

O.A. 410/2018 (SB)

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

Dated : 15.06.2018

Heard Shri S.A. Marathe, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the State.

2. Vide impugned order dated 31/05/2018 (Annex-A-1,P-16) the applicant a Stenographer has been transferred from Yavatmal to Nanded in place of one Shri Suresh Choudhari. Whereas, Shri Suresh Choudhari has been transferred in place of one Shri Vijay Hajare. However, there is no order in respect of Shri Vijay Hajare. It is stated that the transfer order has been passed with some ulterior motive just to accommodate some Stenographers and only with intentionally the applicant has been shifted to Nanded. Admittedly, the applicant has completed his tenure at Yavatmal and whether the transfer order is malafide or not will have to be considered only after getting reply from the respondents.

3. In view thereof, issue notice to R-2 and 3, returnable in two weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. two weeks.**

Vice Chairman (J)

dnk.

O.A. 412/2018 (SB)

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

Dated : 15.06.2018

Heard Ms. Archita Sudame, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the State.

2. The applicant is Livestock Development Officer at Nagbhid and vide impugned order dated 31/05/2018 (Annex-A-1,P-12) has been transferred to Pendhari, Tq. Dhanora, District Gadchiroli. The applicant is working at Nanded since 2013. According to the applicant, he has filed the representation on 14/03/2018 (Annex-A-7,P-39) and has given three choice postings and all these three posts are still vacant, but still his choice is not considered. Since no the relieving order is issued, the applicant is still working at Nagbhid. The applicant has also filed representation on the ground that his wife is serving and both shall be adjusted at one of the same place, but same representation is also not considered. It is stated that nobody is posted at the applicant's place at

Nagbhid. In view thereof, the respondents are directed not to relieve the applicant till further orders. In the meantime, the learned P.O. is requested to take instructions as to whether anybody is posted in place of applicant and whether any of the posts for which the applicant has given choice is lying vacant, if yes, whether the applicant can be accommodated for any of such choice posts.

3. In the meantime, issue notice to R-2 and 3, returnable in **two weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure)

Rules,1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. two weeks.**

Vice Chairman (J)

dnk.

O.A. 336/2018 (SB)

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

Dated : 15.06.2018

C.A.136/2018

Heard Shri S.J. Kharbade, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the State.

2. The applicant is challenging the order of Smt. N.C. Solote by way of amendment and therefore he wants to join her as party/ respondent. In view thereof, the application as regards joining of Smt. N.C. Solote as party / respondent is allowed. So far as the other proposed respondents are concerned, they are not necessary party and therefore the request for adding Shri A.R. Ramteke, Shri P.R. Bobde, Shri V.M. Patil and the Commissioner of Co-operation, Pune is rejected. The necessary amendment be carried out forthwith.

O.A. 336/2018 –

Heard Shri S.J. Kharbade, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the State.

2. The applicant is a Auditor, Grade-II and vide impugned order dated 30/05/2018 (Annex-A-1,P-7) has been transferred from Co-operative Societies, Chandrapur to Wardha. According to the applicant, he has not completed two tenures at his posting at Chandrapur. However, it is true that he has completed 5 years at Chandrapur. In the order itself it is stated that the same has been issued in the interest of administration. The learned P.O. was directed to take instructions as to whether the respondent Smt. N.C. Solote has been relieved from her post. On instructions, it is stated that she has already been relieved and therefore in such circumstances no stay can be granted as this juncture and the reply of respondents will be necessary.

3. In the meantime, issue notice to R-2 and newly added respondent, returnable in **three weeks**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with

complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. three weeks.**

Vice Chairman (J)

dnk.

O.A. 572/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 15/06/2018

C.As. 513/17,514/17,126/18 & 127/18

Shri D.T. Shinde, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The learned P.O. is directed to file legible documents on record.

S.O. 19/06/2018 along with other connected matters.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 573/2017 (D.B.)

**Coram: J.D. Kulkarni,
Vice-Chairman(J) and
Shree Bhagwan,Member(A)**

Dated : 15/06/2018

C.As. 515/17,516/17,128/18 & 129/18

Shri D.T. Shinde, Id. counsel for
the applicant and Shri A.M. Ghogre,
Id. P.O. for the respondents.

S.O. 19/06/2018 along with
other connected matters.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 574/2017 (D.B.)

**Coram: J.D. Kulkarni,
Vice-Chairman(J) and
Shree Bhagwan,Member(A)**

Dated : 15/06/2018

C.As. 517/17,518/17,130/18 & 131/18

Shri D.T. Shinde, Id. counsel for
the applicant and Shri A.M. Ghogre,
Id. P.O. for the respondents.

S.O. 19/06/2018 along with
other connected matters.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 575/2017 (D.B.)

**Coram: J.D. Kulkarni,
Vice-Chairman(J) and
Shree Bhagwan,Member(A)**

Dated : 15/06/2018

C.As. 519/17,520/17,132/18 & 133/18

Shri D.T. Shinde, Id. counsel for
the applicant and Shri A.M. Ghogre,
Id. P.O. for the respondents.

S.O. 19/06/2018 along with
other connected matters.

Member(A)

Vice-Chairman(J)

dnk.

O.A. 846/2017 (D.B.)

**Coram: J.D. Kulkarni,
Vice-Chairman(J) and
Shree Bhagwan,Member(A)**

Dated : 15/06/2018

C.As. 134/18 and 135/18

Shri D.T. Shinde, Id. counsel for
the applicant and Shri A.M. Ghogre,
Id. P.O. for the respondents.

S.O. 19/06/2018 along with
other connected matters.

Member(A)

Vice-Chairman(J)

dnk.

C.P. 05/18 in O.A. 76/2017 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 15/06/2018

Shri P.D. Meghe, learned counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The learned P.O. files reply-affidavit on behalf of R-4. It is taken on record. Copy is served on the applicant.

The learned P.O. seeks time to file reply-affidavit of R-1. At his request, **S.O. 19/06/2018.**

Member(A)

Vice-Chairman(J)

dnk.

O.A. 111/2018 (D.B.)

**Coram: J.D. Kulkarni,
Vice-Chairman(J) and
Shree Bhagwan,Member(A)**

Dated : 15/06/2018

Shri M.P. Kariya, learned counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1 to 3. None for R-4 (Caveator).

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

Member(A)

Vice-Chairman(J)

dnk.

O.A. 411/2018 (D.B.)

Coram: J.D. Kulkarni,

Vice-Chairman(J) and

Shree Bhagwan,Member(A)

Dated : 15/06/2018

Heard Shri S.P. Palshikar, learned counsel for the applicant and Shri S.A. Sainis, learned P.O. for the State.

2. Issue notice to R-2, returnable in **four 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. In the meantime, the point of interim relief is kept open.

9. **S.O. four weeks.**

Member(A)

Vice-Chairman(J)

dnk.

O.A.No.290/2009 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

M.C.A.No.17/2018:-

Heard Shri A.S.Tiwari, Id. counsel for the applicant and Shri H.K.Pandey, Id. P.O. for the respondents.

As per the request of Id. P.O., time is granted **Eight Weeks**.

M.C.A. stands disposed of.

Member (A)

aps.

O.A.No.420/2017 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

C.A.No.482/2017:-

None for the applicant. Shri
H.K.Pandey, Id. P.O. for the respondents.

As per the request of Id. P.O., **S.O.**

13/07/2018.

Member (A)

aps.

O.A.St.495/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

C.A.No.78/2018:-

None for the applicant. Shri H.K.Pandey, Id. P.O. for the State. Await service of respondent nos. 2 and 3.

As per the request of Id. P.O., **S.O.**

13/07/2018.

Member (A)

aps.

O.A.No.117/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

None for the applicant. Shri H.K.Pandey, Id. P.O. for the State. Await service of respondent nos. 2 to 6.

List this matter after completion of the services in due course of time.

Member (A)

aps.

O.A.No.199/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

None for the applicant. Shri V.A.Kulkarni, Id. P.O. for the State. Await service of respondent nos. 2 and 3.

List this matter after completion of the services in due course of time.

Member (A)

aps.

O.A.No.208/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.06.2018.

None for the applicant. Shri V.A.Kulkarni, Id. P.O. for the State. Await service of respondent nos. 2 to 8.

List this matter after completion of the services in due course of time.

Member (A)

aps.

O.A.No.251/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

Shri P.D.Sharma, Id. counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the State. Await service of respondent nos. 2 to 4.

List this matter after completion of the services in due course of time.

Member (A)

aps.

O.A.No.254/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

None for the applicant. Shri A.P.Potnis, Id. P.O. for the State. Await service of respondent nos. 2 and 3.

List this matter after completion of the services in due course of time.

Member (A)

aps.

O.A.No.625/2017 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

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

The Id. counsel for the applicant
submits that his applicant is out of station.
As per the request of Id. counsel for the
applicant, **S.O. 29/06/2018** for rejoinder.

Member (A)

aps.

O.A.No.954/2017 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

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

As per the request of Id. P.O.,

S.O. 06/07/2018.

Member (A)

aps.

O.A.No.278/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

Heard Shri S.Tatke holding for Shri R.V.Shiralkar, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

As per the request of Id. P.O.,

S.O. 06/07/2018.

Member (A)

aps.

O.A.No.290/2018 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

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

The Id. P.O. has placed on record one document which is marked exhibit "X", it shows that the applicant has joined at its choice posting.

Hence the O.A. is disposed of as withdrawn.

Member (A)

aps.

O.A.No.181/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.06.2018.

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

The Id. P.O. submits that in the next
date surely he file the affidavit-in-reply and
in the meanwhile he supply the copy of the
affidavit-in-reply to the Id. counsel. At his
request, **S.O. 21/07/2018.**

*List this matter alongwith
O.A.Nos.182,183,184/2018.*

Member (A)

aps.

O.A.No.182/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.06.2018.

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

The Id. P.O. submits that in the next
date surely he file the affidavit-in-reply and
in the meanwhile he supply the copy of the
affidavit-in-reply to the Id. counsel. At his
request, **S.O. 21/07/2018.**

*List this matter alongwith
O.A.Nos.181,183,184/2018.*

Member (A)

aps.

O.A.No.183/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.06.2018.

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

The Id. P.O. submits that in the next
date surely he file the affidavit-in-reply and
in the meanwhile he supply the copy of the
affidavit-in-reply to the Id. counsel. At his
request, **S.O. 21/07/2018.**

*List this matter alongwith
O.A.Nos.181,182,184/2018.*

Member (A)

aps.

O.A.No.184/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.06.2018.

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

The Id. P.O. submits that in the next
date surely he file the affidavit-in-reply and
in the meanwhile he supply the copy of the
affidavit-in-reply to the Id. counsel. At his
request, **S.O. 21/07/2018.**

*List this matter alongwith
O.A.Nos.181,182,183/2018.*

Member (A)

aps.

O.A.No.621/2017 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

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

At the request of Id. P.O., **S.O.**
06/07/2018 for reply.

List this matter alongwith
O.A.No.622/2017.

Member (A)

aps.

O.A.No.622/2017 (S.B.)

Coram : Hon. Shri Shree Bhagwan,

Member (A)

Dated : 15.06.2018.

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

The Id. P.O. files affidavit-in-reply on behalf of the respondent nos. 1 to 3. The same is taken on record. At his request,

S.O. 06/07/2018.

*List this matter alongwith
O.A.No.621/2017.*

Member (A)

aps.

O.A.No.23/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.06.2018.

Shri S.M.Bhagde, Id. counsel for the applicant and Shri P.N.Warjurkar, Id. P.O. for the respondent nos. 1, 2, 4 & 5. None for R-3 (Caveator).

S.O. 21/06/2018.

Member (A)

aps.

O.A.No.317/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.06.2018.

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

The Id. P.O. submits that affidavit-in-
reply by which impugned order has been
cancelled, than nothing remains in the O.A.
Hence the O.A. stands disposed of.

Member (A)

aps.

O.A.No.318/2018 (S.B.)

**Coram : Hon. Shri Shree Bhagwan,
Member (A)**

Dated : 15.06.2018.

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

The Id. P.O. submits that affidavit-in-
reply by which impugned order has been
cancelled, than nothing remains in the O.A.
Hence the O.A. stands disposed of.

Member (A)

aps.

