

O.A. 829/2016 (DB)

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

Dated : 28.03.2018

C.A. 13/2017-

Shri A.Girdekar, Id. counsel holding for Shri A.P. Tathod, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. 516/2017 (DB)

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

Dated : 28.03.2018

C.A. 497/2017-

Heard Shri D.S. Sawarkar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

Since the reply-affidavit is already filed and no convincing reasons are given in the C.A. for directing them to file separate affidavits-in-reply, the C.A. stands dismissed.

O.A.516/2017 –

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

The learned P.O. files reply-affidavit on behalf of R-2&3. It is taken on record. Copy is served on the applicant.

The learned counsel for the applicant submits that he does not want to file rejoinder. Hence, the matter is admitted and kept for final hearing.

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

S.O. in due course.

Vice Chairman (J)

dnk.

O.A. 590/2017 (DB)

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

Dated : 28.03.2018

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.

Since the Division Bench is now available, the C.A. for early hearing is allowed.

O.A. 590/2017 –

S.O. four weeks.

Vice Chairman (J)

dnk.

O.A. 461/2017 (DB)

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

Dated : 28.03.2018

Shri G.Iyer, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. 651/2017 (DB)

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

Dated : 28.03.2018

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

It seems that 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. in due course.

Vice Chairman (J)

dnk.

O.A. 761/2017 (DB)

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

Dated : 28.03.2018

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

S.O. three weeks.

Vice Chairman (J)

dnk.

O.A. 151/2018 (DB)

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

Dated : 28.03.2018

Heard Shri Amit Tripathi, Id. counsel holding for Shri A.S. Deshpande, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the State.

2. The learned counsel for the applicant is not pressing for interim relief. Hence, issue notice to R-2 and 3, 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. 154/2018 (DB)

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

Dated : 28.03.2018

Shri A. Girdekar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

At the request of learned P.O.,
S.O. four weeks for filing reply.

Vice Chairman (J)

dnk.

O.A. No. 107/2017. (S.B.)

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

Dated : 28th March 2018.

C.A. No. 80 of 2017.

None for the applicant. Shri V.A. Kulkarni, the Ld. P.O. for the respondent No. 1.

The Ld. P.O. has filed reply of R.3, it is taken on record.

Await service to R. 2 and 4.

S.O. **four weeks**

Vice-
Chairman(J)

pdg

O.A. No. 117/2018. (S.B.)

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

Dated : 28th March 2018.

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

S.O. **four weeks** for filing reply.

Chairman(J)

Vice-

pdg

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

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

Dated : 28th March 2018.

C.A.No. 77/2018.

Heard Shri S.V. Ingole, the Ld. counsel for the applicants and Shri A.M. Ghogre, the Ld. P.O. for the respondent No.1.

2. The respondents are recovering the naxalite allowance from the applicant vide impugned order dated 23.1.2018. All the applicants are retired Govt. servants and the recovery relates from the period 2004 onwards. The impugned order of recovery of naxalite allowance is, therefore, stayed till further orders. C.A. is allowed.

O.A. No. 206/2018.

1. Issue notice to respondent Nos. 2 & 3 returnable within **four weeks.**

2. Shri A.M. Ghogre, Ld. 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 need 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.

5. 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.

6. 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.

7. S.O. **four weeks.**

Chairman(J) Vice-

pdg

O.A. No. 265/2017. (S.B.)

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

Dated : 28th March 2018.

Shri N.D. Thombre, Adv.
holding for Shri N.D. Khamborkar,
the Ld. counsel for the applicant

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

The Ld. counsel for the applicant submits that due to death of mother of Adv. Shri Khamborkar, he could not appear and hence he seeks time.

S.O. **four weeks**

Chairman(J) Vice-

pdg

O.A. No. 642/2017. (S.B.)

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

Dated : 28th March 2018.

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

S.O. **one week** for filing reply
by Ld. P.O.

Vice-
Chairman(J)

O.A. No. 680/2017. (S.B.)

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

Dated : 28th March 2018.

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

The Ld. counsel for the applicant submits that the rejoinder is not necessary and, therefore, this matter is admitted and kept for final hearing after three weeks.

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

S.O. **three weeks.**

Put up this O.A. with connected O.A. Nos.782/2016, 54/2017 and 823/2016.

Vice-
Chairman(J)

pdg

O.A. No. 681/2017. (S.B.)

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

Dated : 28th March 2018.

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

The Ld. counsel for the applicant submits that the rejoinder is not necessary and, therefore, this matter is admitted and kept for final hearing after three weeks.

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

S.O. **three weeks.**

Put up this O.A. with connected O.A. Nos.782/2016, 54/2017 and 823/2016.

Vice-
Chairman(J)

pdg

O.A. No. 893/2017. (S.B.)

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

Dated : 28th March 2018.

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

S.O. two weeks for filing
reply of R.1.

Chairman(J) Vice-

pdg

O.A. No. 06/2018. (S.B.)

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

Dated : 28th March 2018.

Heard Shri N.B. Bargat, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the Ld. P.O. for the respondents.

Ld. P.O. has filed reply affidavit of R.3, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. The Ld. P.O. seeks time to file reply of R. 1 and 2.

S.O. four weeks

Vice-
Chairman(J)

O.A. No. 86/2018. (S.B.)

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

Dated : 28th March 2018.

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

S.O. **two weeks** for filing reply affidavit of respondents.

Vice-
Chairman(J)

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

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

Dated : 28th March 2018.

Heard Shri A.P. Sadavarte,
the Ld. counsel for the applicant
and Shri the Ld. P.O. for the
respondent Nos. 1 and 2. Shri K.S.
Malokar, Adv. for R.3.

The Ld. P.O. has filed reply affidavit on behalf of R.1, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. In response to the order dated 12.3.2018 passed by this Tribunal, it is stated in para No.4 of reply affidavit that the Government has decided not to suspend the applicant, but to transfer him from the present place of posting and the matter has been sent for consideration before Hon'ble the Chief Minister. The Ld. P.O. submits that the

decision in this regard will be taken within 15 days and, therefore, the matter be kept on 18.4.2018.

S.O. **18.4.2018.**

Vice-
Chairman(J)

pdg

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

Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)
Dated : 28th March 2018.

Heard Shri A.P. Sadavarte, the Ld. counsel for the applicant and Shri P.N. Warjekar, the Ld. P.O. for the respondent Nos. 1 and 2. Shri K.S. Malokar, Adv. for R.3.

Ld. counsel for R.3 seeks time to file reply affidavit of R.3. Ld. P.O. also submits that respondent Nos. 1 and 2 are formal part and there may not be any need to file reply.

S.O. **18.4.2018.**

Vice-
Chairman(J)

O.A. No. 145/2018. (S.B.)

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

Dated : 28th March 2018.

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

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

Vice-
Chairman(J)

pdg

O.A. No. 155/2018. (S.B.)

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

Dated : 28th March 2018.

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

S.O. four weeks for filing
reply affidavit on behalf of the
respondents.

Chairman(J) Vice-

pdg

O.A. No. 156/2018. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)
Dated : 28th March 2018.

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

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

Vice-
Chairman(J)

O.A. No. 157/2018. (S.B.)

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

Dated : 28th March 2018.

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

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

Chairman(J) Vice-

pdg

O.A. No. 177/2018. (S.B.)

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

Dated : 28th 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.

S.O. two weeks for filing
reply affidavit by Ld. P.O.

Chairman(J) Vice-

pdg

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

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

Dated : 28th March 2018.

Heard Shri S.C. Deshmukh, the Ld. counsel for the applicant and Shri A. M. Ghogre, the Ld. P.O. for respondent No.1.

2. The applicant is serving as Assistant Sub-Inspector (ASI) in State Reserve Police Force (SRPF), Group-IV. The applicant alongwith some other employees earlier filed O.A. No.199/2017 before this Tribunal and this Tribunal vide order dated 11.10.2017 in the said O.A. was pleased to pass the following order:-

“The application stands disposed of with direction to respondents to publish a waiting list of eligible and willing personnel for transfer from SRPF to District Police Force as per applications called vide letter dated 7/3/2017 in view of the Circulars dated 19/9/2001 and 21/10/2016. Such list shall be published within three months from the date of this order. Fresh application may be called from the eligible employees due for transfer in such list and an order of such employees shall be issued within six months or at the time of general annual transfers of 2018. The respondents are directed to consider request of the applicants considering their choices and seniority as prayed by them in their

respective representations within six months or in any case at the time of general annual transfers of 2018. No order as to costs.”

3. The Ld. counsel for the applicant submits that in pursuance of the said order, the respondents have prepared a seniority list of candidates to be considered on request as per Annexure A-6, at page Nos. 31 to 37 (both inclusive). In the said list, name of the applicant is at Sr. No.56. Names of respondent Nos. 4 and 5 are not even in the said list. Instead of considering the request of senior employees, the respondent No.3 has issued the impugned order dated 9.3.2018 (Annexure A-7) and considered the request of respondent Nos. 4 and 5. The applicant has, therefore, prayed that the order of respondent Nos. 4 and 5 dated 9.3.2018 be stayed. He submits that, the respondent

Nos. 4 and 5 are not yet relieved from their posts to join at transferred places. In view thereof, the respondents are directed to maintain *status-quo* as regards respondent Nos. 4 and 5 and not to allow them to join at their transferred places till further orders, if they are not yet relieved.

4. In the meantime, issue notice to respondent Nos. 2 to 5 returnable within **four weeks**.

5. Shri A.M. Ghogre, Ld. P.O. waives notice for R.1. Hamdast allowed.

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

7. 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.

8. 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.

9. 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.

10. S.O. **four weeks.**

Vice-
Chairman(J)

O.A. No. 798/2016. (S.B.)

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

Dated : 28th March 2018.

Heard Shri N.R. Saboo, the
Ld. counsel for the applicant and
Shri S.A. Sainis, the Ld. P.O. for
the respondents 1 to 3. None for
R.4.

S.O. **one week** for filing a
short affidavit by Ld. P.O.

Vice-
Chairman(J)

O.A. No. 95/2017. (S.B.)

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

Dated : 28th March 2018.

Heard Shri N.R. Saboo, the
Ld. counsel for the applicant and
Shri S.A. Sainis, the Ld. P.O. for
the respondents 1 & 2. None for
R.3 & 4.

S.O. one week for filing a
short affidavit by Ld. P.O.

Chairman(J) Vice-

pdg

O.A. No. 826/2017. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)
Dated : 28th March 2018.

Heard Shri N.R. Saboo, the
Ld. counsel for the applicant and
Shri S.A. Sainis, the Ld. P.O. for
the respondents 1 to 3. None for
R.4.

S.O. **one week** for filing a
short affidavit by Ld. P.O.

Vice-
Chairman(J)

O.A. No. 403/2017. (S.B.)

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

Dated : 28th March 2018.

Heard Shri N.R. Saboo, the
Ld. counsel for the applicant and
Shri S.A. Sainis, the Ld. P.O. for
the respondents 1 & 2. Shri S.N.
Gaikwad, Adv. for R.3.

S.O. **one week** for filing a
short affidavit by Ld. P.O.

Vice-
Chairman(J)

pdg

O.A. No. 444/2017. (S.B.)

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

Dated : 28th March 2018.

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

S.O. **one week** for filing a
short affidavit by Ld. P.O.

Chairman(J) Vice-

pdg

O.A. No. 686/2016. (S.B.)

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

Dated : 28th March 2018.

Heard Shri D.S. Raut, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents1 and 2. None for R.3.

Closed for orders.

Vice-
Chairman(J)

pdg

O.A. No. 52/2017. (S.B.)

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

Dated : 28th March 2018.

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

S.O. 3rd April 2018.

To be treated as part heard.

Chairman(J) Vice-

O.A. No. 111/2017. (S.B.)

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

Dated : 28th March 2018.

Heard Shri S.N. Gaikwad, the
Ld. counsel for the applicant and
Shri the Ld. P.O. for the
respondents.

S.O. 3rd April 2018.

To be treated as part heard.

Vice-
Chairman(J)

