

O.A. No. 678/2016 (D.B.)

**Coram : Hon. Shri J.D. Kulkarni,
Member (J).**

Dated : 03.03.2017.

C.A.Nos. 560 /16 & 44/17 -

Shri P.P. Khaparde, Id. Counsel
for the applicants, Shri A.M.
Khadatkar, Id. P.O. for R-1 to 4 and
none for R-5 to 10.

At the request of learned
counsel for the applicants, **S.O.**
9-3-2017.

Member (J).

dnk.

O.A. No. 571/2016 (D.B.)

**Coram : Hon. Shri J.D. Kulkarni,
Member (J).**

Dated : 03.03.2017.

C.A.No. 50/2017 -

Heard Shri A.S. Siddiqui, Id. Counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for R-1 to 6.

2. For the reasons stated in the application, the C.A. for amendment is allowed. Necessary amendment be carried out forthwith. After amendment, notice on application be issued to the newly added respondents returnable on **31-3-2017**.

3.. The learned P.O. waives notice for respondent nos.1 to 6. Hamdast granted.

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 the O.A.

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 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.

8. **S.O. 31-3-2017.**

Member (J).

dnk.

O.A. No. 378/2015 (D.B.)

**Coram : Hon. Shri J.D. Kulkarni,
Member (J).**

Dated : 03.03.2017.

None for the applicants.

Shri S.A. Sainis, Id. P.O. for R-1. None for R-4 to 6 and 8. Await service of R-2,3,9 & 10.

It appears that no steps are taken to serve R-2,3,9 & 10. Hence, put up the matter after two weeks for dismissal.

S.O. 18-3-2017 for dismissal.

Member (J).

dnk.

O.A. No. 695/2015 (D.B.)

**Coram : Hon. Shri J.D. Kulkarni,
Member (J).**

Dated : 03.03.2017.

None for the applicant.

Shri S.A. Sainis, Id. P.O. for
R-1&2. Await service of R-3.

2. It seems that no reply is filed by the Zilla Parishad (R/3) in spite of repeated chances. The respondent no.2 has already filed reply.

3. Hence, fresh notice on application be issued to R-3. returnable on **31-3-2017**.

4. The learned P.O. waives notice for respondent nos. 1&2. 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. **S.O. 31-3-2017.**

Member (J).

O.A. No. 164/2016 (D.B.)

**Coram : Hon. Shri J.D. Kulkarni,
Member (J).**

Dated : 03.03.2017.

None for the applicant.

Shri A.M. Ghogre, Id. P.O. for R-1 & 3. Await service of R-2&4.

The learned P.O. files affidavit-in-reply on behalf of R-3, i.e., Deputy Director of Health Services, Akola. It is taken on record.

It seems that the applicant has not collected the hamdast to serve notices on R-2&4. In the interest of justice, time is granted by way of last chance to collect the notices and serve on R-2&4.

S.O. 31-3-2017.

Member (J).

dnk.

O.A. No. 247/2016 (D.B.)

**Coram : Hon. Shri J.D. Kulkarni,
Member (J).**

Dated : 03.03.2017.

None for the applicant.

Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. Await service of R-4&5.

2. The learned P.O. files affidavit-in-reply on behalf of R-2&3. It is taken on record. No steps are taken to serve R-4&5.

3. Hence, fresh notice on application be issued to R-4&5. returnable on **31-3-2017**.

4. The learned P.O. waives notice for respondent nos. 1 to 3. 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. **S.O. 31-3-2017.**

Member (J).

dnk.

O.A. No. 159/2016 **(D.B.)**

**Coram : Hon. Shri J.D. Kulkarni,
Member (J).**

Dated : 03.03.2017.

Shri J.C. Shukla, Id. Counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

The learned P.O. files affidavit-in-reply on behalf of R-1. It is taken on record. Copy is served to the Id. Counsel for the applicant.

The learned counsel for the applicant submits that he will go through the reply and file rejoinder, if necessary.

S.O. 31-3-2017.

Member (J).

dnk.

O.A. No. 520/2016 **(D.B.)**

**Coram : Hon. Shri J.D. Kulkarni,
Member (J).**

Dated : 03.03.2017.

Shri R.S. Suryawanshi, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1 to 3 & 5. None for R-4.

The learned counsel for the applicant seeks time to file rejoinder. At his request, **S.O. 17-3-2017.**

Member (J).

dnk.

O.A. No. 103/2017 (D.B.)

**Coram : Hon. Shri J.D. Kulkarni,
Member (J).**

Dated : 03.03.2017.

Heard Shri J.S. Wankhede, Id. Counsel for the applicant and Shri S.A. Deo, Id. CPO for the respondents.

2. The learned counsel for the applicant submits that the applicant has applied from Open general category for the post of Forest Guard, for which the physical test was necessary. The respondents have selected Nandabai S. Kadam from Open general category though, she secured zero mark in the running test.

3. The applicant has challenged the selection of Nandabai S. Kadam. The learned counsel for the applicant submits that he be permitted to add Nandabai S. Kadam as party respondent in the application. The applicant is, therefore, allowed to join

Nandabai S. Kadam as party respondent in the application. The learned counsel for the applicant seeks two weeks' time to make necessary amendment. Time is granted. The learned counsel for the applicant submits that till the decision of the matter, one post shall be kept vacant. However, no interim relief can be granted unless proper parties are added in the application and notices served on them.

S.O. 17-3-2017 for necessary amendment.

Member (J).

dnk.

O.A Nos.33 and 34/2017.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri S.M. Bhangde, the learned Counsel for the applicant & Shri S. Deo, the learned C.P.O. for the respdts.

Ld. C.P.O. has placed on record the communication which is marked exhibit 'X' for the purposes of identification and submits that the process of giving appointment to the applicant may be completed within 4 weeks. It seems that almost all formalities have been done and therefore two weeks' time is granted.

S.O. 17/3/2017.

Member (J)

Skt.

O.A No. 787/2014.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Heard Shri A.K. Waghmare,
the learned Counsel for the
applicant & Shri A.M. Ghogare,
the learned P.O. for the respdts.

Closed for order.

Member (J)

Skt.

O.A ST. No.364 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

C.A. No.116/2016

None for the applicant.
Smt. S.V. Kolhe, the learned P.O.
for the respdts.

The applicant has not collect
the Hamdast of the notices to be
issued to the newly added
respondents. From the record it
seems that nobody appeared for
the applicant on 3/10/2016 and
22/11/2016. It seems that after

amendment notices to the newly added respondents are not served.

Hence issue fresh notice in C.A. as well as O.A. returnable on **31/3/2017**.

Hamdast granted.

Ld. P.O. waives notice for R/1.

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.

Member (J)

Skt.

Rev. ST. No.1887 /2016 in O.A.
No.492/15.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

C.A. No.470/2016

Heard Shri P.V. Thakre, the Id. Counsel for the applicant and Shri P.N. Warjurkar, the Id. P.O. for the respdts.

This is an application for codonation of delay in filing review petition. The Id. P.O. strongly objected the application on the ground that the application for review after limitation of 30 days is not tenable. For that purpose, the Id. P.O. has relied on the judgment of this Tribunal in C.A. No. 400/2015 and 71/2016 in Review Application ST. No. 1755/2015 in O.A. No. 542/2014 (The Dean, Govt. Medical College and Hospital, Nagpur –Vs- Ritesh Kantilal Trivedi and 3 others) delivered on 10/6/2016. It seems that in the said judgment the similar point has been

considered and two judgments have been considered, one deciding that the petition is maintainable and second deciding that it is not maintainable. Considering this, I feel that it will be in the interest of justice and equity to refer this matter to the Division Bench for taking proper decision on the point of maintainability of review petition after limitation. Since the D.B. is available, the matter be kept on 10/3/2017.

S.O. 10/3/2017.

Member (J)

Skt.

O.A No.178, 216 and 217 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Heard Shri P.P. Khaparde,
the learned Counsel for the
applicant & Shri H.K. Pande ,
the learned P.O. for the respdts.

Closed for order.

Member (J)

Skt.

O.A ST. No.2239 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

C.A. No.544/2016

Shri D.S. Sawarkar, the Id. Counsel for the applicant and Shri V. Kulkarni, the learned P.O. for the respdts.

Ld. P.O. seeks time to file affidavit-in-reply to the C.A.

As a last chance, **S.O.**
31/3/2017.

Member (J)

Skt.

O.A . No.123 /2017.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

C.A. No.61/2017

Heard Shri S.P. Palshikar,
the Id. Counsel for the applicant
and Shri S. Deo, Id. C.P.O. for the
respondent No.1.

The applicant is claiming the gratuity by way of amendment which remained to be claimed in the O.A. due to inadvertence. In the interest of justice and for the reasons stated in the C.A., the application for amendment is allowed. The amendment be incorporated within one week. After amendment notice be issued to the respondents, returnable on **31/3/2017.**

Ld. C.P. waives notice for R/1.

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.

Member (J)

Skt.

O.A.No.21 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri P.P. Khaparde, the Id. Counsel for the applicant and Shri S.A. Sanis, the learned P.O. for the respdts.

Ld. P.O. seeks time to file affidavit-in-reply.

S.O. 17/3/2017.

Member (J)

Skt.

O.A.No.287 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Smt. P.T. Joshi, the Id. Counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respdts.

Ld. P.O. files reply-in-affidavit of R/2. The same is taken on record and a copy thereof is given to the Id. Counsel for the applicant.

In the O.A. the applicant has challenged the order dtd. 19/12/2011 issued by R/2 refusing to consider the applicant's name for grant of employment on compassionate ground. In the affidavit-in-reply it has been stated that the claim of the applicant has

now been considered. The Id. P.O. also places on record the copy of the notification dtd. 21/1/2017, from which it seems that the delay in filing the application for compassionate appointment has been condoned. In view thereof nothing

survives in this O.A. However, the Id. Counsel for the applicant wants to take some instructions from the applicant and therefore the matter be kept after one week.

S.O. 10/3/2017.

Member (J)

Skt.

O.A.No.146, 208 and 209 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri A.J. Thakkar, the Id. Counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respdts.

Ld. P.O. has submitted report of the Pay Verification Unit. The same is taken on record .

S.O. 17/3/2017.

I.R. to continue.

Member (J)

Skt.

O.A.No.724 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri S. Borkar, the Id.
Counsel for the applicant and Shri
S. Khadatkar, the learned P.O. for

the respdts. 1 to 3 and Shri A.P. Tathod, Id. Counsel for R/4.

Ld. Counsel for the applicant has filed rejoinder. The same is taken on record and a copy thereof given to the other side.

S.O. 17/3/2017.

Member (J)

Skt.

O.A.No.671 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri Bharat Kulkarni, the Id. Counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respdts.

Ld. P.O. files affidavit-in-reply of R/ 1 to 3. The same is taken on record and a copy thereof is given to the Id. Counsel for the applicant. Ld. Counsel for the applicant wants to go through it and file rejoinder if necessary.

S.O. 24/3/2017.

Member (J)

Skt.

O.A.No.638 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Smt. P.T. Joshi, the Id.
Counsel for the applicant and
Shri A.M. Ghogare, the learned
P.O. for the respdts.

Ld. P.O. files affidavit-in-reply
of R/ 1 and 2. The same is taken
on record and a copy thereof is
given to the Id. Counsel for the
applicant. Ld. Counsel for the
applicant wants to go through it
and file rejoinder if necessary.

S.O. 31/3/2017.

Member (J)

Skt.

O.A.No.422, 431 to 434 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri G.K. Bhusari, Adv.
holding for Shri S.N. Gaikwad, the
Id. Counsel for the applicant and
Shri S.A. Sanis, the learned P.O.
for the respdts.

At the request of the Id.
Counsel for the applicant, **S.O.**
31/3/2017.

Member (J)

Skt.

O.A.Nos.385 to 387 & 395 /2012.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri G.K. Bhusari, the Id.
Counsel for the applicant and
Shri P.N. Warjurkar, the learned
P.O. for the respdts.

Reply of R/2 is filed in O.A.
No.387/2012. The same is taken
on record and a copy thereof is
given to the other side.

At the request of the Id.
Counsel for the applicant, **S.O.**
17/3/2017.

Member (J)

Skt.

O.A.No.417 /2013.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

None for the applicant.
Shri S.A. Sanis, the learned P.O.
for the respdts.

In the morning session the
ld. Advocate for the applicant Shri
A.S. Moon, was present and as
per his convenience the matter

was kept at the bottom of the board of the hearing. However, neither the applicant nor his counsel is present when the matter is called. Hence, **S.O. 18/3/2017.**

Member (J)

Skt.

O.A.No.707 /2016.

CORAM : J.D. Kulkarni, Member (J)

DATE : 3rd March, 2017.

Mrs. Kiran Saboo, the Id.
Counsel for the applicant and

Shri S. Khadatkar, the learned
P.O. for the respdts.

S.O. 17/3/2017.

I.R. to continue.

Member (J)

Skt.

O.A.No.735 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri M.R. Rajgure, the Id. Counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respdts. 1 and 2. None for R/3.

At the request of Id. P.O.

S.O. 31/3/2017.

Member (J)

Skt.

O.A.No.794 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri P.V. Thakre, the Id.
Counsel for the applicant and
Shri H.K. Pande, the learned P.O.
for the respdts.

At the request of the Id. P.O.

S.O. 24/3/2017.

Member (J)

Skt.

O.A.No.801 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri J.R. Kidilay, the Id.
Counsel for the applicant and
Shri S. Deo, the learned C.P.O.
for the respdts.No.1.

S.O. 15/3/2017.

Member (J)

Skt.

O.A.No.268 /2016.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri S.A. Kalbande, the Id.
Counsel for the applicant and
Smt. M.A. Barabde, the learned
P.O. for the respdts.

At the request of the Id. P.O.

S.O. 17/3/2017.

Member (J)

Skt.

O.A.No.477 /2013.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

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

At the request of the Id.
Counsel for the applicant, **S.O.**
7/3/2017.

Member (J)

Skt.

O.A.No.381 /2011.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri S. Borkar, the Id.
Counsel for the applicant and
Smt. S.V. Kolhe, the learned P.O.
for the respdts.

At the request of the Id.
Counsel for the applicant, **S.O.**
17/3/2017.

Member (J)

Skt.

O.A.No.565 /2013.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri S.P. Palshikar, the Id.
Counsel for the applicant and

Shri A.M. Ghogare, the learned
P.O. for the respdts.

At the request of the Id.
Counsel for the applicant, **S.O.**
7/3/2017.

Member (J)

Skt.

O.A.No.222 /2013.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri S.P. Palshikar, the Id.
Counsel for the applicant and
Shri A.P. Potnis, the learned
P.O. for the respdts.

At the request of the Id.
Counsel for the applicant, **S.O.**
7/3/2017.

Member (J)

Skt.

O.A.No.668 /2011.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Shri S. P. Palshikar, the Id.
Counsel for the applicant and
Smt. S.V. Kolhe, the learned P.O.
for the respdts. 1 and 2. None for
R/3 and 4.

At the request of the Id.
Counsel for the applicant, **S.O.**
7/3/2017.

Member (J)

Skt.

O.A.No.241 /2013.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

Smt. S.V. Sirpurkar, the Id.
Counsel for the applicant and
Shri M.I. Khan, the learned P.O. for
the respdts.

Mrs. Sirpurkar seeks time to
file amendment application since
the appeal filed by her against the
order of recovery is decided.

S.O. 17/3/2017.

Member (J)

Skt.

O.A.No.128 /2010.

**CORAM : J.D. Kulkarni, Member
(J)**

DATE : 3rd March, 2017.

None for the applicant. Smt. S.V. Kolhe, the learned P.O. for the respdts. 1 and 2. None for R/3 to 9.

It seems that nobody is appearing in this matter on behalf of the applicant. On Earlier occasions also i.e. 3/10/2016, 22/11/2016, 6/12/2016, 13/1/2017 and 10/2/2017 none was appeared for the applicant. Today also nobody is appeared for the applicant. Hence put up on

31/3/2017 for passing necessary orders.

Member (J)

Skt.