

O.A. No. 250/2018 (SB)

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

Dated : 15.10.2018

Heard Shri S.N. Gaikwad, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for the respondent nos.1&2. Await service of respondent no.3.

2. Today reply-affidavit is filed by respondent no.2. It is taken on record. Copy is served to the learned counsel for the applicant.

3. The learned counsel for the applicant requests for time to file service affidavit on behalf of respondent no.3.

4. At the request of learned counsel for the applicant, **two weeks** time is granted for filing service affidavit of respondent no.3.

S.O. two weeks.

Member (J)

dnk.

O.A. No. 251/2018 **(SB)**

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

Dated : 15.10.2018

None for the applicant.

2. Heard Shri S.A. Deo, learned CPO for respondent no.1, 3 and 4. Await service respondent no.2.

3. The applicant is directed to take immediate steps for serving to respondent no.2.

4. In the meantime, issue fresh notice to R-2, returnable **in two weeks**. Hamdast allowed.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. 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.

8. 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.

9. 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.

10. **S.O. two weeks.**

Member (J)

dnk.

O.A. No. 326/2018 **(SB)**

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

Dated : 15.10.2018

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

2. It is submitted that the applicant
wants time to file rejoinder. In the interest
of justice **one week** time is granted to file
rejoinder as a last chance.

3. Interim relief to continue till then.

Member (J)

dnk.

O.A. No. 478/2018 **(SB)**

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

Dated : 15.10.2018

None for the applicant. Heard Shri P.N. Warjurkar, learned P.O. for the respondents.

2. It is submitted that the instructions are not received from the respondents to submit reply-affidavit. In the interest of justice **three weeks** time is granted as a last chance.

3. Lateron Shri M.R. Khan, learned counsel for the applicant is present.

S.O. three weeks.

Member (J)

dnk.

O.A. No. 482/2018 **(SB)**

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

Dated : 15.10.2018

Heard Shri P.V. Thakre, learned counsel for the applicant and Shri H.K. Pande, learned P.O. for respondent nos. 1 to 4. None for R-5.

2. The reply-affidavit is filed by respondent nos. 2 to 4. It is taken on record. Copy is served to the learned counsel for the applicant.

3. The learned counsel for the applicant seeks time to file rejoinder. At his request, **two weeks** time is granted for filing rejoinder.

S.O. two weeks.

Member (J)

dnk.

O.A. No. 491/2017 **(SB)**

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

Dated : 15.10.2018

Heard Shri I.N. Choudhari, learned counsel for the applicant and shri A.M. Ghogre, learned P.O. for the respondents.

2. The respondents requested for time to file reply. It is submitted that the application moved by the applicant for appointing him on compassionate ground is pending before the Authority. The learned P.O. for the respondents submitted that he will take necessary instructions and intimate the Court whether the application is still pending for deciding.

3. In view of the matter, **one week** time is granted to the respondents to file reply-affidavit.

4. **S.O. one week.**

Member (J)

dnk.

O.A. No. 609/2018 **(SB)**

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

Dated : 15.10.2018

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

2. Today the reply-affidavit is filed by the respondents. It is taken on record. Copy is served to the learned counsel for the applicant.

3. With consent of both the learned counsel for parties, the matter is kept for final hearing on 19/10/2018.

4. **S.O. 19/10/2018.**

Member (J)

dnk.

O.A. No. 614/2018 **(SB)**

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

Dated : 15.10.2018

Heard Shri P.P. Khaparde, learned counsel for the applicant and Shri S.A. Deo, learned C.P.O. for R-1. Await service of R-2 to 4.

2. It is submitted that the acknowledgment of R-2 to 4 is yet not received from the Postal Authorities. The learned counsel for the applicant requested for time to file acknowledgement on behalf of R-2 to 4. At his request, **two weeks** time is granted.

Member (J)

dnk.

O.As. 636,637 & 638 of 2018 (SB)

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

Dated : 15.10.2018

Heard Shri S.A. Choudhari, learned counsel holding for Shri A.M. Sudame, learned counsel for the applicants and Shri A.M. Ghogre, learned P.O. for the respondents.

2. Today the separate reply-affidavit is filed by respondent nos. 1 to 3. Copies of the same are taken on record and also served to the learned counsel for the applicants.

3. The learned counsel for the applicants seeks time to file rejoinder. At his request, **two weeks** time is granted to file rejoinder.

Member (J)

dnk.

O.A. No. 413/2018 **(SB)**

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

Dated : 15.10.2018

Heard Shri S.V. Khondalay,
learned counsel for the applicant and Shri
P.N. Warjurkar, learned P.O. for R-1 to
12. None for remaining respondents.

2. The learned P.O. for R-1 to 12
requested for time to file reply. At his
request, **two weeks** time is granted to file
reply.

Member (J)

dnk.

O.A. No. 481/2018 **(SB)**

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

Dated : 15.10.2018

None for the applicant. Shri A.M. Khadatkar, learned P.O. for R-1&2 and Shri S.P. Palshikar, learned counsel for R-3.

2. The applicant has already sought time to file rejoinder. In view of the matter, the case is adjourned for final hearing with liberty to the applicant to submit rejoinder on the date of final hearing.

3. The matter is admitted and be kept for final hearing on the next date..

4. The learned P.O. as well as learned counsel for R-3 waives respective notices.

S.O. two weeks.

Put up along with O.A.548//2018.

Member (J)

dnk.

O.A. No. 548/2018 **(SB)**

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

Dated : 15.10.2018

Heard Shri S.P. Palshikar, learned counsel for the applicant and Shri P.N. Warjurkar, learned P.O. for the respondents.

2. The learned counsel for the applicant submitted that the application for amendment is pending in this matter, but the application is not in the record of the case. The Registry is directed to place the application and tag it with the case and put it before the Bench on the next date.

3. The matter is admitted and be kept for final hearing on the next date.

4. The learned P.O. waives notice for the respondents. **S.O. two weeks.**

Put up along with O.A.481//2018.

Member (J)

dnk.

O.A. No. 450/2018 **(SB)**

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

Dated : 15.10.2018

Heard Shri A.S. Tiwari, learned counsel for the applicant and Shri S.A. Deo, learned CPO for the respondents.

2. The learned counsel for the applicant requested for time for final hearing. In the interest of justice, **S.O.**
22/10/2018.

Member (J)

dnk.

O.A.No.352/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

Rev.No.12/2018:-

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

The applicant has preferred review on order dated 09/07/2018 on P.B., Pg. No. 54 in order itself. It has been made very clear that documents placed by the Id. C.P.O., clearly shows that recovery was not from the subsistence allowances, recovery was from the salary part before starting of suspension and after again it is started from reinstatement from salary only.

So, nothing survives in the Review Application. In view of this,

**Review Application is disposed of with
no order as to costs.**

Member (A)

aps.

O.A.No.105/2016 (D.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

C.A.No.297/2018:-

Shri Y.P.Kaslikar holding for Shri G.R.Sadar, the Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondent nos. 1 & 2 and Shri S.P.Palshikar, the Id. counsel for the respondent no. 3.

The copy of Civil Application No. 297/2018 has not been supplied to the respondent no. 3.

In view of this, **S.O. two weeks** time to file reply.

Member (A)

aps.

O.A.No.536/2018 (D.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

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

The Id. counsel for the applicant submits that applicant retired on 31/10/2017. The G.P.F. has been paid, provisional pension is continued, leave encashment has also been paid. However, gratuity is withheld and regular pension is also not decided.

The Id. counsel for the applicant submits that he want to delete the prayer clause no. 2 and for that he will file separate application today itself. He is allowed to do so.

The Id. P.O. is directed to file affidavit-in-reply within three weeks and copy of the same will be supplied in advance to the Id. counsel for the applicant. So that he can file the Rejoinder, if any. The Id. P.O. should ensure in his reply about status of payment, departmental enquiry and final pension.

S.O. three weeks.

Member (A)

aps.

O.A.No.570/2018 (D.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

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

The Id. P.O. files the affidavit-in-reply on behalf of the respondent nos. 3 & 4. It is taken on record. Copy is served to the other side.

Hence, the matter is **admitted** and kept for final hearing. Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.

S.O. three weeks.

Member (A)

aps.

O.A.No.579/2018 (D.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

Shri D.M.Kakani, the Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

The Id. counsel for the applicant placed the Judgment of Hon'ble High Court, Nagpur Bench in Misc. Civil Application No. 919 of 2014 in Writ Petition No. 4835 of 2012. It is taken on record. Copy is served to the other side.

The Id. P.O. seeks two weeks time to file affidavit-in-reply. **S.O. two weeks.**

Member (A)

aps.

O.A.No.618/2018 (D.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

Shri S.P.Chavhan, the Id. counsel for
the applicant and Shri H.K.Pande, Id. P.O.
for the respondents.

The Id. P.O. seeks two weeks time to
file affidavit-in-reply. **S.O. two weeks.**

Member (A)

aps.

O.A.No.620/2018 (D.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

None for the applicant. Shri S.A.Sainis, Id. P.O. for the State. Await service of respondent nos. 2 & 3.

Notices are yet to be served. **S.O. in
due course.**

Member (A)

aps.

O.A.No.108/2017 (D.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

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

The matter is admitted and kept for final hearing after three weeks, **S.O. three weeks**. Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.

Interim order dated 19/09/2017 in para no. 2:-

"The Id. counsel for the applicant submits that the impugned order has been stayed in W.P. No. 2605/2017 by the Hon'ble High of Judicature at Bombay vide order dated 08/03/2017. In view thereof the recovery in this regard is also stayed."

The above relief is continued till further orders.

Member (A)

aps.

O.A.Nos.917 & 918/2017 (D.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

Shri Y.P.Kaslikar, the Id. counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

The Id. P.O. files the affidavit-in-reply on behalf of the respondent no. 2. It is taken on record. Copy is served to the other side.

The Id. counsel for the applicant is at liberty to file Rejoinder, if any. **S.O. two weeks.**

Member (A)

aps.

O.A.No.625/2018 (D.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

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

The Id. counsel for the applicant submits that the he can remove the objection i.e. Pg. Nos. 33 to 35, during the course of the day.

The Id. P.O. seeks three weeks time to file affidavit-in-reply. At his request, **S.O. three weeks.**

Member (A)

aps.

O.A.No.720/2018 (D.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.10.2018.

Shri S.K.Verma, the Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the State.

The Id. counsel for the applicant submits that he is at waitlist no. 1 on P.B., Pg. No. 73, Sr. No. 71 in NT category. However, he further submits that there are 30 vacancies in that category. The appointment letter is not given to the applicant till now.

The Id. P.O. seeks three weeks time to file affidavit-in-reply. At his request, **S.O. three weeks.**

Member (A)

aps.

