

O.A.(St.)No.1842/2018. (S.B.)

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

Dated : 14th January 2019.
C.A. No. 329/2018.

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

S.O. **three weeks** as a last chance for filing reply by Ld. P.O.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.148/2018.

(S.B.)

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

Dated : 14th January 2019.

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

Ld. P.O. submits that he is filing reply on behalf of respondents during the course of the day.

S.O. **two weeks** for filing rejoinder.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.359/2018.

(S.B.)

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

Dated : 14th January 2019.

Heard Shri G.G. Bade, the Ld. counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents 1 to 5.

Await service to R.5.

S.O. **three weeks** for filing reply of respondents.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.616/2018.

(S.B.)

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

Dated : 14th January 2019.

None for the applicant. Shri A.M. Khadatkar, the learned P.O. for the respondent Nos. 1 to 3. Shri P.V. Thakre, Adv. for R.4

The learned P.O. has filed reply affidavit on behalf of the respondent Nos. 2 and 3. It is taken on record.

S.O. **one week** for filing reply of R.4.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.653/2018.

(S.B.)

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

Dated : 14th January 2019.

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

2. The applicant has challenged the impugned order of punishment in departmental enquiry dated 28.8.2017 (A.1) whereby the applicant has been punished of stoppage of one increment for a period of two years. It is stated that the said order was passed without holding any enquiry. The applicant has also filed an appeal against the said order before the appellate authority on 11.9.2017 (A-5). However, no decision has been taken on the appeal and, therefore, this O.A.

3. The Ld. counsel for the applicant submits that the application may be disposed of with direction to the appellate authority to take a decision on the appeal within a stipulated period. Considering the fact that the appeal memo is dated 11.9.2017 and the same was filed within limitation. Respondent No.3 is directed to take a decision on the appeal (A.5) within one months from the date of this order and the decision shall be communicated to the applicant in writing with liberty to the applicant to approach this Tribunal. O.A. stands disposed of accordingly with no order as to costs.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.743/2018.

(S.B.)

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

Dated : 14th January 2019.

Shri Krishna Manwatkar, Adv. holding for Shri S.N. Gaikwad, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

S.O. **three weeks** for filing reply by Ld. P.O. as a last chance.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.784/2018.

(S.B.)

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

Dated : 14th January 2019.

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

Ld. CPO submits that he will take instructions as to within how many days appeal will be decided.

S.O. **one week** for taking instructions

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.867/2018.

(S.B.)

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

Dated : 14th January 2019.

Heard Ms. A.M. Sudame, the
Ld. counsel for the applicant and Shri
P.N. Warjekar, the learned P.O. for
the respondents.

S.O. **three weeks** for filing reply
by Ld. P.O.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. Nos.890, 891 and 892 of 2018.

(S.B.)

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

Dated : 14th January 2019.

Heard Shri D.M. Kakani, the Ld. counsel for the applicants and Shri A.M. Khadatkar, the learned P.O. for the respondents.

S.O. **one week** for filing reply by Ld. P.O

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.973/2018.

(S.B.)

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

Dated : 14th January 2019.

Heard Shri A.C. Dharmadhikari, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 3. Shri D.M. Kakani, Adv. for R.4.

S.O. **two weeks** for filing reply by Ld. P.O. as a last chance.

Interim relief to continue till then.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.742/2015.

(S.B.)

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

Dated : 14th January 2019.

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

The Ld. P.O. has filed Maharashtra Police Patil (Recruitment, Pay and Allowances and other Conditions of Service) Order, 1968, it is taken on record and marked "X" for the purpose of identification.

Since nobody is present for the applicant, matter be kept on **18.1.2019.**

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.134/2018.

(S.B.)

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

Dated : 14th January 2019.

Heard Shri N.W. Almelkar, the
Ld. counsel for the applicant and Shri
M.I. Khan, the learned P.O. for the
respondents.

Closed for orders.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.345/2018.

(S.B.)

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

Dated : 14th January 2019.

Heard Shri Ashish Chawre, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

The applicant in this case has challenged the order of his transfer dated 31.5.2018 (A-1) whereby he was transferred from Amravati to Buldana. The Ld. counsel for the applicant has today placed on record a copy of order dated 9.1.2019, which is marked "X" for the purpose of identification, from which it seems that applicant's request for transfer has been considered. The Ld. counsel for the applicant, therefore, submits that since the grievance of the applicant has been redressed, nothing survives in this O.A. Hence, the O.A. stands disposed of accordingly with no order as to costs.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.554/2015.

(S.B.)

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

Dated : 14th January 2019.

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

Ld. P.O. files communication dated 2.7.2014, it is taken on record; which is marked "X" for the purpose of identification. The Ld. counsel for the applicant submits that inadvertently the he has not collected a copy of reply of R. 2 and 3 and, therefore, he may be granted time to go through it.

S.O. one week.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A. No.929/2017.

(S.B.)

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

Dated : 14th January 2019.

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

S.O. 17.1.2019.

To be treated as part heard.

Vice-Chairman(J)

Dt. 14.1.2019.

pdg.

O.A.No. 216/2002. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 14th January 2019.**

M.C.A.45/2016 in Rev.Appl.06/2016:-

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

The Id. counsel for the applicant filed the M.C.A.No. 45/2016 by which he seeks restoration. At his request, **M.C.A. No. 45/2016 is allowed** and O.A. is restored to file.

The Id. counsel for the applicant further submits that he will do the compliance within two weeks as per the order dated 21/06/2016.

S.O. in due course.

**Member(J)
Date:-14/01/2019.
aps.**

Member(A)

O.A.No. 197/2015. (D.B.)

Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)

Dated : 14th January 2019.

C.A.No.251/2018:-

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

*C.A. No. 251/2018 for early hearing is
rejected. O.A. No. 197/2015 is dismissed in
default.*

Member(J)
Date:-14/01/2019.
aps.

Member(A)

O.A.No. 346/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 14th January 2019.

C.A.No.208/2018:-

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

The Id. P.O. filed the affidavit-in-reply on behalf of the respondent no. 2. The Id. counsel for the applicant filed the pursis. Both are taken on records. Copies are served to the other sides.

The Id. P.O. desires time to take instructions from the M.P.S.C.. At his request,
S.O. one week.

**Member(J)
Date:-14/01/2019.
aps.**

Member(A)

O.A.No. 420/2018. (D.B.)

Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 14th January 2019.

Ms.V.V.Tiwari, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 to 3. Await service of respondent nos. 4 to 25.

2. Notices have not been served to few respondents. The Id. P.O. is directed to supply the correct addresses to the Id. counsel for the applicant **within two weeks time to the unserved respondents**. The Id. counsel for the applicant will serve the notices at correct addresses and file service affidavit.

3. Issue fresh notice to unserved respondents after correcting the addresses, returnable on **four weeks**. 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. **S.O. four weeks.**

Member(J)
Date:-14/01/2019.
aps.

Member(A)

O.A.No. 448/2014. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 14th January 2019.

Shri G.G.Bade, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondent nos. 1 to 4. None for the respondent nos. 5 to 23.

The Id. counsel for the applicant submits that he want to file pursis on record. He further submits that some junior persons have been promoted. The Id. P.O. seeks time to file reply on the pursis.

S.O. two weeks.

**Member(J)
Date:-14/01/2019.
aps.**

Member(A)

O.A.No. 104/2017. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 14th January 2019.

None for the applicant. Shri A.M.Ghogre, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent nos. 3 & 4.

However, the Id. P.O. filed the Judgment delivered by this Tribunal in O.A. No. 105/2017, dated 28/07/2017 and which has been confirmed by Hon'ble High Court Mumbai, Bench at Nagpur in writ petition no. 7393/2017 delivered on 13/03/2018. Both are taken on record. He further submits that he will serve the copy to the other side.

The Id. P.O. also submits that the present O.A. is similar to this case. At his request, **S.O. one week for order.**

Member(J)
Date:-14/01/2019.
aps.

Member(A)

O.A.No. 105/2016. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 14th January 2019.**

C.A.No.297/2018:-

Shri G.R.Sadar, the Id. counsel for the applicant, Shri M.I.Khan, the Id. P.O. for the respondent nos. 1 & 2 and Shri S.P.Palshikar, the Id. counsel for the respondent no. 3.

2. The Id. counsel for the applicant submits that respondent no. 3 has taken V.R.S.. However, whether V.R.S. is accepted or not, it is not clear? The Id. counsel for the respondent no. 3 submits that, he could not contact his client and seeks time to get instructions from the respondent no. 3, that his V.R.S. has been accepted or not? If, it is accepted, then on which date it is accepted? The Id. P.O. is directed to file minutes of meeting of D.P.C.. The Id. counsel for the applicant has submitted letter No. d:\e\k\fo\k\ev\k\LF\k\@, e\k\k\k\@l\gv\k\@i\k\k\ur\k\@dk&1@64] f\k\k\k\k\ 05-01-2016 from Joint Commissioner, Woman and Child Development, Department. It is taken on record. Copies are served to the other sides.

3. Notice on C.A. to R-2 be issued returnable in **29.01.2019.**

4. Shri M.I.Khan, the learned P.O. waives notice for respondent no.1. Hamdast granted.
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 the O.A.
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. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.
9. 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.

10. **S.O. 29.01.2019.**

Member(J)
Date:-14/01/2019.
aps.

Member(A)

O.A.No. 180/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 14th January 2019.

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

During last hearing, the Id. P.O. submitted that D.E. has been completed. However, the order was ready to be pass. He was directed to pass the order **within three weeks time**. However, till today order has not been passed. The Id. P.O. seeks time. At his request, **S.O. 21/01/2019.**

Steno copy is granted.

**Member(J)
Date:-14/01/2019.
aps.**

Member(A)

O.A.No. 356/2017. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 14th January 2019.

Heard Shri S.Borkute, the Id. counsel for the applicant, Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 to 3 and Shri A.B.Mirza, the Id. counsel for the respondent no. 4.

In order dated 22/11/2018, as per the para no. 3, the Id. counsel for the applicant has done amendment in the O.A.. Notice was issued to the respondent no. 4. The Id. counsel for the respondent no. 4 seeks time to file reply. The Id. P.O. submits that he does not require to file reply, since the O.A. has been amended.

At the request of Id. counsel for the respondent no. 4, **S.O. three weeks.**

Member(J)
Date:-14/01/2019.
aps.

Member(A)

O.A.No. 975/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)
Dated : 14th January 2019.**

Heard Shri A.S.Dhore, the Id. counsel for the applicant and Shri S.A.Dev, the Id. C.P.O. for the State. Await service of respondent nos. 2 to 5.

The Id. counsel for the applicant desires one week time to file service affidavit,
S.O. two weeks.

Member(J)
Date:-14/01/2019.
aps.

Member(A)

O.A.No. 970/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 14th January 2019.

None for the applicant. Shri V.A.Kulkarni, the Id. P.O. for the State. Await service of respondent nos. 2 to 4.

S.O. four weeks to file service affidavit.

**Member(J)
Date:-14/01/2019.
aps.**

Member(A)

O.A.No. 858/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 14th January 2019.

Mrs. S.R.Khobragade, the Id. counsel
for the applicant and Shri A.M.Ghogre, the Id.
P.O. for the respondents.

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

Member(J)
Date:-14/01/2019.
aps.

Member(A)

O.A.No. 625/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 14th January 2019.

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

At the request of Id. P.O., **S.O. two weeks** for reply as a last chance.

Member(J)
Date:-14/01/2019.
aps.

Member(A)

O.A.No. 530/2018. (D.B.)

**Coram: Shri Shree Bhagwan,
Member (A) and
Shri A.D.Karanjkar, Member(J)**

Dated : 14th January 2019.

Shri S.M.Khan, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the respondents.

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

**Member(J)
Date:-14/01/2019.
aps.**

Member(A)

