

O.A. No. 655/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Smt. K.N. Saboo, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

The learned P.O. has filed reply on behalf of R.3 Civil Surgeon, General Hospital, Wardha. It is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

At the request of learned counsel for the applicant, allowed to add Dy. Director of Health Services, Nagpur as party respondent.

At the request of learned P.O., S.O. **two weeks for filing reply on behalf of newly added respondent.**

The learned P.O. waives notice for Dy. Director of Health Services, Nagpur.

Vice-Chairman.

pdg

O.A. No. 673/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

C.A.No.488/2016.

There is a leave note from Shri G.K. Bhusari, the learned counsel for the applicant. Shri S.A. Deo, learned C.P.O. for respondent No.1. Shri Thakre, Adv. holding for Shri Kukde, learned counsel for Rs. 2 and Shri J.R. Kidilay, Adv. for R.3.

I have gone through the communication dated 15.10.2016. Consequent to this, the applicant has made representation dated 1.11.2016 and had given choice of four places. The learned P.O. to ascertain whether the applicant can be accommodated on either of the four places so that the O.A. can be disposed of.

S.O. **one week for disposal.**

Vice-Chairman.

pdg

O.A. No. 88/2012.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri J.L. Bhoot , learned counsel for the applicant and Smt. M.A. Barabde, learned P.O. for the respondents.

At the request of learned counsel for the applicant, S.O. **two weeks as a last chance.**

Vice-Chairman.

pdg

O.A. No. 181/2015.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Smt. K.N. Saboo , learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the respondents 1 and 2. Shri P.V. Thakre, Adv. for R.3.

At the request of learned counsel for the applicant, S.O. **three weeks.**

Vice-Chairman.

pdg

O.A. No. 439/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri P.V. Thakre, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the respondents 1 to 3. Shri G.D. Kirimkar, Adv. for R.4.

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

Vice-Chairman.

pdg

O.A. No. 18/2014.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri V.N. Mahajan, learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

At the request of learned counsel for the applicant, S.O. **three weeks.**

Vice-Chairman.

pdg

O.A. No. 596/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

C.A. No.477/2016.

None for the applicant. Shri S.A. Deo, the learned C.P.O. for the respondents 1 and 2. None for R.3. Shri K.P. Mahalle, Adv. holding for Shri P.S. Gavai, learned counsel for R.4/Caveator.

At the request of learned counsel for R.4, S.O. **two weeks to file additional reply.**

Learned CPO wants to go through the rejoinder filed by the applicant.

Vice-Chairman.

pdg

O.A. No. 428/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Mrs. P.T. Joshi, learned counsel for the applicant and Shri H.A. Pande, the learned P.O. for the respondents 1 to 3. None for R.4.

The learned counsel for the applicant submits that the grievance of the applicant is redressed. Hence, he wants to withdraw the O.A. Accordingly the O.A. is disposed of as grievance of the applicant is redressed.

Vice-Chairman.

pdg

O.A. No. 479/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

None for the applicant. Shri H.A. Pande, the learned P.O. for the respondents 1 and 2.

Respondent No.3 is not yet served. On the earlier date also, none appeared for the applicant.

S.O. **four weeks.**

It is made clear that if not steps are taken on the next date, O.A. will be dismissed.

Vice-Chairman.

pdg

O.A. No. 267/2015.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Smt. K.N. Saboo, learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

At the request of learned counsel for the applicant, S.O. **one week to file a copy of the G.R.**

Vice-Chairman.

pdg

O.A. No. 17/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Heard Shri S.P. Palshikar, learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 and 2. Miss P.D. Rane, Adv. for R. 3 and 4 i.e. Intervener.

The learned counsel for the applicant submits that within a week, he can get copy of the Petition pending before the Hon'ble High Court.

S.O. **2.12.2016.**

Vice-Chairman.

pdg

O.A. No. 222/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri P. Pawar, learned counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents.

S.O. **one week at the request of learned P.O. for reply.**

Vice-Chairman.

pdg

O.A. No. 328/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

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

S.O. **two weeks.**

Vice-Chairman.

pdg

O.A. No. 336/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

There is a leave note from Shri G.K. Bhusari, the learned counsel for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents 1 and 2. Shri S.P. Palshikar, Adv. for R.3.

At the request of Shri S.P. Palshikar, Adv. for R.3, S.O. **two weeks for filing reply of R.3.**

Vice-Chairman.

pdg

O.A. No. 406/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri S.P. Palshikar, the learned counsel for the applicant and Shri M.I.Khan, the learned P.O. for the respondents.

At the request of learned counsel for the applicant, S.O. **21.11.2016.**

Put up with connected O.A.No.407/2016.

Vice-Chairman.

pdg

O.A. No. 407/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri S.P. Palshikar, the learned counsel for the applicant and Shri M.I.Khan, the learned P.O. for the respondents.

At the request of learned counsel for the applicant, S.O. **21.11.2016.**

Put up with connected O.A.No.406/2016.

Vice-Chairman.

pdg

O.A. No. 410/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri S.N. Gaikwad, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents 1 to 3. None for R.4.

The learned counsel for the applicant wants to withdraw the O.A., as the applicant wants to withdraw it. Accordingly the O.A. is disposed of as withdrawn.

Vice-Chairman.

pdg

O.A. No. 507/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

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

The learned P.O. undertakes to file reply during the course of the day and serve copy to the learned counsel for the applicant,.

S.O. **one week.**

Vice-Chairman.

pdg

O.A. No. 564/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Heard Shri M.R. Rajgure, the learned counsel for the applicant and Shri A.M. Ghgore, the learned P.O. for the respondent No.1. Shri Y.R. Kinkhede, Adv. for Shri H.D. Dangre, the learned counsel for R.2 to 4.

The applicant was posted at Hingoli on transfer from Nagpur on promotion. He is working on deputation at Maharashtra State Road Development Corporation (M.S.R.D.C.) Now both the impugned orders are passed by M.S.R.D.C. As such, the question of jurisdiction arises. The learned counsel for the applicant wants to make submission.

S.O. **one week for disposal.**

Vice-Chairman.

O.A. No. 565/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

There is a leave note from Shri G.K. Bhusari, the learned counsel for the applicant. Shri V.A. Kulkarni, the learned P.O. for the respondent.

The applicant has filed this O.A. praying that his representations dated 29.2.2016, 25.5.2016 and 18.7.2016 be decided and the applicant be transferred within a stipulated time. It reveals from the first representation that the applicant wanted to transfer him from Nagpur to Navi Mumbai, as his wife is serving there. The learned P.O. has filed a copy of the order dated 26.10.2016 which mentions that he is transferred to Thane. Thus, the applicant's grievance is redressed. Hence, the O.A. stands disposed of.

Vice-Chairman.

O.A. No. 630/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri A. Deshpande, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents 1 to 4. Shri S.U. Tathod, Adv. for R.5.

At the request of learned P.O.,
S.O. **23.11.2016.**

Put up with other connected matters i.e. O.A. Nos.581/2016 & 609/2016.

Vice-Chairman.

pdg

O.A. No. 679,680,681,682 & 683 of 2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri S.N. Gaikwad, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

At the request of learned P.O.,
S.O. **one week**.

Vice-Chairman.

pdg

O.A. No. 707/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Smt. K.N. Saboo, learned counsel for the applicant and Smt. S.V. Kolhe, learned P.O. for the respondents.

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

Vice-Chairman.

pdg

O.A. No. 369/2015.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri M.R. Pillai, learned counsel for the applicant and Smt. M.A. Barabde, learned P.O. for the respondents 1 to 3. Shri A.P. Mishra, Adv. for R.4.

S.O. **22.11.2016.**

Vice-Chairman.

pdg

O.A. No. 739/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

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

2 At the request of learned counsel for the applicant, allowed to add necessary party as party respondent.

3 On adding the party, issue notice to the newly added respondent returnable after service.

4. The learned CPO waives notice for R.1. 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.

Vice-Chairman.

pdg

O.A. No. 161/2008.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri M.P. Gulhane, Adv. holding
for Shri V.A. Kothale, learned counsel
for the applicant and Smt. M.A.
Barabde, learned P.O. for the
respondents.

At the request of learned counsel
for the applicant, S.O. **one week.**

Vice-Chairman.

pdg

O.A. No. 625/2007.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Mrs. P.T. Joshi, Adv. holding for Shri G.N. Khanzode, learned counsel for the applicant and Shri H.A. Pande, learned P.O. for the respondents.

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

Vice-Chairman.

pdg

O.A. No. 953/2012.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri Deepak Khandait, Adv. holding for Shri S.A. Marathe, learned counsel for the applicant and Smt. M.A. Barabde, learned P.O. for the respondents.

At the request of learned counsel for the applicant, S.O. **three weeks.**

Vice-Chairman.

pdg

O.A. No. 433/2014.

CORAM : S.S. Hingne, Vice-Chairman.
DATE : 18th November 2016.

None for the applicant. Smt. M.A. Barabde, learned P.O. for the respondents.

This matter pertains to terminal benefits.

With a view to afford one more opportunity, S.O. **four weeks.**

Vice-Chairman.

pdg

O.A. No. 522/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 18th November 2016.

Shri M.I. Mourya, learned counsel for the applicant and Smt. M.A. Barabde, learned P.O. for the respondents.

At the request of learned counsel for the applicant, S.O. **one week to file rejoinder.**

Vice-Chairman.

pdg

O.A. No. 265 /2010

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

Shri Y.R. Kinkhede, Adv. holding
for Shri N.S. Autkar, Id. Counsel for the
applicant.

Shri S.A.
Sanis, Id. P.O. for the Respondents.

At the request of Id. P.O. S.O. 3
weeks to file reply.

V.C.

Skt.

O.A. No. 371/2010

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

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

Ld. Counsel for the applicant submits that the applicant does not want to proceed with the matter and wants to withdraw the O.A. Hence the O.A. stands disposed of as withdrawn.

V.C.

Skt.

O.A. No. 265 /2010

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

None for the applicant.
Shri S.A. Sanis, Id. P.O. for R/1 and 2.
None for R/3.

S.O.

V.C.

Skt.

O.A. No. 738 /2016

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

Shri Bharat Kulkarni, Id. Counsel
for the applicant. Shri S.
Deo, Id. C. P.O. for the respondent.

At the request of the Id. Counsel
for the applicant allowed to add
necessary party as party respondent.
On amending the title clause, issue
notice to the added respondent
returnable in 3 weeks.

In the meantime the Id. C.P.O. to
file reply.

V.C.

Skt.

O.A. No. 344 /2010

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

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

S.O.

V.C.

Skt.

O.A. No. 603 /2016

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

Shri S.C. Deshmukh, Id. Counsel
for the applicant. Shri S.
Deo, Id. C.P.O. for the respondents 1
and 2. None for R/3. Ld. C.P.O.
undertakes to file reply during the
course of the day and serve the copy
thereof to the Id. Counsel for the
applicant.

S.O. Next week.

V.C.

Skt.

O.A. No. 740 /2016

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

Heard Shri S.P. Palshikar, Id. Counsel for the applicant and Shri S. Deo, Id. C.P.O. for R/1.

The applicant has applied for the post of Asstt. Professor Mechanical Engineering consequent to the advertisement dtd. 3/4/2014 issued by the MPSC i.e. R/2 (Annex-A-2, page-20). In the process the applicant secured 110 and R/3 also secured 110 i.e. equal marks (Annex-A-4, page-25). The Id. Counsel for the applicant submits that as per clause No. 5.10 of the brochure, the

applicant's case stands on better footings in view of the fact that the applicant is holding the qualification earlier than the R/3 so also the applicant has more experience than R/3 and for that he

relied on terms no. 5.10, 5.10.1.1, 5.10.1.2 and 5.10.1.6. of the Brochure. Thus, the grudge and grievance of the applicant is that R/2, MPSC has recommended the name of R/3 for the said post vide communication dtd. 3/11/2016 (Annex.A-1, page 18) which is impugned in this O.A. The Id. Counsel for the applicant prays for interim relief.

Ld. C.P.O. submits that the name of R/3 is just only recommended and the process will take much time. However, the Id. Counsel for the applicant opposes the same on the ground that as the applicant has made out a prima facie case for grant of

interim relief, lingering the aspect that the process will require some time cannot be a ground to deny the applicant interim relief. The submission holds the field. However, since the recommendation is made just few

days back and the matter will definitely consume some time, it will be fit in the circumstances to serve the R/2 and 3. The Id. Counsel for the applicant apprehends that if the respondents prolong the matter, the very purpose will be defeated. Therefore the aspect can be checked. The respondents to file the reply immediately and the aspect of interim relief is kept open so that the interest of both will be protected.

Issue Notices to the respondents, returnable on 28/11/2016.

Hamdast granted.

The Tribunal may take the case for final disposal at the admission stage and separate notice for final disposal shall not be issued.

Applicant is authorized and directed to serve on the Respondent intimation/ notice of date of hearing

duly authenticated by Registry, along with complete paper book of O.A.

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.

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 three weeks. Applicant is directed to file Affidavit of compliance of notice.

V.C.

Skt.

O.A. No. 713 /2016

Coram : S.S. Hingne : M (J).

Dated : 18th November, 2016.

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

At the request of Id. P.O. S.O. 3
weeks to file reply.

V.C.

Skt.

O.A. No. 110 /2015

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

Shri G.G. Bade, Counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the respondents.

Ld. P.O. files reply of R/2, i.e. the Dy. Director of Land Records. The same is taken on record and a copy thereof is given to the Id. Counsel for

the applicant. At her request, S.O. 3
weeks to file reply of R/3 and 5.

V.C.

Skt.

O.A. No. 137 /2016

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

Shri S.K. Tambde, Id. Counsel
for the applicant and Shri A.P. Potnis,
Id. P.O. for the respondents. He files
reply of R/2 to 4. The same is taken on
record and a copy thereof is given to
the Id. Counsel for the applicant.

S.O. put up before D.B. when
available.

V.C.

Skt.

O.A. No. 242 /2016

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

Shri N.S. Warulkar, Id. Counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents 1 to 3. None for R/4 and 5.

Ld. P.O. files reply of R/3-Collector, Akola to the effect that the applicant is given the seniority and thus

his grievance is redressed. The Id. Counsel for the applicant wants to take instructions. At his request S.O. Next week for disposal.

V.C.

Skt.

O.A. No. 558 /2016

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

Adv. M.P. Munshi, Id. Counsel
for the applicant and Shri A.
Khadatkar, Id. P.O. for the
respondents.

At the request of Id. P.O. S.O. 2
weeks to file reply by way of
peremptory chance.

V.C.

Skt.

O.A. No. 513 /2016

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

Shri G.G. Bade, Id. Counsel for
the applicant and Smt. S.V. Kolhe,
Id. P.O. for the respondents.

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

V.C.

Skt.

O.A. No.442 /2016

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

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

No steps are taken to serve .
With a view to afford one more
opportunity, S.O. 4 weeks for
disposal.

It is made clear that if no steps
are taken, the O.A. will be dismissed on
the next date.

V.C.

Skt.

O.A. No.133 /2016

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

Adv. Pahade, holding for Shri
Chandurkar, Id. Counsel for the

applicant. Shri S.A. Sanis, Id. P.O.
for the respondents.

Yet no Hamdast is collected.
With a view to afford one more
opportunity, S.O. 4 weeks for
disposal.

It is made clear that if no steps
are taken, the O.A. will be dismissed on
the next date.

V.C.

Skt.

O.A. No.732 /1996

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

M.C.A. Nos. 36 and 37/2013 in
C.A. Nos.19,348, 505 and 506/ 2016

Shri A.N. Dighore, Id. Counsel for the applicant. Shri H.K. Pande, Id. P.O. for the respondent nos. 1 & 2. None for R-7.

The applicant wants to delete 7 respondents i.e., R/3,5,6,12,14,19 and 20. Deletion granted. C.As. are allowed and stands disposed of.

M CA 36 & 37 of 2013 -

Issue fresh notices to the respondent nos.11,13,17,21,26 to 29,31 &32.

Hamdast granted.

Put up after service.

V.C.

Skt.

Rev. Appn. St. No. 1787/2015 in O.A. No.797/2014

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

C.A. No.527/2015 and 497/2016

Shri G.G. Bade, Id. Counsel for the applicant. Shri M.I. Khan, Id. P.O. for the respondents 1,2 and 5. Shri A.M. Kukday, Id. Counsel for R/3 and 4.

The Ld. Counsel for R/3 and 4 submits that he has not got the copy of the review application and amendment application.

S.O. 13/12/2016

V.C.

Skt.

Review application ST No. 741/2016 in
O.A. No.779/2009

Coram : S.S. Hingne : V.C.

Dated : 18th November, 2016.

C.A. No.177/2016

Shri S.M. Khan, Id. Counsel for the applicant. Shri A.M. Ghogare, Id. P.O. for the respondents.

The Tribunal has already taken a view that in the matter of Review Application, the application for condonation of delay is not tenable. The Id. Counsel for the applicant wants to get some citations.

S.O. 13/12/2016.

V.C.

Skt.