

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

Dated : 21.08.2018

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the State.

2. The learned counsel for the applicant pointed out the order dated 04/01/2018 in O.A.Nos.584&585 of 2017 passed by this Tribunal in which it was directed to complete the inquiry in any case within six months from the date of order. However, the learned counsel for the applicant submits that the said inquiry is still not completed.

3. Issue notice to R-2 returnable on **31/08/2018**. 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. 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.

9. In the meantime, it is also directed that in reply to the notice the respondents should mention stages of the inquiry before the next date. If the reply is not filed before the next date, the

matter will be heard on the point of interim relief on 31/08/2018.

10. **S.O. 31/08/2018.**

Member (A).

dnk.

Dated :- 21/08/2018.

O.A. 20/2018 (SB)

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

Dated : 21.08.2018

None for the applicant. Shri M.I. Khan, learned P.O. for R-1&3. None for R-5 to 8. Await service of other respondents.

2. The learned P.O. files reply on behalf of R-3. It is taken on record. Copy of the same be supplied to the other sides.

3. The learned P.O. pointed out the earlier order dated 20th April,2018 in which the learned counsel for the applicant sought time for taking instructions from the applicant as regards pendency of the appeal or withdrawal of the O.A. Today none appeared for the applicant. Hence, matter be kept **after two weeks** for taking instructions.

Member (A).

dnk.

O.A. 160/2018 (SB)

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

Dated : 21.08.2018

Shri A.Y. Kapgate, learned counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&2. None for R-3.

2. The learned counsel for the applicant points out that the respondent no.3 Mr. Sunil Nikam has been mentioned as a private party and the notice has been issued to him on 6th March,2018. However, he has not appeared before the Tribunal. Since the respondent no.3 is not appearing, it can be heard as ex-party.

3. The learned P.O. seeks time to file reply on behalf of R-1&2. Time is granted.

S.O. three weeks along with O.A.No.161/2018.

Member (A).

dnk.

O.A. 161/2018 (SB)

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

Dated : 21.08.2018

Shri A.Y. Kapgate, learned counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1&2. None for R-3 to 5.

2. The learned counsel for the applicant points out that the respondent nos.3 to 5 have been mentioned as private parties and the notices have been issued to them on 6th March,2018. However, they have not appeared before the Tribunal. Since the respondent nos.3 to 5 are not appearing, it can be heard as ex-party.

3. The learned P.O. seeks time to file reply on behalf of R-1&2. Time is granted.

S.O. three weeks along with O.A.No.160/2018.

Member (A).

dnk.

O.A. 279/2018 (SB)

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

Dated : 21.08.2018

Shri G.K. Bhusari, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 and Shri B.N. Jaipurkar, Id. counsel for R-4. Await service of R-2&3.

2. The learned counsel for the applicant submits that he will file service affidavit of R-2&3 within two weeks and for that purpose he seeks time. He is permitted to do so.

3. At the request of learned P.O. as well as learned counsel for R-4, **S.O. four weeks** for filing reply.

Member (A).

dnk.

O.A. 163/2018 (SB)

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

Dated : 21.08.2018

None for the applicant. Shri M.I. Khan, Id. P.O. for R-1 and Shri B.N. Jaipurkar, Id. counsel for R-2.

2. The learned counsel for R-2 seeks two weeks' time to file reply. Time is granted as prayed for.

3. The learned P.O. submits that the reply of respondent no.1 is not necessary. After receiving reply of R-2, the matter be listed in due course for hearing.

Member (A).

dnk.

O.A. 413/2018 (SB)

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

Dated : 21.08.2018

C.A.186/2018 -

Heard Shri S.V. Khondalay, Id. counsel for the applicant in O.A., Shri A.M. Ghogre, Id. P.O. for R-1 to 12 and Shri S. Borkar, Id. counsel for R-14 in O.A. (applicant in C.A.). None for R-13 and 15.

2. Because of the stay order dated 16/07/2018 the whole transfer order has not been implemented. After perusing the Civil application, the stay order dated 16/07/2018 is vacated and transfer order should be implemented.

3. In view of above, the C.A. stands disposed of. No order as to costs.

O.A.413/2018 –

S.O. two weeks.

Steno copy is granted.

Member (A).

dnk.

O.A. 424/2018 (SB)

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

Dated : 21.08.2018

C.A.156/2018

Shri P.S. Wathore, Id. counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for the respondents and Shri N.D. Thombre, Id .counsel for Intervener.

2. The learned counsel for the applicant has filed reply to the intervention application. Copy is given to the counsel for Intervener.

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

Member (A).

dnk.

O.A. 447/2018 (SB)

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

Dated : 21.08.2018

None for the applicant. Shri S.A. Sainis, Id. P.O. for R-1&2. Await service of R-1.

2. The learned P.O. request one week time to file progress report about the grievances of the applicant. At the request of learned P.O., **S.O. next week.**

Member (A).

dnk.

O.A. 458/2018 (SB)

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

Dated : 21.08.2018

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

2. The learned counsel for the applicant has filed on record Pursis dated 20/08/2018 along with applicant's application dated 23/06/2018. The same is marked Exh-X for the purposes of identification. The respondent no.2 is directed to consider the applicant's application dated 23/06/2018 forwarded by respondent no.3 vide letter no. Estt/302/2018-19, dated 27/06/2018 within three weeks from the date of this order.

3. In view of this, the O.A. stands disposed of with no order as to costs.

Member (A).

dnk.

O.A. 494/2018 (SB)

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

Dated : 21.08.2018

Shri P. S. Gawai, Id. counsel holding for Shri R.L. Khapre, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. The matter was heard yesterday and there was some discriminancy in salary of June whether it was paid upto 20/06/2018 or 30/06/2018 as a matter is of the Dean, Government College, Akola. The learned P.O. has submitted the documents mentioning that the payment was made by Akola upto 20/06/2018 since LPC was generated from Sevaarth and this may be the reason that date on pay slip was 30/06/2018. The learned counsel for the applicant submits that the applicant has been paid salary for the month of June and July as per the telephonic instructions received by him from the client. The learned P.O. is directed to supply the Xerox copy of the

said documents to the learned counsel for the applicant.

3. 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. after four weeks.**

Member (A).

dnk.

O.A. 578/2018 (SB)

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

Dated : 21.08.2018

C.A.218/2018 -

Heard Shri W.G. Paunikar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the State.

2. For the reasons stated in the application, the C.A. for amendment is allowed. Necessary amendment be carried out within one week.

O.A. 578/2018 –

Shri W.G. Paunikar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1. Await service of R-2&3.

2. The learned counsel for the applicant has come second time for praying to quash suspension order dated 19/03/2018 (Annex-3,P-18). This order also earlier has been challenged by O.A.No.200/2018 in which permission has been given for filing reply vide order dated 31/07/2018. From the record it appears that the appeal has been

decided and the suspension has been continued by the Deputy Inspector General of Police, Gadchiroli Region Camp, Nagpur (R/2) vide order dated 2nd May,2018 (Annex-A-9,-32). Vide this order the appeal has been disposed of as per the direction of this Tribunal and the suspension has been continued. The learned counsel for the applicant has again approached the Tribunal against the suspension order dated 19/03/2018 (Annex-A-3,P-18).

3. The learned counsel for the applicant submits that he apprehends any coercive action by the department because he has approached the Tribunal. In view of this, the respondents are directed not to take any coercive action till final decision of this O.A. In the meanwhile, the learned P.O. is requested to take instructions from the department about the progress after order dated 19/03/2018 about the inquiry and its conclusion about the applicant.

4. **S.O. three weeks.**

Member (A).

dnk.

O.A. 616/2018 (SB)
With C.A.15/2018

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

Dated : 21.08.2018

Shri N.A. Gawande, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the State. Shri P.V. Thakre, Id. counsel appears and files Vakalatnama on behalf of R-4.

2. Shri Thakre, Id. counsel submits that as he filed Vakalatnama on behalf of respondent no.4 there is no need to press the C.A.15/2018 and hence the same may be disposed of. In view of this, the C.A.No.15/2018 stands disposed of.

3. The learned P.O. seeks time to file reply. Time is granted.

4. The learned counsel for the applicant submits that he desires to make some amendment in the relief clause. He is permitted to do so.

5. **S.O. three weeks.**

Member (A).

dnk.