

O.A. No. 312/2018.

(S.B.)

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

Dated : 23rd July 2018.

Shri D.S. Agnihotri, the Ld. counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondents.

S.O. **next week.**

Vice-Chairman(J)

pdg

O.A. Nos. 445, 446 & 447 of 2015. (S.B.)

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

Dated : 23rd July 2018.

Heard Shri M.R. Khan, Adv. holding for Shri N.B. Bargat, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 to 3 and 5. None for R.4.

Vide order dated 22.3.2018, it was mentioned that the reply of respondent No.1 is necessary and time was granted to the respondent No.1. Ld. P.O. submits that respondent No.1's reply is not necessary. Hence, at the risk of respondent No.1, matter will be heard on merits.

The Ld. counsel for the applicant seeks one week's time

S.O. first week of August 2018.

Vice-Chairman(J)

O.A. No. 781/2016. (S.B.)

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

Dated : 23rd July 2018.

Heard Shri M.R. Khan, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents.

The Ld. counsel for the applicant submits that he will replace non-legible copy within a week.

Ld. P.O. submits that he will file a copy of minutes of the meeting dated 12.1.2017 on record. He is permitted to file it on record.

S.O. **first week of August 2018,** for final hearing after replacement of the document.

Vice-Chairman(J)

O.A. No. 382/2017.

(S.B.)

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

Dated : 23rd July 2018.

Heard Shri I.G. Meshram, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the Ld. P.O. for the respondents.

At the request of the Ld. counsel for the applicant, S.O. **four weeks.**

Vice-Chairman(J)

O.A. No. 08/2018.

(S.B.)

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

Dated : 23rd July 2018.

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

The Ld. counsel for the applicant seeks time to amend the O.A. so as to join the affected person Mr. N. Raut as party respondent.

S.O. **four weeks.**

Vice-Chairman(J)

O.A. No. 198/2018.

(S.B.)

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

Dated : 23rd July 2018.

Heard Shri M.I. Dhattrak, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents.

The Ld. P.O. seeks time to file on record the minutes of the meeting of transfer.

S.O. **four weeks.**

Vice-Chairman(J)

pdg

O.A.No.325/2018 (S.B.)

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

Dated : 23.07.2018.

C.A.173/2018:-

Shri P.K.Mishra, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

The Id. Counsel for the applicant pointed out that he had intimation that case will be listed on 17/07/2018 and that's why he did not appear on 16/07/2018, therefore, the stay granted on 04/06/2018 in para no. 2 was vacated at 16/07/2018 and the applicant is relieved on 20/06/2018. As on today, since his client is relieved that question is not to be discussed at this stage.

The Id. P.O. submits that he will file affidavit-in-reply in the next hearing. At his request, **S.O. Friday i.e. 27/07/2018.**

*As far as C.A. is concerned the C.A. will
be heard alongwith the O.A.*

Member

(A)

aps.

O.A.No.319/2018 (S.B.)

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

Dated : 23.07.2018.

C.A.138/2018:-

Shri S.M.Bahirwar, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

The Id. Counsel for the applicant has accepted the G.R. No. '11 u fu.12 d1 c3d&2010@i1 d17@Q&9] dated 16/10/2012 admittedly filed on record. In view of that, it is directed to the Id. Counsel for the applicant to go through the provisions of G.R. dated 16/10/2012 and then come to the argument.

S.O. two weeks.

Member

(A)

aps.

O.A.No.319/2018 (S.B.)

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

Dated : 23.07.2018.

C.A.138/2018:-

Shri S.M.Bahirwar, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

The Id. Counsel for the applicant has been accepted the G.R. dated 16/10/2012. In view of that, it is directed to the Id. Counsel for the applicant to go through the G.R. dated 16/10/2012 and then come to the argument.

S.O. two weeks.

Member

(A)

aps.

O.A.St.No.937/2018 (S.B.)

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

Dated : 23.07.2018.

C.A.140/2018:-

None for the applicant. Shri H.K.Pande,
Id. P.O. for the State and Shri A.M.Kukday, Id.
Counsel for the respondent no. 2.

The Id. Counsel for the respondent no.
2 as well as Id. P.O. desires time. At their
request, **S.O. two weeks.**

Member

(A)

aps.

O.A.St.No.939/2018 (S.B.)

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

Dated : 23.07.2018.

C.A.141/2018:-

None for the applicant. Shri H.K.Pande,
Id. P.O. for the State. Shri A.M.Kukday going to
file vakalatnama on behalf of the respondent
no. 2.

The Id. Counsel for the respondent no.
2 as well as Id. P.O. desires time. At their
request, **S.O. two weeks.**

Member

(A)

aps.

O.A.No.840/2017 (S.B.)

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

Dated : 23.07.2018.

Shri I.G.Meshram, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

The Id. Counsel desires time to file application for condonation of delay. At their request, **S.O. one week.**

Member

(A)

aps.

O.A.No.433/2018 (S.B.)

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

Dated : 23.07.2018.

Shri D.M.Surjuse, Id. Counsel for the applicant and Shri P.N.Warjurakar, Id. P.O. for the State. Await service of respondent nos. 2 and 3.

At the request of Id. Counsel for the applicant, **S.O. two weeks** for filing service affidavit.

Member

(A)

aps.

O.A.No.435/2018 (S.B.)

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

Dated : 23.07.2018.

Shri Manwatkar holding for Shri
S.N.Gaikwad, Id. Counsel for the applicant and
Shri A.M.Khadatkar, Id. P.O. for the State.
Await service of respondent no. 2.

At the request of Id. Counsel for the
applicant, **S.O. one week** for filing service
affidavit.

Member

(A)

aps.

O.A.No.458/2018 (S.B.)

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

Dated : 23.07.2018.

None for the applicant. Shri S.A.Sainis,
Id. P.O. for the State. Await service of
respondent nos. 2 to 5.

The Id. P.O. points out that the service
affidavits are yet to be filed. At his request,

S.O. three weeks.

Member

(A)

aps.

O.A.No.466/2018 (S.B.)

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

Dated : 23.07.2018.

Shri J.S.Wankhede, Id. Counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the State. Await service of respondent nos. 2 & 3.

The Id. Counsel for the applicant submits that he will file service affidavit during the course of the day. The Id. P.O. seeks three weeks time to file affidavit-in-reply, **S.O. three weeks.**

Member

(A)

aps.

O.A.No.954/2017 (S.B.)

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

Dated : 23.07.2018.

Shri S.P.Palshikar, Id. Counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

Since the pleadings are completed, the matter is admitted and kept for final hearing.

S.O. 06/08/2018.

Member

(A)

aps.

O.A.No.385/2018 (S.B.)

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

Dated : 23.07.2018.

Shri A.Girdekar, Id. Counsel for the applicant, Shri A.M.Ghogre, Id. P.O. for the respondent nos. 1 & 2 and Shri S.P.Palshikar, Id. Counsel for the respondent no. 3.

At the request of Id. Counsel for the applicant, considering the urgency of his senior, matter will be listed on **S.O.**
26/07/2018.

Member

(A)

aps.

O.A.No.432/2018 (S.B.)

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

Dated : 23.07.2018.

Shri K.S.Malokar, Id. Counsel for the applicant, Shri H.K.Pande, Id. P.O. for the respondents and Shri D.M.Surjuse, Id. Counsel for the intervention.

The Id. P.O. files affidavit-in-reply on behalf of the respondent nos. 1 to 3. The same is taken on record. Copies are served to the other side. The Id. Counsel for the applicant submits he does not need to file rejoinder. The matter is admitted and kept for final hearing.

S.O. 26/07/2018.

Member

(A)

aps.

O.A.No.450/2018 (S.B.)

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

Dated : 23.07.2018.

Shri A.R.Ingole, Id. Counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

The Id. P.O. seeks two weeks time to file affidavit-in-reply, **S.O. two weeks.**

The order dated 26/06/2018-"the Id. C.P.O. submits that the applicant has been relieved on 20/06/2018 and he has also placed on record a copy of relieving order which is marked "X" for identification. According to the Id. Counsel for the applicant, the applicant has not received such a relieving order, since she was on medical leave. It is stated that the applicant is still on medical leave and her daughter's marriage is to be solemnized on 10th July, 2018. Therefore, in such circumstances she may not be insisted to join at Nanded till her daughter's marriage is over. Considering the fact that the applicant is a physically handicapped lady and her personal difficulty, the applicant can have option either to join at Nanded and proceed on leave or the respondents

shall not insist the applicant to join at Nanded till her daughter's marriage is over. In view of this, the respondents are directed not to insist the applicant to join at Nanded till 17th July, 2018.

The order dated 26th June, 2018 is continued till next date of hearing. S.O. two weeks.

Member

(A)

aps.

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

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

Dated : 23.07.2018.

Shri I.S.Ingole, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

The Id. P.O. seeks three weeks time to file affidavit-in-reply. At his request, **S.O. three weeks.**

Member

(A)

aps.

O.A.No.452/2018 (S.B.)

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

Dated : 23.07.2018.

Shri R.L.Alone holding for Shri
G.G.Bade, Id. Counsel for the applicant and
Shri M.I.Khan, Id. P.O. for the respondents.

The Id. P.O. seeks four weeks time to
file affidavit-in-reply. At his request, **S.O. four
weeks.**

Member

(A)

aps.

O.A.No.877/2017 (S.B.)

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

Dated : 23.07.2018.

Shri Girdekar holding for Shri N.R.Saboo, Id. Counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondents.

The Id. P.O. files affidavit-in-reply on behalf of the respondent nos. 1 to 4. The same is taken on record. Copies are served to the other side. The matter is admitted and kept for final hearing. **S.O. two weeks.**

*Put up this matter alongwith
O.A.No.880/2017.*

Member

(A)

aps.

O.A.No.880/2017 (S.B.)

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

Dated : 23.07.2018.

Shri Girdekar holding for Shri
N.R.Saboo, Id. Counsel for the applicant and
Shri P.N.Warjurkar, Id. P.O. for the
respondents.

The matter is **admitted** and kept for
final hearing. **S.O. two weeks.**

*Put up this matter alongwith
O.A.No.877/2017.*

Member

(A)

aps.

**C.A. Nos. 486/17 & 412/17 in O.A.
646/2017 (D.B.)**

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

Dated : 23/07/2018

C.A.486/2017 -

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

2. Reply to the C.A. for condonation of delay is not filed. The application is heard on merits and closed for orders.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 195/2018 (D.B.)

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

Dated : 23/07/2018

C.A.67/2018 -

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

At the request of learned P.O.,
S.O. three weeks for filing reply on C.A.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 173/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 23/07/2018

C.A.84/2018 -

None for the applicant. Shri P.N. Warjurkar, learned P.O. for R-1&2. Await service of R-3.

The learned P.O. seeks time to file reply on behalf of R-2.

S.O. four weeks along with other connected matters.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 212/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 23/07/2018

There is a leave note from Shri M.R. Rajgure, learned counsel for the applicant. Shri A.M. Ghogre, learned P.O. for R-1&2. Await service of R-3&4.

The learned P.O. submits that he will file reply on behalf of R-2.

S.O. four weeks along with other connected matters.

Member(A)

Vice-Chairman(J)

dnk.

**O.As. 234,235,236,237,238,239 & 240 of
2018 (D.B.)**

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

Dated : 23/07/2018

Shri Y.P. Kaslikar, learned counsel for the applicants and Shri M.I. Khan, learned P.O. in O.A.234/18 and other learned P.Os. in other O.As. on behalf of R-1&2. Await service of R-3&4.

2. The learned P.Os. submit that they will file reply on behalf of R-2.

3. The learned counsel for the applicants submits that he will file service affidavit on behalf of R-3&4 and for that purpose he seeks time. Time is granted.

S.O. four weeks along with other connected matters.

Member(A) Vice-Chairman(J)
dnk.
O.A. 249/2018 (D.B.)

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

Dated : 23/07/2018

There is a leave note from Shri M.R. Rajgure, learned counsel for the applicant. Shri V.A. Kulkarni, learned P.O. for R-1&2. Await service of R-3&4.

The learned P.O. submits that he will file reply on behalf of R-2.

S.O. four weeks along with other connected matters.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 233/2018 (D.B.)

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

Dated : 23/07/2018

Shri Bharat Kulkarni, learned counsel for the applicant and Shri S.A. Sainis, learned P.O. for the respondents.

2. The learned counsel for the applicant submits that respondents are served.

3. The learned P.O. seeks time to file reply. At his request, **S.O. four weeks** along with other connected matters.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 244/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 23/07/2018

Shri R.V. Shiralkar, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for the respondents.

2. The learned counsel for the applicant submits that he will file legible copies on record and for that purpose he seeks time.

3. The learned P.O. also seeks time to file reply-affidavit. Time is granted. **S.O. four weeks** along with other connected matters.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 91/2015 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 23/07/2018

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

Heard. Admit.

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

In the meantime, the applicant is at liberty to file rejoinder, if any.

S.O. in due course.

Member(A) **Vice-Chairman(J)**
dnk.

O.A. 107/2015 (D.B.)

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

Dated : 23/07/2018

None for the applicant. Shri M.I. Khan, learned P.O. for the respondents.

Heard. Admit.

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

Matter be kept for final hearing.

S.O. in due course.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 124/2015 (D.B.)

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

Dated : 23/07/2018

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

Heard. Admit.

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

S.O. in due course.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 647/2016 (D.B.)

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

Dated : 23/07/2018

Shri M.R. Pillai, learned counsel for the applicant and Shri V.A. Kulkarni, learned P.O. for the respondents.

The learned P.O. files reply-affidavit on behalf of R-3. It is taken on record. Copy is served on the applicant. The learned counsel for the applicant wants to go through the same and seeks time to file rejoinder. At his request, **S.O. two weeks** for filing rejoinder.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 879/2017 (D.B.)

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

Dated : 23/07/2018

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

The learned counsel for the applicant submits that he does not want to file rejoinder.

Heard. Admit.

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

S.O. in due course.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 288/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan, Member(A)

Dated : 23/07/2018

Shri K.D. Manwatkar, Id. counsel holding for Shri V.N. Patre, Id. counsel

for the applicants and Shri S.A. Sanis, Id.
P.O. for R-1 to 3. None for R-4 to 10.

At the request of learned P.O.,
S.O. four weeks for filing reply of R-1 to
3.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 427/2016 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 23/07/2018

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

At the request of learned P.O.,
S.O. two weeks as a last chance for
filing short affidavit.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 494/2014 (D.B.)

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

Dated : 23/07/2018

Shri R.L. Alone, Id. counsel holding for Shri G.G. Bade, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents.

At the request of learned counsel for the applicant, **S.O. two weeks** for filing rejoinder.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 40/2015 (D.B.)

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

Dated : 23/07/2018

Ku.K.K. Pathak, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the respondents.

The learned counsel for the applicants submits that he will remove office objections and supply the copies to the learned P.O. and for that purpose she seeks time. At her request, **S.O.**
30/07/2018.

Member(A)
dnk.

Vice-Chairman(J)

O.A. 600/2016 (D.B.)

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

Dated : 23/07/2018

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

2. The learned counsel for the applicant seeks permission to correct the date mentioned in the relief clause no.7 (A) which shall be 26/11/2015 instead of 28/11/2015. The said mistake is made inadvertently and hence the applicant is allowed to correct the said date forthwith.

3. The learned counsel for the applicant also seeks time to replace the documents which are not legible. Time is granted as prayed for.

S.O. 1st week of August,2018.

Member(A) Vice-Chairman(J)
dnk.

O.A. 186/2013 (D.B.)

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

Dated : 23/07/2018

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

At the request of learned counsel
for the applicant, **S.O. 6/8/2018.**

Member(A)
dnk.

Vice-Chairman(J)

O.A. 554/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 23/07/2018

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

2. The applicant is claiming
appointment to the post of Police
Constable on the Sport category. As per
the advertisement of 2018, it has been
specifically mentioned in the Clause
no.19 (V) as under :-

*~vR; r eglo/ps & [kGklw menokjkuh vtZ dj.; kinoh
mijkdR uem 'kkl u fu.kz fnukad 1@7@2016 e/khy*

*ifjPNn 4 (V) e/khy rjrqhul kj [kGkMw menokjkauh
 ikyhl f'ki kbZ inkI kBh vtZdj.; ki whp I æt/kr foHkxh;
 mil pkyd ; kP; kdMw [kGkP; k iæk.ki=kph iMrkG.kh
 d#u ?ksks vko'; d vkgs ¼rl p] Inj iæk.ki=kph ir
 vtZl kcr tkM.kS vko'; d vkgs½ rlsu dY; kl Injgw
 'kkl u fu.kZ krhy ifjPNn 6 ¼9½ e/khy rjrqhul kj
 menokjkpk [kGkMwI dxkZw foplj djrk ; r ukgh- R; keGs
 I æt/kr foHkxh; mil pkyd ; kuh dtMk iæk.ki= ; kX;
 vIY; kckcr o [kGkMw dksR; k I dxkZ kBh ik= Bjrks
 ; kckcr iælf.kr dsys iæk.ki= vMw ykbZ vtZ Inj
 dj.; kP; k 'koVP; k fnukæki ; r [kGkMw menokjkus i klr
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3. From the correspondence on record, it seems that when the respondent no.3 was called for verification of documents, he was having no sport certificate and he sought time to produce such certificate and the applicant got the information under the RTI Act, that such time was granted to the respondent no.3 In the meantime, admittedly the applicant who is on wait list was also called for verification of documents and he has produced all the relevant documents. Considering this aspect, it seems that admittedly the respondent no.3 was having no relevant document as per the condition

mentioned in the advertisement before filing application.

4. The respondent no.2 is therefore directed not to issue appointment order in favour of respondent no.3, if it is not yet issued till further orders.

5. In the meantime issue notice to R-2 and 3, returnable in **four weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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 **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.

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

Member(A)
dnk.

Vice-Chairman(J)

O.A. 555/2018 (D.B.)

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

Dated : 23/07/2018

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

2. The applicant is a Medical Officer claiming that he is entitled to enhancement of retirement age from 58 to 60 as per the G.R. dated 3/9/2015, since he falls in the pay scale given in the G.R. The learned counsel for the applicant has invited our attention to another G.R. dated 2/7/2002 which states that those Medical Officers who are getting pay scale more than Rs.11,500/- shall be treated as Group-A. The similar point has been considered in O.A. No.42/2016 by this Tribunal vide order dated 27/10/2016 and benefit has been granted as per the G.R. to the Officers Group-A also who are in the pay scale of Rs.15600-39100 with Grade Pay Rs.5400. The said Judgment has been confirmed by the Hon'ble High Court in Writ Petition No.6757/2017 on 5/3/2018. The learned counsel for the applicant

therefore submits that the applicant is squarely covered by these citations. In view thereof, the respondent nos. 1 and 5 are therefore directed not to relieve the applicant till reply in this O.A. is filed.

3. In the meantime issue notice to R-2 to 5, returnable in **four weeks**. 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.

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

Member(A)
dnk.

Vice-Chairman(J)