

O.A. No.612/2016 (S.B.)

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

Dated : 30.08.2018.

Heard Shri G.G.Bade, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the Respondents.

The Id. counsel for the applicant has pointed out order of Superintendent of Police, Gadchiroli, at P.B., Pg. No. 25, dated 30/11/2016 (Annexure-R-3).

In view of this, the respondent no. 4, i.e., The Superintendent of Police, Gadchiroli, is directed to decide the representations of applicant dated 24/11/2015, 22/01/2016 & 18/06/2016 **within eight weeks** time from the date of this order.

Hence, the O.A. is disposed off with no order as to costs.

Member (A)

O.A. No.652/2018 (S.B.)

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

Dated : 30.08.2018.

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

2. The Id. C.P.O. seeks three weeks time to file affidavit-in-reply. However, in view of Hon'ble Apex Court Judgment, at P.B., Pg. No. 17 (Annexure-A-3), **Ajay Kumar Choudhary Vs. Union Of India, through its Secretary & Another** (Judgment dated February 16, 2015 in C.A. No. 1912 of 2015 {Arising out of SLP [C] No. 31761 of 2013}).

3. As above pointed out by Id. counsel for the applicant, the order at P.B., Pg. No. 13, bearing no. ~~ilvdk; l@d{&14@fo-pl@2017~~ dated 13/12/2017 (Annexure-A-1) is quashed and set aside on the ground that still today, no any

chargesheet has been filed and no enquiry has been initiated by the respondents.

4. In view of the above, the order at P.B., Pg. No. 13, bearing no. ~~ilvdk; k@d{14@fo-pls@2017}~~ dated 13/12/2017 (Annexure-A-1) is quashed and set aside.

5. However, in the interest of Justice, it is mentioned that, the above order will only get implemented, if affidavit-in-reply is not filed till next date. **S.O. 06/09/2018.**

6. Issue notice to R-2 & 3, returnable on 06-09-2018. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

8. 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.

9. 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.

10. 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.

11. 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.

12. **Steno copy is allowed.**

Member (A)

aps.

O.A. No.521/2017 (S.B.)

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

Dated : 30.08.2018.

Heard Shri N.D.Thombre, Id. counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondent nos. 1 & 2. None for respondent nos. 3 & 4.

The Id. P.O. has submitted the Hon'ble High Court, Nagpur Bench order in Writ Petition No. 4460/2018, order dated 25/07/2018, which is connected to the O.A. only.

In view of this, the matter will be listed after the decision of Hon'ble High Court. The matter is **admitted** and kept for final hearing.

S.O. in due course.

Member (A)

aps.

O.A. No.985/2017 (S.B.)

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

Dated : 30.08.2018.

Heard Shri S.Khandekar, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the Respondents.

As requested by Id. counsel for the applicant, all the respondents are directed to clear all the retirement benefits including related monetary benefits **within six weeks** from the date of this order.

In case, the applicant is aggrieved by any kind of payment, the applicant is at liberty to file another O.A. along with the same, the applicant is at liberty to challenge the order at P.B., Pg. No. 89 bearing No. 1 of ADI @Jh ikVy@I fu dkvf/@U; ki z 942@2017@3&M@8527@2018] dated 18/08/2018.

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

Steno copy is allowed.

Member (A)

aps.

O.A. No.976/2017 (S.B.)

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

Dated : 30.08.2018.

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

The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent nos. 2 & 3. The same is taken on record. Copy is served to the other side.

S.O. one week.

Member (A)

aps.

O.A. No.976/2017 (S.B.)

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

Dated : 30.08.2018.

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

The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent nos. 2 & 3. The same is taken on record. Copy is served to the other side.

S.O. one week.

Member (A)

aps.

O.A. No.37/2018 (S.B.)

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

Dated : 30.08.2018.

Heard Ms. L.M.Puranik, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent nos. 2 & 3. The same is taken on record. Copy is served to the other side. The matter is **admitted** and kept for final hearing.

S.O. in due course.

Member (A)

aps.

O.A. No.118/2018 (S.B.)

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

Dated : 30.08.2018.

Heard Shri S.N.Gaikwad, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the State. Await service of respondent nos. 2 & 3.

The Id. counsel for the applicant submits that he has served the notices and he file the service affidavit within a week. The Id. P.O. seeks four weeks time to file reply. At his request, **S.O. four weeks.**

Member (A)

aps.

O.A. No.339/2018 (S.B.)

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

Dated : 30.08.2018.

Heard Shri G.G.Bade, Id. counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

The Id. counsel for the applicant pointed out the representation dated 27/07/2018. The respondent no. 2 is directed to consider the representation dated 27/07/2018, sympathetically and disposed off the matter **within two weeks time.**

Hence, **O.A. is disposed off with no order as to costs.**

Interim relief granted In order dated 04/06/2018 in para no. 2:- *The Id. P.O. pointed out the document at Pg. No. 38, it seems that the G.R. No. SRV/pra.kra. 659/E-9, dated 18/12/2014 at Pg. No. 38 the provisions of*

Divisional Commissioner has not been taken care of. In view of this, the impugned order is stayed till the reply is submitted justifying the facts by the respondents.

The above relief is continued till the disposal of the representation.

Member (A)

aps.

O.A. No.327/2018 (S.B.)

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

Dated : 30.08.2018.

Heard Shri G.K.Bhusari, Id. counsel for the applicant, Shri M.I.Khan, Id. P.O. for the respondent nos. 1 & 2 and Shri S.N.Gaikwad, Id. counsel for the respondent no. 3.

The Id. counsel for the respondent no. 3 has filed the reply. It is taken on record. Copies are served to the other sides.

The Id. counsel for the applicant wants to go through the same. At his request, **S.O.**
05/09/2018.

Member (A)

aps.

O.A. No.368/2018 (S.B.)

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

Dated : 30.08.2018.

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

The Id. P.O. submits that he will file the reply during the course of the day. In view of this matter will be listed after a week time. **S.O.**

04/09/2018.

The interim relief is continued till next date of hearing.

Respondents are directed not to relieve the applicant till next date of hearing.

Steno copy is allowed.

Member (A)

aps.

O.A. No.410/2018 (S.B.)

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

Dated : 30.08.2018.

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

The Id. P.O. has placed on record the letter dated 30/08/2018 by the Dean, Vasantnao Naik Govt. Medical College & Hospital, Yavatmal. The Id. P.O. is directed to supply the copy of the same to the other side. The Id. counsel for the applicant is requesting for interim relief but as this juncture it is not possible because the applicant is released.

The Id. P.O. has requested that in the next hearing he will file the reply. At his request, **S.O. 12/09/2018.**

Member (A)

aps.

O.A. No.451/2018 (S.B.)

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

Dated : 30.08.2018.

Heard Shri A.R.Ingole, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

The Id. P.O. has filed the affidavit-in-reply on behalf of the respondent nos. 2 & 3. The same is taken on record. The Id. counsel for the applicant wants to go through the same.

S.O. two weeks for Rejoinder, if any.

Member (A)

aps.

O.A. No. 755/2015

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

C.A. No.259/2017.

None for the applicant. Shri A.M. Khadatkar, the learned P.O. for the respondent Nos. 1 and 2. None for R. 3 to 18.

At the request of Ld. P.O., S.O. **one week** for supplying addresses of R. 3 to 18.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 520/2018

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

Heard Shri S.C. Deshmukh, the
Ld. counsel for the applicant and Shri
S.A. Deo, the learned C.P.O. for the
respondents.

ADMIT.

Shri S.A. Deo, the learned
C.P.O. waives notice for the
respondents.

S.O.4.9.2018.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 534/2018

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

Heard Shri P.V. Thakre, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents 1 to 3. None for R.4 to 14.

The Ld. counsel for the applicant submits that during the pendency of the O.A., the applicant has been promoted and, therefore, he wants to withdraw the O.A. He has also filed pursis accordingly on 3.8.2018. In view

thereof, O.A. stands disposed of as withdrawn with no order as to costs.

Member(A) Vice-Chairman(J)

pdg.

O.A. No. 673/2013

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

C.P. No.17/2018.

Heard Shri Kunal Nalamwar, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondent No.1.

2. As per order passed in this O.A. on 2.7.2015, it was directed to the respondents to pay pension, gratuity with interest and all retiral benefits computed as directed within three

months from the date of order. We are now in the month of August 2018 and till today, order has not be complied with. It is nothing but sheer Contempt of Court. We, therefore, initiate proceedings with contempt against respondent Nos. 2 and 3.

3. Issue Notice to the respondent Nos. 2 and 3 returnable in **two weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act. Respondent Nos. 2 and 3 shall appear personally before this Tribunal.

4. Shri S.A. Sainis, the learned P.O. waives notice for the respondent No.1. Hamdast granted.

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

6. Steno copy be provided to the Ld. P.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 130/2016

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

C.P. No.27/2018.

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

The Ld. P.O. submits that he will file reply affidavit during the course of the day.

The Ld. counsel for the applicant submits that he will file service affidavit of R.2.

S.O. next week.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 574/2016

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

C.P. No.18/2017.

Heard Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

The Ld. counsel for the applicant submits that the applicant in this case has died in May 2018 and none of his L.Rs are interested. In view thereof, C.P. stands disposed of.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 687/2016

(D.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)**
Dated : 30th August 2018.

C.P. No.40/2017.

Heard Shri S.G. Lacharwar, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

2. Order dated 19.7.2018, is very clear. It was specifically directed that interest shall be paid within one month for the date of the order. Earlier, the respondents tried to pay interest on the ground that the order passed in O.A. No. 687/2016 on 19.7.2017 does not speak about the payment of interest. In the order dated 19.7.2018, it was clearly mentioned that the order was self speaking and interest was to be paid in case the amount was not paid within three months from the date of order. In spite of specific directions, now the learned P.O. is stating that a proposal has been sent to the Accountant General, Mumbai. This argument cannot be accepted. The

Accountant General, Mumbai is not party in this O.A. and even if for argument sake, it is accepted that such a proposal was to be submitted to the Accountant General, Mumbai, it was for the respondents to get all formalities completed within a stipulated period of one month. This is clear cut contempt of the order passed in O.A. No. 687/2016 as well as contempt of order dated 19.7.2018. We, therefore, initiate contempt proceedings against the respondent No.4. The respondent No.4 shall appear personally before this Tribunal on the next date, explaining as to why action for contempt shall not be initiated against him with immediate effect.

S.O. **next week**. (6.9.2018.)

Steno copy be provided to the Ld.
P.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 578/2016

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

C.P. No.06/2018.

Heard Shri N.D. Thombre, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The Ld. P.O. has placed on record a copy of order dated 16.8.2018 of the Hon'ble High Court, Nagpur in W.P. No.4919/2018

from which it seems that the writ petition is kept for final disposal on 27.9.2018 and in the meantime proceedings of this Tribunal is stayed. In view thereof, matter be kept in 1st week of October 2018.

S.O. 1st week of October 2018.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 480/2016

(D.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

C.P. No.23/2018.

Heard Shri S.P. Palshikar, the Ld.
counsel for the applicant and Shri M.I.

Khan, the learned P.O. for the respondents.

The Ld. P.O. has placed on record reply affidavit of R.3, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant. The Ld. counsel for the applicant wants to go through it.

S.O. one week.

Member(A) Vice-Chairman(J)

pdg.

**O.A. No. 290/2013, 304,305 & 306 of 2016
(D.B.)**

**Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)**

Dated : 30th August 2018.

C.P. Nos.30,31,32 & 33 of 2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicants in all the O.As

and Shri S.A. Sainis, the learned P.O. for the respondents.

2. Vide order dated 2.8.2018, it was directed to respondent No.3 to comply with the order of this Tribunal dated 18.8.2018 as a last chance within two weeks. Today the Ld. P.O. has placed on record communication dated 29.8.2018 which is marked "X" for identification alongwith another communication dated 24.8.2018, which is marked "X-1" for identification. On the basis of those documents, the Ld. P.O. submits that a proposal has been sent to the Govt. for passing necessary orders. We have perused the order passed by this Tribunal and particularly para No. 12 of the order which read as under:-

"12. The learned counsel for the applicants invited my attention to the G.R. dt. 16.10.2012. The copy of such G.R. alongwith list of

persons to be regularised has been placed at page No.22 and 23 from which it seems that the Govt. has taken a decision to regularise as many as 6546 Van Mazoors and this list includes the names of the applicants. In other words, it can be said that the Govt. has taken a decision to regularise the services of the applicants as Van Mazoors as per this communication and there was absolutely no reason for the Chief Conservator of Forests, Yavatmal to delete the names of the applicants from such list particularly when the higher authority has already sanctioned the list including the names of the applicants for regularisation.”

3. From the aforesaid facts, it will be thus clear that earlier the Govt. has already granted approval to the names of the applicants for regularisation. In spite of such specific order, the Chief Conservator of Forests, Yavatmal failed to comply with the order and now the Chief Conservator of Forests, Yavatmal is avoiding to comply with the order on the ground that the matter is to be referred to the Govt. There is absolutely no need to refer the matter to the Govt., since the Chief Conservator of Forests, Yavatmal is the competent authority to comply with the order and pay necessary arrears. In view thereof, we direct the Chief Conservator of Forests, Yavatmal to comply with the order by Monday, failing which the contempt proceedings will be initiated against the Chief Conservator of Forests, Yavatmal (R.3).

S.O. 3rd September 2018.

Member(A)

Vice-Chairman(J)

pdg.

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

Heard Shri A.Z. Jibhkate, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondent No.1.

2. As per order dated 27.8.2018, the learned P.O. was requested to take instructions as to whether the respondents are ready to continue the applicant till he attains the age of 60 years. The Ld. P.O. has placed on record a copy of communication dated 28.8.2018 received from the Govt. from which it seems that the Govt. is intending to file S.L.P. before the Hon'ble Apex Court in the matter. Admittedly till today, no S.L.P. is filed and no stay has been granted by the Hon'ble Apex Court in this regard. Earlier, as per the judgment of the Hon'ble High Court in W.P. No. 6757/2017, services of similarly situated Medical Officers were continued till they attain the age of 60 years and mandatory order is also passed by the Hon'ble

Chairman of this Tribunal at Principal Seat, Mumbai in O.A.(St.) No. 614/2018. There is no reason as to why mandatory order cannot be passed in this O.A. Notice in respect of the applicant's retirement dated 29.8.2018 (Annexure-X) is stayed with mandatory order. It is hereby directed that the applicant be directed to resume the duty and continue to serve there, if he is not continued.

3. It is stated that the applicant is not working at Sadak Arjuni and earlier the C.E.O., Z.P., Gondia has passed the order transferring the applicant at Pandhri. The Ld. counsel for the applicant submits that the C.E.O., Z.P., Gondia has no authority to issue posting order of the applicant. However, we have already observed in another O.A. No.567/2017 that the respondent No.5 in that case was already posted at Sadak Arjuni and, therefore, the applicant may join at Pandhri under protest. The applicant, therefore, may be continued, provided he joins at Pandhri immediately.

4. Notice be issued to the rest of the respondents returnable in **two weeks**.

5. Shri A.M. Khadatkar, the learned P.O. waives notice for the respondent No.1. Hamdast granted.

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

7. 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.

8. 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.

9. 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.

10. In case notice is not collected within seven 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.

11. S.O. two weeks.

12. Steno copy be provided to the Ld. P.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 555/2010

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

Heard Shri V.S. Kukday, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

S.O. 31.8.2018.

To be treated as part heard.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 453/2010

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)

Dated : 30th August 2018.

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

Nobody appeared for the applicant on 29.8.2018. Matter has

been listed in the weekly hearing board matters which was published two weeks back and, therefore, sufficient time has been given to the applicant.

S.O. **31.8.2018** for dismissal.

Member(A) Vice-Chairman(J)

pdg.

O.A. No. 518/2010

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

None for the applicant. Shri V.A. Kulkarni, the learned P.O. for the respondents.

Nobody appeared for the applicant on 29.8.2018. Matter has been listed in the weekly hearing board matters which was published two weeks back and, therefore, sufficient time has been given to the applicant.

S.O. **31.8.2018** for dismissal.

Member(A) Vice-Chairman(J)

pdg.

O.A. No. 520/2010

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

Heard Shri R.V. Shiralkar, Ld.
counsel for the applicant and Shri

A.M. Khadatkar, the learned P.O. for
the respondents.

Closed for orders.

Member(A) Vice-Chairman(J)

pdg.

O.A. No. 685/2010

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

Heard Shri Sachin Khandekar,
the Ld. counsel for the applicant and
Shri V.A. Kulkarni, the learned P.O.
for the respondents.

At the request of Ld. P.O. S.O.
6.9.2018 for filing reply.

To be treated as part heard.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 666/2010

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

None for the applicant, Heard Shri A.M. Ghogre, the learned P.O. for the respondents 1 to 3. Shri S.N. Gaikwad, Adv. holding for Shri R.N. Ghuge, Ld. counsel for R.4.

Matter was kept yesterday also. But none appeared. Hence, it has been posted today for dismissal.

The applicant in this case is claiming that the order of granting promotion to respondent No.4 dated 22.2.2010 be quashed and set aside and he be promoted to the post of Circle Officer. The Ld. P.O. submits that the applicant has already been promoted to the post on 14.7.2011 and the order of promotion is at page No.83, from which it seems that the applicant has been promoted w.e.f. 14.7.2011. It seems that, that might

be the reason as to why the applicant may not be interested in prosecuting the O.A. However, matter be kept for dismissal tomorrow.

S.O. **31.8.2018.**

To be treated as part heard.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 716/2010

(D.B.)

**Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.**

Heard Shri R.V. Shiralkar, Adv. holding for Shri A.C. Dharmadhikari, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents 1 to 3. Shri S.N. Gaikwad, Adv. holding for Shri R.N. Ghuge, Ld. counsel for R.4. Shri S.P. Palshikar, Adv. for R.6. None for R.5.

S.O. **31.8.2018** for filing some documents and for orders.

Member(A)

Vice-Chairman(J)

O.A. No. 728/2010

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

None for the applicant. Shri H.K. Pande, the learned P.O. for the respondents 1 & 2. Shri R.V. Shiralkar, Adv. for R.3.

S.O. **31.8.2018** for dismissal.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 838/2011

(D.B.)

**Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.**

None for the applicant. Shri H.K. Pande, the learned P.O. for the respondents 1 & 3. Shri R.V. Shiralkar, Adv. for R.2.

S.O. **31.8.2018** for dismissal.

Member(A)

Vice-Chairman(J)

O.A. No. 629/2010

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

None for the applicant. Shri A.M. Ghogre, the learned P.O. for the respondents 1 & 2. None for R.3 & 4.

Matter was heard yesterday at length and same was kept today. Today, the Ld. P.O. has placed on record a copy of order of promotion of the applicant dated 15th July 2014. It is marked "X" for identification. Since nobody has appeared for the applicant today, matter be kept tomorrow.

S.O. **31.8.2018.**

To be treated as part heard.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. 445/2010

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

Heard Shri R.V. Shiralkar, the Ld. counsel for the applicants and Shri P.N. Warjekar, the learned P.O. for the respondents

2. All the applicants are Drivers in Motor Transport section of respondents. It seems that earlier

separate seniority list for various posts of Driver Constables etc. in different department has been fixed, was being maintained separately. As per policy decision dated 1.3.1999 and in view of order of this Tribunal in some matters, it was decided to maintain common seniority list and powers were delegated to the Superintendents of Police of different districts. Accordingly, some of the Superintendents of Police have followed the order and decision. One of such lists prepared by the Superintendent of Police, Aurangabad (Rural), Oosmanabad and other districts are placed on record at page Nos. 25 to 52 (both inclusive). It is not known as to whether the Superintendent of Police, Akola has prepared same common seniority list as prepared by other Superintendents of Police. The Ld. P.O. has stated that the Superintendent of Police, Akola is not responding to the correspondence

made by the office of Ld. P.O. He seeks time till Monday to take instructions in the matter and, therefore, matter be kept on Monday.

S.O. 3.9.2018.

Steno copy be provided to the Ld. P.O.

Member(A)

Vice-Chairman(J)

pdg.

O.A. No. /2013

(D.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shree Bhagwan, Member(A)
Dated : 30th August 2018.

C.P. No.17/2018.

Heard Shri Kunal Nalamwar, the
Ld. counsel for the applicant and Shri
S.A. Sainis, the learned P.O. for the
respondent No.1.