

O.A. Nos. 302/2014 & 303/2014

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

Dated : 11.09.2017.

Heard Shri R.V. Shiralkar, Id. counsel for the applicants and Shri P.N. Warjurkar, Id. P.O. for the respondents.

2. The learned counsel for the applicants submits that his client has instructed him that the cases are being considered in the DPC by respondent no.2 which is likely to be held in near future. He, therefore, wants to withdraw the O.A. The learned counsel for the applicants therefore seeks permission to withdraw the O.As. for which the learned P.O. has no objection.

3. In view thereof, the O.As. now stand disposed of as withdrawn with no order as to costs. It is needless to mention that the applicant can approach before the Tribunal in case his case is not considered in the DPC by the respondent no.2.

Vice Chairman (J)

dnk.

O.A. St. 2184/2016 with C.A.562/2016

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

Dated : 11.09.2017.

Heard Shri N.B. Rathod, Id. Counsel for the applicants and Smt. S.V. Kolhe, Id. P.O. for the respondents.

2. The applicants have claimed that arrears of salaries from 29/9/2003 to 14/11/2008 be paid to them.

3. The O.A St.2184/2016 is filed along with C.A. 562/2016 for condonation of delay. The averments in the application for condonation of delay are very vague. It is not clear as to exact what delay has caused for claiming the arrears and the delay is also not properly explained. The learned counsel for the applicants submits in fact there is no delay, but he has filed the application by way of precaution. However this averment also is not finding place in the application. The applicants may therefore take proper steps to amend the application.

S.O. four weeks.

Vice Chairman (J)

dnk.

O.A. No. 71/2017 with C.A.41/2017.

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

Dated : 11.09.2017.

Heard Shri S.P. Palshikar, Id. Counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The reply-affidavit has been filed in the application for condonation of delay as well as in the O.A. With the consent of learned counsel for parties, the matter is admitted since the pleadings are complete and the application for condonation of delay as well as the O.A. will be considered on merit at the time of final hearing.

3. The learned P.O. waives notice for the respondents.

S.O. four weeks.

Vice Chairman (J)

dnk.

O.A. 393/2017

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

Dated : 11.09.2017.

C.A. 265/2017 –

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

2. The learned P.O. submits that he has not received the instructions as to whether the respondents want to challenge the common Judgment dated 18/4/2017. He also submits that he will file reply-affidavit in the C.A. within four weeks.

At his request, **S.O. four weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 394/2017

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

Dated : 11.09.2017.

C.A. 266/2017 –

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

2. The learned P.O. submits that he has not received the instructions as to whether the respondent wants to challenge the common Judgment dated 18/4/2017. He also submits that he will file reply-affidavit in the C.A. within four weeks.

At his request, **S.O. four weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 395/2017

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

Dated : 11.09.2017.

C.A. 267/2017 –

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

2. The learned P.O. submits that he has not received the instructions as to whether the respondent wants to challenge the common Judgment dated 18/4/2017. He also submits that he will file reply-affidavit in the C.A. within four weeks.

At his request, **S.O. four weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 396/2017

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

Dated : 11.09.2017.

C.A. 268/2017 –

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

2. The learned P.O. submits that he has not received the instructions as to whether the respondents want to challenge the common Judgment dated 18/4/2017. He also submits that he will file reply-affidavit in the C.A. within four weeks.

At his request, **S.O. four weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 397/2017

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

Dated : 11.09.2017.

C.A. 269/2017 –

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

2. The learned P.O. submits that he has not received the instructions as to whether the respondents want to challenge the common Judgment dated 18/4/2017. He also submits that he will file reply-affidavit in the C.A. within four weeks.

At his request, **S.O. four weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 398/2017

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

Dated : 11.09.2017.

C.A. 270/2017 –

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

2. The learned P.O. submits that he has not received the instructions as to whether the respondents want to challenge the common Judgment dated 18/4/2017. He also submits that he will file reply-affidavit in the C.A. within four weeks.

At his request, **S.O. four weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 399/2017

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

Dated : 11.09.2017.

C.A. 271/2017 –

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

2. The learned P.O. submits that he has not received the instructions as to whether the respondents want to challenge the common Judgment dated 18/4/2017. He also submits that he will file reply-affidavit in the C.A. within four weeks.

At his request, **S.O. four weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 400/2017

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

Dated : 11.09.2017.

C.A. 272/2017 –

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

2. The learned P.O. submits that he has not received the instructions as to whether the respondents want to challenge the common Judgment dated 18/4/2017. He also submits that he will file reply-affidavit in the C.A. within four weeks.

At his request, **S.O. four weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 401/2017

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

Dated : 11.09.2017.

C.A. 273/2017 –

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

2. The learned P.O. submits that he has not received the instructions as to whether the respondents want to challenge the common Judgment dated 18/4/2017. He also submits that he will file reply-affidavit in the C.A. within four weeks.

At his request, **S.O. four weeks** along with other connected matters.

Vice Chairman (J)

dnk.

O.A. 833/2016

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

Dated : 11.09.2017.

C.A.334/2017 in Rev. St.2043/17 –

Mr. Zinjarde, Id. Counsel holding for Shri N.W. Almelkar, Id. Counsel for the applicant, Shri V.A. Kulkarni, Id. P.O. for R-2 &3 and Shri S.B. Tiwari, Id. Counsel for R-1.

The learned P.O. placed on record the copies of Judgments in C.A.470/16 in Rev. A.St.1887/16 in O.A.492/15 and C.A.177/16 in Rev.A.St.741/16 in O.A.779/09 and marked Exh-X and X1 for the purposes of identification.

The learned counsel for the applicant seeks two weeks time. At his request, **S.O. two weeks.**

Vice Chairman (J)

dnk.

O.A. 636/2017

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

Dated : 11.09.2017.

C.A. 431/2017 –

Mrs. G. Venkatraman, Id. Counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

The learned P.O. seeks time to file reply-affidavit in C.A. as well as in O.A. At his request, **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. 543/2017

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

Dated : 11.09.2017.

Shri D.P. Dapurkar, Id. Counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

The learned counsel for the applicant submits that he has filed service affidavit of R-2&3 in the office.

The learned P.O. seeks time to file reply. At his request, **S.O. three weeks**.

Vice Chairman (J)

dnk.

O.A. 591/2017

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

Dated : 11.09.2017.

Shri S.N. Gaikwad, Id. Counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondent no.1. Await service of R-2&3.

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

dnk.

Vice Chairman (J)

O.A. 82/2017

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

Dated : 11.09.2017.

Shri N.R. Saboo, Id. Counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 & 2 and Shri M. Ateeque, Id. Counsel holding for Shri T.M. Zaheer, Id. Counsel for R-3 & 4.

2. The learned P.O. submits that two weeks time may be granted for filing reply of R-1&2. In fact sufficient time has already been granted to file reply. The respondent nos. 3&4 has already filed reply. A last chance was granted on 31/7/2017, still no reply was filed and the matter was adjourned on 28/8/2017. On 28/8/2017 also reply was not filed. Hence, most last chance was again granted and the matter has been posted today. Today also no reply is filed on behalf of R-1&2. It is stated that in spite intimation no officer is present. This shows casual approach on the part of respondent nos.1&2. However in the interest of justice, most last chance can be granted to file reply of R-1&2 subject

to the cost of Rs.5000/- to be deposited
before the Registry of M.A.T., Nagpur.

S.O. two weeks.

Vice Chairman (J)

dnk.

O.A. 259/2017

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

Dated : 11.09.2017.

Shri Vishal Anand, Id. Counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondent nos. 1 to 4. None for R-5.

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

dnk.

Vice Chairman (J)

O.A. 261/2017

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

Dated : 11.09.2017.

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

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

Vice Chairman (J)

dnk.

O.A. 293/2017

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

Dated : 11.09.2017.

Shri M.V. Joshi, Id. Counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1 to 3 and Shri P.D. Meghe, Id. Counsel for R-4.

Shri Meghe, learned counsel files reply on behalf of R-4. It is taken on record. Copies are served to the other sides.

Since the pleadings are complete, the matter is admitted and kept for final hearing.

The learned P.O. as well as Id. Counsel for R-4 waive respective notices.

S.O. 19/9/2017.

Vice Chairman (J)

dnk.

O.A. 300/2017

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

Dated : 11.09.2017.

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

Heard. Admit.

The learned P.O. waives notice for
the respondents.

S.O. after two weeks.

Vice Chairman (J)

dnk.

O.A. 440/2017

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

Dated : 11.09.2017.

Shri P.P. Khaparde, Id. Counsel for
the applicant and Shri V.A. Kulkarni, Id.
P.O. for the respondents.

At the request of Id. P.O., **S.O. one
week** as a last chance for filing reply.

Vice Chairman (J)

dnk.

O.A. 465/2017

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

Dated : 11.09.2017.

Shri Bharat Kulkarni, Id. Counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

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

Vice Chairman (J)

dnk.

O.A. 556/2017

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

Dated : 11.09.2017.

Shri Y.P. Kaslikar, Id. Counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O.**
three weeks for filing reply.

dnk.

Vice Chairman (J)

O.A. 592/2017

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

Dated : 11.09.2017.

Shri S. Borkute, Id. Counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

The learned P.O. submits that he will file reply-affidavit within four weeks. Time is granted. In the meantime, the respondents are directed not to recover the amount vide impugned order dated 24/01/2017 (A-9,P-37) till further orders.

S.O. four weeks.

Vice Chairman (J)

dnk.

O.A. 381/2011

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

Dated : 11.09.2017.

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

Closed for orders.

Vice Chairman (J)

dnk.

O.A. Nos.129,130 & 131 of 2017

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

Dated : 11.09.2017.

Shri M. Ateeque, Id. Counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the respondents.

2. In O.A.Nos. 129 & 131 the learned P.O. submits that they have already sent copies of the reply for approval to the Government but the approval is not received. However the reply filed by them is similar that in O.A.No.130 of 2017 and therefore the same reply has been adopted in all other matters.

3. In view thereof, the O.A.Nos. 129,130 & 131 of 2017 are admitted and be kept for final hearing.

The learned P.O. waives notice for the respondents.

S.O. Next week.

Vice Chairman (J)

dnk.

O.A. 95/2017

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

Dated : 11.09.2017.

Heard Shri N.R. Saboo, Id. Consel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1&2. None for R-3&4.

2. No reply is filed by any of the respondents. The matter was kept for the first time for filing reply on 15/3/2017. On 15/3/2017 the learned CPO sought time to file reply and the matter was posted on 12/4/2017. On 12/4/2017 again four weeks time was granted and the matter was posted on 8/6/2017. On 8/6/2017 as a last chance two weeks time was granted. The matter was posted on 22/6/2017. On that date also most last chance was granted and the matter was posted on 13/7/2017. On 13/7/2017 two weeks time was granted and the matter was posted on 27/7/2017. On 27/7/2017 also the time was sought and four weeks' time was granted for filing reply and the matter was posted on 28/8/2017. On that date also no reply was filed and time was granted as a most last chance and the

matter has been kept today. Today again the respondents are praying for time to file reply. The attitude on the part of respondents clearly shows that they are not serious to see that matter should be proceeded with within stipulated period. In view thereof, the most last chance is granted to all the respondents for filing reply subject to the condition that each of the respondent shall pay cost of Rs.5000/- before the Registry of M.A.T., Nagpur.

S.O. two weeks.

Steno copy be supplied to the learned counsel for parties.

Vice Chairman (J)

dnk.

O.A. 96/2017

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

Dated : 11.09.2017.

Heard Shri N.R. Saboo, Id. Consel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1&2 and Shri A.M. Kukday, Id. counsel for R-3&4.

2. No reply is filed by any of the respondents. The matter was kept for the first time for filing reply on 15/3/2017. On 15/3/2017 the learned PO sought time to file reply and the matter was posted on 12/4/2017. On 12/4/2017 again three weeks time was granted and the matter was posted on 3/5/2017. On 3/5/2017 time was granted and the matter was posted after Summer Vacation on 28/6/2017. On that date also time was granted and the matter was posted on 31/7/2017. On 31/7/2017 two weeks time was granted as a last chance and the matter was posted on 28/8/2017. On that date also no reply was filed and time was granted as a most last chance and the matter has been kept today. Today again the respondents are praying for time to

file reply. The attitude on the part of respondents clearly shows that they are not serious to see that matter should be proceeded with within stipulated period. In view thereof, the most last chance is granted to all the respondents for filing reply subject to the condition that each of the respondent shall pay cost of Rs.5000/- before the Registry of M.A.T., Nagpur.

S.O. two weeks.

Steno copy be supplied to the learned counsel for parties.

Vice Chairman (J)

dnk.

O.A. 123/2017

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

Dated : 11.09.2017.

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

2. The learned P.O. submits that when he contacted the concerned officer, it has been brought to his notice that the copy of the O.A. has not been received by the office. Such a reason for not filing reply-affidavit cannot be accepted for the first time when the matter has already been adjourned from time to time for filing reply-affidavit and the respondents never took objection till today for not receiving such copy.

3. In the order dated 8/8/2017 it was specifically mentioned that since last so many dates reply has not been filed and on the earlier dated i.e. on 17/4/2017 the matter was adjourned after Summer Vacation and now the period of four months has already been lapsed but the reply was not yet ready. On that observation, the learned P.O. seeks time

to file reply and time was again granted as a last chance subject to the condition that if the reply is not filed, the cost of Rs.10,000/- will be saddled. In such circumstances, there is no other alternative for the respondents but to pay cost of Rs.10,000/-. The learned P.O. again seeks time to file reply-affidavit. However the reply-affidavit will be accepted only if the amount of Rs.10,000/- as already directed be deposited on or before 18/9/2017 before the Registry of M.A.T., Nagpur.

S.O. 18/9/2017.

Steno copy be supplied to the learned P.O.

Vice Chairman (J)

dnk.

O.A. 822/2015

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

Dated : 11.09.2017.

Heard Ms. Bhagyashree N. Gavhale, Id. Counsel holding for Shri A.R. Patil, Id. Counsel for the applicant, Smt. S.V. Kolhe, Id. P.O. for R-1 to 4 and Shri D.M. Kale, Id. Counsel for R-5.

2. The learned counsel for R-5 submits that Mr. Chauhan has been transferred and in his place Mr. Borikar is posted. He however submits that Mr. Borikar is busy since the State Committee of Central Scheme for Swach Bharat has visited the town and therefore he requested that the time may be granted to appear before the Tribunal. He also submits that whatever amount is claimed by the applicant has already been paid to him on 12/1/2017 by Cheque.

3. The learned counsel for the applicant submits that she will verify as to whether the applicant has received the said Cheque or not. At her request, **S.O. two weeks. (P.H.)**

Vice Chairman (J)

dnk.

O.A. No. 609/2017.

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

Dated : 11.09.2017.

Heard Shri D.M. Kakani, Id. Counsel for the applicant, Shri A.P. Potnis, Id. P.O. for R-1 and Shri Bhalerao, Id. Counsel for R-2.

2. Vide impugned order dated 21/6/2017 the applicant Shri S.D. Kulkarni, Additional Chief Officer, Z.P., Yavatmal has been transferred on the same post at Nanded in a vacant post. However, till today the Z.P., Yavatmal has not relieved the applicant and therefore the applicant has filed this O.A. He is claiming a direction to respondent no.2,i.e., Chief Executive Officer, Z.P., Yavatmal to relieve the applicant immediately from his present post as directed by respondent no.1 in its order dated 21/6/2017 so as to join him at the place of transfer, i.e., Z.P., Nanded. The respondent no.1, i.e., the Secretary Rural Development, Mumbai has not filed reply.

3. The respondent no.2 the CEO, Z.P., Yavatmal has filed reply and

submits that as per G.R. dated 10/3/2015 unless the officer is replaced and joined duties, the candidate who is transferred cannot be relieved. It is stated that one Shri B.M. Mohan, Additional Chief Executive Officer, Z.P., Nandurbar who is transferred in place of applicant has not yet been relieved and therefore the respondent no.2. is unable to relieve the applicant.

4. Perusal of the G.R. dated 10/3/2015 clearly shows that it has been directed to see that the post does not remain vacant and therefore the person who is going to replace the applicant is required to be relieved. The respondent no.2 therefore cannot deny his liability to see that a person posted in applicant's place is relieved within stipulated period. In view of the discussion in foregoing paras, I therefore pass the following order:-

ORDER

The O.A. is allowed with following directions :-

The respondent no.1 is directed to relieve Mr. B.M. Mohan, Additional Chief Executive Officer, Nandurbar with immediate effect so as to join him at Yavatmal. On joining Shri Mohan at

Yavataml respondent no.2 shall immediately relieve the applicant. In case, no action is taken by respondent no.1 in relieving Shri Mohan immediately, the respondent no.2 is directed to relieve the applicant on or before 18/9/2017. No order as to costs.

Vice Chairman (J)

dnk.

O.A. No. 565/2017

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

Dated : 11.09.2017.

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

2. The learned P.O. seeks time to file reply.

3. The learned counsel for the applicant submits that the Chief Conservator of Forest (Territorial), Nagpur (R/2) had issued the order dated 3/8/2017 whereby the representations of some of the employees have been accepted and their postings have been modified and therefore the Chief Conservator of Forest (Territorial), Nagpur (R/2) can be directed to take decision on the representation filed by the applicant. The learned P.O. however submits that the approval is necessary for obtaining such transfer. She further submits that the applicant has not yet joined on his post at Bapera, Tumsar Forest Range. The applicant is present in the Court and submits that he is ready to

join at Bapera tomorrow itself. In view thereof, the respondent no.2 is directed to consider the representation of the applicant dated 3/6/2017 as per its own merit and to take decision thereon within a stipulated period of one month from the date of this order. In the meantime, the respondent to file reply-affidavit. If the representation is considered favourably, then the respondents may not be required to file reply-affidavit and the application will stand disposed of automatically.

Vice Chairman (J)

dnk.

O.A. No. 506/2017

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

Dated : 11.09.2017.

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

2. The learned P.O. seeks time to file reply.

3. The applicant is claiming that the period of his service prior to regularization i.e. prior to 19/9/2013 be considered as qualifying service for the purpose of pension and other service benefits. He has filed representation to that effect to the Collector, Nagpur where he is presently serving. The learned P.O. has placed on record one communication made by Dy. Collector, Nagpur to Desk Officer, State Information Commission, Nagpur dated 3/8/2017 which is marked Exh-R-1 wherein it is stated that the applicant was in Chandrapur district during the period from 31/5/1993 to 29/10/2003 and therefore it is for Collector, Chandrapur to decide the representation. The learned counsel for the applicant

submits that he may be permitted to join respondent no.4 as Collector, Chandrapur. In view thereof, permission is granted to join Collector, Chandrapur forthwith.

4. After amendment, Issue notice to newly added R-4, returnable in **four weeks**. Hamdast allowed.

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

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 affidavit of compliance in the Registry within one

week. Applicant is directed to file Affidavit of compliance and notice.

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

Vice Chairman (J)

dnk.

O.A. No. 340/2017

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

Dated : 11.09.2017.

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

2. The applicant is over due at her placed of posting at Gadchiroli and she has requested that she may be transferred. In spite that fact the Government was not considered for transfer. The applicant has given options and also requested for her transfer since her husband is also serving at Bhandara. She also requested to transfer at Bhandara on account of family problems. However neither her representation has been decided nor she has been considered for transfer. The Director of Public Health Services i.e. respondent no.2 is therefore directed to state as to whether the applicant can be accommodated on any of the choice post given by her in her request letter and if not why ? The learned P.O. is therefore requested to take instructions from respondent no.2 in this regard and to a

make the statement accordingly on next date.

S.O. two weeks.

Steno copy be supplied to the learned P.O.

Vice Chairman (J)

dnk.

O.A. No. 186/2013.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.
C.A. Nos. 371 & 426 of 2017.

Heard Shri A. Raghute, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

Matter is of the year 2013. Reply has already been filed in the case. Today, the learned counsel for the applicant places on record copies of Annexures A & B dated 9.8.2017. It is taken on record. Copies of the same are served on the respondents. C.As are disposed of accordingly.

With consent of parties, matter is kept for final hearing on the next date.

S.O. **one week.**

Vice-
Chairman(J)

pdg

O.A. No. 97/2011.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.
C.A. No. 427/2017.

Heard Shri D.M. Upadhye, the learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

With the consent of parties, matter be kept for final hearing on **23.9.2017.**

C.A. stands disposed of accordingly.

Vice-
Chairman(J)

pdg

O.A. No. 410/2011.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.
C.A. No. 428/2017.

Heard Shri V.R. Borkar, the learned counsel for the applicant and Shri H.K. Pande, the learned P.O. for the respondents.

For the reasons stated in the application, application for deleting the names of R. 4 and 5 is allowed. C.A. stands disposed of accordingly.

O.A. No. 410/2011.

The Ld. P.O. has filed reply of R. 2 and 3. It is taken on record and copy

thereof is supplied to Ld. counsel for the applicant.

S.O. two weeks for filing rejoinder, if any.

Vice-
Chairman(J)

pdg

O.A. No. 80/2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri H.D. Futane, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents.

The learned counsel for the applicant submits that he will comply the office objection today itself and requested that the matter be kept for final hearing tomorrow, since similar matter i.e. O.A. No. 265/2016 is also fixed tomorrow.

With consent, S.O. **12.9.2017.**

Vice-
Chairman(J)

pdg

O.A. No. 615/2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri P.P. Khaparde, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The learned counsel for the applicant seeks permission to remove objection within two days.

S.O. **next week.**

Vice-
Chairman(J)

pdg

O.A. No. 472/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri S.N. Gaikwad, the learned counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents.

At the request of the learned counsel for the applicant, S.O. **four weeks** to file service affidavit.

Vice-
Chairman(J)

pdg

O.A. No. 473/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri S.N. Gaikwad, the learned counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents.

The learned counsel for the applicant submits that he will file service affidavit during the course of the day.

Ld. P.O. also seeks time to file reply.

S.O. **four weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 593/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri G.R. Kothari, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents.

The learned counsel for the applicant submits that he will file service affidavit during the course of the day.

Ld. P.O. seeks time to file reply.

S.O. **four weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 598/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri V.B. Gawali, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondents 1 to 4. Shri S.C. Deshmukh, Adv. for R.5.

Adv. for R.5 seeks time to file reply of R.5.

Ld. P.O. seeks time to file reply on behalf of R. 1 to 4. Ld. P.O. also filed copy of D.P.C. meeting.

S.O. four weeks.

Vice-
Chairman(J)

pdg

O.A. No. 611/2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri P.P. Khaparde, the learned counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents.

The Ld. P.O. has filed reply on behalf of R.2 and 3. It is taken on record and a copy of which is supplied to the other sides.

The learned counsel for the applicant prays for time to file rejoinder, if any.

S.O. **four weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 844/2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri Y.P. Kaslikar, the learned counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondent Nos. 1 to 3. None for R.4.

At the request of P.O., S.O. **25th** **September 2017** for filing reply.

Vice-
Chairman(J)

pdg

O.A. No. 70/2017.

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

Dated : 11th September 2017.

Heard Shri A.P. Sadavarte, the learned counsel for the applicant and Shri V.A. Kulkarni, the learned P.O. for the respondents.

S.O. **four weeks** by way of last chance.

Vice-
Chairman(J)

pdg

O.A. No. 135/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri P.P. Khaprade, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

At the request of Ld. P.O., S.O.
three weeks for filing reply.

Vice-
Chairman(J)

pdg

O.A. No. 520/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri S.M. Khan, the learned counsel for the applicant and Shri A.M. Khadatkar, the learned P.O. for the respondent No.1 and 4. None for R.2.

2. The learned counsel for the applicant is directed to give the name and address of the officer who is responsible for not allowing the applicant to join the duty.

3. The Ld. P.O. seeks time to file reply in respect of R. 3 and 4. Respondent No.1 is, therefore, directed to take information from respondent No.2 as to why he is not allowing the applicant to join the duty.

4. Personal notices be issued to respondent Nos. 2 and 3 i.e. C.E.O., Z.P., Chandrapur and District Health Officer, Chandrapur respectively in their personal names and they are directed to appear personally before this Tribunal on the next date.

5. Shri A.M. Khadatkar, the learned P.O. waives notice for the respondent Nos.1 and 4 .Hamdast granted.

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

7. 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.

8. 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.

9. 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.

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

Vice-
Chairman(J)

O.A. No. 335/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri N.A. Jachak, the learned counsel for the applicant and Shri the learned P.O. for the respondents 1 & 2. Shri R.V. Shiralkar, Ld. Adv. for the R.4, 6,7 & 9. None for R.3, 5 & 8.

The Ld. P.O. has filed reply on behalf of R.2. It is taken on record and a copy of which is supplied to the other sides.

Shri R.V. Shiralkar, the Ld. Adv. for R. 4,6,7 & 9 has filed on record affidavit in reply on behalf the said respondents. It is taken on record and a copy of which is supplied to the other sides.

Ld. learned counsel for the applicant seeks time of two weeks to file rejoinder, if any.

S.O. **two weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 372/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

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

The Ld. P.O. submits that she will file reply within one week of R.2.

S.O. **one week.**

Vice-
Chairman(J)

pdg

O.A. No. 404/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Shri Mrugendra Singh, Adv.
holding for Shri A.J. Gilda, the learned
counsel for the applicants and Smt. S.V.
Kolhe, the learned P.O. for the
respondents.

At the request of the learned
counsel for the applicants, S.O. **19th**
September 2017.

Vice-
Chairman(J)

pdg

O.A. No. 745/2016.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

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

At the request of the learned counsel for the applicant, S.O. **one week.**
(18.9.2017.)

Vice-
Chairman(J)

pdg

O.A. No. 731/2014.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri P.S. Wathore, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents 1 and 2. None for R.3.

On the last date, the learned counsel for the applicant placed on record some documents. Ld. P.O. submits that he wants to go through them and would

seek instructions from the respondents.
Hence, he seeks time to file reply.

S.O. **two weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 98/2016.

Coram: Shri J.D. Kulkarni,

Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri S.R. Charpe, the learned counsel for the applicant and Shri M.I. Khan, the learned P.O. for the respondents. 1 to 4. None for R.5.

At the request of the learned counsel for the applicant, S.O. **18th September 2017** for filing rejoinder with a condition that the rejoinder if any be filed in advance and a copy of it be served on the d. P.O.

Vice-
Chairman(J)

pdg

O.A. No. 257/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri P.P. Khaprade, the learned counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

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

Vice-
Chairman(J)

pdg

O.A. No. 384/2017.

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

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

Closed for orders.

Vice-
Chairman(J)

pdg

O.A. No. 274/2017. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri M.R. Khan, the learned counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents.

The Ld. P.O. files reply on behalf of R.4. It is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

The learned counsel for the applicant seeks time to file rejoinder. Time granted.

S.O. **two weeks.**

Vice-
Chairman(J)

pdg

O.A. No. 62/2017. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman (J).
Dated : 11th September 2017.

Heard Shri M.R. Khan, the learned counsel for the applicant and Shri A.P. Potnis, the learned P.O. for the respondents 1 to 4. Shri M.M. Sudame, Adv. for R. 5 & 6.

The learned counsel for the applicant seeks time to file rejoinder. Time granted.

S.O. **two weeks.**

Vice-
Chairman(J)

pdg