

O.A. No. 158/2018 **(SB)**

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

Dated : 25.02.2019

C.A. 56/2019 -

Shri K. Nalamwar, 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.**
Next week.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 828/2018 (SB)

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

Dated : 25.02.2019

Shri A.S. Ambatkar, 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.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 834/2018 (SB)

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

Dated : 25.02.2019

Shri G.G. Bade, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 4 & 6. Await service of R-5.

The learned counsel for the applicant submits that he will collect the hamdast of R-5 and for that purpose he seeks further time. At his request, **S.O. four weeks.**

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 952/2018 (SB)

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

Dated : 25.02.2019

Shri O.Y. Kashid, 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.**
25/03/2019 for filing reply.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 985/2018 **(SB)**

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

Dated : 25.02.2019

Shri S.B. Bawanthade, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2.

Shri S.N. Gaikwad, Id. counsel appears on behalf of R-3 and submits that he will file vakalatnama to that effect. He seeks further time.

The learned counsel for the applicant submits that he will file service affidavit of respondent no.2 during the course of day. He is permitted to do so.

At the request of learned counsel for R-3, **S.O. two weeks.**

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 894/2018 (SB)

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

Dated : 25.02.2019

Shri S.U. Nemade, 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. two
weeks** for filing reply.

Put up along with O.A.919/2018.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 919/2018 (SB)

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

Dated : 25.02.2019

Shri S.U. Nemade, 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. two weeks** for filing reply.

Put up along with O.A.894/2018.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 795/2018 (SB)

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

Dated : 25.02.2019

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

At the request of Id. P.O., **S.O.**
26/02/2019 for filing reply.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 24/2019 (SB)

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

Dated : 25.02.2019

Shri D.P. Dapurkar, Id. counsel for
the applicant and Shri S.A. Deo, Id.
C.P.O. for the respondents.

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

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 119/2019 (SB)

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

Dated : 25.02.2019

Shri R.D. Thakur, Id. counsel for
the applicant and Shri S.A. Deo, Id.
C.P.O. for the State.

At the request of Id. counsel for the
applicant, **S.O. 28/02/2019**.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 120/2019 (SB)

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

Dated : 25.02.2019

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2, returnable on **11-03-2019**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as

limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. 11-03-2019.**

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 799/2017 (SB)

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

Dated : 25.02.2019

Shri S.P. Chavhan, Id. counsel holding for Shri N.D. Thombre, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

The learned counsel for the applicant submits that due to personal difficulties Shri Thombre, Id. counsel for the applicant is not able to appear before the Tribunal today and for that purpose he seeks further time.

Heard. Admit.

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

At the request of Id. counsel for the applicant, **S.O. 27/02/2019**.

Put up along with O.As.432/17 & 498/17.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 432/2017 (SB)

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

Dated : 25.02.2019

Shri S.A. Sainis, Id. P.O. for the applicants (Original respondents) and shri S.P. Chavhan, Id. counsel holding for Shri N.D. Thombre, Id. counsel for the respondent (Original applicant).

At the request of Id. counsel for the respondent (Original applicant), **S.O.**
27/02/2019.

Put up along with O.A.799/2017 & 498/2017.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 498/2017 (SB)

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

Dated : 25.02.2019

Shri A.M. Ghogre, Id. P.O. for the applicants (Original respondents) and shri S.P. Chavhan, Id. counsel holding for Shri N.D. Thombre, Id. counsel for the respondent (Original applicant).

At the request of Id. counsel for the respondent (Original applicant), **S.O.**
27/02/2019.

Put up along with O.A.799/2017 & 432/2017.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 445/2015 (SB)

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

Dated : 25.02.2019

Shri Arpit Gajbhiye, Id. counsel holding for Shri N.B. Bargat, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1 to 3 & 5. None for R-4.

S.O. one week along with O.A. 446 & 447 of 2015.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 446/2015 (SB)

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

Dated : 25.02.2019

Shri Arpit Gajbhiye, Id. counsel holding for Shri N.B. Bargat, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for R-1 to 3 & 5 and Ms. Gayatri M. Reve, Id. counsel holding for Shri B.N. Jaipurkar, Id. counsel for R-4.

At the request of Id. counsel for R-4, **S.O. one week** along with O.A. 445 & 447 of 2015.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 447/2015 (SB)

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

Dated : 25.02.2019

Shri Arpit Gajbhiye, Id. counsel holding for Shri N.B. Bargat, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1 to 3 & 5 and Ms. Gayatri M. Reve, Id. counsel holding for Shri B.N. Jaipurkar, Id. counsel for R-4.

At the request of Id. counsel for R-4, **S.O. one week** along with O.A. 445 & 446 of 2015.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 81/2019 (SB)

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

Dated : 25.02.2019

C.A.Nos. 66 & 67 of 2019 -

Shri K.D. Manwatkar, Id. counsel for the applicant and V.A. Kulkarni, Id. P.O. for R-1 and Shri N.A. Autkar, Id. counsel for Intervener. Await service of R-2 to 4.

The matter be kept before the Single Bench of Member (J) **on 26/02/2019.**

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 873/2018 (SB)

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

Dated : 25.02.2019

Shri V.D. Raut, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-1 to 3 and Shri S.G. Zinjarde, Id. counsel holding for Shri N.W. Almelkar, Id. counsel for R-4&5.

2. The learned counsel for the applicant files additional affidavit. It is taken on record and copies are served on the other sides.

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

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 29/2019 (SB)

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

Dated : 25.02.2019

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

With the consent of learned counsel for both the parties, the matter is admitted and be kept for final hearing.

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

S.O. in due course.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 737/2018 (SB)

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

Dated : 25.02.2019

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

It seems that today none appeared for the applicant. With a view to afford one more opportunity, the matter be kept tomorrow. It is made clear that, if none appeared for the applicant tomorrow, the necessary order will be passed as regards vacating of interim relief.

S.O. 26/02/2019.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. St.No. 324/2018 with C.A.45/18
(SB)

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

Dated : 25.02.2019

Heard Shri G.G. Bade, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1 to 5 and Shri A.P. Sadavarte, Id. P.O. for R-6.

2. The applicant in this case is claiming deemed date of promotion w.e.f. 12/05/1997 to the post of Mandal Adhikari. There is delay of 19 years for filing the application. It seems that the applicant was earlier convicted in the criminal case and was not considered for the promotion because of such conviction. It is stated that the applicant has been acquitted by the Hon'ble High Court and therefore he is claiming deemed date of promotion. His suspension period has already been treated as duty period.

3. The learned counsel for the applicant submits that the applicant has filed representation to the Collector,

Wardha on 13/06/2017. The copy of which is at P.B. page no.39. However, no decision has been taken on the said representation as yet. He submits that the applicant is ready to withdraw the O.A. if the directions are issued to the Collector, Wardha to take decision on the representation within a stipulated period as per rules. He seeks permission to withdraw the O.A.

4. In view thereof, the permission to withdraw the O.A. is granted. The O.A. stands disposed of as withdrawn with direction to the Collector, Wardha to take appropriate decision on the representation filed by the applicant on 13/06/2017 (P.B. page no.39) as per its own merits and as per rules within a period of two months from the date of this order.

The C.A. also stands disposed of accordingly.

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A. No. 444/2018 (SB)

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

Dated : 25.02.2019

Heard Shri Manoj Jaiswal, Id. counsel holding for Shri N.R. Saboo, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1 to 3. None for R-4.

2. As per the order dated 18/12/2018 the Id. P.O. was requested to contact respondent no.2 and take instructions as to whether applicant's representation dated 19/06/2018 can be considered. The learned P.O. today placed on record the communications dated 03/01/2019 and 31/12/2018 which are marked Exh-X and X1 respectively for the purposes of identification from which it appears that the applicant's representation has been rejected.

3. Shri Jailswal, Id. counsel appears on behalf of Shri N.R. Saboo,

ld. counsel for the applicant and submits that he will take instructions in this regard and for that purpose he seeks time.

4. **S.O. 26/02/2019.**

Vice-Chairman (J).

dnk.

dated :- 25/02/2019.

O.A.No. 858/2018. (D.B.)

Coram: Shri A.D.Karanjkar, Member(J)
Dated: 25th February 2019.

Heard Shri R.S.Khobragade, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

Today, the Id. counsel for the applicant requesting for time to file Rejoinder. At his request, **S.O. two weeks.**

Member(J)
Date:-25/02/2019.
aps.

O.A.No. 709/2018. (D.B.)

Coram: Shri A.D.Karanjkar, Member(J)

Dated: 25th February 2019.

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

The respondents are directed to submit their reply till 05/03/2019 as a last chance. **S.O. 05/03/2019.**

Member(J)
Date:-25/02/2019.
aps.

O.A.No. 722/2018. (D.B.)

Coram: Shri A.D.Karanjkar, Member(J)

Dated: 25th February 2019.

C.A.No.59/2019:-

Heard Shri A.A.Syed, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

The C.A.No.59/2019 is allowed.

The matter be taken on board on 15/03/2019. **S.O. 15/03/2019.**

Member(J)

Date:-25/02/2019.

aps.

O.A.No. 700/2018. (D.B.)

Coram: Shri A.D.Karanjkar, Member(J)
Dated : 25th February 2019.

Heard Smt. Ghatode, the Id. Counsel
for the applicant and Shri S.A.Deo, the Id.
C.P.O. for the respondents.

S.O. two weeks as a last chance to
file reply.

Member(J)
Date:-25/02/2019.
aps.

O.A.No. 889/2017. (D.B.)

Coram: Shri A.D.Karanjkar, Member(J)

Dated: 25th February 2019.

Heard Shri M.I.Dhatrak, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

The Id. counsel for the applicant submitted that he would file the Rejoinder during the course of the day. At his request, **S.O. two weeks.**

Member(J)

Date:-25/02/2019.

aps.

O.A.No. 194/2017. (D.B.)

Coram: Shri A.D.Karanjkar, Member(J)

Dated: 25th February 2019.

C.A.No.437/2017:-

Heard Shri A.A.Syed, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

Closed for orders.

Member(J)

Date:-25/02/2019.

aps.

O.A.Nos.686,704 & 888/2018.
(D.B.)

Coram: Shri A.D.Karanjkar, Member(J)
Dated : 25th February 2019.

Heard Shri A.M.Borkar, the Id. Counsel for the applicant, Shri H.K.Pande, the Id. P.O. for the respondent nos. 1 & 3 and Shri Deshpande holding for Shri H.D.Marathe, the Id. counsel for the respondent no. 2. None for the respondent no. 4.

Short affidavit is filed by Id. P.O. on behalf of the respondent no. 3 in O.A. Nos. 686 & 704/2018.

The Id. counsel for the respondent no. 2 is requesting for time to file reply. The matter is at the stage of admission, in the interest of Justice, two weeks time is granted as a last chance. **S.O. two weeks.**

Member(J)
Date:-25/02/2019.
aps.

O.A.No. 972/2018. (D.B.)

Coram: Shri A.D.Karanjkar, Member(J)
Dated : 25th February 2019.

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the respondents.

The Id. P.O. filed the affidavit-in-reply on behalf of the respondent no. 3. It is taken on record. Copy is served to the other side.

The Id. P.O. further seeks time to file reply on behalf of the other respondents.

S.O. two weeks for reply.

Member(J)
Date:-25/02/2019.
aps.

O.A.No. 345/2017. (D.B.)

Coram: Shri A.D.Karanjkar, Member(J)

Dated: 25th February 2019.

Heard Shri R.V.Shiralkar, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

The matter is **admitted** and kept for final hearing. The respondents are at liberty to agitate the issue of limitation at the stage of final hearing.

The Id. P.O. waives the notice on behalf of the respondents.

S.O. 20/03/2019.

Member(J)

Date:-25/02/2019.

aps.

O.A.No. 624/2017. (D.B.)

Coram: Shri A.D.Karanjkar, Member(J)

Dated: 25th February 2019.

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondents.

The matter is **admitted** and kept for final hearing.

The Id. P.O. waives the notice on behalf of the respondents.

S.O. 25/03/2019.

Member(J)

Date:-25/02/2019.

aps.

O.A.No. 1011/2018. (D.B.)

Coram: Shri A.D.Karanjkar, Member(J)

Dated: 25th February 2019.

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

2. The Id. counsel for the applicant submitted that there is a every likelihood of issuing promotion order. It is submitted that the applicant is eligible to be promoted. My attention is also invited to the Judgment in O.A. No. 25/2018 delivered on 13/12/2018 by M.A.T., Bench at Aurangabad. On perusal of this Judgment, it seems that in the similar circumstances relief was granted.

3. However, the Id. P.O. is requesting atleast two weeks time to file reply and necessary instructions, under these circumstances, in order to avoid complications, **the respondents are directed not to issue promotion order till filing of the reply.**

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

Member(J)
Date:-25/02/2019.
aps.