

O.A. 120/2016 (SB)

**Coram : Hon. Shri Justice M.T.Joshi,  
Vice-Chairman (J).**

**Dated : 14.2.2018**

Shri T.S. Kene, Id. counsel holding  
for Shri T.U. Tathod, 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. 05/03/2018**.

**Vice Chairman (J)**

dnk.

O.A. 144/2017 with C.A. 82/2017 **(SB)**

**Coram : Hon. Shri Justice M.T.Joshi,  
Vice-Chairman (J).**

**Dated : 14.2.2018**

Shri T.S. Kene, Id. counsel holding  
for Shri T.U. Tathod, Id. counsel for the  
applicant, Shri S.A. Sainis, Id. P.O. for  
R-1&2 and Shri S.M. Pande, Id. counsel  
for R-3.

At the request of learned counsel  
for the applicant, **S.O. 05/03/2018**.

**Vice Chairman (J)**

dnk.

O.A. 869/2017 (DB)

**Coram : Hon. Shri Justice M.T.Joshi,  
Vice-Chairman (J).**

**Dated : 14.2.2018**

None for the applicant. Shri A.P. Potnis, Id. P.O. for R-1. Await service of R-2 to 5.

Service affidavit of R-2 to 5 is not filed.

**S.O. to 13/03/2018** for filing service affidavit.

**Vice Chairman (J)**

dnk.

O.A. 919/2017 (DB)

**Coram : Hon. Shri Justice M.T.Joshi,  
Vice-Chairman (J).**

**Dated : 14.2.2018**

**C.A.557/2017**

None for the applicants. Shri A.M. Khadatkar, Id. P.O. for R-1 to 3. None for R-4. Await service of R-5.

No steps are taken for collection of hamdast of R-5.

**S.O. to 13/03/2018.**

Put up along with other connected matter.

**Vice Chairman (J)**

dnk.

O.A. 921/2017 (DB)

**Coram : Hon. Shri Justice M.T.Joshi,  
Vice-Chairman (J).**

**Dated : 14.2.2018**

**C.A.558/2017**

None for the applicants. Shri H.K. Pande, Id. P.O. for R-1 to 3. None for R-4. Await service of R-5.

No steps are taken for collection of hamdast of R-5.

**S.O. to 13/03/2018.**

Put up along with other connected matter.

**Vice Chairman (J)**

dnk.

O.A. 973/2017 (DB)

**Coram : Hon. Shri Justice M.T.Joshi,  
Vice-Chairman (J).**

**Dated : 14.2.2018**

Heard Shri G. Iyer, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for R-1. Await service of R-2.

2. The service affidavit of R-2 is awaited.

3. The learned CPO submits that in fact departmental appeal is provided as per the rules and therefore the present application would not be maintainable.

4. The learned counsel for the applicant seeks time to take instructions in this regard. At his request, **S.O. to 06/03/2018** for taking instructions as above and for filing service affidavit of R-2, if any.

**Vice Chairman (J)**

dnk.

O.A. 768/2016 (DB)

**Coram : Hon. Shri Justice M.T.Joshi,  
Vice-Chairman (J).**

**Dated : 14.2.2018**

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

The learned P.O. files reply-affidavit of R-2 to the amended O.A. It is taken on record.

**S.O. to 14/03/2018** for hearing.

**Vice Chairman (J)**

dnk.

O.A. 651/2017 (DB)

**Coram : Hon. Shri Justice M.T.Joshi,  
Vice-Chairman (J).**

**Dated : 14.2.2018**

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

2. The learned P.O. files reply-affidavit of R-2. He submits that presently there is no need to file affidavit- reply of R-1&3. Copy of the reply is taken on record.

3. **S.O. to 14/03/2018** for hearing on admission.

**Vice Chairman (J)**

dnk.



O.A. 655/2017 (DB)

**Coram : Hon. Shri Justice M.T.Joshi,  
Vice-Chairman (J).**

**Dated : 14.2.2018**

Shri G. Iyer, Id. counsel holding for Shri N.D. Thombre, Id. counsel for the applicant and V.A. Kulkarni, Id. P.O. for the respondents.

2. The learned P.O. files affidavit-reply of R-2&3. He submits that presently there is no need to file affidavit- reply of R-1. Copy of the reply is taken on record.

3. **S.O. to 12/03/2018** for hearing on admission. Till then I.R. to continue.

**Vice Chairman (J)**

dnk.

O.A. 114/2018 (DB)

**Coram : Hon. Shri Justice M.T.Joshi,  
Vice-Chairman (J).**

**Dated : 14.2.2018**

None for the applicant. Heard Shri S.A. Deo, Id. CPO for R-1. None for R-2 (Caveator).

2. Issue notice to R-2 and 3, returnable on **27/03/2018**. Learned C.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. **S.O. 27/03/2018.**

**Vice Chairman (J)**

dnk.

**O.A. No. 61/2017. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

None for the applicant. Shri S.A. Sainis, the Ld. P.O. for the respondents.

**S.O. 14<sup>th</sup> March 2018.**

Chairman(J)

Vice-

pdg

**O.A. No. 915/2017. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Shri A.P. Tathod, the learned counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondent Nos. 1 to 4. R.5 is absent.

The Ld. has filed reply on behalf of R. 1 to 4, it is taken on record and a copy thereof is supplied to the other side. There is no need to await service of the respondents.

S.O. 7<sup>th</sup> March 2018 for filing reply of  
R.5.

Chairman(J) Vice-

pdg

**O.A. No. 967/2017. (S.B.)**

**Coram: Justice M.T.Joshi,  
Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

None for the applicant. Shri  
A.P. Potnis, Ld. P.O. for respondent  
No.1.

Await service to R. 2 to 5.

S.O. **5<sup>th</sup> March 2018.**

Chairman(J) Vice-

pdg

**O.A. No. 15/2018. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

**C.A. No.20/2018.**

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

For the reasons stated in the application, same is allowed. Amendment be carried out within three days. Thereupon, S.O. **13<sup>th</sup> March 2018** for filing affidavit in reply to the amended O.A.



Chairman(J) Vice-

pdg

**O.A. No. 08/2018. (S.B.)**

**Coram: Justice M.T.Joshi,  
Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

None for the applicant. Shri  
H.K. Pande, the Ld. P.O. for  
respondent No.1.

Await service to R. 2.

**S.O. 6<sup>th</sup> March 2018.**

Chairman(J) Vice-

pdg

**O.A. No. 157/2017. (S.B.)**

**Coram: Justice M.T.Joshi,  
Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Shri B.M. Kaswe, Adv. holding for Shri N.D. Thombre, the learned counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents.

Affidavit in reply has been filed on behalf of R.3, it is taken on record. Ld. P.O. seeks time to file reply of R.4.

S.O. **15<sup>th</sup> March 2018** for filing reply of R.4.

Chairman(J) Vice-

pdg

**O.A. No. 193/2017. (S.B.)**

**Coram: Justice M.T.Joshi,  
Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

None for the applicant. Shri S.A. Deo, the Ld. C.P.O. for the respondents.

The Ld. CPO has filed reply on behalf of R. 2 and 3, it is taken on record.

S.O. **8<sup>th</sup> March 2018** for hearing on admission.

Chairman(J)

Vice-

pdg

**O.A. No. 380/2017. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

None for the applicant. Shri S.A. Sainis, the Ld. P.O. for the respondents.

Rejoinder is not filed.

S.O. **12<sup>th</sup> March 2018** for hearing on admission.

Chairman(J) Vice-

pdg

**O.A. No. 635/2017. (S.B.)**

**Coram: Justice M.T.Joshi,  
Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Shri B.M. Kaswe, Advocate holding for Shri N.D. Thombre, the learned counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents.

S.O. **19<sup>th</sup> March 2018** for filing affidavit in reply by Ld. P.O.

Chairman(J) Vice-

pdg

**O.A. No. 650/2017. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Mrs. K.N.Saboo, the learned counsel for the applicant and Shri V.A. Kulkarni, the Ld. P.O. for the respondent Nos. 1 and 2. None for R.3.

Upon hearing both sides, it appears that the decision passed by this Tribunal regarding similarly situated employees is challenged by the State before the High Court. Both sides seek time to inform about the progress of the stay, if any granted to the implementation of the decision of this



Tribunal. The learned P.O. additionally seeks time to file affidavit in reply.

At the request of both the parties, S.O. **12<sup>th</sup> March 2018** for report as well as for filling affidavit in reply.

Chairman(J) Vice-

pdg

**O.A. No. 657/2017. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

None for the applicant. Shri P.N. Warjekar, the Ld. P.O. for the respondents.

The Ld. P.O. has filed reply affidavit of R. 2 and 3, it is taken on record.

S.O. 20<sup>th</sup> March 2018 for hearing on admission.

Chairman(J) Vice-

pdg

**O.A. No. 720/2017. (S.B.)**

**Coram: Justice M.T.Joshi,**

**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Heard Shri V.R. Choudhari,  
the learned counsel for the  
applicant and Shri A.M. Khadatkar,  
the Ld. P.O. for the respondents.

Time to file reply is granted to  
the Id. P.O.

S.O. **7<sup>th</sup> March 2018** for  
healing on admission.

Vice-  
Chairman(J)

pdg

**O.A. No. 888/2017. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Shri S.A. Sahu, Adv. holding for Shri M.I. Dhattrak, the learned counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents 1 to 3. None for R.4.

Ld. P.O. has filed reply on behalf of R. 2 and 3, it is taken on record and a copy thereof is supplied to the other side.

S.O. **6<sup>th</sup> March 2018** for healing on admission.

Vice-  
Chairman(J)

pdg

**O.A. No. 937/2017. (S.B.)**

**Coram: Justice M.T.Joshi,  
Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Shri N.S. Warulkar, the learned counsel for the applicant and Shri A.M. Khadatkar, the Ld. P.O. for the respondents.

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

S.O. **20<sup>th</sup> March 2018** for filing rejoinder.

Chairman(J) Vice-

pdg

**O.A. No. 941/2017. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Heard Shri B.M. Kaswe, Adv.  
holding for Shri N.D. Thombre, the  
learned counsel for the applicant  
and Shri S.A. Sainis, the Ld. P.O.  
for the respondents.

Ld. P.O. has filed reply on behalf of R. 1 to 3, it is taken on record and a copy thereof is supplied to the other side.

The learned P.O. points out to the Annexure A.5 (P.73) annexed to the affidavit in reply of respondent Nos. 1 to 3, which would go to show that the prayer clause (iii) is also taken care of by providing provisional pension to the applicant.

As regards prayer clause (i), affidavit in reply as well as submission of the learned P.O. would show that the departmental enquiry has already been initiated. The learned P.O. further states that in view of the rules and provisions, the departmental enquiry has to be concluded within a period of one year, which would also take care of

as per clause (ii) and, therefore, nothing survives in the present O.A. The learned counsel for the applicant seeks time to take instructions in this regard.

At the request of learned counsel for the applicant, S.O. 13<sup>th</sup> March 2018 to make a statement on the lines of above order.

Vice-  
Chairman(J)

pdg

**O.A. No. 947/2017. (S.B.)**



**Coram: Justice M.T.Joshi,**

**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

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

Affidavit in reply has been filed on record.

The present applicant is working in naxalite affected area.

Affidavit in reply of respondent No.2 asserts that that as per rules and regulations, applicant's request for choice posting would be considered. The learned counsel for the applicant files on record true copy of the order passed in similar O.A. No.12/2017 dated 28.2.2017. It is marked "X" for

identification. Hence, I proceed to pass the same following order:-

**ORDER**

The respondents are directed to consider the claim of the applicant, if admissible as per the G.R. dated 11.7.2000, at the time of Annual General Transfers to be effected in April/May 2018.

No order as to costs.

Chairman(J) Vice-

pdg

**O.A. No. 120/2016. (S.B.)**

**Coram: Justice M.T.Joshi,  
Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Heard Shri T.U. Tathod, the learned counsel for the applicant and Shri, the Ld. P.O. for the respondent Nos. 1 and 2. None for R.3.

S.O.

Chairman(J) Vice-

pdg

**O.A. No. 322/2016. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Heard Shri Bharat Kulkarni,  
the learned counsel for the

applicant and Shri A.P. Potnis, the  
Ld. P.O. for the respondents.

At the request of both sides,  
S.O. **two weeks.**

Chairman(J) Vice-

pdg

**O.A. No. 470/2016. (S.B.)**

**Coram: Justice M.T.Joshi,**

**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

None for the applicant. Heard Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 and 2. Shri R.B. Gupte, the Ld. Advocate for R.3.

Nobody had appeared for the applicant on the last date also. The learned P.O. points out that in fact, the applicant was transferred to the place at his own request, as can be seen from Annexure A-7 (P.33) dated 22.9.2015, which would show that the present applicant has made request for his choice posting which has been granted. However, in view of the absence of the applicant or his counsel, without making any comment on merit, O.A. is dismissed in default.

Chairman(J)

Vice-

pdg

**O.A. No. 484/2016. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

None for the applicant. Shri V.A. Kulkarni, the Ld. P.O. for the respondents.

Record would show that for last five dates since 18.3.2017, nobody is attending the present case. The Ld. P.O. points out towards the document at Page 52 of the O.A. alongwith an affidavit which would go to show that the present applicant had criminal antecedents and, therefore, he was not considered for the post of Police Patil. However, in view of the absence of the applicant or his counsel, without making any comment on merit, O.A. is dismissed in default.

Chairman(J)

Vice-

pdg

**O.A. No. 540/2016. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

None for the applicants. Shri  
V.A. Kulkarni, the Ld. P.O. for the  
respondents.

**S.O. 14<sup>th</sup> March 2018.**

Chairman(J) Vice-



pdg

**O.A. No. 144/2017. (S.B.)**

**Coram: Justice M.T.Joshi,  
Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

**C.A. No. 82/2017.**

Heard Shri T.U. Tathod, the learned counsel for the applicant and Shri, the Ld. P.O. for the respondent Nos. 1 and 2. Shri Sunil Pande, Adv. for R.3.

S.O.

Chairman(J)

Vice-

pdg

**O.A. No. 146/2016. (S.B.)**

**Coram: Justice M.T.Joshi,**  
**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

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

**S.O. 19<sup>th</sup> March 2018.**

Vice-  
Chairman(J)

pdg

**O.A. No. 534/2017. (S.B.)**

**Coram: Justice M.T.Joshi,  
Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

**C.A. 455/2017.**

Heard Mrs. T.D. Khade, the  
learned counsel for the applicant  
and Shri V.A. Kulkarni, the Ld.

P.O. for the respondent Nos. 1 and  
2. None for R.3.

Both sides seek  
accommodation.

At the their request, S.O. 21<sup>st</sup>  
February 2018.

Chairman(J) Vice-

pdg

**O.A. No. 533/2017. (S.B.)**

**Coram: Justice M.T.Joshi,**

**Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

**C.A. 454/2017.**

Heard Mrs. T.D. Khade, the learned counsel for the applicant and Shri V.A. Kulkarni, the Ld. P.O. for the respondent Nos. 1 and 2. None for R.3.

Both sides seek accommodation.

At the their request, S.O. **21<sup>st</sup> February 2018.**

Vice-  
Chairman(J)

pdg

**O.A. No. 647/2017. (S.B.)**

**Coram: Justice M.T.Joshi,  
Vice-Chairman(J)**

**Dated : 14<sup>th</sup> February 2018.**

Shri M.M. Sudame, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 to 5. None for R.6.

**S.O. 8<sup>th</sup> March 2018.**

Chairman(J) Vice-

pdg