

O.A. No. 664/2016

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

Dated : 21st October, 2016.

Heard Shri A.J. Madane, Id. Counsel for the applicant. Shri S. Deo, Id. C.P.O. for the respondents.

The applicant claims the interim relief to stay the order dtd. 23/8/2016 (page-15) by which he is asked to vacate the Govt. quarter. The punishment is imposed on the applicant of compulsory retirement on 7/4/2014 (page-10). Therefore the applicant preferred the appeal against the said order which came to be rejected on 2/8/2014, by the Special I.G. of Police, S.R.P.F. Nagpur, which is mentioned in the communication at page No.13 The applicant submits that he has preferred the review petition against the said order on 29/6/2016 (page-14). However, in the communication at page no. 13, it is already mentioned

that the applicant had applied for the review and therefore it is mentioned in the said communication that review is not tenable. Now the second review is preferred on 29/6/2016.

The orders are passed long back and the matter is also decided by the competent authority in appeal. It is also observed that the review is not tenable. The applicant is preferring the proceedings and second review is filed on 29/6/2016. The Id. P.O. also submits that the applicant had preferred one other O.A. before this Tribunal also but he withdrew it in September, 2016.

In the above state of affairs, it cannot be said that the applicant has made out a case for interim relief .

Member (J)

Skt.

O.A. Nos. 802.803.877 & 922/2012

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

Dated : 21st October, 2016.

Shri G.K. Bhusari, Id. Counsel for the applicant. Shri M.I. Khan, Id. P.O. for the respondents.

Ld. P.O. submits that identical matters are pending before the Hon'ble High Court.

S.O. after decision of the High Court.

Member (J)

Skt.

O.A. No. 173/2010

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

Dated : 21st October, 2016.

None for the applicant.
Shri A.M. Ghogare, Id. P.O. for the
respondents.

S.O. Put up before D.B.

Member (J)

Skt.

O.A. No. 153 /2010

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

Dated : 21st October, 2016.

Shri N.R. Saboo, Id. Counsel for the applicant in person present. Shri S.A. Sanis, Id. P.O. for the respondents 1 to 4. None for R/5 .

Ld. P.O. submits that O.A. Nos.153,216 and 225/2010 are connected matters. He files reply of R/2 in O.A. No.153/2019 . The same is taken on record and a copy thereof is given to the Id. Counsel for the applicant. This will serve the purpose.

S.O. Put up before D.B.

Member (J)

Skt.

O.A. No. 216 /2010

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

Dated : 21st October, 2016.

Shri S.K. Varma, Adv. hoding for
Shri M.M. Sudame, Id. Counsel for
the applicant in person present.
Shri S.A. Sanis, Id. P.O. for the
respondents 1 to 3. None for R/ 4 & 6.

Ld. P.O. files return on behalf of
R/1 to 3. The same is taken on record.

S.O. Put up before D.B.

Member (J)

Skt.

O.A. No. 225 /2010

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

Dated : 21st October, 2016.

Shri N.R. Saboo, Id. Counsel for the applicant in person present. Shri S.A. Sanis, Id. P.O. for the respondents 1 to 4. None for R/5 .

S.O. Put up before D.B.

Member (J)

Skt.

O.A. No. 106 /2016

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

Dated : 21st October, 2016.

Shri N.D. Thombre, Id. Counsel
for the applicant. Shri S.A. Sanis, Id.
P.O. for the respondents.

Question of tenability of the O.A.
is yet to be decided.

S.O. 4 weeks.

Member (J)

Skt.

Review Appn. 10/2016 in O.A. No.
117 /2016

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

Dated : 21st October, 2016.

None for the applicant. Smt. S.V. Kolhe, Id. P.O. for the respondents. She submits that review petn. Is pending.

At the request of Id. P.O. **S.O.**
4 weeks to file reply.

Put up with C.A. No.439/16 in
Cp. St. 1753/16 in O.A. No.117/2016.

Member (J)

Skt.

O.A. No. 173 /2010

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

Dated : 21st October, 2016.

None for the applicant.
Shri A.M. Ghogare, Id. P.O. for the
respondents.

S.O. Put up before D.B.

Member (J)

Skt.

C.P. St. No. 1753/2016 in O.A. No.
117 /2016

Coram : S.S. Hingne, M (J).
Dated : 21st October, 2016.

C.A. No.439/2016

None for the applicant.
Shri A.M. Ghogare, Id. P.O. for the
respondents.

S.O. 4 weeks.

Put up with Rev. Appn.
No.10/16 in O.A. 117/16

Member (J)

Skt.

O.A. No. 666 /2016

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

Dated : 21st October, 2016.

Shri M.M. Sudame, Id. Counsel
for the applicant. Shri S.A. Sanis, Id.
P.O. for the respondents.

At the request of Id. P.O. , S.O.
6 weeks to file reply.

Member (J)

Skt.

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

Dated : 21.10.2016.

Heard Shri Bharat Kulkarni, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1 and Shri Rahul Tajne, Id. counsel for R-3.

2. The applicant a Medical Officer (Group-B) is transferred from Primary Health Centre, Ragani, dist. Sangli to Primary Health Centre, Karvahi, dist. Nagpur vide order dated 31-5-2016 (A-1,P-9).

3. The learned counsel for the applicant though ready but could not join because the post at Karvahi is not vacant. The applicant submitted the joining report on 21-6-2016 (P-14), but could not join the place of posting as the post was not vacant as mentioned by the District Health Officer, Z.P., Nagpur vide communication dated 23-6-2016 (A-3, P-15).

4. The applicant has filed the O.A. seeking the directions to allow him to join. The applicant made the representation to join on 23-6-2016. This communication

is received on the very day by The Dy. Director of Health Services, Nagpur. However, after three weeks the Dy. Director's office vide communication dated 19-7-2016 (P-17) wrote to the Director of Health Services, Mumbai.

5. The lack of coordination between two the departments has created this situation. It can be noted that this is not the solitary instance, but in 2-3 matters it is found Medical Officers are kept in hanging position without work though they are willing to join at the transfer place. Hue and cry is made about dearth of the Medical Officers but here due to lack of administration some Medical Officers are sitting idle for months together.

6. The Director of Health Services has to take steps. Earlier, stock of situation not taken by the Director of Health Services about the availability of the vacant posts from the respective Z.Ps. which has led to this situation.

7. In the above state of affairs now the respondents to take the necessary steps and issue the order of posting of the applicant within two weeks from the receipt of this order.

8. The Z.P., Nagpur has informed to the Dy. Director of Health Services that the post is not vacant and therefore Dy. Director proposed to issue fresh order. In the meantime the applicant has prayed that he be posted at Gumathi. However it does not come in the way in issuing the posting order of applicant.

9. The copy of this order be sent to the Chief Secretary of Govt. of Maharashtra to apprise how the administrative authorities work and to take the corrective steps and issue the directions to the concerned.

10. The O.A. is disposed of with a direction to the respondents to coordinate and R-2 to issue the posting order of the applicant within two weeks from the receipt of this order. So also the respondents to pass the necessary orders according to law considering prayers of applicant in respect of intervening period.

Member (J)

dnk.

O.A.No. 406/2016

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

Dated : 21.10.2016.

Shri S.P.Palshikar, Id. counsel for the applicant, Shri Khadatkar, Id. P.O. for the Respts.

At the request of Id. counsel for the applicant, S.O. three weeks along with other connected matter.

Member (J)

dnk.

O.A.No. 407/2016

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

Dated : 21.10.2016.

Shri S.P.Palshikar, Id. counsel for the applicant, Shri Khadatkar, Id. P.O. for the Respts.

At the request of Id. counsel for the applicant, S.O. three weeks along with other connected matter.

Member (J)

dnk.

O.A.No. 675/2016

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

Dated : 21.10.2016.

Shri S.C. Deshmukh, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1 & 5. Shri K.D. Deshpande, Id. counsel appears on behalf of R-2,3 & 4 and undertakes to file power.

At the request of Id. counsel for R-2,3 & 4, S.O. three weeks.

Member (J)

dnk.

O.A.No. 670/2016

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

Dated : 21.10.2016.

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for R-1 & 2. Ms. P.V. Shendre, Id. counsel holding for Shri V.G. Palshikar, Id. counsel appears on behalf of R-3& 4 and undertakes to file power.

At the request of Id. CPO as well as Id. counsel for R-3&4, **S.O. Six weeks for reply.**

Member (J)

dnk.

O.A.No. 504/2016

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

Dated : 21.10.2016.

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri M.I .Khan, Id. P.O. for the Respts.

Learned P.O. submits that he has received draft reply. At his request, S.O. Six weeks for reply by way of last chance.

Member (J)

dnk.

O.A.No. 435/2016

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

Dated : 21.10.2016.

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

Learned P.O. submits that he has received parawise comments. At his request, S.O. four weeks for reply.

Member (J)

dnk.

O.A.No. 192/2004

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

Dated : 21.10.2016.

Smt. R.Y. Siddiqui, Id. counsel for the applicant and Smt. S.V. Kolhe, P.O. for the Respts.

Learned P.O. wants to file legible copies of communication dated 30th Sept.,1995. At her request, S.O. _____ 29-11-2016.

Member (J)

dnk.

O.A.No. 671/2016

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

Dated : 21.10.2016.

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the Respts.

At the request of Id. CPO, S.O. four weeks for reply.

Considering the nature of the relief, the O.A. can be disposed of.

S.O. four weeks for disposal.

Member (J)

dnk.

O.A.No. 534/2016

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

Dated : 21.10.2016.

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

Learned P.O. submits that the suspension is revoked vide order dated 22-8-2016.

However the learned counsel for the applicant submits that though order is passed on 22-8-2016 to release the substance allowance etc. but it is no complied with. The learned P.O. to take the instructions from the Tahsildar so that the O.A. can be disposed of.

S.O. four weeks for disposal.

Member (J)

dnk.

O.A.No. 419/2016

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

Dated : 21.10.2016.

Heard Shri N.D. Thombre, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for the Respts.

Learned counsel for the applicant files the order dated 26-8-2016 (P-46) and submits that the applicant is allowed to join and that

leave has come to end by order and as such the applicant's grievance is redressed.

Consequently, the O.A. is disposed of as the applicant's grievance is redressed.

Member (J)

dnk.

O.A.No. 157/2016

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

Dated : 21.10.2016.

Shri P.V. Thakre, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for R-1. None for R-2.

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

Member (J)

dnk.

O.A.No. 17/2016

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

Dated : 21.10.2016.

Shri S.P. Palshikar, Id. counsel for the applicant, Shri P.N. Warjurkar, Id. P.O. for R-1&2 and P. Rane, Id. counsel for R-3&4 (Intervener).

The learned counsel for the applicant files the copies of order passed by the Hon'ble High Court in W.Ps. learned counsel for R-3&4 wants to verify.

S.O.26-10-2016.

Member (J)

dnk.

O.A.No. 656/2015

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

Dated : 21.10.2016.

Smt. Dashputre, Id. counsel holding for Shri P.B. Patil, Id. counsel for the applicant and Smt. Kolhe, Id. P.O. for R-1 to 3 & 5. None for R-4.

At the request of learned counsel for the applicant, S.O. four weeks as the interim order is operating in the matter. On the next date, the O.A. will be disposed of.

S.O. four weeks for disposal.

Member (J)

dnk.

