

O.A.512 of 2017 (D.B.)

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

Dated : 10.10.2017.

Heard Smt. Rashi Deshpande, Id.
counsel for the applicants and Shri A.M.
Khadatkar, Id. P.O. for the respondents.

Closed for orders.

Vice Chairman (J)

dnk.

O.A.695/2016 (D.B.)

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

Dated : 10.10.2017.

Heard M.R. Pillai, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The learned P.O. placed on record the copy of the proposal in respect of Shri C.P. Dhole who was co-accused with the applicant in the alleged misconduct. Same is taken on record and marked Exh-X for the purposes of identification.

Closed for orders.

Vice Chairman (J)

dnk.

O.A.556 of 2002 (D.B.)

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

Dated : 10.10.2017.

Smt. Meenaxi Iyer, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. The learned P.O. submits that he wants to file reply-affidavit which is granted provided the copy is served in advance to the Id. counsel for the applicant. Time is granted as a last chance.

3. It is submitted that the matter pertains to time bound promotion, hence it shall be placed before Single Bench. Hence the matter be removed from Division Bench and it be kept before Single Bench Board.

S.O. 15/11/2017.

Vice Chairman (J)

dnk.

O.A.662 of 2017 (D.B.)

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

Dated : 10.10.2017.

Shri D.M. Surjuse, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

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

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

Dated : 10.10.2017.

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.

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

Vice Chairman (J)

dnk.

O.A.404 of 2017 (D.B.)

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

Dated : 10.10.2017.

Shri Mrigendra Singh, Id. senior counsel along with A.J. Gilda, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

At the request of Id. counsel for the applicant, **S.O. 31/10/2017.**

Vice Chairman (J)

dnk.

O.A.309 of 2017 (D.B.)

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

Dated : 10.10.2017.

Ku.K.K. Pathak, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A.203 of 2017 (D.B.)

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

Dated : 10.10.2017.

Shri A.D. Girdekar, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. four weeks** for filing reply along with other connected matter.

Vice Chairman (J)

dnk.

O.A.204 of 2017 (D.B.)

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

Dated : 10.10.2017.

Shri A.D. Girdekar, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. four weeks** for filing reply along with other connected matter.

Vice Chairman (J)

dnk.

O.A.50 of 2017 (D.B.)

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

Dated : 10.10.2017.

Shri P.S. Khubalkar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondent nos.1&2. None for R-3.

2. At per the order dated 21/8/2017 the respondents have placed on record the copy of Physical Fitness Certificate issued by the Civil Surgeon. The same is taken on record and marked Exh-X for the purposes of identification.

3. The learned counsel for the applicant submits that he will file C.A. for getting appointment to the post of Talathi for which he seeks time. At his request, **S.O. After Vacation.**

Vice Chairman (J)

dnk.

O.A.417 of 2017 (D.B.)

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

Dated : 10.10.2017.

None for the applicant.

Shri A.P. Potnis, Id. P.O. for R-1 & 2.

The learned P.O. files reply on behalf of R-2. It is taken on record.

S.O. four weeks for filing rejoinder, if any.

Vice Chairman (J)

dnk.

O.A.149 of 2017 (D.B.)

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

Dated : 10.10.2017.

C.A.402/2017

Shri M.V.Mohokar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The learned counsel for the applicant submits that he will collect the hamdast today itself and serve the respondents. At his request, **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A.374 of 2016 (D.B.)

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

Dated : 10.10.2017.

None for the applicant.

Shri S.A. Sainis, Id. P.O. for R-1 to 3.
Await service of R-4&5.

It seems that the respondent nos.4&5
have not yet been served. The applicant to
file service affidavit of R-4&5.

S.O. four weeks.

Vice Chairman (J)

dnk.

O.A.383 of 2016 (D.B.)

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

Dated : 10.10.2017.

Heard Shri Amol Patil holding for Shri P.S. Patil, Id. counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. In this O.A. that the applicants main prayer is for direction to respondent nos.2&3 to declare the result of the applicants for the posts of Forest Guard in pursuance of the recruitment process of advertisement. The second direction claims to consider the claim of the applicants on the basis of their qualification itself.

3. The respondents were directed to state as to when the result will be declared on which the learned P.O. has placed on record the communication dated 6/10/2017 addressed to the learned P.O. by the Chief Conservator of Forests (Territorial), Nagpur. The copy of said communication is marked Exh-X for the purposes of identification. The respondents submitted that the result has been published on 30/3/2015 itself and so far as the applicants are concerned, it is stated that the applicants could only be considered in Open category. Whereas, as per select list

of Open category the last selected candidate has secured 68.69 marks and the applicants stand disqualified in the said select list. If the applicants want to challenge the result ,he will be at liberty to file separate O.A.

4. The learned counsel for the applicants submits that he may be permitted to withdraw the O.A. with permission to file separate O.A. as it is the contention that the respondents are misleading.

5. In view thereof, the O.A. stands disposed of as withdrawn with liberty to file separate O.A. No order as to costs.

6. Steno copy be supplied to the learned counsel for the parties.

Vice Chairman (J)

dnk.

O.A. No.122/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

C.A. No.58/2017.

None for the applicant. Shri M.I. Khan, the Ld. P.O. for the respondent Nos. 1 to 3. None for R.4.

At the request of Ld. P.O., S.O. **four weeks** for reply by way of last chance.

Vice-
Chairman(J)

O.A. No.412/2017.

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

Dated : 10th October 2017.

C.A. No.277/2017.

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

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

Vice-
Chairman(J)

pdg

O.A. No.642/2016.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

C.A. No.325/2017.

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

At the request of Ld. P.O., S.O. after Diwali vacation for filing reply.

Vice-
Chairman(J)

pdg

O.A. No.532/2017.

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

Dated : 10th October 2017.

C.A. No.346/2017.

Heard Shri R.V. Shiralkar, the
Ld. counsel for the applicant and
Shri A.M. Khadatkar, the Ld. P.O.
for the respondents 1,2 and 4. Shri
C.V. Mahurkar, Ld. Adv. for R.3.

Closed for orders.

Vice-
Chairman(J)

pdg

O.A. No.360/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

Ms. A.M. Gupta, Adv. holding for Shri P.B. Patil, the Ld. counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondents 1 to 6. None for R.7.

The Ld. CPO has filed reply on behalf of R. 1 to 3. The same is taken on record and a copy thereof

is supplied to the Ld. counsel for the applicant.

The Ld. counsel for the applicant submits that he will file service affidavit in respect of R. 4 to 7.

S.O. one week.

Vice-
Chairman(J)

pdg

O.A. No.408/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

None for the applicant. Shri S.A. Sainis, the Ld. P.O. for the respondent Nos. 1 and 3.

Await service to R.2.

On the last two dates also, none appeared for the applicant. Vide order dated 27.7.2017, it seems that the applicant has already been relieved and joined his post where he is transferred. Similarly, person who is transferred in place of the applicant has also joined at the applicant's place. That might be the reason as to why the applicant is approaching this Tribunal. Hence, the matter be kept for dismissal after one week.

S.O. 16.10.2017 for dismissal.

Vice-
Chairman(J)

pdg

O.A. No.506/2017.

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

Dated : 10th October 2017.

None for the applicant. Smt. S.V. Kolhe, the Ld. P.O. for the respondent Nos. 1 to 3.

Await service to R.4.

S.O. after Diwali vacation.

Vice-
Chairman(J)

pdg

O.A. No.649/2017.

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

Dated : 10th October 2017.

Heard Shri S.P. Palshikar, the
Ld. counsel for the applicant and

Shri S.A. Deo, the Ld. C.P.O. for the respondents.

The Ld. counsel for the applicant submits that the respondents have been served and he has already filed service affidavit in the office.

Ld. CPO submits that he will file reply of the respondents within three weeks.

S.O. three weeks.

Vice-
Chairman(J)

pdg

O.A. No.123/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

Heard Shri S.P. Palshikar, the Ld. counsel for the applicant 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. **1.11.2017** for final hearing.

Vice-Chairman(J)

pdg

O.A. No.311/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

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

The Ld. P.O. has filed reply on behalf of R.3. It is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

The Ld. counsel for the applicant seeks two weeks' time to file rejoinder,

S.O. two weeks.

Vice-
Chairman(J)

pdg

O.A. No.381/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

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

The Ld. P.O. has filed reply on behalf of R.3. It is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

The Ld. counsel for the applicant seeks two weeks' time to file rejoinder,

S.O. two weeks.

Vice-Chairman(J)

pdg

O.A. No.433/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

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

The Ld. P.O. has filed reply on behalf of R. 2. The same is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

ADMIT.

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

S.O. **after Diwali vacation**
for final hearing.

Vice-
Chairman(J)

pdg

O.A. No.454/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

Heard Shri V.A. Kothale, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the Ld. P.O. for the respondents.

The Ld. P.O. has filed reply on behalf of the respondents. The same is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

The Ld. counsel for the applicant wants to file rejoinder.

ADMIT.

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

S.O. **31.10.2017.**

Vice-
Chairman(J)

pdg

O.A. No.494/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

None for the applicant. Shri V.A. Kulkarni, the Ld. P.O. for the respondents.

S.O. **four weeks** at the request of Ld. P.O. by way of last chance.

Vice-Chairman(J)

pdg

O.A. No.518/2017.

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

Dated : 10th October 2017.

Ms. Anushree Ahirkar, Adv.
holding for Smt. N. Jog, the Ld.

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

The Ld. P.O. has filed reply on behalf of R. 2. The same is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

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

Vice-
Chairman(J)

pdg

O.A. No.587/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

Miss. Anushree Ahirkar, Adv. holding for Smt. N. Jog, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents.

The Ld. PO has filed reply on behalf of R. 3. The same is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

S.O. **after Diwali vacation.**

Vice-
Chairman(J)

pdg

O.A. No.588/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

Heard Shri S.U. Bhuyar, the Ld. counsel for the applicant and Smt.S.V. Kolhe, the Ld. P.O. for the respondents.

S.O. **one week.**

Vice-Chairman(J)

pdg

O.A. No.619/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

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

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

Vice-
Chairman(J)

pdg

O.A. No.674/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

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

The Ld. counsel for the applicant submits that all the respondents are served. Ld. P.O. seeks time.

S.O. **four weeks.**

Vice-
Chairman(J)

pdg

O.A. No.774/2017.

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

Dated : 10th October 2017.

Heard Shri S.C. Deshmukh, the Ld. counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondent/State.

The Ld. counsel for the applicant has filed on record the certificate showing that the applicant has not yet been relieved, the same is taken on record.

The Ld. CPO submits that he will take instructions and make a statement to that effect.

S.O. 11.10.2017.

Vice-
Chairman(J)

pdg

O.A. No.176/2010.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

Heard Shri M.B. Agasti, the Ld. counsel for the applicant and Shri S.A. Sainis, the Ld. P.O. for the respondents.

The Ld. P.O. has placed on record a G.R. dated 7.12.2004 as regards declaration of naxalite affected area, the same is taken on record.

At the request of both parties, matter is kept for fresh hearing on **31.10.2017.**

Vice-
Chairman(J)

pdg

O.A. No.31/2016.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

Heard Shri S. Borkar, the Ld. counsel for the applicant and Shri P.N. Warjekar, the Ld. P.O. for the respondent No.1. Shri P.V. Thakre, Adv. for R. 2 and 3.

Vide order dated 31.8.2017, the respondent No.1 was directed to consider the

material on record and take a decision as per the provisions of sub-rule (2) of Rule 47 of the M.C.S. (Pension) Rules, 1982. Today, the Ld. P.O. has placed on record a copy of the decision taken by respondent No.1 in this regard dated 9.10.2017 alongwith forwarding letter. This correspondence is marked "X" for identification.

The Ld. P.O. is directed to supply a copy to the applicant. The applicant submits that he will go through it and will find out the way whether to file amendment application or otherwise.

S.O. after Diwali vacation.

Vice-
Chairman(J)

pdg

O.A. No.92/2016.

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

Dated : 10th October 2017.

Heard Shri P.S. Gavai, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the Ld. P.O. for respondent Nos.2 & 3. Shri R.V. Shiralkar, Adv. for R.1.

Ld. P.O. has placed on record one communication dated 10.10.2017, which is marked "X" for identification, from which it seems that the applicant has been examined by the Board and only the report is awaited which is likely to be received within 2-3 weeks. In view thereof, at the request of Ld. counsel for the parties, S.O. **after Diwali vacation** for final hearing.

Vice-
Chairman(J)

Pdg

O.A. No.81/2017.

Coram: J.D.Kulkarni, Vice-Chairman

Dated : 10th October 2017.

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

The Ld. P.O. submits that as per order dated 25.9.2017, he has taken instructions from the concerned authority from which it seems that five posts are available as per the Chart which is marked "X" for identification and a proposal to accommodate the applicant on one of such vacant post has been submitted to the Minister. He, therefore, seeks time till 31.10.2017.

S.O. 31.10.2017.

Vice-
Chairman(J)

pdg

O.A. No.455/2017.

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

Dated : 10th October 2017.

Heard Shri S. Borkar, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the Ld. P.O. for the respondent No.1. None for R. 2 to 5.

The Ld. counsel for the applicant submits that he wants to file rejoinder affidavit and seeks time. He, however, submits that matter be kept for final hearing on 31.10.2017.

S.O. 31st October 2017.

Vice-
Chairman(J)

pdg