

O.A. No.369/2018 (S.B.)

Coram: Shri Shree Bhagwan,

Member (A)

Dated : 7th June 2018.

Heard Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondent No.1.

2. The applicant has made representation dated 28.5.2018. In response to the said representation pointed out by the Ld. P.O., respondent No.2 is directed to consider the applicants' representation dated 28.5.2018 as early as possible, preferably before the next date of hearing i.e. 26th June 2018.

3. The Ld. P.O. has placed on record a copy of transfer order of the applicant which is marked "X" for identification. The Ld. P.O. to supply

the said copy to the Ld. counsel for the applicant.

4. Issue notice to the respondent No. 2 returnable on **26th June 2018**.

5. Shri M.I. Khan, 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. In case notice is not collected within **seven days**, and if service report on affidavit is not filed within **three days** before returnable date, O.A. shall stand dismissed without reference to the Tribunal and papers be consigned to record.

10. Till that date, impugned order is stayed to the extent it relates to the applicant.

11. S.O. **26th June 2018**.

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

Member (A)

O.A. No.371/2018 (S.B.)

Coram: Shri Shree Bhagwan,

Member (A)

Dated : 7th June 2018.

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondent No.1.

2. The Ld. counsel for the applicant submits that the applicant is not at all relieved from his post. It appears that the applicant had not completed his normal tenure at Jhari and in the process of transfer, prior permission of the next higher authority has not been taken.

3. The respondent to verify that prior permission has been taken and if taken, he should furnish the relevant documents.

4. Issue notice to the respondent Nos. 2 to 5 returnable on **28th June 2018.** Hamdast granted.

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

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. In case notice is not collected within **seven days**, and if service report on affidavit is not filed within **three days** before returnable date,

O.A. shall stand dismissed without reference to the Tribunal and papers be consigned to record.

10. Till that date, impugned order is stayed to the extent it relates to the applicant.

11. S.O. **28th June 2018.**

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

Member (A)

pdg.

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

Coram: Shri Shree Bhagwan,

Member (A)

Dated : 7th June 2018.

Heard Shri S.N. Gaikwad, the Ld. counsel for the applicant and Shri H.K.Pande, the learned P.O. for the respondent No.1.

2. Prima facie, it appears that the impugned order is in violation of the G.R. नं. टीआरएफ-२०००/प्र. क्र. ३/ बारा, सामान्य प्रशासन विभाग dated 6.8.2002 and G.R. नं एसआरवि/२०१७/प्र.क्र. ४१५ कार्यासन १२ सामान्य प्रशासन विभाग dated 9.4.2018.

3. The impugned order to the extent of the applicant is stayed.

4. The Ld. P.O. seeks two weeks' time. Meanwhile, the respondents are directed to consider the applicant's request for choice posting.

5. Issue notice to the respondent No. 2 returnable on **21th June 2018**.

6. Shri H.K.Pande, the learned P.O. waives notice for the respondent No.1. Hamdast granted.

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. In case notice is not collected within **seven days**, and if service

report on affidavit is not filed within **three days** before returnable date, O.A. shall stand dismissed without reference to the Tribunal and papers be consigned to record.

11. S.O. **21th June 2018.**

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

Member (A)

pdg.

O.A. No. 358/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Member (A)

Dated : 7th June 2018.

Heard Shri J.B. Gandhi, Adv. holding for Shri K.P. Mahalle, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

In the interest of justice and equity, matter is listed tomorrow i.e. 8th June 2018 as pleaded by the Ld. counsel for the applicant and the Ld. P.O.

S.O. 8th June 2018.

Member (A)

pdg.

O.A. No. 347/2018 (S.B.)

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

Dated : 7th June 2018.

Heard Miss M.D. Karare, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

Await service of notice to R. 2 to 5.

The Ld. counsel for the applicant has made an amendment. But its copy is not supplied to the Ld. C.P.O.

Ld. CPO seeks time. Hence, the matter is listed on 11.6.2018.

The Ld. counsel for the applicant should carry out correction in the copy of Ld. CPO.

S.O. 11th June 2018.

Member (A)

pdg.

O.A. No. 366 /2018 (S.B.)

Coram: Shri Shree Bhagwan,

Member (A)

Dated : 7th June 2018.

C.A. 123/2018.

Heard Shri D.M. Surjuse, the Ld. counsel for the applicant No.1 and Shri S.A. Deo, the learned C.P.O. and Shri M.I. Khan, Ld. P.O.for the respondent No.1.

2. This O.A. is only for applicant No.1. Other separate O.A. will be filed by other applicants.

3. Selection process of Police Patil is under challenge. The review process regarding awarding of marks in interview to the candidates is at page No.100 of the O.A. Five Members in the Interview Committee were: (1) S.D.O., Arvi, (2) S.D.P.O., Arvi, (3) A.P.O., Wardha, (4) Assistant Commissioner and (5) Tahsildar and the marks were given to them separately and average was taken. The Ld. counsel for the applicant submits that the Interview Committee was in the knowledge of the written marks of candidates. C.A. stands disposed of.

O.A. No. 366 /2018.

4. Notice be issued to the respondent No.2 to confirm whether written marks were known to the Committee or not. The respondents should explain the procedure adopted in the recruitment process. The Ld. counsel for the applicant is also requested that selected candidates be made party respondents in the O.A.

5. Shri M.I. Khan, 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. In case notice is not collected within **seven days**, and if service report on

affidavit is not filed within **three days** before returnable date, O.A. shall stand dismissed without reference to the Tribunal and papers be consigned to record.

Matter be listed in the **first week of July 2018.**

Member (A)

pdg.

**O.A. Nos. 181, 182, 183 & 184 of 2018
(S.B.)**

Coram: Shri Shree Bhagwan,
Member (A)

Dated : 7th June 2018.

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

The Ld. P.O. submits that he will file reply for all the respondents within a period of one week.

All connected matters will be listed on **15th June 2018** alongwith this O.A.

Member (A)

pdg.

O.A. No. 01/2018

(S.B.)

Coram: Shri Shree Bhagwan,

Member (A)

Dated : 7th June 2018.

Heard Shri R.V. Shiralkar, the Ld. counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondents.

The Ld. C.P.O. requests for four weeks time for filing reply.

S.O. four weeks.

Member (A)

pdg.

O.A. No.367/2018 (S.B.)

Coram: Shri Shree Bhagwan,

Member (A)

Dated : 7th June 2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondent No.1.

2. The impugned order stayed, since it is violative of the G.R. नं. टीआरएफ-२०००/प्र. क्र. ३/ बारा, सामान्य प्रशासन विभाग dated 6.8.2002.

3. Issue notice to the respondent Nos. 2 and 3 returnable on **21th June 2018.**

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

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

separate notice for final disposal shall 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. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. 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.

8. In case notice is not collected within **seven days**, and if service report on affidavit is not filed within **three days** before returnable date, O.A. shall stand dismissed without reference to the Tribunal and papers be consigned to record.

9. Matter will be heard on 21.6.2018 alongwith O.A. No. 342/2018.

10. S.O. **21th June 2018.**

11. Steno copy be supplied to the Ld. P.O.

Member (A)

pdg.