

O.A. 439/2018 (SB)

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

**Dated : 16.08.2018**

Heard Shri A.P. Tathod, Id .counsel for the applicant and S.A. Sainis, Id. P.O. for the respondents.

The learned P.O. files reply on behalf of R-1,2 and 3. It is taken on record. Copy is served on the applicant. However, the learned counsel for the applicants submits that annexures have not been given to him and for that purpose he seeks time. Time is granted.

In the meantime, the matter is admitted and be kept for final hearing on 20/08/2018.

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

**S.O. 20/08/2018.**

**Member (A).**

dnk.

O.A. 368/2018 (SB)

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

**Dated : 16.08.2018**

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

The learned counsel for the applicant seeks two weeks time. Time is granted.

In the meantime, vide order dated 7<sup>th</sup> June, 2018 in para no.3 the impugned order to the extent of the applicant was stayed. The same will be continued till the next date of hearing.

**S.O. two weeks.**

**Member (A).**

dnk.

O.A. 497/2018 (SB)

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

**Dated : 16.08.2018**

Shri T.U. Tathod, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 to 3 and Shri S.N. Gaikwad, Id. counsel for R-4.

At the request of learned counsel for R-4, **S.O. two weeks.**

**Member (A).**

dnk.

O.A. 290/2009 (SB)

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

**Dated : 16.08.2018**

**MCA 24/2018 -**

Heard Shri H.K. Pande, Id. P.O. for the applicants (Original respondents) and Shri V.V. Khare, the respondent in person (Original applicant).

2. The learned P.O. has filed on record letter dated 10/08/2018 (Annex-R-2,P-7) in which it is stated that the Government desires to take action as per the Tribunal's order dated 11/04/2018, however, it requires some time i.e. two months and for that purpose the learned P.O. prayed for extension of two months time to comply the Tribunal's order. In view thereof, two months time i.e. till 10/10/2018 is granted to comply the same as prayed for.

3. Accordingly, the MCA is disposed of with no order as to costs.

**Member (A).**

dnk.

O.A. 694/2017 (SB)

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

**Dated : 16.08.2018**

**C.A. 181/2018 –**

None for the applicant. Shri S.A. Sainis, Id .P.O. for the respondents.

The learned P.O. submits that he will file reply to the C.A. till the next date. He is permitted to do so.

**O.A.694/2017 –**

None for the applicant. Heard Shri S.A. Sainis, Id .P.O. for the respondents.

The learned P.O. files reply on behalf of R-2. It is taken on record. He undertakes to supply the copy to the other side. The learned P.O. submits that reply of other respondents is not necessary.

**Heard. Admit.**

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

**S.O. in due course** for final hearing.

**Member (A).**

dnk.

O.A. 252/2018 (SB)

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

**Dated : 16.08.2018**

None for the applicant. Shri S.A. Sainis, Id. P.O. for the respondents.

2. The learned P.O. files reply-affidavit of R-1 to 4. It is taken on record. He undertakes to serve the copy to the other side.

3. It seems that the applicant has not carried out the amendment as per order dated 3/8/2018.

**S.O. one week.**

**Later on –**

Smt. S.S. Dashputre, Id. counsel for the applicant present and submits that as the reply of R-1 to 4 has already been filed by the Id. P.O., there is no need to file service affidavit. The learned counsel for the applicant however further submits that she will carry out the amendment during the course of day as per the order dated 3/8/2018. She is permitted to do so.

3. In view thereof, since the pleadings are complete, the matter is admitted and be kept for final hearing.

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

5. **S.O. two weeks.**

**Member (A).**

dnk.

Dated :- 16/08/2018.

O.A. 375/2018 (SB)

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

**Dated : 16.08.2018**

Shri A.P. Sadavarte, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

The learned CPO seeks two weeks time to file reply. Time is granted.

In the meantime, vide order dated 08/06/2018 the impugned order dated 31/05/2018 (Annex-A-5) was stayed till the next date of hearing. The same order is continued till the next date of hearing.

**S.O. two weeks.**

**Member (A).**

dnk.



O.A. 426/2018 (SB)

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

**Dated : 16.08.2018**

Shri G.K. Bhusari, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1&2. None for R-3&4.

2. The learned P.O. files reply on behalf of the respondents. It is taken on record. Copy is served on the applicant. The learned counsel for the applicant wants to go through the same and wants to file rejoinder. He is permitted to do so.

3. In the meantime, vide order dated 18/06/2018 in para no.2 the impugned transfer order at Page no.9 was stayed to the extent of the applicant, till next date of hearing. The same is continued till the next date of hearing.

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

5. The learned P.O. waives notice for respondent nos. 2&3.

6. **S.O. 30/08/2018** for final hearing.

**Member (A).**

dnk.

O.A. Nos.595,596,597,598 & 599 of 2018  
**(SB)**

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

**Dated : 16.08.2018**

Heard Shri G.K. Bhusari, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. Issue notice to R-2 to 4, returnable on **14/09/2018**. 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. Applicants are 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. Applicants are 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. 14/09/2018.**

**Member (A).**

dnk.

O.A. 376/2018 (SB)

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

**Dated : 16.08.2018**

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

At the request of learned counsel for the applicant, **S.O. two weeks** for final hearing.

**Member (A).**

dnk.

O.A. 369/2018 (SB)

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

**Dated : 16.08.2018**

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

2. The learned counsel for the applicant Shri Palshikar appeared at the end of board and pointed out that the matter was fixed for today, i.e., on 16/08/2018 and in the order dated 10/08/2018 it was mentioned that I.R. to continue till then. Since the matter was heard before the Hon'ble Vice-Chairman's Court, it be kept before the same Court.

3. **S.O. 28/08/2018**. In the meantime, I.R. to continue till then.

**Member (A).**

dnk.

O.A. 628/2018 (SB)

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

**Dated : 16.08.2018**

Heard Shri G.K. Bhusari, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The learned counsel for the applicant has pleaded for the considerable time about the tenure of applicant in Korchi and Bhamragarh and previous order accommodating the applicant as per the G.R. No.TRF-2000/pa.kra.3, Mantralaya, Mumbai, dated 6/8/2012. However, in the impugned order the applicant is aggrieved.

3. The applicant has submitted representations dated 4/6/2018 and 10/8/2018 to the Deputy Secretary, Rural Development Department, Mantralaya, Mumbai which are at Annex-A-11 at P.B. page nos. 57 & 58. The respondents are meanwhile directed to consider the applicant's representations till the next date of hearing.

4. In the meantime, issue notice to R-2 and 3, returnable in **two weeks**. Learned C.P.O. waives notice for R-1. 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 (A).**

dnk.



O.A. 893/2017 (SB)

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

**Dated : 16.08.2018**

Heard 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 filed on record the copy of Judgment passed by the MAT, Bench at Nagpur in O.A. No.716 of 2016, dated 19/07/2018 and submits that both the cases are on similar issue. The same is marked Exh-X for the purposes of identification. He also filed on record copy of another Judgment passed by the MAT, Bench at Mumbai in O.A. No.611 of 2017, dated 23/10/2017 and submits that this case is also on the similar point. In this Judgment he has placed reliance the case of **Ajay Kumar Choudhary Vs. Union of India through its Secretary & Ano. (2015) 2SCC (L&S) 455 (2015) 7 SCC 291** and **Dr. Narender O. Basal Vs. State of Maharashtra & Ors. Writ Petition No.11987 of 2015 decided on**

**11/3/2015** by the Hon'ble Bombay High Court. The same is marked Exh-X1 for the purposes of identification. In the present case the applicant was suspended vide order no.vimachau-2017/pra.kra.110/sewa-4 b, Public Health Department, Mantralaya, Mumbai dated 30<sup>th</sup> October, 2017 and prayed that said order being illegal and against the principles of natural justice be quashed and set aside.

3. In the present case the reply has already been filed. In view of this , the matter is **closed for orders**.

**Member (A).**

dnk.



Learned C.P.O. waives notice for R-1.  
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. Applicants are 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. Applicants are 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. four weeks.**

**Member (A).**

dnk.