

O.A.St. No. 1550/2016 (D.B.)

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

**Dated** : **13.10.2017.**

**M.C.A.57 & 58 of 2017 in C.A.465/2016:-**

Shri S.K.Thengre, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents no. 1 & 3. Shri V.G.Palshikar for Respondent no. 2 & 4. Await service of R-5.

**S.O. After Diwali Vacation.**

**Vice Chairman (J)**

aps.

O.A. No. 663/2016 (D.B.)

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

**Dated : 13.10.2017.**

None for the applicant and Shri Khadatkar, Id. P.O. for the respondent no. 1. None for R-4, 5, 9 & 10. Await service of R-2, 3, 6, 7 & 8.

The Id. Counsel have to will file service affidavit.

**S.O. After Diwali Vacation.**

**Vice Chairman (J)**

aps.

O.A. No. 203/2016 (D.B.)

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

**Dated : 13.10.2017.**

**C.A.No.429/2017:-**

Shri S.N.Gaikwad, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the Respondents.

The Id. Counsel for the applicant submits that he will placed the last order of appointment of the applicant on Monday i.e. on 16.10.2017.

**S.O. 16.10.2017.**

**Vice Chairman (J)**

aps.

O.A. No. 683/2017 (D.B.)

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

**Dated : 13.10.2017.**

Shri S.N.Gaikwad, 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 Id. Counsel for the applicant submits that he will file service affidavit on the next date. The Id. P.O. submits that he will file reply affidavit on the next date.

**S.O. After Diwali Vacation.**

**Vice Chairman (J)**

aps.

O.A. No.282,283,284,352&353/2017  
(D.B.)

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

**Dated : 13.10.2017.**

Shri A.P.Sadavarte, Id. Counsel for  
the applicant and Shri Khadatkar, Id. P.O.  
for the Respondents.

At the request of Id. P.O. as a very  
last chance for filing reply.

**S.O. After Four Weeks i.e. Diwali  
Vacation.**

**Vice Chairman (J)**

aps.

O.A. No.436 of 2017 (D.B.)

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

**Dated : 13.10.2017.**

Shri R.Chandurkar, Id. Counsel for  
the applicant and Shri Khadatkar, Id. P.O.  
for the Respondents.

At the request of Id. P.O. for filing  
reply of all the Respondents.

**S.O. After Four Weeks i.e. Diwali  
Vacation.**

**Vice Chairman (J)**

aps.

O.A. No.335 of 2017 (D.B.)

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

**Dated : 13.10.2017.**

Shri S.K.Hatwar, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the Respondents no 1 & 2. Shri R.V.Shiralkar, Id. Adv. for Respondents no. 4, 6, 7 & 9. None for Respondents no. 3, 5 & 8.

At the request of Id. Counsel for the applicant for filing Rejoinder.

**S.O. After Two Weeks i.e. Diwali  
Vacation.**

**Vice Chairman (J)**

aps.

O.A. No.566 of 2017 (D.B.)

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

**Dated : 13.10.2017.**

Shri N.D.Thombre, Id. Counsel for the applicant and Smt. S.V.Kolhe, Id. P.O. for the Respondents no 1 to 3. None for R-4.

The Id. Counsel for the applicant submits that the applicant shall be continued and the Respondents shall not appoint anybody in the vacant post. However, such relief cannot be granted at this stage since the applicant appointment was a tenure posting which was already over.

The Id. P.O. states that the reply of Respondent no. 3 has already filed, she further stated that the reply of other Respondents are not necessary. The matter is therefore **admitted** and with consent of both the counsels the matter be kept for final hearing. The P.O. waives notice for the Respondents.

**S.O. Immediately After Diwali  
Vacation i.e. 06/11/2017.**

O.A. No.235 of 2015 (D.B.)

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

**Dated : 13.10.2017.**

**C.A.No. 299/2017:-**

Shri S.N.Gaikwad holding for Shri S.E.Raghorde, Id. Counsel for the applicant and Shri Potnis, Id. P.O. for the Respondents.

The Id. Counsel for the applicant submits that the order of promotion has been implemented and therefore nothing in this O.A. Hence the C.A. as well as O.A. stands disposed of as infructuous.

**Vice Chairman (J)**

aps.

O.A.792/2017

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

**Dated : 13.10.2017.**

Heard Shri N.D. Thombre, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the State.

2. The applicant is a Medical Officer (Group-A). Admittedly, she has been serving at Tuberculosis Centre, Wardha from 2011 and is due for transfer. Vide impugned order dated 10/10/2017 she has been transferred from Tuberculosis Centre, Wardha to Primary Health Centre, Kanhan, District Nagpur. The learned counsel for the applicant submits that the applicant has received the copy of the order yesterday only and she has not been relieved officially.

3. In the place of applicant Dr. Swapnil Bele (R/3) has been transferred from District Rural Hospital, Wardha to District General Hospital, Wardha in her place and nobody is posted in place of Dr. Swapnil Bele.

4. According to the applicant even though it is mentioned in the order that the transfers are issued on request the applicant never requested for Kanhan and her choice posting was at Nagpur in Mental Hospital /

Supervisory Urban Leprosy Unit / T.B. Training Centre, Nagpur.

5. The applicant is a widow and has to maintain her mother-in-law who is aged about 85 years and because of such mid-term transfer, her routine has been disturbed. The applicant has therefore requested that she may be continued at the present place or at the most she might have been transferred at the post of choice.

6. It seems that nobody is posted in place of Dr. Bele (R/3) who is transferred in the same city. In view of this, the impugned order dated 10/10/2017 so far as the applicant and respondent no.3 is concerned stands stayed till further orders. The respondents shall allow the applicant to work at Wardha till further orders.

7. Issue notice to R-2 &3, returnable in **three weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

9. 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.

10. 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.

11. 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.

12. **S.O. three weeks.**

**Vice Chairman (J)**

dnk.

O.A.613/2017

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

**Dated : 13.10.2017.**

**C.A.396/2017 -**

Shri N.B. Rathod, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R,1,2&4 and none for R-3.

The learned P.O. files affidavit on behalf of R-1,2&4. It is taken on record.

**O.A.613/2017 –**

Shri N.B. Rathod, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R,1,2&4 and none for R-3.

**Heard. Admit.**

The learned P.O. waives notice for R-1,2&4.

Matter be kept for final hearing on **30/10/2017.**

**Vice Chairman (J)**

dnk.

O.A.243/2017

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

**Dated : 13.10.2017.**

**C.A.398/2017 -**

None for the applicant. Shri A.P. Potnis, Id. P.O. for the respondents.

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

**Vice Chairman (J)**

dnk.

O.A.680/2017

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

**Dated : 13.10.2017.**

**C.A.433/2017 -**

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

The learned counsel for the applicant seeks time to file acknowledgment in respect of service of R-2. At his request, **S.O. After Vacation along** with other connected matter.

**Vice Chairman (J)**

dnk.

O.A.681/2017

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

**Dated : 13.10.2017.**

Heard Shri N.B. Rathod, Id. counsel  
for the applicant, Shri A.M. Ghogre, Id. P.O.  
for R,1,2&4 and none for R-3.

**Vice Chairman (J)**

dnk.

O.A.57/2017

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

**Dated : 13.10.2017.**

**C.A.357/2017 -**

Shri N.R. Saboo, Id. counsel holding for Shri S.J. Kadu, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for R-1. Await service of R-2.

2. The learned counsel for the applicant seeks permission to correct the address of respondent no.1 as he wants to serve the department through Secretary. He is permitted to do so. The respondents may accept the notice on behalf of respondent no.1 after correction of the address. The applicant to carry out the amendment today itself.

3. The learned P.O. seeks time to file reply-affidavit on C.A. on behalf of both the respondents.

**S.O. After Vacation.**

**Vice Chairman (J)**

dnk.

O.A.296/2017

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

**Dated : 13.10.2017.**

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondent no.1. Await service of R-2&3.

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

**Vice Chairman (J)**

dnk.

O.A.511/2017

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

**Dated : 13.10.2017.**

None for the applicant.

Shri A.P. Potnis, Id. P.O. for R-1.  
Await service of R-2.

At the request of Id. P.O., **S.O. After  
Vacation** for filing reply of R-1.

**Vice Chairman (J)**

dnk.

O.A.659/2017

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

**Dated : 13.10.2017.**

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

It seems that the respondent nos. 2&3 are not served.

**S.O. After Vacation.**

**Vice Chairman (J)**

dnk.

O.A.682/2017

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

**Dated : 13.10.2017.**

None for the applicant. Shri M.I. Khan,  
Id. P.O. for R-1.

Await service of R-2 to 4.

**S.O. After Vacation.**

**Vice Chairman (J)**

dnk.

O.A.308/2017

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

**Dated : 13.10.2017.**

Shri Anil Dhawas, Id. counsel holding  
for Mrs. S.A.Dhawas, Id .counsel for the  
applicant and Shri V.A. Kulkarni, Id. P.O. for  
the respondents.

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

**Vice Chairman (J)**

dnk.

O.A.462/2017

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

**Dated : 13.10.2017.**

None for the applicant.

Shri H.K. Pande, Id. P.O. for the respondents.

The learned P.O. files reply-affidavit on behalf of R-4. It is taken on record. He seeks time to file reply on behalf of other respondents. At his request, **S.O. four weeks.**

**Vice Chairman (J)**

dnk.

O.A.519/2017

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

**Dated : 13.10.2017.**

None for the applicant.

Shri P.N. Warjurkar, Id. p.O. for the  
respondents.

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

**Vice Chairman (J)**

dnk.

O.A.565/2017

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

**Dated : 13.10.2017.**

Heard Shri P.V. Thakre, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondents.

2. At per the order dated 11/9/2017 the respondents no.2 is directed to take decision on the representation filed by the applicant on 3/6/2017 within one month from the date of order. The learned P.O. submits that the decision is yet not taken and for that purpose she seeks further time. At her request time is granted till 16/10/2017.

**S.O. 16/10/2017.**

**Vice Chairman (J)**

dnk.

O.A.571/2017

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

**Dated : 13.10.2017.**

Shri N.R. Saboo, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondent nos. 1&2. None for R-3.

At the request of Id. P.O., **S.O. four weeks** by way of last chance for filing a short affidavit.

**Vice Chairman (J)**

dnk.

O.A.689/2017

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

**Dated : 13.10.2017.**

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

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

**Vice Chairman (J)**

dnk.

O.A.708/2017

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

**Dated : 13.10.2017.**

Heard Shri P.P. Khaparde, Id. counsel for the applicant and Shri H. K. Pande, Id. P.O. for the State.

2. The learned counsel for the applicant submits that he will remove objections.

3. In the meantime, issue notice to R-2 and 3, returnable in four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. 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.

7. 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.778/2017

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

**Dated : 13.10.2017.**

Heard Shri N.R. Saboo, Id .counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. Vide impugned order dated 31/5/2017 as many as 274 Livestock Development Officers have been transferred. The applicant's name is at sr.no.133 in the said order and she has been transferred from Shirla Neman, Dist. Buldhana to Ahirwadi, Dist. Jalgaon. The number of employees have made representations. However, vide order dated 27/9/2017 a general direction has been issued by the Commissioner Animal Husbandry, Pune (R/2) to relieve all the Officers who have been transferred. The applicant therefore apprehended that she will be relieved immediately. The Id. counsel for the applicant submits that the applicant is still working at Shirla Neman and her husband is working at Khamgaon on the same post and her son is taking education in 10<sup>th</sup> Standard and therefore the applicant has filed representation on 14/6/2017. Since the representations of so many persons were considered and the applicant was not

relieved she was hoping that her request might have been considered.

3. The learned counsel for the applicant submits that the applicant is ready to join at her transferred post at Ahirwadi if she is considered till academic session of her son's of 10<sup>th</sup> standard. It is stated that the application may be disposed of with direction to respondent no.1 to consider her representation within a stipulated period.

4. In view of the submission made by the learned counsel for the applicant, I pass the following order :-

- i) The application stands disposed of with direction to respondent no.1 to take decision on the representation filed by the applicant on 14/6/2017 and the respondent no.1 shall take decision on the representation within two months from the date of this order and till that time the applicant may be allowed to continue at Shirla Nemane, Dist. Buldhana.
- ii) In view thereof, the application stands disposed of accordingly.

**Vice Chairman (J)**

dnk.

O.A.190/2013

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

**Dated : 13.10.2017.**

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

At the request of Id. counsel for the applicant, **S.O. 3/11/2017.**

**Vice Chairman (J)**

dnk.

O.A.121/2017

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

**Dated : 13.10.2017.**

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

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

**Vice Chairman (J)**

dnk.

O.A.293/2017

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

**Dated : 13.10.2017.**

Shri M.V. Joshi, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 to 3 and Shri Dubey, Id. counsel holding for Shri P.D. Meghe, Id. counsel for R-4.

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

**Vice Chairman (J)**

dnk.

O.A.320/2017

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

**Dated : 13.10.2017.**

Shri N.R. Saboo, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondent nos. 1 to 3. None for R-4&5.

**S.O. After Vacation.**

**Vice Chairman (J)**

dnk.

O.A.470/2017

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

**Dated : 13.10.2017.**

Shri N.R. Saboo, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondent nos. 1 to 3. None for R-4.

**S.O. After Vacation.**

I.R. to continue till then.

**Vice Chairman (J)**

dnk.

O.A.681/2017

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

**Dated : 13.10.2017.**

Shri N.R. Saboo, Id .counsel for the applicant and Shri A.P.Potnis, P.O. for R-1. Await service of R-2.

The learned counsel for the applicant seeks time to file acknowledgment in respect of service of R-2. At his request, **S.O. After Vacation along** with other connected matter.

**Vice Chairman (J)**

dnk.