

O.A. 762/2017 (SB)

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

**Dated : 06.06.2018**

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

It appears that reply of R-4 has already been filed. The learned P.O. to file reply of R-2&3.

At the request of learned P.O.,  
**S.O. 19/06/2018** for filing reply of R-2&3.

**Member (A).**

dnk.

O.A. 158/2018 (SB)

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

**Dated : 06.06.2018**

**C.A.116/2018 -**

Heard Shri N.C. Phadnis, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

For the reasons stated in the application, the application for amendment is allowed. Amendment be carried out within two weeks and copy of amended O.A. be supplied to the learned P.O. in advance.

**O.A. 158/2018 –**

**S.O. 22/06/2018.**

**Member (A).**

dnk.

O.A. 243/2018 (SB)

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

**Dated : 06.06.2018**

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

The learned counsel for the applicant files service affidavit of R-2&3.

The learned P.O. seeks time to file reply on behalf of the respondents. At his request, **S.O. 27/06/2018**.

**Member (A).**

dnk.

O.A. 248/2018 (SB)

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

**Dated : 06.06.2018**

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

The learned counsel for the applicant files service affidavit of R-2 to 6.

The learned P.O. seeks time to file reply. At his request, **S.O. 12/07/2018** for filing reply.

**Member (A).**

dnk.

O.A. 678/2017 (SB)

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

**Dated : 06.06.2018**

None for the applicant.

Shri V.A. Kulkarni, Id. P.O. for the  
respondents.

At the request of Id. P.O., **S.O.**  
**20/06/2018** for filing reply.

**Member (A).**

dnk.

O.A. 982/2017 (SB)

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

**Dated : 06.06.2018**

Shri J.S. Deshmukh, learned counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for R-1 to 3 & 6. None for R-4&5.

At the request of Id. P.O., **S.O.**  
**12/07/2018** for filing reply.

**Member (A).**

dnk.

O.A. 351/2018 (SB)

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

**Dated : 06.06.2018**

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

2. The learned counsel for the applicant pointed out that document on page no.38 does not bear the signature of candidate and Invigilator. However on page no.55 the Id. CPO has pointed out that it has been stated in para-1 that the said document is kept in sub treasury and when it was taken out, it is found that the said document is signed by the candidate and Invigilator. It is also stated that while taken out the document, the CCTV recording was done. In view of this, the Id. CPO is requested to get the copy of said document and CCTV footage also. He requires three weeks time for that purpose. Till further orders, no appointment letter in respect of R-4 should be issued.

3. Issue notice to R-2 to 4 returnable on **27/06/2018**. Learned C.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, the learned C.P.O. to file reply on behalf of the respondents.

10. **S.O. 27/06/2018.**

**Member (A).**

dnk.

O.A. 352/2018 (SB)

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

**Dated : 06.06.2018**

Heard Shri M.R. Khan, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the State.

2. Any recovery from the applicant is stayed till final outcome of this O.A.

3. Issue notice to R-2 to 4 returnable on **20/06/2018**. 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, the learned P.O. to file reply on behalf of the respondents.

10. **S.O. 20/06/2018.**

**Member (A).**

dnk.

O.A. 346/2018 (DB)

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

**Dated : 06.06.2018**

Heard Shri P.S. Wathore, learned counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the State.

2. The learned counsel for the applicant submitted on record copy of one decision of Hon'ble High Court and also copy of the list of eligible candidate which are marked as 'X' and 'X1' respectively.

3. Since the interviews of the candidates will be held on 12/06/2018, the matter is kept on 08/06/2018 for interim relief, if any.

4. **S.O. 08/06/2018.**

**Member (A).**

dnk.

O.A. 358/2018 (SB)

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

**Dated : 06.06.2018**

Heard Shri K.P. Mahalle, learned counsel for the applicant, Shri M.I. Khan, learned P.O. for the State and Shri S.A. Deo, Id. CPO for Caveator for all the respondents.

2. It appears that the Caveat is filed from the department. Therefore, the learned P.O. is requested to take instructions from the concerned department that if the department can accommodate to the applicant in the choice given by him. The matter is postponed today is listed tomorrow. Tomorrow the department's say will be heard through learned P.O. and the matter will be decided.

3. **07/06/2018.**

**Member (A).**

dnk.

O.A. 359/2018 (SB)

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

**Dated : 06.06.2018**

Heard Shri G.G. Bade, learned counsel for the applicant and Shri V.A. Kulkarni, learned P.O. for the State.

2. The status-quo in respect of applicant is continued till the next date of hearing.

3. Issue notice to R-2 to 4 returnable on **25/06/2018**. 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, the learned P.O. to file reply on behalf of the respondents.

10. **S.O. 25/06/2018.**

**Member (A).**

dnk.

O.A. 360/2018 (SB)

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

**Dated : 06.06.2018**

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

2. The applicant has given 10 choices to the Transferring authority. Therefore it is directed that the Transferring Authority to do counseling part as per the G.R. dated 09/04/2018 and consider any of the choices given by the applicant. The learned P.O. to take instructions from the department in this regard whether applicant can be accommodated within choices after counseling. In the meantime, the status-quo limited to the applicant and respondent no.5 should be maintained till the next date of hearing i.e. 25/06/2018.

3. Issue notice to R-2 to 5 returnable on **25/06/2018**. 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, the learned P.O. to file reply on behalf of the respondents.

10. **S.O. 25/06/2018.**

**Member (A).**

dnk.

O.A. 361/2018 (SB)

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

**Dated : 06.06.2018**

Heard Shri G.G. Bade, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for the State.

2. The Transferring Authority, i.e., respondent no.1 may consider the request made by the applicant and choices given by the applicant and his representation should be decided within 15 days from the date of receipt of this order. Till that time the impugned order of transfer dated 31/05/2018 (Annex-A-1) to the extent of applicant is stayed.

3. Issue notice to R-2 to 4 returnable on **20/06/2018**. 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, the learned P.O. to file reply on behalf of the respondents.

10. **S.O. 20/06/2018.**

11. Steno copy is granted.

**Member (A).**

dnk.

O.A. 362/2018 (SB)

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

**Dated : 06.06.2018**

Heard Shri R.S. Khobragade, learned counsel for the applicant and Shri P.N. Warjurkar, learned P.O. for the State.

2. The applicant is having two years service for retirement. The respondent no.3 is directed to consider the applicant's representation dated 01/06/2018 (Annex-A-4,P-40) within 15 days from the receipt of this order.

3. Issue notice to R-2 to 5 returnable on **21/06/2018**. 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, the learned P.O. to file reply on behalf of the respondents.

10. **S.O. 21/06/2018.**

**Member (A).**

dnk.

O.A. 363/2018 (SB)

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

**Dated : 06.06.2018**

Heard Shri D.M. Kakani, learned counsel for the applicant and Shri A.P. Potnis, learned P.O. for the State.

2. The learned counsel for the applicant pointed out that the applicant is lady and having 15 months old child and other related problems. Considering these facts and since transferring authority and applicant both are residing at Nagpur and therefore as per G.R. dated 09/04/2018 counseling should have been done before issuing order. However, impugned order dated 31/05/2018 (Annex-A-1) to the extent of applicant is stayed till the next date of hearing. The transferring authority, i.e., respondent no.2 is directed to do counseling with the applicant and then issue necessary orders before the next date of hearing. The transferring

authority, i.e., respondent no.2 should consider the grounds raised in the O.A. by the learned counsel for the applicant.

3. Issue notice to R-2 and 3 returnable on **25/06/2018**. 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, the learned P.O. to file reply on behalf of the respondents.

10. **S.O. 25/06/2018.**

11. Steno copy is granted.

**Member (A).**

dnk.



O.A. 364/2018 (SB)

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

**Dated : 06.06.2018**

Heard Shri R.G. Kavimandan, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the State.

2. The learned counsel for the applicant pointed out about husband wife to be posted together. However, the learned P.O. pointed out that the applicant has been posted in the same district. However, in the light of G.R. dated 9/4/2018 transferring authority, i.e., R-2 is requested to do counseling with the applicant and decide the applicant's representation within 10 days from the date of receipt of this order.

3. Issue notice to R-2 to 4 returnable on **25/06/2018**. 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, the learned P.O. to file reply on behalf of the respondents.

10. **S.O. 25/06/2018.**

**Member (A).**

dnk.