

O.A. No. 592/2011

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

Dated : 15.03.2017.

Ku. K.K. Pathak, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of learned counsel for the applicant, **S.O. 29-03-2017.**

Put up along with O.A.636/2011.

Vice Chairman (J)

dnk.

O.A. No. 636/2011

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

Dated : 15.03.2017.

Ku. K.K. Pathak, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of learned counsel for the applicant, **S.O. 29-03-2017.**

Put up along with O.A.592/2011.

Vice Chairman (J)

dnk.

O.A. No. 787/2016

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

Dated : 15.03.2017.

Shri M.R. Khan, Id. counsel for the applicant, Smt. M.A. Barabde, Id. P.O. for R-1 to 4 & 6 and Mrs. Maldhure, Id. counsel for R-5.

At the request of learned counsel for the applicant, **S.O. 30-03-2017.**

Vice Chairman (J)

dnk.

O.A. No. 338/2015 (D.B.)

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

Dated : 15.03.2017.

C.A. No. 344/2016 -

Heard Shri D.M. Khandait, Id. counsel holding for Shri S.A. Marathe, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The applicant is seeking amendment into some developments which had occurred during the pendency of the O.A. For the reasons stated in the application and since the amendment may not change the nature of the O.A., the application is allowed with liberty to the respondents to file reply to the amended O.A. The learned P.O. seeks four weeks' time to file reply to the amended O.A. Time is granted.

S.O. 12-04-2017.

Vice Chairman (J)

dnk.

O.A. No. 837/2015 (D.B.)

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

Dated : 15.03.2017.

None for the applicant.

Shri V.A. Kulkarni, Id. P.O. for the respondent no.1. Await service of R-3 to 7.

It seems that the applicant has yet not collected the notices to serve R-3 to 7. With a view to afford one more opportunity time is granted by way of last chance to take necessary steps. The matter be placed after two weeks.

S.O.29-03-2017.

Vice Chairman (J)

dnk.

O.A. No. 600/2016 (D.B.)

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

Dated : 15.03.2017.

None for the applicant.

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

On the last date, the learned counsel for the applicant was advised to place a copy of the Judgment delivered by the competent court acquitting the applicant in a criminal case which was filed against him. Even the applicant has not taken steps to serve R-3.

Put up the matter for passing necessary orders after two weeks.

S.O. 29-03-2017.

Vice Chairman (J)

dnk.

O.A. No. 756/2016 (D.B.)

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

Dated : 15.03.2017.

Shri D.M. Kakani, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondent no.1. Await service of R-2&3.

2. The learned counsel for the applicant submits that he may be permitted to file acknowledgement in respect of service of R-3. Permission is granted as prayed for. He also requests to issue fresh notice to serve on R-2.

3. At the request of learned counsel for the applicant, issue fresh notice to R-2 returnable on 17-03-2017. Hamdast granted.

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

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. **S.O. 17-03-2017.**

Vice Chairman (J)

dnk.

O.A. No. 749/2016 (D.B.)

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

Dated : 15.03.2017.

None for the applicant.

Shri V.A. Kulkarni, Id. P.O. for the respondents.

The learned P.O. files affidavit-in-reply on behalf of R-2 & 3. It is taken on record.

Since the pleadings are complete, the matter is admitted and kept for final hearing. The learned P.O. waives notice for the respondents.

Put up the matter before regular D.B. as and when available.

Vice Chairman (J)

dnk.

O.A. Nos. 03 & 04 of 2017 **(D.B.)**

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

Dated : 15.03.2017.

Shri H.B. Bargat, Id. counsel for
the applicants and Shri M.I. Khan, Id.
P.O. for the respondents.

At the request of learned P.O.,
S.O. 12-04-2017 for filing reply.

Vice Chairman (J)

dnk.

O.A. No. 90/2017 (D.B.)

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

Dated : 15.03.2017.

Shri Mrigendra Singh, Id. Senior counsel with Shri A.J. Gilda, Id. counsel for the applicants and Smt. M.A. Barabde, Id. P.O. for the respondents.

At the request of learned P.O.,
S.O. 29-03-2017 for filing reply.

Vice Chairman (J)

dnk.

O.A. No. 466/2008

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

Dated : 15.03.2017.

C.A. No.46/2017.

Heard Shri A.P. Sadavarte, Id.
counsel for the applicant and Smt. S.V.
Kolhe, Id. P.O. for the respondents.

In this O.A. the applicant has challenged the communication dtd. 21/4/2008 by the Respondent No. 1 whereby his claim for deemed date of promotion to the post of Executive Engineer w.e.f.1/12/2000 was rejected.

During the pendency of the application, the applicant has been promoted to the post of Superintending Engineer w.e.f. 21/12/2015. The applicant by way of amendment is claiming that he is entitled to the deemed date of promotion to the post of Superintending Engineer w.e.f. 1/12/2007. The Id. counsel for the applicant submits that he will take

instructions in regard to proceed with C.A. or to withdraw it and seeks two weeks time for the same.

S.O.29/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 376/2007

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

Dated : 15.03.2017.

Smt. K. Saboo, Adv. holding for Shri N.R. Saboo, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

S.O.16/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 173/2011

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

Dated : 15.03.2017.

Smt. K. Saboo, Adv. holding for
Shri N.R. Saboo, Id. counsel for the
applicant and Shri H.K. Pande, Id. P.O.
for the respondents.

S.O.16/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 37/2017

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

Dated : 15.03.2017.

There is a leave note of the Id. counsel for the applicant. Shri S.A. Sanis, Id. P.O. for the respondents.

S.O.12/4/2017.

Vice Chairman

(J)
Skt.

O.A. No. 38/2017

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

Dated : 15.03.2017.

There is a leave note of the Id. counsel for the applicant. Shri V.A. Kulkarni, Id. P.O. for the respondents.

S.O.12/4/2017.

Vice Chairman

**(J)
Skt.**

O.A. No. 39/2017

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

Dated : 15.03.2017.

There is a leave note of the Id. counsel for the applicant. Shri A.P. Potnis, Id. P.O. for the respondents.

S.O.12/4/2017.

Vice Chairman

**(J)
Skt.**

O.A. No. 96/2017

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

Dated : 15.03.2017.

Mrs. K. Saboo, Id. counsel for the applicant. Shri S.Deo, Id. C.P.O. for the respondents.

At the request of Id. C.P.O.

S.O.12/4/2017.

Vice Chairman

(J)
Skt.

O.A. No. 95/2017

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

Dated : 15.03.2017.

Mrs. K. Saboo, Id. counsel for the applicant. Shri S.Deo, Id. C.P.O. for the respondents no. 1 and 2. None for R/3 and 4.

At the request of Id. C.P.O.
S.O.12/4/2017.

(J)

Vice Chairman

Skt.

O.A. No. 47/2017

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

Dated : 15.03.2017.

Shri S.M. Khan, Id. counsel for the applicant. Shri S.A. Sanis, Id. P.O. for the respondents. 1 to 3. None for R/4.

S.O.29/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 46/2017

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

Dated : 15.03.2017.

Shri S.M. Khan, Id. counsel for the applicant. Shri V.A. Kulkarni, Id. P.O. for the respondents. 1 to 3. Adv. R. Singh, Id. counsel for R/4.

Ld. P.O. as well as Id. counsel for R/4 seek time to file reply.

S.O.29/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 40/2017

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

Dated : 15.03.2017.

Shri S.M. Khan, Id. counsel for the applicant. Shri V.A. Kulkarni, Id. P.O. for the respondents. 1 to 3. Adv. R. Singh, Id. counsel for R/4.

S.O.29/3/2017.

Vice Chairman

**(J)
Skt.**

O.A. No. 284/2010

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

Dated : 15.03.2017.

Heard Shri G.K. Bhusari, Id.
counsel for the applicant and Shri A.M.
Ghogre, Id. P.O. for the respondents.

After the matter was heard for
considerable time, the Id. P.O. submits
that he will call the concerned officer and
take instructions in this regard.

P.H.

S.O.17/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 502/2015

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

Dated : 15.03.2017.

Heard Shri G.K. Bhusari, Id. counsel for the applicant and Shri S.M. Khan, Id. P.O. for the respondents 1 to 3. None for R/4 and 5..

After the matter was heard for considerable time, the Id. counsel for the applicant submits that the matter be kept for tomorrow.

S.O.16/3/2017.

(J)

Vice Chairman

Skt.

O.A. No. 305/2015

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

Dated : 15.03.2017.

Shri M.R. Patil, Id. counsel for
the applicant and Shri A.M. Ghogre, Id.
P.O. for the respondents.

At the request of the Id. counsel for
the applicant, **S.O.22/3/2017.**

Vice Chairman

(J)
Skt.

O.A. No. 524/2013

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

Dated : 15.03.2017.

None for the applicant. Shri S.A. Sanis, Id. P.O. for the respondents.

The matter was earlier heard on 12/1/2017 with nobody appeared on behalf of the applicant. The matter is of the year 2013. Hence keep the matter for passing necessary orders.

S.O. 29/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 28/2016

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

Dated : 15.03.2017.

Heard Shri M.R. Patil, Id. counsel
for the applicant and Shri H.K. Pande,
Id. P.O. for the respondents.

Closed for orders.

**(J)
Skt.**

Vice Chairman

O.A. No. 153/2016

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

Dated : 15.03.2017.

Heard Shri Vishal Anand, Id.
counsel for the applicant and Shri H.K.
Pande, Id. P.O. for the respondents.

Closed for orders.

Vice Chairman

(J)
Skt.

O.A. No. 378/2010

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

Dated : 15.03.2017.

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

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

The Id. counsel for the applicant submits that he will go through it and the matter be kept in next week.

S.O. 22/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 379/2010

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

Dated : 15.03.2017.

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

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

The Id. counsel for the applicant submits that he will go through it and the matter be kept in next week.

S.O. 22/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 380/2010

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

Dated : 15.03.2017.

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

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

The Id. counsel for the applicant submits that he will go through it and the matter be kept in next week.

S.O. 22/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 540/2016

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

Dated : 15.03.2017.

Shri R.C. Joshi, Id. counsel for
the applicant and Smt. M.A. Barabde,
Id. P.O. for the respondents.

At the request of Id. P.O. **S.O.**
22/3/2017.

Vice Chairman

(J)
Skt.

O.A. No.11/2017

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

Dated : 15.03.2017.

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the respondents.

The applicant has challenged the order dtd. 7/10/2016 issued by R/2, whereby the applicant has been kept under suspension. It is stated that against the said order of suspension, the applicant has also filed an appeal before the same authority. . The Id. counsel for the applicant submits that she has also filed a representation/appeal for revocation of suspension in view of the G.R. dtd. 14/10/2011. However, no decision has been taken on her representation till today. The Id. counsel for the applicant as well as the Id.

P.O. agree that the O.A. can be disposed of if a direction is given to R/2 to take decision on the representation/appeal filed by the applicant against the order of her suspension within a stipulated period.

In view thereof the following order :-

The O.A. stands disposed of with direction to R/2 to take decision on the representation/appeal filed by the applicant

against the order of her suspension in view of the G.R. dtd. 14/10/2011 as per the merits of the case. Such decision shall be taken within one month from the date of this order. No order as to costs.

Vice Chairman

(J)
Skt.

O.A. No. 798/2016

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

Dated : 15.03.2017.

None for the applicant. Shri M.I. Khan, Id. P.O. for the respondents 1 to 3. Shri R. Tajne, Id. counsel for R/4.

The Id. P.O. as well as Id. counsel for R/4 seek time to file reply.

S.O. 12/4/2017.

Vice Chairman

(J)
Skt.

O.A. No. 801/2016

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

Dated : 15.03.2017.

Shri J.R. Kidilay, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents.

Ld. P.O. submits that he will file affidavit-in-reply during the course of the day. The Id. counsel for the applicant seeks time to file rejoinder if necessary.

S.O. 17/3/2017

Vice Chairman

(J)
Skt.

O.A. No. 793/2016

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

Dated : 15.03.2017.

Shri R.V. Shiralkar, Id. counsel
for the applicant and Shri S. Deo, Id.
C.P.O. for the respondents.

At the request of Id. C.P.O. **S.O.**
29/3/2017

Vice Chairman

(J)
Skt.

O.A. No. 687/2016

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

Dated : 15.03.2017.

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

Pleadings are complete.

Admit.

Ld. P.O. waives notice for the
respondents.

Vice Chairman

(J)
Skt.

O.A. No. 570/2016

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

Dated : 15.03.2017.

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

S.O. 5/4/2017.

Vice Chairman

**(J)
Skt.**

O.A. No. 376/2016

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

Dated : 15.03.2017.

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

Ld. P.O. seeks one week's time.

S.O. 22/3/2017.

Vice Chairman

(J)
Skt.

O.A. No. 100/2017

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

Dated : 15.03.2017.

C.A. No.67/2017

Heard Shri A.K. Madane, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the respondents. None for intervener.

The applicant has challenged the order dtd. 7/4/2014, Annex. A-1, whereby the applicant has been made to retire compulsorily. The said subject regarding compulsory retirement falls within the ambit of Division Bench. The Registrar, is therefore, directed to remove this O.A. from Single Bench and place it before D.B.

Vice Chairman

(J)
Skt.

O.A. No. 134/2017

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

Dated : 15.03.2017.

C.A. No.74/2017

Heard Shri V.M. Moon, Id. counsel for the applicant and Shri S. Deo, Id. C.P.O. for the respondents.

In the O.A. the applicant is claiming continuity of service to the post of Police Constable for the period from 5/12/1991 to 19/7/2002. It is stated that in fact there is no delay in filing the O.A. but by way of ample precaution the applicant has filed the C.A. for condonation of delay and states that in the alternative there is delay of 70 days

in filing the O.A. and the same be condoned.

From the pleadings in the O.A. it seems that the applicant was reinstated in service on 17/7/2002 and joined the service on 20/7/2002 and thereafter within one month he has filed first representation. He states that nothing was done on his representation and therefore he filed second representation on 26/3/2014. Even accepted this fact, the second representation has been filed after almost 12 years. In any case the pleadings in the C.A. as regards period of delay seems to be false. The Id. counsel for the applicant seeks time to amend the C.A.

S.O. 12/4/2017.

Vice Chairman

(J)
Skt.

O.A. No. 705/2016

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

Dated : 15.03.2017.

Shri M.R. Khan, Id. counsel for the applicant and Shri S. Deo, Id. C.P.O. for the respondents no. 1 to 4. Shri J. Mokadam, Id. counsel for R/5..

The Id. counsel for the applicant has filed a Pursis for permission to withdraw this O.A. and submits that his grievance stands redressed. Hence permission is granted to withdraw the O.A. The O.A. stands disposed of as withdrawn with no order as to costs.

Vice Chairman

**(J)
Skt.**

O.A. No. 63/2017

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

Dated : 15.03.2017.

C.A. No.63/2017

Shri S.P. Kshisagar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the respondents no. 1, 2 and 4. Shri F.T. Mirza, Id. counsel for R/3. He files reply of R/3. The same is taken on record and a copy thereof is given to the other side.

Ld. P.O. submits that he will file the reply during the course of the day.

With the consent of the parties, the matter be kept on 20/3/2017.

S.O. 20/3/2017

Vice Chairman

(J)
Skt.

O.A. No. 786/2016

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

Dated : 15.03.2017.

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

Ld. P.O. submits that the
representation filed by the applicant, has
been rejected. He has placed on record
the copy of the said rejection letter,
which is marked as exhibit 'X' for the
purposes of identification.

The Id. counsel for the applicant
seeks time to amend the O.A.

S.O. 5/4/2017.

Vice Chairman

(J)
Skt.

