

O.A. No. 342/2009.

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

Dated : 04th August 2017.

C.A. No. 100/17:-

Heard Shri M.V.Mohokar, Id. counsel for the applicant. Shri A.M.Ghogre, the learned P.O. for the Respondents no. 1 & 2. Shri P.R.Pudke, Id. counsel for Respondents no. 3 & 4.

The applicant has filed this C.A. for grant of stay in D.P.C. meeting, scheduled in April, 2017 and interim stay to the seniority list. The Id. counsel for the applicant submits that the matter shall be heard on merits along with O.A. The Id. P.O. as well as the Id. counsel for R-3 & 4 have given consent for hearing the matter on merits. Since the matter is of 2009, **S.O. two weeks.**

Vice-Chairman(J)

aps

O.A. No. 614/2015.

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

Dated : 04th August 2017.

C.A. No. 317/17:-

Shri S.M.Khan, Id. counsel for the applicant. Shri P.N.Warjurkar, the learned P.O. for the Respondents no. 1 to 3. Shri G.Sengar, Id. counsel for Respondent no. 7. None for R-4, 5, 6 & 8.

For the reasons stated in the application for amendment the same is allowed i.e. C.A. is allowed. Since it will not changed the nature of the relief claimed in the O.A., it will be incorporated immediately. The respondent will be at liberty to file additional affidavit in view of the amendment. **S.O. four weeks.**

Vice-Chairman(J)

aps

O.A. No. 474/2017.

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

Dated : 04th August 2017.

Shri D.S.Sawarkar, Id. counsel for the applicant. Shri Khadatkar, the learned P.O. for the State. Await service of R-2 to 4.

The Id. counsel for the applicant submits that all the respondents are served and he will file the service affidavit within a day or two days. The Id. P.O. seeks four weeks time to file the reply affidavit. **S.O. four weeks.**

Vice-Chairman(J)

aps

O.A. No. 244/2013.

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

Dated : 04th August 2017.

Ms. N.S.Pathan, Id. counsel for the applicant. Smt. Kolhe, the learned P.O. for the R-1 to 3. None for R-4.

The Id. P.O. seeks time to file the additional affidavit for R-1 i.e. Maharashtra Public Service Commission. **S.O. three weeks.**

Vice-Chairman(J)

aps

O.A. No. 244/2013.

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

Dated : 04th August 2017.

Ms. N.S.Pathan, Id. counsel for the applicant. Smt. Kolhe, the learned P.O. for the R-1 to 3. None for R-4.

The Id. P.O. seeks time to file the additional affidavit for R-1 i.e. Maharashtra Public Service Commission. **S.O. three weeks.**

Vice-Chairman(J)

aps

O.A. No. 639/2015.

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

Dated : 04th August 2017.

Shri N.R.Bhishikar, Id. counsel for the applicant. Shri Khadatkar, the learned P.O. for the Respondents.

The matter is admitted. The Id. P.O. waives notices for all the respondents. Since the pleadings are competed in this matter. The matter will be kept whenever D.B. will available.

Vice-Chairman(J)

aps

O.A. No. 835/2016.

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

Dated : 04th August 2017.

Shri R.V.Shiralkar, Id. counsel for the applicant. Shri Pande, the learned P.O. for the sole Respondent.

The Id. P.O. seeks further time to file the reply to the amended portion. At the request of Id. P.O., **S.O. two weeks.**

Vice-Chairman(J)

aps

O.A. No. 384/2017.

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

Dated : 04th August 2017.

Shri S.P.Palshikar, Id. counsel for the applicant. Shri S.A.Sainis, the learned P.O. for the Respondents.

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

Vice-Chairman(J)

aps

O.A. No. 404/2017.

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

Dated : 04th August 2017.

None for the applicant. Shri A.M.Ghogre, the learned P.O. for the Respondents.

The applicant has not removed the office objection. Hence, the matter will be kept after one week for dismissal. **S.O. after one week.**

Vice-Chairman(J)

aps

O.A. No. 414/2017.

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

Dated : 04th August 2017.

Leave note of the applicant. Shri S.A.Sainis, the learned P.O. for the Respondents.

The Id. P.O. seeks time to file the reply affidavit, **S.O. three weeks.**

Vice-Chairman(J)

aps

O.A. No. 797/2016.

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

Dated : 04th August 2017.

Shri S.N.Gaikwad, the Id. counsel for the applicant. Shri Kulkarni, the learned P.O. for the Respondents.

The Id. counsel for the applicant seeks two weeks time to file the rejoinder. He has already taken so many chances to file the rejoinder. Since the pleadings are completed in this matter. The matter is admitted, with liberty to file the rejoinder. **The Id. P.O. waives notices for all the respondents. The matter will be kept whenever the D.B. will available.**

Vice-Chairman(J)

aps

O.A. No. 282/2013.

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

Dated : 04th August 2017.

Shri S.P.Palshikar, the Id. counsel for the applicant. Shri A.M.Ghogre, the learned P.O. for the Respondents.

On 07/07/2017 there was specific order passed by this Tribunal that the reply of Respondent no. 1, i.e. Secretary, P.W.D. is necessary and therefore the time was granted on the request of Id. P.O. for filling the reply. Today the Id. P.O. submitted that he has been instructed by the competent authority to adopt the reply of Respondent no. 2 & 3. However, that cannot be said to be compliance with the order dated 07/07/2017. Instead of specific order, if the Respondent no. 1 does not want to file reply affidavit then it will be presumed that there is no reply from Respondent no. 1. The Id. P.O. is therefore, directed to take instructions in writing from the Secretary, P.W.D. whether he wants to file reply affidavit, in view of the order dated 07/07/2017. **S.O. two weeks.**

Steno copy granted.

O.A. 06/2017

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

Dated : 04.08.2017.

There is a leave note from Shri Bharat Kulkarni, 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. 504/2016

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

Dated : 04.08.2017.

There is a leave note from Shri Bharat Kulkarni, 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. 265/2016

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

Dated : 04.08.2017.

None for the applicant.

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

The matter has been circulated at the request of Id. Counsel for the applicant and it has been kept for final hearing. However, today none appeared for the applicant. Hence, the matter be kept for dismissal after **two weeks**.

Vice Chairman (J)

dnk.

O.A. 818/2015

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

Dated : 04.08.2017.

None for the applicant.

Shri A.M. Khadatkar, Id. P.O. for the
respondent nos. 1&2. Ms. M.S. Joshi, Id.
Counsel holding for Shri V.P. Maldhure, Id.
Counsel for R-3.

At the request of Id. Counsel for R-3,

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A. 123/2014

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

Dated : 04.08.2017.

None for the applicant. Smt. S.V. Kolhe, Id. P.O. for the Respts.

On the earlier date i.e. on 25/7/2017 also none appeared for the applicant and therefore the matter is kept for dismissal on today's board. Today also none appeared for the applicant. Hence, the O.A. stands dismissed in default. No order as to costs.

Vice Chairman (J)

dnk.

O.A.Nos. 758,761 & 762 of 2013

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

Dated : 4.08.2017.

Shri P.S. Patil, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the Respondents.

At the request of Id. P.O., **S.O. one week** for filing additional affidavit-in-reply.

Put up along with other similar matter.

Vice Chairman (J)

dnk.

O.A.390/2014

Coram : Hon. Shri J.D.Kulkarni,

Vice-Chairman (J).

Dated : 4.08.2017.

Shri S.M. Pande, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the Respts.

S.O. one week along with other similar matters.

Vice Chairman (J)

dnk.

O.A.381/2011

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

Dated : 4.08.2017.

Shri S.M. Pande, Id. counsel holding for Shri S. Borkar, Id. Counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the Respts.

At the request of Id. Counsel for the applicant, **S.O. 7/8/2017.**

Vice Chairman (J)

dnk.

O.A.567/2017

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

Dated : 4.08.2017.

None for the applicant.

Shri S.A. Deo, Id. CPO for the State.

S.O. four weeks.

Vice Chairman (J)

dnk.

O.A.440/2017

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

Dated : 4.08.2017.

Shri P.P. Khaparde, Id. Counsel for
the applicant and Shri V.A. Kulkarni, Id. P.O.
for the respondents.

The learned counsel for the applicant submits that he has already filed service affidavit on behalf of the respondents.

S.O. two weeks for filing reply.

Vice Chairman (J)

dnk.

O.A.252/2017

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

Dated : 4.08.2017.

Shri R. Ramaswamy, Id. Counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1&3 and none for R-2.

On 21/7/2017 a last chance was granted with clear understanding that if the

reply is not filed, heavy cost will be saddled. The learned P.O. submits that he has received the parawise reply and he will file reply on Monday. Considering this period, the learned counsel for the applicant submits that the matter may be heard on merits on Monday, even if the reply is not filed.

Hence, the matter be kept for final hearing on 7/8/2017.

Vice Chairman (J)

dnk.

O.A.101/2017

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

Dated : 4.08.2017.

Heard Shri V.A. Kothale, Id. Counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondents.

The learned counsel for the applicant files Rejoinder to the reply of R-3. It is

taken on record. Copy is served to the Id. P.O.

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. four weeks.

Vice Chairman (J)

dnk.

O.A.486/2017

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

Dated : 4.08.2017.

Smt. T.D. Khade, Id. Counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2 to 4.

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

Vice Chairman (J)

dnk.

O.A.427/2017

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

Dated : 4.08.2017.

Shri S.M. Khan, Id. Counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2 to 4.

At the request of Id. Counsel for the applicant, **S.O. three weeks.**

Vice Chairman (J)

dnk.

O.A.145/2017

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

Dated : 4.08.2017.

Shri M.V. Bute, Id .counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

The learned counsel for the applicant submits that he will file service affidavit today itself.

The learned P.O. submits that there is no need to file reply of R-2&3. Ld. Counsel for the applicant submits that he wants to file rejoinder.

Since the pleadings are complete, matter is admitted and kept for final hearing.

The learned P.O. waive notice for the respondents.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A.81/2017

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

Dated : 4.08.2017.

Shri P.S. Patil, Id. Counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondent nos. 1&2, Await service of R-2.

Ld. Counsel for the applicant submits that he has already filed service affidavit along with the acknowledgment.

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

Vice Chairman (J)

dnk.

O.A.557/2013

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

Dated : 4.08.2017.

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

On 26/7/2017 the C.A. for brining L.Rs. was allowed and the names of L.Rs. were to be incorporated on the same day and the abatement was also set aside. Thereafter the matter was kept for hearing on 2/8/2017. On 2/8/2017 none appeared for the applicant and therefore the matter was kept for dismissal today. Today also none appeared for the applicants. The applicant no.2 was reported to be dead as per order dated 13/10/2016 and since then the Id. Counsel for the applicant has not taken any steps in spite of repeated opportunities. In

view thereof, the O.A. stands dismissed as abated.

Vice Chairman (J)

dnk.

O.A.467/2017

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

Dated : 4.08.2017.

C.A. 348/2017

Heard Shri K.A. Asawa, Id. Counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

Perused the application. The applicant wants to add para nos. 4.18, 4.19 & 4.20. I am satisfied that said addition may not change the nature of the O.A. and the same is required to be added due to subsequent events. The application for amendment is therefore allowed. The learned counsel for the applicant submits that she will incorporate the amendment within a week. The amended copy be supplied to the Id. P.O.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A.442/2017

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

Dated : 4.08.2017.

C.A.292/2017

Heard Shri P.P. Khaparde, Id. Counsel for the applicants and Shri S.A. Deo, Id. P.O. for R-1. Await service of R-2 to 4.

2. The learned counsel for the applicants seeks further time to file service affidavit on behalf of R-2 to 4.

3. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. disposed of accordingly.

O.A. 442/2017 –

Issue notice to R-2 to 4, returnable in four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

3. 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.

4. 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.

5. 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.

6. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A.441/2017

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

Dated : 4.08.2017.

C.A.291/2017

Heard Shri P.P. Khaparde, Id. Counsel for the applicants and Shri S.A. Deo, Id. P.O. for R-1. Await service of R-2 to 4.

2. The learned counsel for the applicants seeks further time to file service affidavit on behalf of R-2 to 4.

3. By this C.A., the applicants are seeking leave to sue jointly. For the reasons stated in the C.A., leave to sue jointly as prayed for is granted, subject to the applicants paying requisite court fees, if not already paid. C.A. disposed of accordingly.

O.A. 442/2017 –

Issue notice to R-2 to 4, returnable in four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

3. 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.

4. 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.

5. 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.

6. **S.O. four weeks.**

Vice Chairman (J)

dnk.