

O.A. No. 20/2016 (S.B.)

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

Dated : 3rd October 2016.

Shri T.S. Kene, learned counsel for the applicant and Smt. S.V. Kolhe, the learned P.O. for the respondents 1 to 3. None for R.4.

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

Member (J)

pdg.

O.A. No.508/2009 (S.B.)

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

Dated : 3rd October 2016.

Shri Katkar, Adv. holding for Shri N.R. Saboo, 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.**

Member (J)

pdg.

O.A. No. 375/2015 (S.B.)

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

Dated : 3rd October 2016.

Shri Y.K. Haroziya Advocate Shri O.H. Ahmed, learned counsel for the applicant and Smt. S.V. Kolhe, the learned P.O. for the respondents 1 to 3. None for R.4 & 5.

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

Put up with O.A. 373/2015.

Member (J)

pdg.

O.A. No. 373/2015 (S.B.)

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

Dated : 3rd October 2016.

Shri Y.K. Haroziya Advocate Shri O.H. Ahmed, learned counsel for the applicant and Smt. S.V. Kolhe, the learned P.O. for the respondents 1 to 3. None for R.4 to 7.

ADMIT.

Smt. S.V. Kolhe, the learned P.O. waives notice for respondents 1 to 3.

S.O. **three weeks.**

Put up with O.A. 375/2015.

Member (J)

pdg.

O.A. No.92 /2009 (S.B.)

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

Dated : 3rd October 2016.

Heard Shri S. Khandekar,
learned counsel for the applicants and
Smt. S.V. Kolhe, the learned P.O. for
the respondents.

S.O. **three weeks.**

Member (J)

pdg.

O.A. No.625 /2007 (S.B.)

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

Dated : 3rd October 2016.

Mrs. P.T. Joshi, Adv. holding for Shri G.N. Khanzode, learned counsel for the applicants and Smt. S.V. Kolhe, the learned P.O. for the respondents.

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

Member (J)

pdg.

O.A. No. 466/2008 (S.B.)

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

Dated : 3rd October 2016.

Smt. A.D. Mohagaonkar, learned counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents.

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

Member (J)

pdg.

O.A. No.758 /2009 (S.B.)

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

Dated : 3rd October 2016.

Shri S.S. Katkar, Adv. holding for Shri N.R. Saboo, 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.**

Member (J)

pdg.

O.A. No. 87/2015.

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

Dated : 3rd October 2016.

Shri S.R. Charpe , learned counsel for the applicants and Shri P.N. Warjekar, the learned P.O. for the respondents.

Put up before the regular D.B. when it is available.

Member (J)

pdg.

O.A. No. 520/2016.

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

Dated : 3rd October 2016.

Shri R.S. Suryavanshi, learned counsel for the applicant and Smt. S.V. Kolhe, the learned P.O. for the respondents.

Learned P.O. has filed reply of R. 2 and 3. It is taken on record and its copy is supplied to the other side.

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

Member (J)

pdg.

O.A. No. 376/2016.

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

Dated : 3rd October 2016.

Shri S.D. Tatke, Adv. holding for Shri R.V. Shiralkar, learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

Learned P.O. has filed reply of R. 4-A.G., Nagpur. It is taken on record and its copy is supplied to the other side.

Learned P.O. wants time to file reply of R.1.

S.O. **four weeks.**

Registrar to re-examine the point of jurisdiction.

Member (J)

pdg.

O.A. No. 329/2016.

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

Dated : 3rd October 2016.

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

The learned P.O. has filed reply of R. 4- Joint Director of Vocation and Education and Training, Nagpur. It is taken on record and its copy is supplied to the other side.

Reply of other respondents is not necessary.

Put up before regular D.B. when available.

Member (J)

pdg.

O.A. No. 201 of 2013.

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

Dated : 3rd October 2016.

None for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 4. Ku. P.T. Joshi, Adv. holding for Shri A.A. Madiwale, learned counsel for R. 5 to 9.

On earlier date also, none had appeared for the applicants.

Learned P.O. submits that the O.A. has become infructuous with the decision of O.A. No. 93/2015, decided on _____ (Shri Rangari and others V/s State of Maharashtra).

S.O. **two weeks for dismissal.**

Member (J)

pdg.

O.A. No. 231 of 2013.

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

Dated : 3rd October 2016.

None for the applicant. Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 3. Ku. P.T. Joshi, Adv. holding for Shri A.A. Madiwale, learned counsel for R. 4 to 8.

On earlier date also, none had appeared for the applicants.

Learned P.O. submits that the O.A. has become infructuous with the decision of O.A. No. 93/2015, decided on _____ (Shri Rangari and others V/s State of Maharashtra).

S.O. two weeks for dismissal.

Member (J)

pdg.

O.A. No. 232 of 2013.

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

Dated : 3rd October 2016.

None for the applicants. Shri P.N. Warjekar, the learned P.O. for the respondents 1 to 4. Ku. P.T. Joshi, Adv. holding for Shri A.A. Madiwale, learned counsel for R. 5 to 8.

On earlier date also, none had appeared for the applicants.

Learned P.O. submits that the O.A. has become infructuous with the decision of O.A. No. 93/2015, decided on _____ (Shri Rangari and others V/s State of Maharashtra).

S.O. **two weeks for dismissal.**

Member (J)

pdg.

O.A. No.577 /2016.

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

Dated : 3rd October 2016.

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

At the request of learned C.P.O.,
S.O. **four weeks.**

Member (J)

pdg.

O.A. No.754/2015.

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

Dated : 3rd October 2016.

C.A.No.381/2016.

Shri V.A. Kothale, learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

At the request of learned P.O.,
S.O. **17.10.2016.**

Put up with C.A. No.141/2016 in
C.P.(St.) No.556/2016.

Member (J)

pdg.

O.A. No.554/2014.

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

Dated : 3rd October 2016.

R.A.No.11/2016.

Shri A.J. Kadu, Adv. holding for Shri G.R. Sadar, learned counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents.

At the request of learned C.P.O., S.O. **three weeks.**

Member (J)

pdg.

O.A. No.159/2015.

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

Dated : 3rd October 2016.

C.A.No.154/2016.

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

The learned P.O. submits that fresh seniority list is likely to be published in the fortnight and the grievance of the applicant may be redressed.

S.O. **six weeks.**

Member (J)

pdg.

O.A. No.775/2015.

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

Dated : 3rd October 2016.

Shri A.J. Kadu, learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

The learned counsel for the applicant submits that on the basis of the order of this Tribunal, applicant was allowed to appear for the examination. However, the result is not yet declared. The learned P.O. wants to take instructions about the result.

S.O. **four weeks.**

Member (J)

pdg.

O.A. (St.) No.1842/2015.

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

Dated : 3rd October 2016.

C.A. 458/2016.

Heard Shri Bharat Kulkarni, learned counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

The applicants are claiming seniority. Hence, the joint C.A. is allowed. It is made clear that no other point other than common interest will be allowed to be agitated.

S.O. **four weeks.**

O.A. (St.) No.1842/2015.

Heard both sides.

2. Issue notice before admission to R. 2 and 3 **returnable after service.**
3. Shri S.A. Deo, the learned C.P.O. waives notice for respondent No.1. Hamdast allowed.

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

notice for final disposal need 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.

6. 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.

7. 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.

Member (J)

pdg.

O.A. (St.) No.759/2013.

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

Dated : 3rd October 2016.

C.A. 344/2015 in R.A.(St.)No.1480/2015.

Heard Shri A.J. Kadu, the learned counsel for the applicants and Smt. M.A. Barabde, the learned P.O. for the respondent Nos.1 & 2.

Issue notice to R.3 and R.4 returnable **after three weeks.**

Smt. M.A. Barabde, the learned P.O. waives notice for the respondent Nos.1 & 2. Hamdast granted.

Member (J)

pdg.

O.A. (St.) No.759/2013.

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

Dated : 3rd October 2016.

C.A. 516/2015 in R.A.No.1993/2015.

Heard Smt. M.A. Barabde, the learned P.O. for the applicants (original respondent Nos.1 & 2). Shri A.J. Kadu, the learned counsel for respondent Nos.1 and 2 (original respondent No.4).

Issue notice to R.1 and 3 returnable **after three weeks.**

Hamdast granted.

Member (J)

pdg.

**C.A No. 516/2015 in R.A.
(St.)No.1993/2015in O.A.No.759/2013.**

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

Dated : 7th September 2016.

ORDER

This application is filed by the Superintending Engineer, Irrigation Circle, Amravati (original respondent No.2).

2. Heard Shri A.J. Kadu, learned counsel for R.1 and 2. Respondent No.3 is served vide office endorsement dated 7.9.2016. Mrs. M.A. Barabde, learned P.O. for the applicant (original Respondent Nos. 1 and 2.)

3. The review of the order dated 10.12.2014 is sought. The application ought to have been filed within a month. But it is filed on 28.8.2015. The Tribunal relying on judicial verdicts has already taken a view that the application for condonation of delay in the cases of review of orders is not tenable.

4. The is an application to condone the delay seeking review of the order in O.A. No. 759/2013 is preferred by the

department dated 10.12.2014. The application ought to have been filed within a month. But it is filed on 28.8.2015. The Tribunal has already taken a view that the application for condonation of delay in the cases of review of orders is not tenable, relying on some judicial verdict.

5. However, the learned counsel for the applicant vehemently urged that the respondent has secured the order in his favour by playing fraud. According to the applicant, the said respondent Shamsunder Aglawe was already employed in M.S.R.T.C., Latur Division securing employment taking benefit of reservation from the category of Project Affected Persons. Such benefits can be taken only once. However, the applicant suppressed this fact and claimed the same relief in the O.A. which is decided in his favour and as such he played fraud.

6. The learned counsel for the applicant proceeded to argue that when the fraud is played, the question of bar

of limitation is not attracted. In support of the submission, reliance is placed on a case reported in **AIR 1963 Punjab 230 (V 50 C 75)** **(1) Punjab Mercantile Bank V/s Sardar Kishan Singh** wherein His Lordship of the Punjab High Court held that where fraud is perpetuated length of time would not be admitted to refuse relief. Party who wrongfully concealed facts would not be allowed to take advantage on his own wrong by setting up the law of limitation. Their Lordships of the Apex Court of the land in **A.V. Papayya Sastry and others V/s Govt. of A.P. and others (2007) 4 SCC 221** observed as under:

“It is thus settled proposition of law that a judgment, degree or order obtained by playing fraud on the court, tribunal or authority is a nullity and *non est* in the eye of the law. Such a judgment, degree or order by the first court or by the final court has to be treated as nullity by every court, superior or inferior. It can be

challenged in any court, at any time, in appeal, revision, writ or even in collateral proceedings”.

7. Thus it is settled judicial view that in case of fraud, bar of limitation cannot be attracted. Relying on this, applicant's case cannot be thrown away.

8. Since condonation of delay application is preferred by Mr. Akshay Mahindre one of the respondents, it is allowed. It has become now empty formality to allow this application. Therefore, for the reasons given in the C.A. as some time is required at the Government level to move the file, delay is condoned.

9. In view of these facts, it can be said that there are sound reasons to condone the delay. It is also well settled that the justice should not be lost in technicalities. Matter should be decided effectively and completely. Having regard to the same, in the interest of justice, application is allowed. Delay is condoned.

(S.S.Hingne)
Member (J)

pdg

**C.A No. 344/2015 in R.A.
No.1480/2015 in O.A.No.759/2013.**

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

Dated : 7th September 2016.

ORDER

This application is moved to condone the delay to review the order passed in O.A. No.759/2013 on 10.12.2014.

2. Heard Shri A.J. Kadu, the learned counsel for the applicant and Smt. M.A. Barabde, the learned P.O. for the respondent Nos.1 & 2. None for R.3 though duly served as per office endorsement dated 28.6.2016. None for R.4 since refused to accept the same as per as per office endorsement dated 7.9.2016.

3. The review of the order dated 10.12.2014 is sought. The application ought to have been filed within a month. But it is filed on 28.8.2015. The Tribunal relying on judicial verdicts has already taken a

view that the application for condonation of delay in the cases of review of orders is not tenable.

4. However, the learned counsel for the applicant vehemently urged that the respondent has secured the order in his favour playing fraud. According to the applicant, the said respondent Shamsunder Aglawe was already employed in M.S.R.T.C., Latur Division securing employment taking benefit of reservation from the category of Project Affected Persons. Such benefits can be taken only once. However, the applicant suppressed this fact and claimed the same relief in the O.A. which is decided in his favour and as such he played fraud.

5. The learned counsel for the applicant proceeded to argue that when the fraud is played, the

question of bar of limitation is not attracted. In support of the submission, reliance is placed on a case reported in **AIR 1963 Punjab 230 (V 50 C 75) (1)** **Punjab Mercantile Bank V/s Sardar Kishan Singh** wherein His Lordship of the Punjab High Court held that where fraud is perpetuated length of time would not be admitted to refuse relief. Party who wrongfully concealed facts would not be allowed to take advantage on his own wrong by setting up the law of limitation. Their Lordships of the Apex Court of the land in **A.V. Papayya Sastry and others V/s Govt. of A.P. and others (2007) 4 SCC 221** observed as under:

“It is thus settled proposition of law that a judgment, degree or order obtained by playing fraud on the

court, tribunal or authority is a nullity and *non est* in the eye of the law. Such a judgment, degree or order by the first court or by the final court has to be treated as nullity by every court, superior or inferior. It can be challenged in any court, at any time, in appeal, revision, writ or even in collateral proceedings”.

6. Thus it is settled judicial view that in case of fraud, bar of limitation cannot be attracted. Relying on this, applicant's case cannot be thrown away.

7. So far as factual aspects are concerned, the applicant is resident of Yavatmal District, respondent No.4 is resident of Latur

District and respondent No.3 is resident of Buldhana District. Thus, according to the applicant, he learnt after some days about the benefit availed by respondent No.4 as a Project Affected Person and then he collected information and it consumed time.

8. In view of these facts, it can be said that there are sound reasons to condone the delay. It is also well settled that the justice should not be lost in technicalities. Matter should be decided effectively and completely. Having regard to the same, in the interest of justice, application is allowed. Delay is condoned

(S.S.Hingne)

Member (J)

O.A.No. 653/2009

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri G.G. Bade, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the Respts.

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

Member (J)

dnk.

O.A.St.No. 364/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

C.A.116/2016 -

None for the applicant. Smt. S.V.
Kolhe, Id. P.O. for the Respts.

On the last date the matter was
adjourned to make the proper parties /
respondents, but no steps are taken.

S.O. three weeks for taking steps.

Member (J)

dnk.

O.A.No. 426/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

C.A.459/2016 -

None for the applicant. Shri S.A. Deo, Id. CPO for R-1,2 & 4.

Since the name of R/3 is to be corrected, the C.A. is allowed. Necessary amendment be carried out.

O.A.426/2016 -

After amendment, issue notice to R-3, returnable in four weeks.

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

3. 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.

4. 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.

5. 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. **S.O. four weeks.**

Member (J)

dnk.

O.A.No. 217/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri J.B. Gandhi, Id. counsel for the applicant and Shri Khadatkar, Id. P.O. for R-1. Await service of R-2.

At the request of Id. counsel for the applicant, S.O. two weeks along with O.A.578/2015.

Member (J)

dnk.

O.A.No. 430/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Heard Shri S.S. Patil, Id. counsel holding for Shri P.B. Patil, Id. counsel for the applicant and Shri Khadatkar, Id. P.O. for R-1. None for R-2.

The learned counsel for the applicant files Pursis (P-27) mentioning that the applicant wants to withdraw the O.A. Accordingly, the O.A. is disposed of as withdrawn.

Member (J)

dnk.

O.A.No. 557/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri R.R. Dawda, Id. counsel for the applicant and Shri Pande, Id. P.O. for R-1&2. Await service of R-3.

Learned P.O. files reply on behalf of R-2. It is taken on record. Copy is given to the Id. counsel for the applicant.

S.O. three weeks.

Member (J)

dnk.

O.A.No. 530/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri K.V. Bhoskar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the Respts.

The learned P.O. submits that the applicant's case stands on the different footing and therefore he cannot say the parity with the other employees. The learned counsel for the applicant to demonstrate what is the nature of the acquittal.

Heard. Admit.

Learned P.O. waives notice for the respondents.

S.O. three weeks.

Member (J)

dnk.

O.A.No. 271/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

A.Athalye, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the Respts.

The learned counsel for the applicant challenged the order of suspension on legal point for the authority of issuing officer.

Learned P.O. wants to file communication dated 16-3-2016 regarding record in order of approval of suspension.

S.O. 2 weeks.

P.H.

Member (J)

dnk.

O.A.No. 328/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri M.V. Mohokar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the Respts.

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

Member (J)

dnk.

O.A.No. 357/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

None for the applicant. Shri A.M.Ghogre, Id. P.O. for R-1 to 4, Shri M. Bajpai, Id. counsel for R-5 and Shri P. Zoting, Id. counsel for R-6.

At the request of learned P.O., **S.O.**
two weeks along with other connected
matter.

Member (J)

dnk.

O.A.No. 401/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri N.D. Thombre, Id. counsel for the
applicant, Shri S.A. Sainis, Id. P.O. for R-1 to
4, Shri M. Bajpai, Id. counsel for R-5 and
Shri P. Zoting, Id. counsel for R-6.

At the request of learned P.O., S.O.
two weeks along with other connected
matter.

Member (J)

dnk.

O.A.No. 489/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri G.G. Bade, Id. counsel for the
applicant and Shri V.A. Kulkarni, Id. P.O. for
the Respts.

At the request of learned P.O., S.O.
two weeks for reply by way of last chance.

Member (J)

dnk.

O.A.No. 578/2015

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri A. Deshpande, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1&2 and Shri J.B. Gandhi, Id. counsel for R-3.

S.O. two weeks along with
O.A.217/2016

Member (J)

dnk.

O.A.No. 313/2014

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri P.S. Bhange, Id. counsel holding for Shri S.K. Tambde, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for R-1&2. None for R-3.

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

Member (J)

dnk.

O.A.No. 43/2008

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

None for the applicant. Smt. S.V. Kolhe, Id. P.O. for the Respts.

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

Member (J)

dnk.

O.A.No. 513/2008

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri S.A. Pathak, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the Respts.

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

Member (J)

dnk.

O.A.No. 137/2009

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

None for the applicant. Smt. M.A.
Barabde, Id. P.O. for the Respts.

S.O. three weeks.

Member (J)

dnk.

O.A.No. 206/2009

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

None for the applicant. Shri P.N. Warjurkar, Id. P.O. for the Respts.

None appeared for the applicant from April,2016. On the last date also none appeared for the applicant. Hence, the matter was listed for dismissal. Accordingly, the matter is reflected for dismissal on today's board. Despite of this, today none present for the applicant.

Hence, dismissed in default.

Member (J)

dnk.

O.A.No. 208/2009

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

None for the applicant. Shri V.A.Kulkarni, Id. P.O. for the Respts.

None appeared for the applicant from April,2016. On the last date also none appeared for the applicant. Hence, the matter was listed for dismissal. Accordingly, the matter is reflected for dismissal on today's board. Despite of this, today none present for the applicant.

Hence, dismissed in default.

Member (J)

dnk.

O.A.No. 207/2009

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

None for the applicant. Shri H.K. Pande, Id. P.O. for the Respts.

It appears that since long none appeared for the applicant. With a view to afford one more opportunity, **S.O. four weeks for dismissal.**

Member (J)

dnk.

O.A.No. 632/2009

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

None for the applicant. Shri S.A. Sainis, Id. P.O. for the Respts.

None appeared for the applicant from April,2016. On the last date also none appeared for the applicant. Hence, the matter was listed for dismissal. Accordingly, the matter is reflected for dismissal on today's board. Despite of this, today none present for the applicant.

Hence, dismissed in default.

Member (J)

dnk.

O.A.No. 128/2010

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

None for the applicant. At the request of Smt. S.V. Kolhe, Id. P.O. for the Respts., S.O. four weeks for reply.

Member (J)

dnk.

O.A.Nos. 146,208 & 209 of 2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri D.S. Patil, Id. counsel holding for
Shri A.J. Thakkar, Id. counsel for the
applicants and Shri M.I. Khan, Id. P.O. for the
Respts.

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

Member (J)

dnk.

O.A.No. 147/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri S. Borkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the Respts.

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

Member (J)

dnk.

O.A.No. 519/2016

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri S.S. Patil, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 5. None for R-6.

The original record, i.e., answer sheets is necessary for perusal. Because, Photostat copies are not legible. The aspect cannot be decided unless produce the same.

S.O. three weeks to produce the record.

Member (J)

dnk.

O.A.No. 280/2016 (D.B.)

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

Shri S.S. Chauhan, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the Respts.

Learned P.O. files communication dated 17th Sept.,2016 (P-57) to the effect that the applicant is allowed to appear in the examination. The results are to be declared in near future. Put up after declaration of result.

S.O. four weeks for disposal.

Member (J)

dnk.

O.A.No. 712/2013 (D.B.)

Coram : Hon. Shri S.S. Hingne, M (J).

Dated : 3.10.2016.

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

2. Learned P.O. files communication dated 2nd Sept.,2016 (P-60). Copy of the same is given to the Id. counsel for the applicant. The learned counsel for the applicant submits that the grievance of the applicant so far as relates to the amended prayer clause (i-a) is redressed.

3. So far as prayer clause (i-b) is concerned, it is mentioned in the para-4 of additional reply (P-58) as under :-

“It is further submitted that so far as the amended prayer clause (i-b) of the O.A. filed by the applicant is concerned, after taking decision as clarified in para no.2 above, an appropriate decision would be taken by the office's of this answering respondent another Desk”.

4. Now the learned counsel for the applicant submits that the O.A. can be disposed of with a direction to R/2 so far

as relates to prayer clause (i-b) within time limit.

5. Accordingly, the O.A. is disposed of with a direction to R/2,i.e., Director General of Police, Mumbai to decide the prayer clause (i-b), i.e., promotion to the post of Police Inspector and grant of deemed date accordingly within a period of eight weeks.

6. With this direction, the O.A. stands disposed of.

Member (J)

dnk.

