents 1 and 2. Shri K.L. Malokar, Adv. for R.3.

2. The applicant is claiming directions to the respondents to allow him to join on the post of Block Development Officer, Class-I at Panchayat Samiti, Akola and further directed the respondents to release arrears of salary from August 2017. The learned counsel for respondent No.3 submits that they have moved respondent Nos. 1 and 2 for getting clarification in the matter, since the applicant is a Class-I officer and his appointing authority is the Government. The Ld. P.O. seeks time to take instructions from the Govt. as regards joining of the applicant. In any case, question as regards release of salary will come into operation after decision is taken regarding joining of the applicant. It is, therefore, necessary for respondent No.1 to make a

statement as to why the applicant is not being allowed to join.

3. The respondent No.1 shall make a statement to that effect by filing a short affidavit within two weeks. They shall also mention as to within how many days decision as regards salary will be taken.

4. S.O. two weeks.

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

Chairman(J) Vice-

pdg

**O.A. No.100/2018. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri A.P. Sadavarte, the Ld. counsel for the applicant and Shri H.K. Pande, the Ld. P.O. for the respondents 1 and 2. Shri K.L. Malokar, Adv. for R.3.

The Ld. Adv. For R.3 submits that he will make a statement and file reply as regards releasing of salary of the applicant.

S.O. two weeks.

Vice-  
Chairman(J)

pdg

**O.A. No.104/2018. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri S. Sohailuddin, the Ld. counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondents 1 to 4. None for R. 5 to 7.

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

Chairman(J) Vice-

pdg

**O.A. No.105/2018. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri S. Sohailuddin, the Ld. counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondents 1 to 4. None for R. 5 to 7.

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

Vice-  
Chairman(J)

pdg

**O.A. No.750/2016. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri S.V. Khondaley, the Ld. counsel for the applicant and Shri H.K. Pande, the Ld. P.O. for the respondents 1 to 9. Shri A.P. Tathod, Adv. for R.10.

Closed for orders.

Chairman(J) Vice-

pdg

**O.A. No.739/2017. (S.B.)**

(Dr. Suchita D. Dhande V/s State of Mah. & 2 others.)

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri P.N. Warjekar, the Ld. P.O. for the respondents.

2. The applicant Dr. (Mrs.) Suchita Deorao Dhande has been serving as a Livestock Development Officer in the District Polyclinic Centre at Chandrapur. She has been transferred from Chandrapur to Purada in the Tehsil Kurkheda, Distt.Gadchiroli in place of one Dr. Gajbhiye. It is stated that though the transfer order has been issued on 31.5.2017, the officers were to be relieved on 30.9.2017. The applicant filed representation for change of her posting, but the same has not yet been considered. The applicant's representation is dated 27.6.2017 in which she has stated that her husband is serving in W.C.L. at Chandrapur and both her sons are taking education at Chandrapur. It is further stated that the applicant has already worked in naxalite affected area of Gadchiroli

during the period from 1994 to 1997 and, therefore, her transfer is against the govt. policy in this regard. Since the applicant is not yet relieved from her post, the respondents were directed not to relieve her till further orders. The Ld. P.O. is directed to take instructions as regards the status of the representation filed by the applicant on 27.6.2017.

3. The respondents 1 to 3 filed affidavit in reply and have stated in para 6 that the applicant was already serving at District Artificial Insemination Centre at Chandrapur from 1.2.2009 to 30.5.2012 prior to her transfer and, therefore, her representations dated 19.6.2017 and 27.6.2017 were not considered. It is also submitted that the applicant has completed eight years of tenure at Chandrapur. However, fact remains that the applicant has also worked for more than eight years at Gadchiroli also.

4. In the rejoinder affidavit filed by the applicant, the applicant has stated that the posts of Livestock Development Officer, Pandharkawada and Livestock Development Officer at Ghuggus will be vacant in the Annual General Transfers of 2018.

5. The Ld. counsel for the applicant has also placed on record the order of transfer dated 15.2.2018 from which it seems that there may be other posts available in

Chandrapur district. The Ld. counsel for the applicant submits that the applicant may be permitted to withdraw this O.A. and to file afresh representation for her transfer to the respondent authorities. The said representation may be considered at the time Annual General Transfers of 2018 and till that time, the applicant may be permitted to continue at Chandrapur. It is an admitted fact that the applicant is already continued at her post before her transfer to Chandrapur by virtue of interim order passed by this Tribunal on 29.9.2017.

6. Considering all these aspects as referred to above, it will be in the interest of justice and equity to allow the applicant to file a comprehensive representation for her transfer. She may give choice for her transfer at various places apart from Chandrapur also. In view thereof, I pass the following order:-

**ORDER**

- (i) The O.A. stands disposed of as withdrawn with liberty to the applicant to file a fresh comprehensive representation for her transfer.
- (ii) Such representation shall be filed within one week from the date of

this order and the said representation shall be considered as per its own merits at the time of Annual General Transfers of 2018 or within six weeks, whichever is earlier.

- (iii) Till the representation of the applicant is considered, the applicant to continue to work at Chandrapur on the post of Livestock Development Officer.
- (iv) No order as to costs.

Vice-  
Chairman(J)

O.A. Nos.75,76,77 of 2013 and 805 of 2014.  
(D.B.)

**Coram: Shri J.D. Kulkarni,**

**Vice-Chairman(J)**

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri N.R. Saboo, the Ld. counsel for the applicants and Shri M.I. Khan, the Ld. P.O. for the respondents.

According to the Ld. counsel for the applicants, service period which is short for getting pensinary benefits can be condoned by the Govt. in case delay is upto one year. There are rules also in this regard. The Ld. counsel for the applicants wants to take instructions from the applicants as to whether they have applied for condonation of delay before the competent authority and to consider whether to withdraw these O.As by making such application and for that purpose, he seeks two weeks time.

S.O. two weeks.

Vice-  
Chairman(J)

**O.A. No.297/2017. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

**C.A. No. 337/2017.**

Heard Mrs. J.S. Kalbande, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents.

In responses to the order dated 9.1.29018, the respondent No.3 has filed affidavit in reply. All the queries made in the order have been replied. From the said reply affidavit, it seems that the applicant's salary can be drawn, if he joins at Kalmeshwar. So far as availability of the post at Nagpur is concerned, it has been made clear that only two posts are available at Nagpur and they are already occupied and persons occupying these posts are not due for transfer in the Annual General Transfers of 2018 and as such the applicant cannot be accommodated at Nagpur. The Ld. counsel for the applicant, therefore, seeks permission to take instructions from the applicant as regards joining at Kalmeshwar so that his salary can be released.

In view thereof, S.O. **one week.**

To be treated as part heard.

Vice-  
Chairman(J)

pdg

**O.A. No.326/2017. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondent Nos. 1 to 4. None for R.5.

The Ld. P.O. files affidavit in reply on behalf of the applicant in view of directions given by this

Tribunal vide its order dated  
7.3.2018.

At the request of the Ld.  
counsel for the applicant, S.O.  
**13.3.2018.**

Vice-  
Chairman(J)

pdg

**O.A. No.31/2016. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri S. Borkar, the Ld. counsel for the applicant and Shri P.N. Warjekar, the Ld. P.O. for the respondent Nos. 1 & 2. None for R.3.

Ld. P.O. has filed reply to the amended O.A., it is taken on record and a copy thereof is supplied to the other side.

At the request of Ld. counsel for the applicant, S.O. **20.3.2018** **for final hearing.**

To be treated as part heard.

Vice-  
Chairman(J)

pdg

**O.A. No 729/2015. (S.B.)**

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

**Dated : 12<sup>th</sup> March 2018.**

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri A.P. Potnis, the Ld. P.O. for the respondent Nos.1 to 4. None for R.5.

2. The applicant has prayed for quashing and setting aside the order of appointment of respondent No.5 as regards the post of Police Patil of village Wai (Khatola), Distt. Yavatmal. He is claiming that respondent No.5 is not a resident of village Wai (Khatola). The respondent No.3 has filed reply affidavit of S.D.O., Yavatmal and justified the order. In the affidavit in reply, it is stated that the applicant's claim was rejected at the threshold and he was not allowed even to participate in the process of recruitment. It is, therefore, an admitted fact that the applicant has not participated in the process of recruitment, whereby respondent No.5 has been appointed on the post. The applicant should have challenged the rejection of his form. But he did not and now he has challenged the order for appointment of

respondent No.5. In my opinion, the applicant has no *locus standi* to challenge the order of disappointment of respondent No.5, since he has not participated in the process of recruitment and he never challenged the order not allowing him to participate in the process of recruitment. In view thereof, O.A. stands dismissed with no order as to costs.

Vice-Chairman(J)

pdg

