

O.A. No. 302/2016 (DB)

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

Dated : 14.11.2017

MCA No. 64/2017

Heard Shri G.G. Bade, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the State,

2. Notice on application to respondent nos. 2&3 be issued returnable in **four weeks**.

3. Shri A.M. Ghogre the learned P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.

8. **S.O. four weeks** along with other connected matter.

Vice Chairman (J)

dnk.

O.A. No. 635/2016 (DB)

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

Dated : 14.11.2017

MCA No. 65/2017

Heard Shri G.G. Bade, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the State,

2. Notice on application to respondent nos. 2&3 be issued returnable in **four weeks**.

3. Shri A.M. Ghogre the learned P.O. waives notice for respondent no.1. Hamdast granted.

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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.

8. **S.O. four weeks** along with other connected matter.

Vice Chairman (J)

dnk.

O.A. St. No. 2666/17 (DB)

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

Dated : 14.11.2017

CA No. 493/2016

Shri G.G. Bade, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1. Await service of R-2&3.

The learned counsel for the applicant seeks time to file service affidavit of R-2&3. At his request, **S.O. two weeks.**

Vice Chairman (J)

dnk.

O.A. No. 385/2015 (DB)

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

Dated : 14.11.2017

CA No. 495/2017

Heard Ms. Bhagyashree Gavhale, Id. counsel holding for Shri A.R. Patil, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. Vide this C.A. the applicant wants to bring on record the subsequent development after the O.A. was admitted.

3. For the reasons stated in the application, the C.A. is allowed. The applicant is allowed to amend the O.A. The necessary amendment be carried out within one week.

O.A. 385/2015 –

S.O. one week.

Vice Chairman (J)

dnk.

O.A. No. 203/17 (DB)

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

Dated : 14.11.2017

None for the applicant.

Shri A.P. Potnis, Id. P.O. for the respondents.

2. The learned P.O. submits that the issue involved in this O.A. is for active consideration before the Hon'ble High Court and the Hon'ble High Court has stayed the G.R. dated 7/8/2012. In view thereof, he seeks further time.

S.O. last week for January,2018
along with other connected matter.

Vice Chairman (J)

dnk.

O.A. No. 204/17 (DB)

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

Dated : 14.11.2017

None for the applicant.

Shri A.P. Potnis, Id. P.O. for the respondents.

2. The learned P.O. submits that the issue involved in this O.A. is for active consideration before the Hon'ble High Court and the Hon'ble High Court has stayed the G.R. dated 7/8/2012. In view thereof, he seeks further time.

S.O. last week for January,2018
along with other connected matter.

Vice Chairman (J)

dnk.

O.A. No. 372/17 (DB)

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

Dated : 14.11.2017

Shri Sachin Khandekar, Id .counsel
for the applicant and Shri A.P.Potnis, Id.
P.O. for the respondents.

The learned P.O. submits that he
will file reply-affidavit on behalf of R-1 to 3
during the course of day.

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

Vice Chairman (J)

dnk.

O.A. No. 490/17 **(DB)**

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

Dated : 14.11.2017

Shri S.N. Gaikwad, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. No. 509/17 **(DB)**

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

Dated : 14.11.2017

None for the applicant.

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

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

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

Vice Chairman (J)

dnk.

O.A. No. 607/17 **(DB)**

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

Dated : 14.11.2017

Shri S.M. Khan, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for respondent nos. 1 to 3 and 5. None for R-4.

The learned P.O. files reply-affidavit on behalf of R-5. It is taken on record. Copy is given to the other side.

The reply of R-2 is necessary. The learned P.O. seeks time to file reply of R-2. At his request, **S.O. four weeks** for filing reply of R-2 by way of last chance.

Vice Chairman (J)

dnk.

O.A. No. 780/17 (DB)

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

Dated : 14.11.2017

Ms. R.S. Dhengale, Id. counsel holding for Shri S.S. Dhengale, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Shri W.G. Paunikar, Id. counsel appears and files vakalatnama on behalf of R-2 and also seeks time to file reply.

2. The learned C.P.O. submits that the issue involved in this O.A. is for active consideration before the Hon'ble High Court and the Hon'ble High Court has stayed the G.R. dated 7/8/2012. In view thereof, he seeks further time.

S.O. last week for January,2018.

Vice Chairman (J)

dnk.

O.A. No. 469/17 **(DB)**

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

Dated : 14.11.2017

Heard Shri S.K. Verma, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 and Shri N.A. Palshikar, Id. counsel for R-2.

2. After hearing the matter for considerable time, the learned counsel for the applicant submits that advertisement was for 188 posts for Open (female) candidates. Out of which three vacancies are still not filled.

3. The learned counsel for R-2 is therefore requested to take instructions as to whether three posts as stated by the learned counsel for the applicant are still vacant and if yes, to which category those posts to be filled up.

S.O. Next week.

The matter be treated as **P.H.**

Vice Chairman (J)

dnk.

O.A. No. 624/17 (DB)

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

Dated : 14.11.2017

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

2. In this O.A. the applicant has claimed following reliefs :-

(i) To direct the respondent no.3 Maharashtra Public Service Commission to strictly follow the conditions of Advertisement, the Recruitment Rules and AICTE Regulations while selecting candidate as Principal in view of the Advertisement.

(ii) Further be pleased to issue necessary directions to the respondent no.3 Maharashtra Public Service Commission to consider the Education criteria and experience criteria of all the candidates (279), who were called for the written test and further be pleased to thereafter call the eligible candidates for interview strictly in accordance in law.

(iii) Grant any other relief including costs which is deemed fit in the facts and circumstances of the case.

3. No interim relief was granted to the applicant and therefore admittedly the applicant has not been interviewed. The subsequent prayer as seen from prayer clause is that the applicant be considered for the written test and interview as per the criteria laid down in the recruitment rules. Admittedly, the applicant failed in the written test and therefore not called for interview and therefore prima facie nothing survives in this O.A. The learned counsel for the applicant however submits that he will take instructions as to whether to amend the O.A. or to file separate O.A. for withdrawing this from his client.

4. **S.O. two weeks.**

Vice Chairman (J)

dnk.

O.A. No. 636/2017 (S.B.)

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

Dated : 14th Nov. 2017.

C.A.No.431/2017:-

Adv. Sirpurkar holding for Adv. Venkatraman, Id. counsel for the applicant. Shri S.A.Deo, the learned C.P.O. for the Respondents.

The Id. C.P.O. has filed the reply to the application for condonation of delay on behalf of the respondent no. 2. The same is taken on record. Copy is served to the applicant. At the request of Id. counsel for the applicant, **S.O. Two Weeks.**

Vice-
Chairman(J)

aps

O.A. No. 256/2017 (S.B.)

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

Dated : 14th Nov. 2017.

C.A.No.237/2017:-

Shri V.B.Dhage, Id. counsel for the applicant. Shri S.A.Deo, the learned C.P.O. for the Respondents.

The Id. counsel for the applicant submits that similar matter is pending before the Principal Bench of this Tribunal at Mumbai. At the request of Id. counsel for the applicant, **S.O. 15/12/2017.**

Vice-
Chairman(J)

aps

O.A. No. 617/2017 (S.B.)

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

Dated : 14th Nov. 2017.

None for the applicant. Shri A.P.Potnis, the learned P.O. for the Respondent no. 1. Await service of Respondent no. 2.

At the request of Id. P.O., **S.O.**
Four Weeks.

Vice-
Chairman(J)

aps

O.A. No. 696/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Mrs.K.N.Saboo, Id. counsel for the applicant. Shri V.A.Kulkarni, the learned P.O. for the Respondent no. 1. Await service of Respondent no. 2 & 3.

The Id. counsel for the applicant seeks time to file service affidavit, **S.O. One Week.**

Vice-
Chairman(J)

aps

O.A. No. 782/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Shri S.M.Khan, Id. counsel for the applicant. Shri S.A.Sainis, the learned P.O. for the Respondent no. 1. Await service of Respondents no. 2 & 3.

The Id. counsel for the applicant submits that he will file the service affidavit during the course of the day. The Id. P.O. seeks time to file reply affidavit, **S.O. Four Weeks.**

Vice-
Chairman(J)

aps

O.A. No. 783/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Shri P.S.Patil, Id. counsel for the applicant. Shri Pandey, the learned P.O. for the Respondent no. 1. Await service of Respondents no. 2 & 3.

The Id. counsel for the applicant submits that he will file the service affidavit during the course of the day. The Id. P.O. seeks time to file reply affidavit, **S.O. Four Weeks.**

Vice-
Chairman(J)

aps

O.A. No. 152/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Heard Shri G.G.Bade, Id. counsel for the applicant. Shri V.A.Kulkarni, the learned P.O. for the Respondents.

The Id. P.O. has filed the return on behalf of the respondents no. 2 to 4 alongwith the documents. The same is taken on record. Copy is served to the applicant.

Closed for orders.

Vice-
Chairman(J)

aps

O.A. No. 241/2016 (S.B.)

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

Dated : 14th Nov. 2017.

Heard Shri S.N.Gaikwad, Id. counsel for the applicant. Shri Khadatkar, the learned P.O. for the respondents no. 1 & 2. Shri K.J.Topale, Id. counsel for respondent no. 3.

The Id. P.O. has filed the zerox copy of written examination of the applicant. The Id. counsel for the applicant submits that this copy has already placed on record. However, the copy be taken on record. **Closed for orders.**

Vice-
Chairman(J)
aps

O.A. No. 119/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Heard Shri V.A.Kothale, Id.
counsel for the applicant. Shri
A.M.Ghogre, the learned P.O. for the
respondents.

Closed for orders.

Vice-
Chairman(J)
aps

O.A. No. 337/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Heard Shri N.D.Thombre, Id.
counsel for the applicant. Shri M.I.Khan,
the learned P.O. for the respondents no.
1 to 3. None for respondents no. 4 & 5.

Closed for orders.

Vice-
Chairman(J)
aps

O.A. No. 538/2016 (S.B.)

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

Dated : 14th Nov. 2017.

Shri G.G.Bade, Id. counsel for the applicants. Shri A.M.Ghogre, the learned P.O. for the respondents.

After hearing the matter for a considerable time it has been brought to the notice of this Tribunal that the

grievance of the applicants that their names, though recommended for regularization, were not regularized vide G.R. dated 31/03/2015. The applicants' names are not included in the said G.R. The G.R. refers to some Judgments delivered by this Tribunal at Aurangabad Bench and Mumbai Principal Bench in the introduction clause and also refers to G.R. dated 25/07/1997 and 17/09/1997.

The Id. P.O. seeks time to file on record the documents referred in the introduction clause of the G.R. dated 31/03/2015.

S.O. Two Weeks

The matter be treated as P.H.

O.A. No. 660/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Shri Bharat Kulkarni, Id. counsel for the applicant. Shri Pandey, the learned P.O. for the respondents.

At the request of Id. P.O. as a last chance, **S.O. Four Weeks.**

Vice-

Chairman(J)

aps

O.A. No. 44/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Shri S.P.Palshikar, Id. counsel for
the applicant. Shri Khadatkar, the learned
P.O. for the respondents.

At the request of Id. counsel for the
applicant, **S.O. 29/11/2017.**

Vice-
Chairman(J)
aps

O.A. No. 484/2016 (S.B.)

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

Dated : 14th Nov. 2017.

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

C.A. for early hearing is allowed. Nobody appears for the applicant, **S.O.**
After Eight Weeks.

Vice-

Chairman(J)

aps

O.A. No. 484/2016 (S.B.)

Coram: Shri J.D. Kulkarni,

Vice-Chairman (J).

Dated : 14th Nov. 2017.

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

C.A. for early hearing is allowed. Nobody appears for the applicant, **S.O.**
After Eight Weeks.

Vice-

Chairman(J)

aps

O.A. No. 760/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Ms. R.S.Dhengale holding for Shri S.S.Dhengale, Id. counsel for the applicant. Shri S.A.Deo, the learned C.P.O. for the respondents.

At the request of Id. C.P.O. as a last chance, **S.O. Four Weeks.**

Vice-
Chairman(J)

aps

O.A. No. 870/2017 (S.B.)

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

Dated : 14th Nov. 2017.

1. Mrs.K.N.Saboo, Id. counsel for the applicant. Shri S.A.Deo, the learned C.P.O. for the State.
2. Issue notice to R-2 & 3, returnable After Four Weeks. Learned C.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. After Four Weeks.**

Vice-

Chairman(J)

aps

O.A. No. 664/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Shri Bharat Kulkarni holding for Shri R.V.Shiralkar, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for the respondents.

The Id. P.O. has filed the reply affidavit on behalf of the respondents no. 2 & 3. The same is taken on record. Copy is served to the applicant. At the request of Id. counsel for the applicant, **S.O. Two Weeks.**

Vice-

Chairman(J)

aps

O.A. No. 125/2017 (S.B.)

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

Dated : 14th Nov. 2017.

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

The Id. P.O. has filed the reply affidavit on behalf of the respondents no. 2 & 3. The same is taken on record. Copy is served to the applicant.

The matter be admitted and kept for final hearing.

S.O. Three Weeks.

Vice-
Chairman(J)

aps

O.A. No. 183/2017 (S.B.)

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

Dated : 14th Nov. 2017.

C.A.No.525/2017:-

Shri S.Singh, Id. counsel for the applicant. Shri D.M.Kakani, the learned Spl. Counsel for respondent no. 1.

The Id. counsel for the applicant has filed the reply to the application preferred by the respondent for dismissal of the application. The same is taken on record. Copy is served to the other side.

S.O. Two Weeks.

Vice-
Chairman(J)

aps

O.A. No. 42/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Adv. R.S.Sirpurkar, Id. counsel for the applicant. Shri S.A.Sainis, the learned P.O. for the respondents.

The Id. counsel for the applicant seeks time to file Rejoinder.

S.O. Two Weeks.

Vice-
Chairman(J)

aps

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

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

Dated : 14th Nov. 2017.

None for the applicant. Shri P.N.Warjurkar, the learned P.O. for the respondents.

The Id. P.O. seeks time to file reply affidavit. **S.O. Three Weeks.**

Vice-
Chairman(J)

aps

O.A. No. 571/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Mrs.K.N.Saboo, Id. counsel for the applicant. Shri S.A.Sainis, the learned P.O. for the respondents no. 1 & 2. None for the respondent no. 3.

At the request of Id. P.O. as a last chance to file reply affidavit, **S.O. Two Weeks.**

Vice-
Chairman(J)

aps

O.A. No. 639/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Shri A.J.Kadu, Id. counsel for the applicant. Shri M.I.Khan, the learned P.O. for the respondents no. 1 to 4. Ms.R.S.Dhengale holding for Shri S.S.Dhengale, Id. counsel for the respondent no. 5.

At the request of Id. P.O. as a last chance to file reply affidavit, **S.O.**
21/11/2017.

Vice-

Chairman(J)

aps

O.A. No. 582/2017 (S.B.)

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

Dated : 14th Nov. 2017.

Shri M.R.Khan, Id. counsel for the applicant. Shri A.M.Ghogre, the learned P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. 30/11/2017.**

Vice-
Chairman(J)
aps

O.A. No. 631/2016 (S.B.)

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

Dated : 14th Nov. 2017.

Shri A.D.Girdekar, Id. counsel for the applicant. Shri A.M.Ghogre, the learned P.O. for the respondent no. 1. None for Respondents no. 2 to 4.

At the request of Id. counsel for
the applicant, **S.O. Two Weeks.**

Vice-

Chairman(J)

aps