

O.A. 285/2017 (D.B.)

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

**Dated : 05.10.2017.**

**C.A. 405/2017 –**

Heard Shri G.N. Khanzode, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

2. Vide order dated 18/9/2017 the Secretary of respondent no.1 was directed to appear and to state as regards the compliance of the order dated 24/08/2017 as well as 14/09/2017. Accordingly, Shri Sanjay Deshmukh, the Secretary of Medical Education and Drugs Department, Mantralaya, Mumbai has personally appeared before this Tribunal and expressed unconditional apology by filing affidavit. It is accepted.

3. Shri Sanjay Deshmukh has filed affidavit on behalf of respondent no.1. The same is taken on record. Copy is served on the respondents. The leaned P.O. submits that even though the applicant was selected for promotion in the DPC meeting, it was subject to the

decision of the O.A. filed by one Smt. Anita Kolhe in O.A.601/2016.

4. According to the learned counsel for the applicant Smt. Anita Kolhe's O.A. has already been decided prior to filing of this O.A. and the copy of the same has already been annexed at Annex-A-3 by the applicant. It is submitted that the respondents are interpreting the order passed by the Tribunal in that O.A. wrongly and trying to promote Mrs. Kolhe hurriedly. He therefore claims for interim direction in C.A.405/2017.

5. Shri Sanjay Deshmukh submits that the proposal of giving promotion to Mrs. Kolhe has been forwarded to the competent authority at Mantralaya for passing the promotion order and there is likelihood that the order being passed in near future.

6. In this matter since the pleadings are complete and the matter is to be heard on merits with the consent of parties, there is possibility that it be concluded within fortnight also. In view thereof, the respondent no.1 is directed not to issue promotion order in favour of Mrs. Kolhe till further orders. The C.A. thus will be considered on merit along with O.A.

7. The learned counsel for the applicant submits that he wants to file some documents along with affidavit. He is permitted to do so provided the documents and affidavit be supplied well in advance to the Id. P.O.

8. With the consent of Id. counsel for parties the matter is admitted and kept for final hearing.

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

10. For the reasons stated in the affidavit, the appearance of respondent no.1 is now exempted for future hearing.

**S.O. 3/11/2017.**

**Vice Chairman (J)**

dnk.

O.A. 173/2006 (D.B.)

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

**Dated : 05.10.2017.**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

2. In view of the directions dated 27/9/2017 the respondent nos. 1&2 appeared before this Tribunal and filed affidavit on behalf of respondent no.1&2. The same is taken on record. Shri Sanjay Deshmukh, the Secretary of Medical Education and Drugs Department, Mantralaya, Mumbai has also filed separate affidavit and made unconditional apology, which is accepted.

3. For the reasons stated in the affidavit, the appearance of respondent no.1 is now exempted for future hearing.

4. Since the pleadings are now complete in this matter, the matter be kept for final hearing with the consent of Id. counsel for parties.

**S.O. 8/11/2017.**

**Vice Chairman (J)**

dnk.

Cont. Pet. 02/2015 in O.A. 642/2011(DB)

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

**Dated : 05.10.2017.**

Shri R.V. Shiralkar, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The learned P.O. submits that he has already given compliance affidavit on behalf of R-3. The learned counsel for the applicant submits that he will go through it and for that purpose he seeks two weeks' time. At his request, **S.O. 16/10/2017.**

**Vice Chairman (J)**

dnk.

O.A. 662/2012 (DB)

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

**Dated : 05.10.2017.**

**C.As.112 & 360 of 2017 in C.P.St.506/17**

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

On the last date, the learned P.O. filed reply-affidavit on behalf of R-2. The learned counsel for the applicant submits that he wants to go through the same and for that purpose he seeks two weeks time. At his request, **S.O. 16/10/2017.**

**Vice Chairman (J)**

dnk.

O.A.402/2014 (DB)

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

**Dated : 05.10.2017.**

**C.A.394/15 in CP St.1576/15**

None for the applicant.

Shri V.A. Kulkarni, Id. P.O. for R-1.  
Shri P.A. Kadu, Id. counsel for R-2.

At the request of Id. counsel for  
R-2, **S.O. two weeks.**

Matter be tagged along with  
Rev.App.03/2016 in O.A.402/14 (SB).

**Vice Chairman (J)**

dnk.

O.A.61/2010 (DB)

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

**Dated : 05.10.2017.**

**C.A.270/16 in CP St.1057/16**

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1&2. None for R-3.

2. The learned P.O. submits that while granting pensionary benefits to the applicant, some amount has been deducted wrongly and the same was required to be refunded to the applicant. The amount will be refunded within four weeks.



In view thereof, the matter be kept after **four weeks**.

**Vice Chairman (J)**

dnk.

O.A.112/2015 (DB)

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

**Dated : 05.10.2017.**

**C.A.281/16 in CP St.1092/16**

Shri N.D. Thombre, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

2. The learned counsel for the applicant submits that since last two years the applicant has not been paid regular pension and pensionary benefits. It seems that in spite of repeated orders from time to time, the amount is not released on one count on the other.

3. The learned P.O. submits that the entire pension and arrears of the pension and

all the dues will be paid to the applicant in any case within 15 days. Considering this statement, the matter be placed after two weeks for compliance. It is made clear that in case no compliance has been made within two weeks, the matter will be proceeded for contempt.

**S.O. two weeks.**

**Vice Chairman (J)**

dnk.

O.A.639/2009 (DB)

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

**Dated : 05.10.2017.**

**C.As.371/16 & 362/17 in CP St.1477/16**

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

2. The order to be complied in this case is passed in O.A. 639/2009 with other four C.As. on 28/4/2016. Out of the two orders to be complied i.e. para 28(b) and (c), admittedly the order Clause (b) has been complied and order Clause (c) is not yet complied. The learned P.O. submits that she could not be complied as the applicant did

not approach the office though requested from time to time for signing the pension papers and other documents.

3. The learned counsel for the applicant submits that he will take instructions from the client and will see that the applicant appears before the competent authority within two weeks. The matter be therefore kept on **16/10/2017**.

**Vice Chairman (J)**

dnk.

O.A.116/2015 (DB)

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

**Dated : 05.10.2017.**

**C.A.493/16 in C.P. St.1982/16**

Heard Shri M.R. Rajgure, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 and Shri Sachin D. Ukey, Id. counsel holding for Shri S.G. Jagtap, Id. counsel for R-2.

2. The respective Advocates admitted the fact that the impugned order passed by this Tribunal in O.A.116/2015 has been duly complied and therefore there is no need to initiate contempt proceeding.

3. The C.A. as well as Contempt Petition (Stamp) stand disposed of accordingly. No order as to costs.

**Vice Chairman (J)**

dnk.

O.A.75/2016 (DB)

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

**Dated : 05.10.2017.**

**C.A.63/17 in C.P. St.248/17**

Shri N.R. Saboo, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 3 and Shri S.S. Shinde, Id. counsel holding for Shri N. Bhalerao, Id. counsel for R-4.

2. The learned P.O. submits that the State has filed Writ Petition against the order passed by this Tribunal and it is in the office objection and there is likelihood matter will be coming before the Hon'ble High Court within

a short span. He therefore seeks two weeks time. At his request, **S.O. 16/10/2017.**

**Vice Chairman (J)**

dnk.

O.A.42/2016 (DB)

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

**Dated : 05.10.2017.**

**C.A.64/17 in C.P. St.246/17**

Shri N.R. Saboo, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 3 and Shri S.S. Shinde, Id. counsel for R-4.

2. The learned P.O. submits that the State has filed Writ Petition against the order passed by this Tribunal and it is in the office objection and there is likelihood matter will be coming before the Hon'ble High Court within

a short span. He therefore seeks two weeks time. At his request, **S.O. 16/10/2017.**

**Vice Chairman (J)**

dnk.

O.A.316/2016 (DB)

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

**Dated : 05.10.2017.**

**C.A. 105/17 in C.P. St.527/17**

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

The learned P.O. files reply-affidavit on behalf of R-2. It is taken on record and copy is given to the other side. He submits that the order of the Tribunal has been complied in letter and spirit. The learned counsel for the applicant submits that he has

received the copy of reply-affidavit today itself and he seeks time to go through the same.

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

**Vice Chairman (J)**

dnk.

O.A.386/2016 (DB)

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

**Dated : 05.10.2017.**

**C.A.109/17 in C.P. St.568/17**

Heard Shri A.S. Chakotkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. As per order dated 5/8/2016 in O.A.386/2016 the respondents were directed to pay interest on the delayed payment from 30/4/2014 till actual

payment of amount under each head @ 9% p.a. The said order was to be complied within four months. The learned P.O. has placed on record the copies of the relevant documents which is marked Exh-X, X-1 & X-2 and same has been supplied to the applicant. He submits that the applicant has been paid the entire interest as directed by this Tribunal and he has also filed the relevant documents.

3. The learned counsel for the applicant submits that the applicant might have received the amount and therefore he is not contacting his counsel. In any case since the order is complied, there is no reason to initiate the contempt proceeding. Hence, the C.A. as well as Contempt Petition (Stamp) stand disposed of with no order as to costs.

**Vice Chairman (J)**

dnk.



O.A.379/2014 (DB)

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

**Dated : 05.10.2017.**

**C.A.119/17 in C.P.St.620/17**

Shri R.D. Hajare, Id. counsel holding for Shri N.S. Khandewale, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

The respondent no.1 has filed affidavit stating that the order of the Tribunal has been complied. The learned counsel for the

applicant seeks time to go through the same.  
At his request, **S.O. 16/10/2017.**

**Vice Chairman (J)**

dnk.

O.A.90/2016 (DB)

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

**Dated : 05.10.2017.**

**C.A.254/17 in C.P.St.861/17**

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

2. The learned P.O. submits that the order was challenged before the Hon'ble High Court in W.P. No.5729/17 in which the order was passed on 11/9/2017 by the Hon'ble

High Court and the Hon'ble High Court observed that the Petitioner i.e. the State would be filed application for Review before this Tribunal. The learned P.O. submits that the State is filing application for Review within three weeks' at his risk and for that purpose he seeks time. At his request, **S.O. three weeks.**

**Vice Chairman (J)**

dnk.

O.A.574/2016 (DB)

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

**Dated** : **05.10.2017.**

**C.A.264/17 in C.P.St.8547/17**

Shri N.S.Warulkar, Id. counsel holding for Shri S.P. Palshikar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The learned P.O. submits that everything will be complied on or before 16/10/2017. At his request, **S.O. 16/10/2017.**

**Vice Chairman (J)**

dnk.

O.A.319/2017 (DB)

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

**Dated : 05.10.2017.**

**C.A.309/17 in C.P.St.1039/17**

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

2. The learned counsel for the applicant submits that the order of the Tribunal has been duly complied and therefore he wants to withdraw the C.A. for initiating contempt proceeding. In view thereof, the C.A. as well as contempt petition (st.) stands disposed of. No order as to costs.

**Vice Chairman (J)**

dnk.

O.A.804/11 (DB)

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

**Dated : 05.10.2017.**

**C.A.310/17 in C.P.St.944/17**

Shri P.R. Pudke, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The learned P.O. submits that the relevant bill has been sent to the Treasury and it will be passed within a short period and he seeks one week time. At his request, **S.O. one week.**

**Vice Chairman (J)**

dnk.

O.A.263/16 (DB)

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

**Dated : 05.10.2017.**

**C.A.382/17 in C.P.St.2168/17**

Shri R.D. Hajare, Id. counsel holding  
for Shri M.M. Sudame, Id. counsel for the

applicant and Smt. S.V. Kolhe, Id. P.O. for R-4. None for R-1 to 3.

At the request of Id. counsel for the applicant, **S.O. 16/10/2017.**

**Vice Chairman (J)**

dnk.

O.A.639/16 (DB)

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

**Dated : 05.10.2017.**

**C.A.392/17 in C.P.St.2244/17**

Shri P.V. Thakre, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1,2,3&5. None for R-4.

2. The learned P.O. submits that only 10% gratuity amount is to be paid to the applicant and it was not paid since some departmental enquiry was pending against the applicant in which he has been dropped and now No Due Certificate has been received day before yesterday only. He therefore seeks time to comply the order. At his request, **S.O. 16/10/2017**.

**Vice Chairman (J)**

dnk.

O.A.197/2016 (DB)

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

**Dated : 05.10.2017.**

**C.A.406/17 in C.P.St.2311/17**



Shri J.S. Deshmukh, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for R-1 & 2. None for R-3,4 & 6. Shri B.N. Jaipurkar, Id. counsel for R-5.

At the request of Id. P.O. as well as Id. counsel for R-5, **S.O. After Vacation.**

**Vice Chairman (J)**

dnk.

O.A.197/2016 (DB)

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

**Dated : 05.10.2017.**

**C.A.406/17 in C.P.St.2311/17**

Shri J.S. Deshmukh, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for R-1 & 2. None for R-3,4 & 6. Shri B.N. Jaipurkar, Id. counsel for R-5.

At the request of Id. P.O. as well as Id. counsel for R-5, **S.O. After Vacation.**

**Vice Chairman (J)**

dnk.

O.A.34/2016 (DB)

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

**Dated : 05.10.2017.**

**C.A.415/17 in C.P.St.2387/17**

Shri R.V. Shiralkar, Id. counsel holding for Shri A.C. Dharmadhikari, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The learned P.O. has taken objection to the fact that the personal notices were not received before filing contempt petition. The learned counsel for the applicant submits that he will issue personally notices to the condemner.

**S.O. After Vacation.**

**Vice Chairman (J)**

dnk.

O.A.804/2015 (DB)

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

**Dated : 05.10.2017.**

**C.A.436/17 in C.P.St.2459/17**

1. Heard Shri Bharat Kulkarni, Id. Advocate for the applicant and Shri S.A. Sainis, Id. P.O. for the State.
2. Fresh notice on application be issued returnable in **four weeks**.
3. Shri S.A.Sainis, 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.**

**Vice Chairman (J)**

dnk.

O.A.366/2015 (DB)

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

**Dated** : **05.10.2017.**

**C.A.462/17 in C.P.St.2492/17**

Shri S.R. Charpe, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

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

**Vice Chairman (J)**

dnk.

C.P. 03/17 in O.A.100/10 (DB)

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

**Dated** : **05.10.2017.**

Shri N.S. Warulkar, Id. counsel holding for Shri S.P. Palshikar, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. The learned P.O. files reply on behalf of R-3 and submits that the entire order of the Tribunal has been complied with. The same is taken on record and copy is given to the learned counsel for the applicant. The learned counsel for the applicant wants to go through the same. The learned P.O. wants to withdraw the affidavit filed on behalf of R-3 on 24/8/2017 (P-44 to 47) (both inclusive).

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

**Vice Chairman (J)**

dnk.

O.A.305/2013 (DB)

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

**Dated : 05.10.2017.**

**C.A.391/15 in C.P.St.1595/15**

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

2. In this application, the applicant has claimed permission to file contempt petition for non compliance of the order passed in O.As. 615/2011 & 305/2013 on 11<sup>th</sup> September,2014 by this Tribunal at Nagpur. The compliance which was to be made as per the order in para no.16 which is as under :-

*“(16) Accordingly, the O.As. stand disposed of.*

*(i) It is declared that the applicants are not entitled to protection so far as it relates to the promotional post which they secured on the basis that they belong to Scheduled Tribe. However, they shall be entitled to all the benefits admissible to the candidate belonging to Special Backward Class, since inception.*

*(ii) It is directed that the respondents shall undertake an in-depth exercise of re-fixing the seniority of the applicants by placing them in S.B.C. category and in the event they are found entitled to the promotional post/posts from the said category, they shall be promoted by giving them suitable deemed date/dates.*

*(iii) This process shall be completed as expeditiously as possible and in any event*



*within six months from the date of passing of this order.”*

3. The learned counsel for the applicant submits that as per the direction the seniority of the applicant was to be considered as he is belonging to SBC category, since inception and if the applicant is found entitled to promotional post from the said category, he was to be promoted.

4. The learned P.O. has placed on record the affidavit-in-reply on behalf of R-2&3 on 26/9/2017. In the said reply-affidavit it has been stated in para nos. 2&3 as under :-

*“(2) the answering respondents had filed their reply to the C.A. on 14/10/2015, thereby categorically stated that the applicant’s seniority has been fixed in the SBC category at sr.no.232 and there are 7 other SBC category candidates above the applicant. As there were 5 SBC candidates senior to the applicant, so the applicant is not eligible for entitled to get a promotion.*

*(3) It is submitted that after re-fixing the seniority of the applicant in the SBC category, the department had published the seniority*

*list on 28/6/2016. The covering letter along with the seniority list published on 28/6/2016 thereby every member of the said cadre has been intimated and having the knowledge about their placement in the seniority list. The department has not received any objection from the applicant regarding his placement in the seniority list till today. ”*

5. From the aforesaid affidavit it seems that the applicant's case for seniority in the list of SBC category has been considered and final seniority list is also prepared accordingly which was published on 28/6/2016. It is stated that the applicant's case cannot be considered for promotion since the applicant has been fixed at sr.no.232 in the seniority list and other 7 other SBC category candidates are above the applicant.

6. It is admitted therefore that the order of the Tribunal has been complied. If the applicant is aggrieved by his placement in the seniority list or denial of his promotion on any ground, he will be at liberty to file separate O.A. for that purpose. In view thereof, the C.A. as well as Cont. Petition (Stamp) stand disposed of.

**Vice Chairman (J)**

dnk.

Rev.App. 03/2016 in O.A.402/2014(SB)

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

**Dated : 05.10.2017.**

Shri P.A. Kadu, Id. counsel for the applicant (Original Resp.No.2), none for R-1 (Org. applicant) and Shri V.A. Kulkarni, Id. P.O. for R-2& 3 (Org.R-1&3).

**S.O. two weeks along with C.A. 394/15 in C.P. St. 1576/15 in O.A.402/2014 (D.B.)**

**Vice Chairman (J)**

dnk.

**O.A. No.329/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

**C.A. No.107/2017**

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

The Ld. P.O. has filed reply on behalf of R.4 as directed by this Tribunal vide order dated 22.8.2017. The same is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. The learned counsel for the applicant wants to go through it.

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

Vice-  
Chairman

pdg

**O.A. No.327/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

**C.A. No.343/2017**

Heard Shri N.S. Warulkar,  
learned counsel for the applicant  
and Shri A.M. Khadatkar, the  
learned P.O. for respondent Nos. 1  
to 3.

Await service to R.4.

The Ld. counsel for the  
applicant seeks one week's time to  
file service affidavit of R.4. Ld. P.O.  
also seeks time to file reply of R.1  
to 3.

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

Vice-

Chairman

pdg

**O.A. No.252/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

**C.A. No.475/2017**

Heard Shri R.Ramaswamy, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the Respondents 1 and 3. None for R.2.

The learned counsel for the applicant submits that he has been instructed by his client to withdraw the O.A., since it is reliably learnt that his proposal for revocation of suspension is

under consideration. He, therefore, seeks Permission to withdraw the O.A. with permission to file fresh O.A., in case the same is not considered favourably. In view thereof, O.A. stands disposed of as withdrawn with permission to file fresh O.A., if necessary. C.A. also stands disposed of.

Vice-  
Chairman

pdg

**O.A. No.322/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri D.R. Khape, Adv. holding for Shri R.L. Khapre, learned counsel for the applicant

and Shri S.A. Sainis, the  
learned P.O. for the Respondents

The learned counsel for the applicant submits that in view of the order at Exh.X, applicant's transfer has been cancelled and his grievance has been redressed. In view thereof, he submits that the matter be disposed of accordingly. In view of the submission made by the learned counsel for the applicant, O.A. stands disposed of accordingly.

Vice-

Chairman

pdg

**O.A. No.628/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**



Heard Shri M.V. Joshi, the learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the Respondents 1 and 3.

The learned counsel for the applicant submits that he has already filed service affidavit in respect of R. 1 and 3.

Respondent No.2 is served with R.P.A.D., but the receipt is not yet received.

Await service to R.2.

At the request of Ld. CPO, S.O. three weeks.

Vice-  
Chairman

pdg

**O.A. No.633/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the Respondents 1 to 3 and 6. None for respondent Nos. 4 and 5.

The learned counsel for the applicant files on record an affidavit of service of notice to all the respondents.

**S.O. 9<sup>th</sup> November 2017.**

Vice-  
Chairman

pdg

**O.A. No.658/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri A.P. Tathod, learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the Respondents.

The learned counsel for the applicant submits that all the respondents have been served and he will file service affidavit accordingly in the office.

The Ld. CPO seeks time to file reply.

**S.O. three weeks.**

Vice-  
Chairman

pdg

**O.A. No.402/2014.**

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

**Dated : 5<sup>th</sup> October 2017.**

**R.A. No.03/2016.**

Heard Shri R. Joshi, learned counsel for the applicant (original respondent No.2) and Shri P.N. Warjekar, the learned P.O. for the Respondent Nos.1 and 3. Shri S.P. Palshikar, Adv. for R.1. Shri A.N. Rane, Adv. for original applicant and 2 other respondents).

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

Vice-  
Chairman

pdg

**O.A. No.771/2016.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh,  
learned counsel for the applicant  
and Shri M.I Khan, the  
learned P.O. for the Respondents 1

to 3. Shri B.N. Jaipurkar, Adv. for R. 4 and 5.

Inspite of repeated chances, reply has not been filed on record by respondent Nos. 1 and 2. However, most last chance is granted subject to the condition that in case reply is not filed, matter will be heard on merit on the next date. Copy of reply if filed, shall be supplied in advance to the applicant.

**S.O. 9<sup>th</sup> November 2017.**

Vice-  
Chairman

pdg

**O.A. No.772/2016.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the Respondents 1 to 3 and 6. Shri B.N. Jaipurkar, Adv. for R. 4 & 5.

Reply of R.3 & 6 is already filed on record by the Ld. P.O.

**ADMIT.**

Shri A.P. Potnis, the learned P.O. waives notice for the Respondents 1 to 3 and 6.

Shri B.N. Jaipurkar, Adv. waives notice for R. 4 & 5.

S.O. **9<sup>th</sup> November 2017.**

Vice-

Chairman

pdg

**O.A. No.773/2016.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the Respondents 1 to 3 and 6. Shri B.N. Jaipurkar, Adv. for R. 4 & 5.

Reply of R.3 is already filed on record by the Ld. P.O.

**ADMIT.**

Shri A.P. Potnis, the learned P.O. waives notice for the Respondents 1 to 3 and 6.

Shri B.N. Jaipurkar, Adv. waives notice for R. 4 & 5.

**S.O. 9<sup>th</sup> November 2017.**



Vice-  
Chairman

Pdg

**O.A. No.23/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh,  
learned counsel for the applicant  
and Shri A.P. Potnis, the  
learned P.O. for the Respondents 1  
to 3 and 6. None for R. 4 and 5.

Reply of R.3 is already filed  
on record by the Ld. P.O.

**ADMIT.**

Shri A.P. Potnis, the  
learned P.O. waives notice for the  
Respondents 1 to 3 and 6.

**S.O. 9<sup>th</sup> November 2017.**

Vice-  
Chairman

pdg

**O.A. No.24/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri the learned P.O. for the Respondents 1 to 3 and 6. Shri A.P. Tathod, Adv. for R. 4 and 5.

Reply of R.6 is already filed on record by the Ld. P.O.

**ADMIT.**

Shri A.P. Potnis, the learned P.O. waives notice for the Respondents 1 to 3 and 6.

Shri A.P. Tathod, Adv. waives notice for R. 4 & 5.

**S.O. 9<sup>th</sup> November 2017.**

Vice-  
Chairman

Pdg

**O.A. No.249/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh, the learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the Respondents.

The learned counsel for the applicant submits that he will take instructions from his client either to

file an application for condonation  
of delay or to withdraw the O.A.

**S.O. 9<sup>th</sup> November 2017.**

Vice-

Chairman

pdg

**O.A. No.438/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri A.S. Chakotkar,  
learned counsel for the applicant  
and Shri S.A. Deo, the

learned C.P.O. for the Respondents.

At the request of learned P.O. , S.O. 8.11.2017 for filing reply as a last chance.

Vice-

Chairman

pdg

**O.A. No.476/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the Respondents 1 to 3 and 6. Shri A.P. Tathod, Adv. for R. 4 and 5.

The Ld. P.O. has filed reply on behalf of R.6. It is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. Ld. P.O. seeks time to file reply of other respondents.

Adv. for R. 4 and 5 seeks time to file reply.

**S.O. 9<sup>th</sup> November 2017.**

Vice-  
Chairman

Pdg

**O.A. No.477/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the Respondents 1 to 3 and 6. Shri B.N. Jaipurkar, Adv. for R. 4 and 5.

**S.O. 9<sup>th</sup> November 2017.**

Vice-  
Chairman

pdg

**O.A. No.478/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the Respondents 1 to 3 and 6. None for R. 4 and 5.

**S.O. 9<sup>th</sup> November 2017.**

Vice-  
Chairman

pdg



**O.A. No.479/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the Respondents 1 to 3 and 6. None for R. 4 and 5.

**S.O. 9<sup>th</sup> November 2017.**

Vice-  
Chairman

pdg

**O.A. No.601/2017.**

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

**Dated : 5<sup>th</sup> October 2017.**

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

The Ld. P.O. submits that the applicant was seeking for implementation of the order of his transfer dated 31.5.2017 whereby he has been transferred at Nagpur. The Ld. P.O.,

however, submitted copy of order dated 28.9.2017 from which it seems that the order of transfer in case of the applicant has been cancelled. In view thereof, in fact nothing survives. However, the learned counsel for the applicant seeks permission to go through the said order and to file amendment application, if any.

**S.O. two weeks.**

Vice-

Chairman

Pdg

**O.A. No.499/2014. (D.B.)**

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

**Dated : 5<sup>th</sup> October 2017.**

**C.P. No.05/2017.**

Heard Shri M.V. Mohokar, learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the Respondents.

As per order passed in O.A. No. 499/2014 on 3.3.2015, the respondents

were to decide the period of suspension according to law and release the outstanding terminal benefits to the applicant within three months. Even though the order is dated 3.3.2015 regularization order has been passed on 5.8.2017. It is stated that the bill has been submitted to the Treasury office, but due to office objection, it was returned back. The Ld. P.O. submits that three weeks' time may be granted. However, as a last chance, the respondents are directed to comply with the order by paying arrears to the applicant on or before 16.10.2017. The competent authority of the respondents may depute some special person for getting the bill passed.

S.O. **16<sup>th</sup> October 2017 for compliance.**

Vice-  
Chairman

pdg

