

O.A. Nos. 87,113 & 114 of 2013 **(SB)**

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

Dated : 29.11.2017

Shri S.N. Gaikwad, Id. counsel appears on behalf of the applicants and request for time.

Shri A.M. Khadatkar, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. Nos. 758,761,762 of 2013 **(SB)**

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

Dated : 29.11.2017

Shri P.S. Patil, Id. counsel for the
applicants and Shri P.N. Warjurkar, Id.
P.O. for the respondents.

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

Next week along with O.A. 390/2014

Vice Chairman (J)

dnk.

O.A. No. 390/2014 **(SB)**

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

Dated : 29.11.2017

Shri S.M. Pande, 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.**
Next week along with other connected
matters.

Vice Chairman (J)

dnk.

O.A. No. 336/2017 (DB)

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

Dated : 29.11.2017

Shri M.I. Dhattrak, Id. counsel holding for Shri R.V. Shiralkar, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. No. 715/2017 (DB)

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

Dated : 29.11.2017

Shri M.I. Dhattrak, Id. counsel holding for Shri R.V. Shiralkar, 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. two weeks.**

Vice Chairman (J)

dnk.

O.A. No. 646/2017 **(DB)**

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

Dated : 29.11.2017

C.A. 486/17 in C.A. 412/17

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

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

Vice Chairman (J)

dnk.

O.A. No. 72/2017 (DB)

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

Dated : 29.11.2017

There is a leave note from Shri S.P. Palshikar, Id. counsel for the applicant.

Shri M.I. Khan, Id. P.O. for the respondents.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A. No. 220/2017 (DB)

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

Dated : 29.11.2017

None for the applicant.

Shri A.M. Ghogre, Id. P.O. for the
respondents.

No rejoinder is 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. No. 461/2017 (DB)

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

Dated : 29.11.2017

Ms. R. Pande, Id. counsel for the applicant and Shri A.M. Ghogre, 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. No. 611/2017 (DB)

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

Dated : 29.11.2017

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

At the request of Id. P.O., **S.O.**
12/12/2017 for filing reply.

Vice Chairman (J)

dnk.

O.A. No. 651/2017 (DB)

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

Dated : 29.11.2017

Shri S.R. Bhatkhore, 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. two**
weeks for filing reply.

Vice Chairman (J)

dnk.

O.A. No. 342/2009 (DB)

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

Dated : 29.11.2017

Heard Shri M.V. Mohokar, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1&2 and Shri P.R. Pudke, Id. counsel for R-3&4.

2. After hearing the matter for some time, **S.O. 5/12/2017.**

Vice Chairman (J)

dnk.

O.A. Nos. 903, 904 and 905 of 2017

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

Dated : 29th Nov. 2017.

Heard Shri D.R.Ruparayan, the learned counsel for the applicants and Shri A.M. Khadatkar, the learned P.O. for the respondents.

The learned counsel for the applicants submits that he has been instructed to withdraw the O.As and, therefore, seeks permission to withdraw the same. In view thereof, O.As are disposed of as withdrawn with no order as to costs.

Vice-
Chairman(J)

pdg

**O.A. Nos.290,304,305 & 306 of 2014
And O.A. 307/2014.**

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

Dated : 29th Nov. 2017.

Shri Sachin Khandekar, Adv.
holding for Shri N.R. Saboo, the learned
counsel for the applicants and Shri S.A.
Sainis, the learned P.O. for the
respondents.

At the request of Ld. P.O., S.O.
6.12.2017.

Vice-
Chairman(J)

pdg

O.A. (St.) No.2296 /2016.

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

Dated : 29th Nov. 2017.

C.A. 556/2016.

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

The learned counsel for the applicant seeks time to file amendment application to the application for condonation of delay.

S.O. **two weeks.**

Vice-

Chairman(J)

pdg

O.A. No. 453/2017.

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

Dated : 29th Nov. 2017.

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

On 5.7.2017, Shri A.J. Pathak, the learned counsel for the applicant had submitted that he will make submission as regards withdrawal of the O.A. But did not appear. Thereafter the matter was

posted on 10.7.2017 when none appeared for the applicant. Thereafter on 10.8.2017 it was adjourned to 22.8.2017. On 22.8.2017, 28.9.2017 and 1.11.2017, nobody appeared for the applicant. Today also, nobody appeared for the applicant. Hence the matter be kept for dismissal on **8.12.2017.**

Vice-

Chairman(J)

pdg

O.A. No. 183/2017

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

Dated : 29th Nov. 2017.

C.A.525/2017.

Shri S. Singh, the learned counsel for the applicant. None for R.1.

The learned counsel for the applicant seeks two weeks' time.

S.O. **two weeks.**

Vice-

Chairman(J)

pdg

O.A. No. 802 of 2017

Coram: Shri J.D. Kulkarni,

Vice-Chairman (J).

Dated : 29th Nov. 2017.

Shri R.S. Shambharkar, Adv. holding for Shri A.K. Waghmare, the learned counsel for the applicants and Shri V.A. Kulkarni, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O.,
2nd January 2018.

Vice-
Chairman(J)

pdg

O.A. No. 82/2017

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

Dated : 29th Nov. 2017.

Heard Mrs. K.N. Saboo, the learned counsel for the applicants and Shri H.K. Pande, the learned P.O. for the respondents 1 and 2. None for R. 3 and 4.

Ld. P.O. has filed reply affidavit on behalf of R. 1 and 2, the same is taken on record. Respondent Nos. 1 and 2 are personally present before this Tribunal today and tendered apology.

The learned counsel for the applicants wants to go through the reply and file rejoinder.

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

Vice-
Chairman(J)

pdg

O.A. (St.) No. 2184/2016

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

Dated : 29th Nov. 2017.

C.A. 562/2016.

Heard Shri Barun Kumar, the learned counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents.

For the reasons stated in the application for condonation of delay, delay caused in filing the O.A. is condoned in the interest of justice and the C.A. stands disposed of accordingly.

O.A. (St.) No. 2184/2016.

The applicants have claimed arrears of salary w.e.f. 29.9.2003 till 14.11.2008 in view of the provisions

made in the G.R. dated 29.9.2003. It is stated that the applicants have also filed one representation to that effect on 4.6.2016 as per Annexure A-3. No decision has been taken on the said representation. The learned counsel for the applicants has placed reliance on the judgment delivered by this Tribunal at Aurangabad Bench in O.A. No. 135/2013 (Annexure A-4) dated 2.12.2014 and another judgment of this Tribunal at Nagpur Bench in O.A.No.818/2012. A copy of which is placed today on record and marked "X" for identification. It is stated that issue of retrospective operation of the G.R. has been dealt and settled in both these judgments and, therefore, the application can be disposed of with directions to the respondents to take a decision on the representation filed by the applicants.. The Ld. P.O. also admits that such directions may be issued. In view thereof, O.A. stands disposed of with directions to respondent No.1 to take a proper decision as may be deemed fit and necessary on the representation of the applicants dated 4.6.2016, considering the applicability of the judgments cited by the Ld. counsel for the applicants. Such a decision shall be

taken within **three months** from the date of this order and shall be communicated to the applicant.

Vice-

Chairman(J)

pdg

O.A. Nos. 438, 267, 437, 439, 623, 624, 672, 825 all of 2010 and O.A. Nos.160, 161 & 162 of 2011.

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

Dated : 29th November 2017.

Heard Shri T.D. Mandlekar, the learned counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents.

Closed for orders.

Vice-
Chairman(J)

pdg

O.A. No. 713/2015.

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

Dated : 29th November 2017.

None for the applicant. Shri A.M. Ghogre, the learned P.O. for the respondent Nos. 1 and 2. Mrs. Saboo, Adv. for R.3. None for R. 4.

S.O. **30.11.2017.**

Vice-
Chairman(J)

pdg

O.A. No. 597/2014.

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

Dated : 29th November 2017.

Shri G.G. Bade, the Ld. counsel for
the applicant and Shri A.M. Ghogre, the
learned P.O. for the respondent.

S.O. 30.11.2017.

Vice-
Chairman(J)

pdg

O.A. No. 650/2014.

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

Dated : 29th November 2017.

There is a leave note from the Ld. counsel for the applicant. Shri M.I. Khan, the learned P.O. for the respondent Nos. 1 and 2. None for R. 3.

S.O. **two weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 656/2014.

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

Dated : 29th November 2017.

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

The Ld. P.O. has placed on record copies of documents which are marked "X" for identification.

S.O. 30.11.2017.

Vice-
Chairman(J)

pdg

O.A. No. 781/2017.

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

Dated : 29th November 2017.

C.A. 548/2017 & O.A. No. 781/2017.

Heard Mrs. B.P. Maldhure, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents 1 to 3. None for R.4..

This C.A. is for disposal of the O.A. The applicant has challenged the impugned order of his transfer as Sub-Divisional Officer, Risod to the post of Sub-Divisional Officer,, Zilla Parishad, Washim. The Ld. counsel for the applicant submits that during the pendency of the O.A., the impugned

order has been cancelled vide order dated 20.11.2017. She has also placed on record a copy of order passed by respondent No.1 in this regard. In view thereof, she has requested that the application may be disposed of as it has become infructuous. Hence, the C.A. as well as the O.A. stand disposed of accordingly with no order as to costs.

Vice-
Chairman(J)

pdg

O.A. No. 586/2017.

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

Dated : 29th November 2017.

Shri P.V. Thakre, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

At the request of the Ld. P.O., S.O. **two weeks** as a last chance.

Vice-
Chairman(J)

pdg

O.A. Nos. 621 and 622 of 2017.

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

Dated : 29th November 2017.

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

At the request of the Ld. P.O., S.O. **three weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 897/ 2017.

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

Dated : 29th November 2017.

1. None for the applicant.
2. Heard Shri M.I. Khan, the learned P.O. for respondent No.1.
3. Issue notice to respondent Nos. 2 to 4 returnable **after four weeks.**
4. Shri M.I. Khan, the learned P.O. waives notice for respondent No.1. Hamdast granted.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
6. 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.
7. 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.

8. 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.

Vice-
Chairman(J)

pdg

O.A. No. 433 / 2014.

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

Dated : 29th November 2017.

. Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

Admittedly, the applicant has retired on 31.3.2007. Sixth Pay Commission has come into force as per the G.R. dated 30.10.2009, but w.e.f. 1.1.2016. Pension of the applicant seems to have been calculated in view of Annexure A-3 (Page 13). From the affidavit in reply filed on behalf of Accountant General-II (M.S.), Nagpur, it seems that the revised proposal was

already submitted and sanctioned in respect of pensionary benefit of the applicant. In view thereof, the Ld. counsel for the applicant submits that he will take instructions as to whether the applicant has in fact received the said benefit or not.

S.O. **one week.**

To be treated as part heard.

Vice-
Chairman(J)

Pdg

O.A. No. 519/2017.

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

Dated : 29th November 2017.

. Heard Shri P.J. Mehta, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The Ld. P.O. has filed on record the communication dated 1.11.2017

which is marked "X" for identification and submits that the claim of the applicant has been redressed. The Ld. counsel for the applicant seeks time to take instructions. Hence the matter be kept for final hearing.

S.O. 4.12.2017.

Vice-
Chairman(J)

pdg

O.A. No. 122/2017.

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

Dated : 29th November 2017.

C.A. No.58/2017.

. Heard Shri I. S. Charlewar, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents 1 to 3. None for R.4.

The Ld. P.O. has filed reply affidavit on behalf of R. 1 to 3 in C.A. as well as in the O.A., the same is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

S.O. **four weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 689/2017.

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

Dated : 29th November 2017.

. There is a leave note from Shri Bharat Kulkarni, the Ld. counsel for the applicant.

Shri A.M. Khadatkar, the learned P.O. for the respondents.

The Ld. P.O. has filed reply affidavit on behalf of R. 1, the same is taken on record.

The Ld. P.O. submits that reply of other respondents is not necessary.

S.O. **four weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 462/2017.

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

Dated : 29th November 2017.

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

The Ld. P.O. has filed reply affidavit on behalf of R. 1 & 2, the same is taken on record.

The Ld. P.O. has also filed separate reply affidavit on behalf of R. 3, the same is taken on record.

S.O. **four weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 202/2017.

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

Dated : 29th November 2017.

. Heard Shri M.I. Dhattrak, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

The Ld. P.O. has filed reply affidavit on behalf of R. 3. the same is taken on record.

ADMIT

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

S.O. 4.12.2017 for final hearing.

Vice-
Chairman(J)

pdg

O.A. No. 417/2013.

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

Dated : 29th November 2017.

MCA Nos. 52 & 53 of 2017.

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

Both MCAs are closed for orders.

Vice-
Chairman(J)

pdg