

O.A. No.122/2017. (S.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J)
Dated : 6th March 2019.

C.A. No. 77/2019.

Heard Shri I.S. Charlewar, the Ld. counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents 1 to 3.

Shri J.S. Mokadam, Ld. Advocate is filing his Vakalatnama on behalf of R.4.

For the reasons stated in the application, C.A. for early hearing is allowed and disposed of.

O.A. No.122/2017.

S.O. **25.3.2019.**

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. No.115/2018.

(S.B.)

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

Dated : 6th March 2019.

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

It seems that the applicant's claim has been forwarded to the Director of Public Health at Mumbai vide letter dated 11.10.2018 as per Annexure A-7. But no decision has yet been taken. Ld. P.O. is requested to take instructions why the said proposal has not yet been sanctioned and also to take further instructions within how many days necessary order would be passed on the said proposal.

For taking instructions, S.O.
8.3.2019.

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. No.284/2018.

(S.B.)

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

Dated : 6th March 2019.

C.A. No. 100/2018.

Heard Shri A.D. Girdekar, the Ld. counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents.

The Ld. counsel for the applicant seeks time to file service affidavit. Granted.

S.O. **two weeks.**

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. No.784/2018.

(S.B.)

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

Dated : 6th March 2019.

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

At the request of Ld. CPO, S.O.

7.3.2019.

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. (St.) No.283/2019.

(S.B.)

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

Dated : 6th March 2019.

C.A. No. 49/2019.

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

At the request of Ld. P.O., S.O. **two**
weeks for filing reply to the C.A.

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. No.676/2018.

(S.B.)

(Suresh Anandrao Mundale V/s State and four others.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J)
Dated : 6th March 2019.

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

2. The applicant who is a Forest Guard in Tiwsala Bit of Pandharkawada Area has been transferred to Ali Bit of the said region vide impugned order dated 31.5.2018. In the said order, his wife is at Sr. No.5 in name of Ku. Surekha Maniram Kumbhekar has been transferred from Pandharkawada to Jamni. The Ld. counsel for the applicant invited my attention to the G.R. dated 27.11.1997 a copy of which is placed at Page Nos. 10 to 14 (both inclusive). In the said G.R., as per clause No.10, it has been made incumbent that if the husband and wife are serving, they shall be transferred at one and the same place.

3. The applicant, therefore, has requested that he and his wife shall be transferred at one and the same place. He

has also given 10 places of choice posting. Representations filed by him in this regard are at page Nos. 19 to 26 (both inclusive). Applicant's only daughter is also suffering from sickle cell disease and, therefore, he has requested that he may be adjusted at the place where he can take care of his daughter's health, whereby the husband and wife can be adjusted. However, no decision has yet been taken. Ld. P.O. submits that the applicant has not joined at the place of his transfer, though, he was relieved immediately. The Ld. counsel for the applicant, however, submits that the applicant was prevented from joining and the applicant is ready to join at the transferred place immediately tomorrow also. In view of this, O.A. can be disposed of if the representation filed by the applicant has been considered by the competent authority. In view thereof, following order is passed:-

ORDER

- (i) The O.A. stands disposed of with direction to respondent No.4 to take a decision on the representations filed by the applicant on 4.6.2018 and 16.7.2018 within a period of four weeks from today, provided the applicant joins at

Ali Bit, Pandharkawada Forest
Range on or before 8th March
2019.

(ii) No order as to costs.

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. No.953/2017.

(S.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J)
Dated : 6th March 2019.

Heard Miss. Archana Lanjewar, the Ld. counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

The Ld. counsel for the applicant has filed rejoinder, it is taken on record and a copy thereof is supplied to the Ld. P.O.

ADMIT.

Shri M.I. Khan, the learned P.O. waives notice for the respondents.

S.O. last week of April 2019 for final hearing.

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. No.143/2019.

(S.B.)

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

Dated : 6th March 2019.

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

S.O. **7.3.2019..**

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. No.144/2019.

(S.B.)

**Coram:Shri J.D. Kulkarni,
Vice-Chairman (J)
Dated : 6th March 2019.**

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

At the request of the Ld. counsel for the applicant, S.O. **8.3.2019.**

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. No.760/2017.

(S.B.)

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

Dated : 6th March 2019.

Miss Shatabdi M. Khaire, Adv.
holding for Shri S.S. Dhengale, the Ld.
counsel for the applicant and Shri S.A. Deo,
the learned C.P.O. for the respondents.

S.O. **in due course.**

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. No.963/2018. (S.B.)

Coram:Shri J.D. Kulkarni,
Vice-Chairman (J)
Dated : 6th March 2019.

MCA No.11/2019.

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

2. This is an application for extension of time to comply with the order dated 8.1.2019 passed by this Tribunal. As per the said order, the O.A.No.963/2018 was disposed of with directions to respondent No.2 to consider the representation filed by the applicant dated 11.6.2018 in view of judgment passed by Principal Bench of this Tribunal at Mumbai in O.A. No. 35/2018 and also in view of the guidelines issued by the Hon'ble Apex Court in case of **Ajay Kumar Choudhary V/s Union of India and others reported in (2015) 7 SCC-291** and necessary decision was to be taken within four weeks from the date of order and same was to be communicated to the applicant. But till date, no decision has been taken.

3. According to the applicant, the respondent No.2 has submitted one

proposal to the Constituted Committee as per G.R. dated 31.1.2015 and the meeting of the aforesaid Committee was held on 8.2.2018. However, no decision was taken and now the meeting of the Committee is to be held in the last week of March 2019. There is absolutely no reason as to why the said proposal is required to be submitted before the Committee, as the respondent No.2 itself has passed the order of suspension of the applicant. Even otherwise, the said proposal has been sent two weeks after passing of the order and the respondent No.2 seems to have no regard of the order of this Tribunal which directed them to take a decision within four weeks from the date of order and, therefore, there was no reason as to why the decision was not taken and the next meeting has not been held within a stipulated period. The Ld. counsel for the applicant submits that he has already filed an application for Contempt of Court today itself for not complying with the order of this Tribunal. Considering from the above angle, there is no question of extension of time even for compliance. Hence, MCA stands disposed of.

Vice-Chairman(J)

Dt. 6.3.2019.
pdg.

O.A. No.710/2016.

(D.B.)

**Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shri Shree Bhagwan, Member (A)
Dated : 6th March 2019.**

C.A. No. 323/2018 in Rev.(St.) No. 1892/2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondent No.5.

2. The applicant has filed this review application for review of the judgment in O.A. No. 710/2016 delivered on 23.7.2018. The impugned orders challenged by the applicant are dated 6.9.2014 and 29.8.2016. In the O.A. vide order dated 6.9.2016, the applicant was reverted to the post of Forest Guard from the post of Forester on the ground that he has not acquired requisite qualification and a graduate degree of Sahitya Sudhakar. The judgment was on the point that the degree of Sahitya Sudhakar examination is not equivalent to the graduation. However, it seems that the Hon'ble Apex Court has delivered a judgment in case of Maharashtra Forest Guard and Foresters' Union V/s State of Maharashtra and others reported in

(2018) 1 SCC 149 and has held that restrictions imposed on the basis of educational qualification for participating in Limited Departmental Competitive Examination is violative of Articles 14 and 16 of the Constitution of India. The learned counsel for the applicant submits that in view of this judgment, passing of graduation itself is not necessary and, therefore, the judgment needs to be reviewed. However, by filing review petition, there seems to be a delay of 49 days and the applicant submits that the same may be condoned. Considering the legal point involved in this matter which goes to the root of the case and considering the period of delay and for the reasons stated in the application, application for condonation of delay is condoned. C.A. is, therefore, allowed and disposed of accordingly.

Rev.(St.) No. 1892/2018.

Issue notice to respondent Nos. 1 to 4 and 6 returnable on **18.3.2019**.

2. Shri S.A. Sainis, the learned P.O. waives notice for the respondent No.5. Hamdast granted.

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. 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.

8. S.O. **18.3.2019**

Member (A)

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A. No.951/2017.

(D.B.)

**Coram:Shri J.D. Kulkarni,
Vice-Chairman (J) and
Shri Shree Bhagwan, Member (A)
Dated : 6th March 2019.**

Rev.A. No. 23/2018 in O.A. No.951/2017.

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

2. Following reliefs were claimed in this O.A.:-

“(i) To quash and set aside the order of promotion dated 4.1.2017 issued by respondent No.4 with further direction to respondent Nos. 1 to 3 to grant promotion to the applicant on the post of Professor in Radiology Department with deemed date and all consequential relief.

(iii) By appropriate order be pleased to direct the respondents to modify the order dated 20.11.2015 issued by respondent No.1 with further direction to grant him deemed date on the post of Associate Professor w.e.f. 16.3.2001 and with further

direction to the respondents to pay arrears accordingly and to pay him annual increments from 16.3.2001 on the basis of pay scale payable to the post of Associate Professor and fix his pay w.e.f. 2001 based on recommendation of the Pay Commission.”

3. In the meantime, during the pendency of the O.A., the applicant apprehends that he may not be continued on the promotional post of Professor and, therefore, the C.A. was moved for interim directions. Order has been passed in the said C.A. No. 277/2018 on 27.9.2018 and while deciding the C.A., the O.A. also stood disposed of. The Ld. counsel for the applicant submits that the applicant has been promoted to the post of Professor on regular basis, but his grievance as regards deemed date of promotion to the post of Associate Professor and arrears of the said post have not been granted by the respondent authorities and, therefore, judgment may be reviewed.

4 We find that the C.A. has been disposed of as per the prayer clause and, therefore, there is no question

of reviewing it. However, it seems that while disposing of the O.A. alongwith the C.A., this Tribunal has not passed any judgment on the prayer clause (ii) which is regarding deemed date of promotion to the post of Associate Professor and for arrears of pay for the said post from the deemed date of promotion. Perusal of the record shows that the applicant has moved representations to this effect on 8.8.2014 and on 15.11.2017 and no decision has been taken on the said representations till today. The applicant will be entitled to agitate his grievance, if some decision is taken on these representations and, therefore, petition can be disposed of with directions. Hence, the following order:-

ORDER

- (i) The Review Petition stands disposed of with directions to the respondents to take appropriate decisions per merits of the case on the representation filed by the applicant dated 8.8.2014 and

15.11.2017. Such a decision shall be taken within three months from the date of this order.

- (ii) It is needless to state that the applicant will be at liberty to challenge whatever decision taken on such representations, if aggrieved by the decision.

Member (A)

Vice-Chairman(J)

Dt. 6.3.2019.

pdg.

O.A.No. 647/2016. (D.B.)

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

Dated : 06th March 2019.

Shri M.R.Pillai, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

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

**Member(J)
Date:-06/03/2019.
aps.**

Member(A)

O.A.No. 66/2013. (D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri M.I.Khan,
the Id. P.O. for the respondent nos. 1 to 4.
None for the respondent no. 5.

At the request of Id. P.O., **S.O. Friday**
i.e. 08/03/2019 for filing reply.

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 844/2017. (D.B.)

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

Dated : 06th March 2019.

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

2. The Id. counsel for the applicant submits that SLP is pending in Hon'ble Supreme Court, against the order of Hon'ble High Court. He will place on record within a weeks time.

3. **S.O. one week.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 40/2015 with C.A.82/2019:- (D.B.)

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

Dated : 06th March 2019.

Heard Ku.K.K.Pathak, the Id. counsel
for the applicant and Shri S.A.Deo, the Id.
C.P.O. for the Respondents.

2. **The C.A. No. 82/2019 is allowed.**

3. **S.O. two weeks.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 150/2019:- (D.B.)

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

Dated : 06th March 2019.

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

2. Issue notice to R-2, returnable on two 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. 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.

8. **S.O. two weeks.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 873/2017

(D.B.)

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

Dated : 06th March 2019.

Heard Shri D.T.Shinde, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the Respondents.

2. The Id. counsel for the applicant submitted that the applicant is also one of the delinquent alongwith the one Shri Udaykumar Rajaram Gupte, who has filed Original Application No. 699/2012 and in that Original Application, directions was given to complete the enquiry in all respects within a period of Six Months from the date of the final order in the Original Application i.e. from 06/11/2018. As a joint enquiry, therefore, original application is allowed, the enquiry be completed as per the directions in Clause-VI & VII of the order passed in O.A. No. 699/2012 on 06/11/2018.

3. Hence, **the O.A. is allowed with no order as to costs.**

**Member(J)
Date:-06/03/2019.
aps.**

Member(A)

O.A.No. 932/2017

(D.B.)

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

Dated : 06th March 2019.

Heard Shri S.P.Palshikar, the Id. counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the Respondents.

2. After hearing the matter, we feel that all the witnesses examined in the departmental enquiry have stated that their statement recorded in the preliminary enquiry were read over to them and they accepted that those statements to have been correct.

3. Now, in this situation, it is submitted by the Id. counsel for the applicant that record needs to be verified, so as to understand whether the charge is proved or not. So, it is necessary to perused the enquiry papers.

4. Hence, the Id. P.O. is directed to produce the records of proceedings of the departmental enquiry, which is in custody of respondent no. 4 i.e. S.P., Buldhana.

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

6. **Matter be treated as P.H.**

7. Steno copy is granted.

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 540/2013

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri
A.M.Khadatkar, the Id. P.O. for the
Respondents.

S.O. tomorrow i.e. 07/03/2019.

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 566/2013

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the Respondent nos. 1 to 3. None for the remaining respondents.

S.O. tomorrow i.e. 07/03/2019.

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 593/2013

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the Respondent nos. 1 to 3 and Shri G.K.Bhusari, the Id. Counsel for the respondent no. 5. None for the remaining respondents.

S.O. tomorrow i.e. 07/03/2019.

**Member(J)
Date:-06/03/2019.
aps.**

Member(A)

O.A.No. 623/2013

(D.B.)

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

Dated : 06th March 2019.

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

S.O. tomorrow i.e. 07/03/2019.

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 663/2013

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri
A.M.Khadatkar, the Id. P.O. for the Respondent
nos. 1 to 3. None for the respondent no. 4.

S.O. tomorrow i.e. 07/03/2019.

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 700/2013

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri
A.M.Khadatkar, the Id. P.O. for the
Respondents.

S.O. tomorrow i.e. 07/03/2019.

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 710/2013

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri
A.M.Khadatkar, the Id. P.O. for the
Respondents.

S.O. tomorrow i.e. 07/03/2019.

**Member(J)
Date:-06/03/2019.
aps.**

Member(A)

O.A.No. 245/2012

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri
A.M.Khadatkar, the Id. P.O. for the
Respondents.

S.O. tomorrow i.e. 07/03/2019.

**Member(J)
Date:-06/03/2019.
aps.**

Member(A)

O.A.No. 220/2012

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri
A.M.Khadatkar, the Id. P.O. for the
Respondents.

S.O. tomorrow i.e. 07/03/2019.

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 791/2013

(D.B.)

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

Dated : 06th March 2019.

Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

At the request of Id. Counsel for the applicant, **S.O. next week.**

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 796/2013

(D.B.)

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

Dated : 06th March 2019.

Shri S.Majid, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondent nos. 1 & 2. None for the respondent no. 3.

The Id. Counsel for the applicant desires time to file pursis on 08/03/2019 for withdrawal of the O.A., **S.O. 08/03/2019.**

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 218/2012

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri
A.M.Khadatkar, the Id. P.O. for the
Respondents.

At the request of Id. P.O., **S.O. two
weeks** to file reply.

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 897/2012

(D.B.)

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

Dated : 06th March 2019.

Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

At the request of Id. Counsel for the applicant, **S.O. 08.03.2019.**

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 155/2013

(D.B.)

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

Dated : 06th March 2019.

Shri Bharat Kulkarni, the Id. Counsel
for the applicant and Shri A.M.Khadatkar, the
Id. P.O. for the Respondents.

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

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 413/2013

(D.B.)

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

Dated : 06th March 2019.

Shri G.K.Bhusari, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. The Id. Counsel for the applicant is directed to consult his applicant regarding F.I.R. and D.E. position. The Id. P.O. is directed to take instructions as per the order dated 04/03/2014 of this Tribunal regarding grant of provisional pension.

3. **S.O. two weeks.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 422/2013

(D.B.)

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

Dated : 06th March 2019.

Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. At the request of Id. Counsel for the applicant, **S.O. next week.**

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 541/2013

(D.B.)

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

Dated : 06th March 2019.

Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. The Id. Counsel for the applicant submits that the applicant has been appointed regularly. So, O.A. became infructuous. In view of this, **the O.A. is disposed of with no order as to costs.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 622/2013

(D.B.)

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

Dated : 06th March 2019.

Shri Jaiswal holding for Shri N.R.Saboo,
the Id. Counsel for the applicant and Shri
A.M.Khadatkar, the Id. P.O. for the
Respondents.

2. At the request of Id. Counsel for the
applicant, **S.O. two weeks.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 644/2013

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri A.M.Khadatkar, the Id. P.O. for the Respondents.

2. The Id. P.O. is directed to get the file as per the order dated 31/01/2019. **S.O. four weeks.**

**Member(J)
Date:-06/03/2019.
aps.**

Member(A)

O.A.Nos.160 to 165/2012, 167/2012, 170 to 183/2012, 208 to 217 /2012

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

Dated : 06th March 2019.

None for the applicants. Shri P.N.Warjurkar, the Id. P.O. and other Id. P.Os. for the respondents.

2. The Id. P.O. pleaded that earlier the O.A.Nos.651, 657, 658, 659, 660, 661, 665, 666, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 730, 731, 732, 733 with (C.A. 234/14), 734, 735, 736, 737 of 2011 were heard on 28/02/2019. In the said hearing the order was passed in para nos. 3 & 4 which are reproduced as below:-

"3. Ms. Jog, Id. counsel for the applicants submitted that in O.A.730/2011 the applicant is Veenu C. Chawariya. The learned counsel had personally contacted the applicant Veenu C. Chawariya in O.A.730/2011 and it was communicated that the applicants issue has been solved and as on today these O.As. have become infructuous so all these O.As. may be disposed of.

4. *In view thereof, O.A. 733 of 2011 with C.A.234/2014 and all other O.As. stand disposed off. No order as to costs."*

3. The present O.As. i.e. O.A.Nos.160 to 165/2012, 167/2012, 170 to 183/2012, 208 to 217 /2012 are similar to that matters as informed by the Id. P.Os. Hence, the following order:-

ORDER

The present O.As. stand disposed of with no order as to costs.

Member (J)

aps.

dated :- 06/03/2019.

Member (A)

O.A.No. 190/2018

(D.B.)

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

Dated : 06th March 2019.

None for the applicant. Shri
V.A.Kuklarni, the Id. P.O. for the Respondents.

2. The Id. P.O. seeks three weeks time to
file reply, **S.O. three weeks.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 515/2018

(D.B.)

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

Dated : 06th March 2019.

C.A.NO.32/2019:-

Shri N.D.Thombre, the Id. Counsel for the applicant and Shri P.N.Warjurkar, the Id. P.O. for the Respondent nos. 1 to 3. None for the respondent nos. 4 to 10.

2. The Id. P.O. seeks two weeks time to file reply, **S.O. two weeks.**

3. *I.R. relief granted in order dated 28/01/2019, the same is continued till filing of the reply.*

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.Nos. 991 & 992/2018 (D.B.)

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

Dated : 06th March 2019.

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

2. The Id. P.O. seeks four weeks time to file reply, **S.O. four weeks.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 981/2018 (D.B.)

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

Dated : 06th March 2019.

Ms.P.Badwaik, the Id. Counsel for the applicant and Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 & 2. None for the respondent no. 3.

2. The Id. P.O. seeks four weeks time to file reply, **S.O. four weeks as a last chance.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 86/2019

(D.B.)

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

Dated : 06th March 2019.

Shri S.C.Deshmukh, the Id. Counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the respondents. Await service of respondent no. 13.

2. The Id. Counsel for the applicant submits that the service affidavit of respondent no. 13 is served and during the course of the day he will file service affidavit. The Id. C.P.O. seeks time to file reply. **S.O. four weeks.**

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 391/2017

(D.B.)

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

Dated : 06th March 2019.

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

2. The Id. Counsel for the applicant submits that the enquiry has been completed and report has been submitted by the enquiry officer. Copy is not received to the Id. Counsel for the applicant. However, as per the request of Id. Counsel for the applicant, the matter is **admitted** and kept for final hearing.

3. The Id. P.O. waives notices for the respondents.

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

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 472/2017

(D.B.)

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

Dated : 06th March 2019.

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

2. The Id. Counsel for the applicant submits that the O.A.No. 610/2017 is pending with the Principle Bench of this Tribunal at Mumbai. However, there is nothing on the record. The Id. Counsel for the applicant is requested to file on record copy of the said O.A..

3. **S.O. 08/03/2019.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 996/2017 (D.B.)

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

Dated : 06th March 2019.

Shri I.N.Choudari, the Id. Counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for the respondents.

2. At the request of Id. Counsel for the applicant, **S.O. two weeks to file Rejoinder.**

Member(J)
Date:-06/03/2019.
aps.

Member(A)

O.A.No. 553/2012 (D.B.)

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

Dated : 06th March 2019.

Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the respondents.

2. The Id. P.O. filed the reply on behalf of the respondents along with the copy of the Rules. The same are taken on records. Copies are supplied to the other side.

3. The Id. Counsel for the applicant desires time to study the Rule and file Rejoinder, if any.

4. **S.O. one week.**

**Member(J)
Date:-06/03/2019.
aps.**

Member(A)

O.A.No. 274/2018

(D.B.)

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

Dated : 06th March 2019.

Shri Manoj Jaiswal holding for Shri N.R.Sabo, the Id. Counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the respondents.

2. At the request of Id. Counsel for the applicant, **S.O. two weeks.**

Member(J)

Date:-06/03/2019.

aps.

Member(A)

O.A.No. 612/2018 (D.B.)

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

Dated : 06th March 2019.

Heard Shri N.D.Thombre, the Id.
Counsel for the applicant and Shri A.M.Ghogre,
the Id. P.O. for the respondent nos. 1 & 2. None
for the respondent no. 3.

Closed for orders.

Member(J)
Date:-06/03/2019.
aps.

Member(A)