

O.A.81/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Shri P.S. Patil, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1&2. Await service of R-3.

The learned counsel for the applicant submits that he will file service affidavit of R-3 before the next date.

Learned P.O. seeks time to file reply on behalf of R-1&2.

S.O. three weeks.

Vice Chairman (J)

dnk.

O.A.467/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Shri S.V. Bhutada, Id. counsel for
the applicnat and Shri A.M. Ghogre, Id.
P.O. for the Respts.

At the request of Id. P.O., **S.O. one
week** for filing reply.

Vice Chairman (J)

dnk.

O.A.124/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

C.A.62/2017

Shri S.D. Chande, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2 to 4.

Ld. counsel for the applicant submits that he will file service affidavit during the course of day.

Ld. P.O. seeks time to file reply affidavit.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A.146/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

C.A.86/2017

Heard Shri V.N. Atkapurwar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

2. Ld. P.O. files reply affidavit to the C.A. on behalf R-3&4. It is taken on record. Copy is served on the applicant.

3. The applicant has claimed a direction to the respondent to regularize the grant of two advance increments w.e.f. 1/10/1990. If the said prayer is to be considered, then the applicant is attempt the barred by limitation. The application is filed in 2017. The learned counsel for the applicant seeks permission to amend the said prayer clause.

4. The applicant has challenged in this O.A. the order passed by A.G. on 31/5/2013 (A-15,P-43), whereby the amount of Rs. 19,570/- has been

deducted as over payment of pay and allowances. It seems that earlier the applicant has also filed a Civil Suit bearing no.65/2015 before the 3rd Joint Civil Judge Senior Division, Chandrapur and the Civil Judge was pleased to return a plaint to the applicant for filing it before proper Forum vide Judgment dated 9/1/2017. In view thereof, the application is filed. For the reasons stated in the application, whatever delay for filing O.A. is condoned in the interest of justice and equity and it will be proper to consider the applicant's claim on merit. The C.A. is therefore disposed of accordingly.

O.A.146/2017 -

2. Issue notice to R-2 to 4, returnable in **four weeks**. Learned 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. 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.

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. Applicant is directed to file Affidavit of compliance and notice.

7. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A.148/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

C.A.79/2017

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

At the request of Id. P.O., **S.O. one
week** for filing reply.

Vice Chairman (J)

dnk.

O.A.486/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

C.A.323/2017

Heard Shri T.D. Khade, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. The applicant is claiming a direction to respondent no.1 to declare the revised staffing pattern at the earliest and further direction to respondent no.2 not to implement the G.R. dated 31/5/2017 till the respondent no.1 declares it's revised staffing pattern. By way of interim relief the applicant is claiming that instead of asking for option till 15/7/2017 the same shall be extended till 31/8/2017. None of these reliefs can be granted unless the respondents are heard as regards the policy decision taken by the Government. By giving option will not cause any prejudice to the applicant and therefore it is necessary to hear the case of respondents.

3. For the reasons stated in the application and since the cause of action is the same, the C.A. for sue jointly is allowed.

O.A.486/2017 -

2. Issue notice to R-2 to 4, returnable in **three weeks**. 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. 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.

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. Applicant is directed to file Affidavit of compliance and notice.

7. **S.O. three weeks.**

Vice Chairman (J)

dnk.

O.A.599/2016

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Shri D.R. Upadhyay, Id. counsel
for the applicant and Shri A.M. Ghogre,
Id. P.O. for the Respts.

At the request of Id. P.O., **S.O.**
three weeks for filing reply.

Vice Chairman (J)

dnk.

O.A.702/2016

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Smt. Saboo, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

Ld. P.O. files reply on behalf of 1 to 4. It is taken on record. Copy is served on the applicant. The Id. counsel for the applicant seeks time to file rejoinder.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A.716/2016

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Shri N.D. Thombre, Id. counsel for the applicant and Smt. Barabde, Id. P. O> for the Respts.

Ld. P.O. seeks further time to file reply. Time is granted as a most last chance for filing reply.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A.735/2016

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

None for the applicant. Smt. Barabde, Id. P.O. for R-1&2 and Shri V.G. Wankhede, Id. counsel for R-3.

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

Vice Chairman (J)

dnk.

O.A.77/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Smt. K.N. Saboo, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the Respts.

2. Learned counsel for the applicant submits that she does not want to file rejoinder. Since the pleadings are complete, the matter is admitted and kept for final hearing. Id. counsel for the applicant submits that similar matters are also admitted.

3. Id. P.O. waives notice for the respondents.

Hence, put along with similar matters.

Vice Chairman (J)

dnk.

O.A.89/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

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

Ld. P.O. files reply on behalf of R-3. It is taken on record. Ld. P.O. submits that there is no need to file reply on behalf of other respondents.

Heard. Admit.

Learned P.O. waives notice for the respondents.

The applicant is at liberty to file rejoinder, if any.

S.O. in due course.

Vice Chairman (J)

dnk.

O.A.114/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Smt. Saboo, Id. counsel for the applicant and Smt. Barabde, Id. P.O. for R-1 to 3. None for R-4.

At the request of Id. P.O., **S.O. two weeks** for filing reply.

Vice Chairman (J)

dnk.

O.A.509/2010

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Heard Shri R. Joshi, Id. counsel for
the applicant and Shri A.M. Ghogre, Id.
P.O. for the Respts.

Closed for orders.

Put up along with O.A.642/2010.

Vice Chairman (J)

dnk.

O.A.642/2010

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Heard Shri R.V. Shiralkar, Id.
counsel for the applicant and Shri A.M.
Ghogre, Id. P.O. for the Respts.

Closed for orders.

Put up along with O.A.509/2010.

Vice Chairman (J)

dnk.

O.A.Nos. 758,761 & 762 of 2013

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Shri P.S. Patil, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the Respondents.

Ld. P.O. submits that he wants to file additional affidavit in reply to the additional affidavit filed by the petitioners. At his request, **S.O. 4/8/2017**.

Put up along with other similar matter.

Vice Chairman (J)

dnk.

O.A.390/2014

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Shri S.M. Pande, Id. counsel for
the applicant and Shri P.N. Warjurkar, Id.
P.O .for the Respts.

S.O. 4/8/2017 along with other
similar matters.

Vice Chairman (J)

dnk.

O.A.487/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

Shri P.S. Patil, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the State.

2. In this O.A. the applicant has claimed direction to respondent no.2 to allow the applicant to join in the place of transfer, i.e., Amravati in pursuance of his transfer order dated 28/6/2017.

3. The learned P.O. has today placed on record one order dated 5/7/2017 which is marked "Exh-X", from which it seems that the applicant's transfer to Amravati has been cancelled. In view thereof, the applicant wants to take instructions as to whether to withdraw the O.A. or to file amendment application.

S.O. 17/7/2017.

Vice Chairman (J)

dnk.

O.A.275/2017

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 14.07.2017.

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

2. The applicant is a Medical Officer. Vide order dated 31/12/2016 he has been transferred from Daga Women Hospital, Nagpur to Police Hospital, Nagpur and in his place one Mr. B.S. Madke has been transferred. The said order was challenged by Shri Madke by filing O.A.5/2017 before this Tribunal. This Tribunal vide order dated 19/4/2017 was pleased to dismiss the O.A. The present applicant was respondent no.4 in that O.A.

3. Being aggrieved by the dismissal of the relief, Mr. Madke filed W.P.No. 4414/2017 before the Hon'ble High Court of Judicature at Bombay Bench at Nagpur. In the said W.P., the Hon'ble High Court has passed order on 13/7/2017 and the W.P. was dismissed.

It was observed by the Hon'ble High Court in the last para of the said order :-

“Since , the grievance of the parties could be redressed in view of the aforesaid arrangement, we dispose of the writ petition with a direction to the respondent nos. 1 to 3 to pass an order posting the petitioner on either of the two posts mentioned above, within three days. The petitioner should be relieved from the post, on which he is working, immediately so that the respondent no.4 could join on the said post.”

4. Thus, there was clear cut directions that Mr. Madke shall be relieved from the post for which he was working immediately, so that the respondent no.4 (present applicant) will join on his post. In spite of the said order, Mr. Madke has not been relived till today. In the reply affidavit the Commissioner of Nagpur has stated that he made representation to the Government respondent no.1 that some Medical Officer be posted in place of applicant and the said representation is pending before the Government.

5. The learned P.O. has placed on record the order dated 14/7/2017 which is

marked Exh-X for the purpose of identification and submits that Shri Madke has been relieved from his post and therefore the applicant now can be allowed to join in his post at Police Hospital, Nagpur. In view thereof, the relief claimed by the applicant now can be very well redressed. The application stands disposed of accordingly with no order as to costs.

6. Steno copy be supplied to the Id. counsel for the parties.

Vice Chairman (J)

dnk.

O.A. No. 342/2009.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

Heard Shri P.S. Girdekar,
Adv. holding for Shri M.V. Mohokar,
the learned counsel for the
applicant and Shri A.M. Ghogre, the
learned P.O. for respondent Nos.1
to 3. Shri P.R. Pudke, Adv. for R.4.

The learned counsel for the
applicant seeks time to amend the
O.A.

S.O. **one week.**

Vice-
Chairman(J)

O.A. No. 150/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

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

The applicant has prayed that the representation dated 12.12.2014 submitted before respondent No.1 and the representation dated 28.11.2016 submitted before respondent No.2 are kept before the D.P.C. The Ld. P.O. submits that the representation will be kept before the D.P.C. in September 2017. Therefore, the grievance seems to be redressed. However, since

nobody is present for the applicant,
matter be kept on Friday i.e. on 21st
July 2017.

S.O. 21st July 2017.

Vice-
Chairman(J)

Pdg

O.A. No.27 /2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

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

Second set of the O.A. is not
supplied as directed by this
Tribunal. Hence, it be kept on
Friday i.e. on 21st July 2017.

S.O. 21st July 2017.

Vice-
Chairman(J)

Pdg

O.A. No.488 /2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).

Dated : 14th July 2017.

Heard Shri M.R. Patil, the learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

2. Issue notice to respondents 2 & 3 returnable after **one week**.

3. Shri S.A. Deo, the learned C.P.O. waives notice for respondent No.1. Hamdast granted.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunals (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 or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

8. S.O. **one week.**

Vice-
Chairman(J)

pdg

O.A. No. 205/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

None for the applicants.
Heard Shri P.N. Warjekar, the
learned P.O. for the respondents.

S.O. **21st July 2017** for
passing necessary order.

Vice-
Chairman(J)

pdg

O.A. No. 639/2015.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

None for the applicant. Heard Shri A.M. Khadatkar, the learned P.O. for the respondents 1 to 3. None for R.4.

On 16.6.2017, last chance was granted to the applicant to serve respondent No.4. Cost of Rs. 500/- was also imposed on him. The said cost is not deposited nor reply is filed. Hence, it be kept for dismissal on **17th July 2017.**

Vice-
Chairman(J)

Pdg

O.A. No. 270/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

None for the applicant. Heard
Shri H.K. Pande, the learned P.O.
for the respondents.

At the request of Ld. P.O.,
S.O. **four weeks** for filing reply of
respondents.

Vice-
Chairman(J)

Pdg

O.A. No. 272/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

None for the applicant. Heard
Shri H.K. Pande, the learned P.O.
for the respondents.

At the request of Ld. P.O.,
S.O. **four weeks** for filing reply of
respondents.

Vice-
Chairman(J)

pdg

O.A. No. 644/2015.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

None for the applicant. Heard
Shri S.A. Deo, the learned C.P.O.
for the respondents 1 & 2. None
for R. 3 to 7.

Matter was kept for final hearing with the consent of parties and in the meantime the applicant was to file rejoinder. But the rejoinder is not filed. The Ld. counsel for the applicant is also absent. Hence the matter be kept before the regular D.B. when available.

Vice-
Chairman(J)

pdg

O.A. No. 490/2017.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.**

Heard Shri S.N. Gaikwad, the learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for respondent No. 1.

2. Issue notice to respondents 2 & 3 returnable after **four weeks.**

3. Shri S.A. Deo, the learned C.P.O. waives notice for respondent No.1. Hamdast granted.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative

Tribunals (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 or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

8. S.O. **four weeks.**

Vice-
Chairman(J)

Pdg

O.A. No. 489/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

Heard Shri C.A. Joshi, the learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for respondent No. 1.

2. Issue notice to respondents 2 & 3 returnable after **four weeks.**

3. Shri S.A. Deo, the learned C.P.O. waives notice for respondent No.1. Hamdast granted.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunals (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 or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. **four weeks.**

Vice-
Chairman(J)

Pdg

O.A. No. 356/2017.

**Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).**

Dated : 14th July 2017.

C.A.324/2017.

Heard Shri T.G. Bansod, the learned counsel for the applicant and Shri S.A. Sainis, the learned P.O. for respondent Nos. 1 & 2.

2. The learned counsel for the applicant submits that he is supplying correct address of respondent No.3 and notice be

issued on the same corrected address.

3. In view thereof, issue fresh notice to R.3 returnable after **four weeks**.

4. Shri S.A. Sainis, the learned P.O. for waives notice respondent Nos. 1 & 2. Hamdast granted.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunals (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 or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. **four weeks.**

Put up alongwith O.A. No. 266/2017.

Vice-
Chairman(J)

Pdg

O.A. No. 266/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

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

S.O. **four weeks** for filing reply by Ld. P.O. on behalf of the respondents.

Vice-
Chairman(J)

Pdg

O.A. No. 61/2017. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 14th July 2017.

Heard ShriD.R. Upadhyaya, the learned counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondent No.1.

2. The learned counsel for the applicant submits that he will carry out amendment during the course of the day.

3. The Ld. P.O. filed reply of R.4. It is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

4. The applicant is directed to issue fresh notice after amendment of the O.A.

5. Issue fresh notice to respondents 2 to 4 returnable after **four weeks.**

6. Shri V.A. Kulkarni, the learned P.O. waives notice for respondent No.1. Hamdast granted.

7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

9. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunals (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 or courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within three weeks. Applicant is directed to file Affidavit of compliance and notice.

11. S.O. **four weeks.**

Vice-
Chairman(J)

pdg

