

O.A. 299/2017

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

**Dated : 09.08.2017.**

Shri N.R. Saboo, Id. counsel for the applicant and Shri H.K. Pande, Id. counsel for R-1 to 3. None for R-4.

Ld. P.O. submits that he will file reply-affidavit during the course of day. At his request, **S.O. four weeks.**

**Vice Chairman (J)**

dnk.

O.A. 291/2017

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

**Dated : 09.08.2017.**

Heard Shri N.D. Thombre, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 5 and none for R-6.

2. Ld. P.O. submits that respondent no.2 is adopting the reply of respondent no.3. He has also placed on record the copy of intimation letters to that effect which are marked Exh-X & X1.

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

4. The learned P.O. waives notice for R-1 to 5.

**S.O. three weeks.**

**Vice Chairman (J)**

dnk.

O.A. 258/2017

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

**Dated : 09.08.2017.**

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

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

**Vice Chairman (J)**

dnk.

O.A. 215/2017

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

**Dated : 09.08.2017.**

Shri G.K. Bhusari, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the Respts.

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

**Vice Chairman (J)**

dnk.

O.A. 199/2017

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

**Dated : 09.08.2017.**

Heard Shri S.C. Deshmukh, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the Respts.

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

Ld. P.O. waives notice for the respondents.

**S.O. 4/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 142/2017

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

**Dated : 09.08.2017.**

Shri S.P. Palshikar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the Respts.

Ld. P.O. files reply-affidavit on behalf of R-1 to 4. The copy has been served on the applicant. The Id. counsel for the applicant wants to go through the same. At his request, **S.O. two weeks.**

**Vice Chairman (J)**

dnk.

O.A. 119/2017

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

**Dated : 09.08.2017.**

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

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

dnk.

**Vice Chairman (J)**

O.A. St. 364/2016

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

**Dated : 09.08.2017.**

**C.A. 116/2016**

Heard Smt. K.R. Shukla, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1&2. Await service of R-3.

**Closed for orders.**

**Vice Chairman (J)**

dnk.



O.A. 113/2017

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

**Dated : 09.08.2017.**

**C.A.53/2017**

Shri R.V. Shiralkar, Id. counsel for  
the applicant and Shri V.A. Kulkarni, Id.  
P.O. for the Respts.

At the request of Id. counsel for the  
applicant, **S.O. 4/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 157/2016

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

**Dated : 09.08.2017.**

**C.A. 305/2017**

Heard Shri P.V. Thakre, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. None for R-2.

For the reasons stated in the application, the C.A. for bringing L.Rs. on record is allowed in the interest of justice and equity by condoning the delay for bringing L.Rs. on record.

**O.A. 157/2016 –**

**S.O. whenever regular Division Bench is available.**

dnk.

**Vice Chairman (J)**

O.A. 25/2017

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

**Dated : 09.08.2017.**

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

Ld. P.O. files reply on behalf of R-1 & 2. It is taken on record. She submits that R-3 is also adopting the reply of R-1&2.

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

Ld. P.O. waives notice for the respondents.

**S.O. in due course.**

**Vice Chairman (J)**

dnk.

O.A. 65/2017

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

**Dated : 09.08.2017.**

Shri G.G. Mishra, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1. Await service of R-2&3.

Ld. counsel for the applicant seek one week's time to file service affidavit. Ld. P.O. also seeks time to file reply of R-1. Time is granted.

**S.O. four weeks.**

**Vice Chairman (J)**

dnk.

O.A. 138/2017

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

**Dated : 09.08.2017.**

Shri A.P. Tathod, Id. counsel for the applicant and Shri S.A. Sainis, Id .P.O. for R-1. Await service of R-2&3.

Ld. counsel for the applicant submits that he will remove the objection today itself. He seeks one week's time to file acknowledgement in respect of service affidavit of R-2&3. At his request, **S.O. one week.**

**Vice Chairman (J)**

dnk.

O.A. 452/2017

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

**Dated : 09.08.2017.**

Shri S.N. Gaikwad, Id .counsel holding for Shri V.B. Gawali, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1. Await service of R-2 to 4.

Ld. counsel for the applicant undertakes to file service affidavit during the course of day. Ld. P.O. also seeks time to file reply.

At the request of both the sides,  
**S.O. four weeks.**

**Vice Chairman (J)**

dnk.

O.A. 530/2017

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

**Dated : 09.08.2017.**

Shri P.S. Wathore, Id. counsel for the applicant and Shri S. A. Deo, Id. CPO for R-1. Await service of R-2&3.

The learned counsel for the applicant files Pursis whereby it has been mentioned that notice of R-2 has been served by registered post. Whereas respondents has been served by hand delivery. The acknowledgements are also placed on record.

The Id. CPO seeks time to file reply.

**S.O. three weeks.**

**Vice Chairman (J)**

dnk.

O.A. 823/2016

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

**Dated : 09.08.2017.**

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

Ld. P.O. files reply on behalf of the respondents. It is taken on record. Since the similar matters are admitted, this matter is also admitted and tagged along with O.A.Nos.

The Id. P.O. waives notice for the respondents.

**Vice Chairman (J)**

dnk.



O.A. 325/2017

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

**Dated : 09.08.2017.**

Shri A.V. Bhide, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 and Shri P.D. Meghe, Id .counsel for R-2.

Ld. counsel for the applicant files rejoinder. It is taken on record. Copies are served on the other sides.

**Closed for orders.**

**Vice Chairman (J)**

dnk.

O.A. 376/2017

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

**Dated : 09.08.2017.**

Shri N.N. Thengre, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1 to 4. None for R-5.

Ld. P.O. files reply of R-1 to 4. It is taken on record. Copy is served on the applicant.

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

Ld. P.O. waives notice for the respondents.

**S.O. Next week.**

**Vice Chairman (J)**

dnk.

O.A. 415/2017

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

**Dated : 09.08.2017.**

Shri A.N. Ansari, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

Ld. counsel for the applicant files pursis along with copy of the birth certificate of his daughter. The same is taken on record. Copy is already served on the Id. P.O. Ld. P.O. requests for filing reply. At his request, **S.O. four weeks**.

**Vice Chairman (J)**

dnk.

O.A. 445/2017

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

**Dated : 09.08.2017.**

Shri D.M. Kakani, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 and Shri S.N. Gaikwad, Id. counsel for R-2. None for R-3.

Ld. P.O. files reply of R-1. It is taken on record. Copies are served on the other sides.

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

Ld. P.O. as well as Id. counsel for R-2 waives respective notices.

**S.O. 16/9/2017.**

**Vice Chairman (J)**

dnk.

O.A. 571/2017

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

**Dated : 09.08.2017.**

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1.

2. Issue notice to R-2 and 3, returnable in two weeks. Learned 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. The issue of interim relief is kept open.

8. **S.O. two weeks.**

**Vice Chairman (J)**

dnk.

O.As. 736/2016 & 776/2016

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

**Dated : 09.08.2017.**

Shri M.R. Khan, Id. counsel for the applicants and Shri M.I. Khan, Id. P.O. for the Respts.

At the request of Id. counsel for the applicants, **S.O. Next week.**

**Vice Chairman (J)**

dnk.

O.A. 586/2017

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

**Dated : 09.08.2017.**

Heard Shri P.V. Thakre, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the State.

2. The applicant is Medical Superintendent (Group-A). He was posted at Balapur, Dist. Akola vide order dated 13/10/2016 (A-1,P-9) but within 10 months of his tenure he has been transferred from Balapur to Amravati vide order dated 5/8/2017 (A-2, P-13) . The said order has been challenged in this O.A. The applicant has not completed his tenure, but the order seems to be passed as per the provisions of Section 4 (4) (2) & 4 (5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. It will be necessary to see as to what was need to transfer the applicant before completion of his tenure. The learned counsel for the applicant submits that the



applicant is yet not relieved and nobody is posted in his place. In view thereof, issue notices to R-2&3 returnable within four weeks. The respondents are directed not to relieve the applicant from his post at Balapur, if not yet relived till filing of the reply-affidavit.

3. Issue notice to R-2 and 3, returnable in **four weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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 O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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 affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. **S.O. four weeks.**

dnk.

**Vice Chairman (J)**

O.A. 582/2017

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

**Dated : 09.08.2017.**

Heard Shri M.R. Khan, Id. Counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the State.

2. Vide impugned order dated 17/7/2017 (A-1,P-18) the applicant has been promoted from the post of Junior Clerk to Senior Clerk and has been transferred on promotional post from Akola to Amravati. According to the Id. Counsel for the applicant, number of persons have filed representations for modification of their orders and the same were accepted by the competent authority. However, applicant's prayer for modification of order has not been accepted. From the record it seems that the impugned order has been passed on 17/7/2017, the representation after transfer order is filed on 26/7/2017. The O.A. is filed on 7/8/2017. The statutory period is not completed for approaching the Tribunal. Prima facie the application seems to be premature. However, in the interest of justice issue notice to R-2 and 3, returnable in **three weeks**. Learned 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. three weeks.**

**Vice Chairman (J)**

dnk.

O.A. 36/2017 with C.A.105/2017

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

**Dated : 09.08.2017.**

**C.A. 105/2017 –**

Heard Shri N.R. Saboo, Id. Counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1&4 and Shri S.D. Ukey, Id. Counsel holding for Shri S.G. Jagtap, Id. Counsel for R-2&3.

2. On 13/4/2017 this Tribunal was pleased to grant time to file reply-affidavit on condition that till reply was filed, the amount vide impugned order shall not be recovered. inspite of such stay it is stated that the respondents have recovered the amount and therefore the application for Interim Relief is allowed. The respondents are directed not to recover the amount till final decision of this O.A. The C.A. is accordingly allowed.

**O.A. 36/2017 -**

Heard Shri N.R. Saboo, Id. Counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1&4 and Shri S.D. Ukey, Id.

Counsel holding for Shri S.G. Jagtap, Id.  
Counsel for R-2&3.

2. The learned counsel for R-2&3 files reply affidavit to the O.A.. It is taken on record. Copies are served to the other sides.

3. The learned P.O. submits that the respondent no.1 does not want to file separate reply.

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

5. The Id. P.O. waives notice for the respondents.

6. **S.O. three weeks.**

**Vice Chairman (J)**

dnk.

O.A. 471/2017

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

**Dated : 09.08.2017.**

Heard Shri N.R. Saboo, Id. Counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 and Shri Anoopsingh Abhijeet Parihar, Id. Counsel for R-2.

2. In view of the order dated 26/07/2017, the CEO, Gondia Mr. Mangesh Mohite is present before this Tribunal and has claimed unconditional apology and the same has been accepted. He has also placed on record affidavit to that effect dated 7/8/2017. The CEO, Gondia Mr. Mangesh Mohite submitted that order of allowing the applicant to join has been issued. He has also placed on record the copy of said order dated 9/8/2017 which is marked Exh-X from which it seems that the applicant has already joined on his post with immediate effect.

3. The learned counsel for the applicant submits that the applicant has

not received the salary since he was relieved from his earlier post till today. The CEO, Gondia Mr. Mangesh Mohite submitted that he will issue necessary order regularizing the period and will see that the applicant get said salary as early as possible.

4. In view of above submission, nothing remains in the O.A. and therefore the O.A. stands disposed of accordingly. No order as to costs.

**Vice Chairman (J)**

dnk.



O.A. 375/2016

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

**Dated : 09.08.2017.**

**C.A.372/2017 -**

Heard Shri B.D. Pandit, Id. Counsel for the applicants and Shri M.I. Khan, Id. P.O. for the respondents.

2. In the O.A. the applicant claimed relief on the basis of G.R. dated 1/4/2010 which has been subsequently withdrawn and a new Circular dated 13/6/2016 has been issued by the respondents. The applicant wants to challenge said G.R. dated 13/6/2016 in this O.A. It is stated that similar order filed in O.A.681/2015 and the said was allowed.

3. In view thereof, the application for amendment is allowed in the interest of justice and equity. The learned counsel for the applicant submits that he will carry out necessary amendment within one week and amended copy be served on the respondents. The respondents will be at liberty to file reply-affidavit.

Matter be tagged along with  
681/2015.

dnk. **Vice Chairman (J)**

O.A. 540/2017

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

**Dated : 09.08.2017.**

**C.A.381/2017 -**

Heard Shri P.S. Sahare, Id. Counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1,2&4. None for R-3.

2. In this O.A. the applicant has challenged the transfer order dated 30/5/2015 in respect of the applicant so also relieving order dated 21/6/2017. During the pendency of the application and O.A. the applicant has filed O.A. 540/2017 whereby he wants to place on record the letter dated 28/7/2017 along with copy of representation filed by the applicant on 29/7/2017 for considering his transfer on the ground that he is due for retirement within 13 months.

3. The learned counsel for the applicant submits that the application may be disposed of by issuing direction to respondent no.2 to take decision on his representation within stipulated time framed limit.

4. In view of submission as above, the application stands disposed of with direction to respondent no.2 to take decision on the applicant's representation dated 28/7/2017 within a period of four weeks for the date of this order. The decision shall be communicated to the applicant in writing. The applicant will be at liberty to file separate O.A. in case representation is not considered in her favour.

5. Consequently the C.A. as well as O.A. stand disposed of. No order as to costs.

**Vice Chairman (J)**

dnk.

**O.A. No. 583/2017.**

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

**Dated : 9<sup>th</sup> August 2017.**

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

learned C.P.O. for respondent No.1.

2. Issue notice to respondents 2 to 4 returnable after **four weeks.**

3. S.A. Deo, the learned C.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 need 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 O.A.

6. 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.

7. 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.

8. S.O. **four weeks.**

Vice-

Chairman(J)

pdg

**O.A. No. 449/2005.**

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

**Dated : 9<sup>th</sup> August 2017.**

**M.C.A.Nos. 58 & 59 of 2016.**

None for the applicant. Shri A.M. Khadatkar, the learned P.O. for the respondents.

Ld. P.O. seeks time to file reply affidavit on behalf of the respondents.

**S.O. two weeks.**

Vice-  
Chairman(J)

pdg

**O.A. (St.) No. 2197/2016.**

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

**Dated : 9<sup>th</sup> August 2017.**

**C.A.No. 533 /2016.**

Shri R.V. Shiralkar, Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 & 2. None for R.3.

Inspite of repeated chances, no reply has been filed to the application for condonation of delay. Delay is of 2 years and 4 months. For the reasons stated in the application, it is allowed.

Respondents are directed to file reply affidavit to the O.A. within four weeks.

**S.O. four weeks.**



Vice-  
Chairman(J)

Pdg

**O.A. No.788 /2016.**

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

**Dated : 9<sup>th</sup> August 2017.**

**C.A.No. 242 /2017.**

Heard Shri A.C. Dharmadhikari, Ld. counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondents.

2. By virtue of this amendment, the applicants want to add some paras in the O.A. It is stated that during the pendency of application, the applicants came to know about certain facts as regards procedural aspects of examination. The respondents have filed a detailed reply to

the said application. For the reasons stated in the application, application for amendment is allowed in the interest of justice and equity. It be incorporated within one week. Ld. C.P.O. has already filed a detailed reply affidavit to the amendment application. However, if he wants to file reply affidavit, he will be at liberty to file the same to the amended pleadings or may adopt his reply, as the case may be.

3. The learned CPO suggested that since the pleadings in the O.A. are complete, matter be admitted and kept for final hearing, for which the learned counsel for the applicant has no objection.

**O.A. No.788 /2016.**

4. In view thereof, O.A. is admitted and kept for final hearing on **6<sup>th</sup> September 2017.**

5. Shri S.A. Deo, the learned C.P.O. waives notice for the respondents.

6. The Ld. CPO objected for allowing the application. Applicant to supply a copy of amended O.A. to the Ld. CPO.

S.O. 6<sup>th</sup> September 2017.

Vice-

Chairman(J)

pdg

O.A. No.768 /2016.

Coram: Shri J.D. Kulkarni,  
Vice-Chairman (J).  
Dated : 9<sup>th</sup> August 2017.

**C.A.No. 370 /2017.**

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

During the pendency of the O.A., order dated 21.9.2016 has been passed by the respondents. The applicant wants to challenge that order by amending the O.A. For the reasons stated in the application, application for amendment is allowed, since it will not change the nature of pleadings and claim. The respondents will get an opportunity to file reply affidavit to the amended pleadings.

Applicant is directed to supply the copy fo the amended O.A. to the Ld. P.O. Amendment to be carried out within one week.

S.O. **one week.**

Vice-

Chairman(J)

Pdg

**O.A. No. 541/2016.**

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

**Dated : 9<sup>th</sup> August 2017.**

**C.A.No. 380 /2017.**

Heard Shri S.P. Palshikar, the Ld. counsel for the applicants and Smt. S.V. Kolhe, the learned P.O. for the respondents.

2. Ld. P.O. has filed reply affidavit of R.1. The same is taken on record and a copy thereof is supplied to the Ld. counsel for the applicants.

3. The applicants are claiming similar relief on the basis of same cause of action. The Ld. counsel for the applicants submits that this case has been covered by the earlier decision of this Tribunal in O.A.No.635/2016 dated 13.12.2016. The respondents may file affidavit in reply, if they think that the claim of the applicant is not valid. In view thereof, application to sue jointly is allowed.

S.O. **two weeks.**

Vice-

Chairman(J)

Pdg

**O.A. No. 277/2017.**

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

**Dated : 9<sup>th</sup> August 2017.**

Heard Shri G.C. Khond, the Ld. counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents.

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

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

Vice-

Chairman(J)

Pdg

**O.A. No. 429/2017.**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 9<sup>th</sup> August 2017.**

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

On 28<sup>th</sup> June 2017, a detailed order was passed condoning the delay and notices were issued to the respondents. Applicant was directed to collect hamdast notice and, therefore, matter was kept today. Today also, nobody is present for the applicant. Hence, the matter be kept for dismissal on 31.8.2017.

S.O. 31.8.2017.

Vice-

Chairman(J)

Pdg

O.A. No. 512/2017.

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

**Dated : 9<sup>th</sup> August 2017.**

Heard Miss Rashi Deshpande, Ld. counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents.

The Ld. counsel for the applicants submits that she will collect hamdast



notice today itself and will serve the respondents.

S.O. **four weeks.**

Vice-

Chairman(J)

Pdg

O.A. No. 72/2017.

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 9<sup>th</sup> August 2017.**

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

At the request of Ld. P.O., S.O. **two weeks** for filing reply affidavit of R.2.

Vice-

Chairman(J)

Pdg

**O.A. No. 87/2017.**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 9<sup>th</sup> August 2017.**

Heard Shri R.V. Shiralkar, Adv. holding for Shri M.M. Sudame, Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

The Ld. P.O. has filed reply affidavit of R.1. 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. **three weeks** for filing rejoinder, if any.

Vice-  
Chairman(J)

Pdg

**O.A. Nos. 260 & 262 of 2017.**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 9<sup>th</sup> August 2017.**

Heard Shri G.C. Khond, Ld. counsel for the applicants and Shri A.M. Ghogre, the learned P.O. for the respondents.

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

Vice-  
Chairman(J)

Pdg

**O.A. No. 346 /2017.**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 9<sup>th</sup> August 2017.**

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

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

Vice-  
Chairman(J)

Pdg

**O.A. No. 580 /2017.**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 9<sup>th</sup> August 2017.**

Heard Shri N.R. Saboo, Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for respondent No.1.

2. Issue notice to respondents 2 & 3 returnable after **four weeks.**

3. S.A. Deo, the learned C.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 need 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 O.A.

6. 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.

7. 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.

8. S.O. **four weeks.**

Vice-  
Chairman(J)

Pdg

**O.A. No. 581/2017.**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 9<sup>th</sup> August 2017.**

Heard Shri N.R. Saboo, Ld.  
counsel for the applicant and Shri S.A.



Deo, the learned C.P.O. for respondent No.1.

2. Issue notice to respondents 2 to 4 returnable after **four weeks**.

3. S.A. Deo, the learned C.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 need 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 O.A.

6. 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.

7. 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.

8. S.O. four weeks.

Vice-

Chairman(J)

Pdg

**O.A. No. 584/2017.**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 9<sup>th</sup> August 2017.**

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

2. The applicant has been selected and waitlisted to the post of Deputy Director of Education and options were asked as per letter dated 5.4.2017 for posting. The applicant accordingly has submitted his option. The promotion order is subject to outcome of the departmental enquiry. According to the applicant, some juniors to him have been promoted, though serious offences have been registered against them, whereas no action has been taken against the applicant in the departmental enquiry for a prolonged period and now after a lapse of two years, enquiry is proceeded further and the promotion is denied to the applicant. Reply of the respondents is necessary in this matter.

3. Hence, issues notice to the respondents returnable after **four weeks.**

4. Shri S.A. Deo, the learned C.P.O. waives notice for respondent Nos.1 and 2. 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.

9. S.O. **four weeks.**

Vice-  
Chairman(J)

Pdg

**O.A. No. 585/2017.**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 9<sup>th</sup> August 2017.**

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

2. The applicant has been selected and waitlisted to the post of Deputy Director of Education and options were asked as per letter dated 5.4.2017 for posting. The applicant accordingly has submitted his option. The promotion order is subject to outcome of the departmental enquiry. According to the applicant, some juniors to him have been promoted, though serious offences have

been registered against them, whereas no action has been taken against the applicant in the departmental enquiry for a prolonged period and now after a lapse of two years, enquiry is proceeded further and the promotion is denied to the applicant. Reply of the respondents is necessary in this matter.

3. Hence, issues notice to the respondents returnable after **four weeks.**

4. Shri S.A. Deo, the learned C.P.O. waives notice for respondent Nos.1 and 2. 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.

9. S.O. **four weeks.**

Vice-  
Chairman(J)

Pdg

**O.A. No. 173/2006.**

**Coram: Shri J.D. Kulkarni,**  
**Vice-Chairman (J).**  
**Dated : 9<sup>th</sup> August 2017.**

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

Ld. P.O. seeks time to file reply to  
the amended O.A.

S.O. **three weeks.**

Vice-  
Chairman(J)

Pdg