

O.A. Nos. 507,508,509 and 510 of 2019.

(D.B.)

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

Dated : 12th July 2019.

Heard Shri G.B. Dharmadhikari, the
Ld. counsel for the applicants and Shri S.A.
Deo, the learned C.P.O. for the
respondents.

At the request of the Ld. counsel for
the applicants and the Ld. C.P.O., S.O. **15th**
July 2019.

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. Nos. 530, 531, 532, 533 of 2009.

(D.B.)

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

Dated : 12th July 2019.

C.A. Nos.263, 264, 265 & 266 of 2019.

Heard Shri S.P. Bhandarkar, the Ld. counsel for the applicants and Shri S.A. Deo, the learned C.P.O. for the respondent No.1. Shri A.M. Kukdaly, Adv. for R.2. Shri P.S. Chawhan, Adv. for Intervener.

At the request of the Ld. counsel for the applicants and the Ld. C.P.O., S.O. **15th July 2019.**

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 482/2019.

(D.B.)

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

Dated : 12th July 2019.

Heard Shri R.B. Dhore, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents. Shri N.S. Warulkar, Advocate for the Caveator.

At the request of the Ld. counsel for the applicants and the Ld. C.P.O., S.O. **15th July 2019.**

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 179 of 2018.

(D.B.)

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

Dated : 12th July 2019.

Heard Shri V.G. Wankhede, the Ld. counsel for the applicants and Shri V.A. Kulkarni, the learned P.O. for the respondents.

Office is directed to put up this O.A. alongwith O.A. Nos.564 and 813 of 2018.

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

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 257/2018.

(D.B.)

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

Dated : 12th July 2019.

Heard Mrs. K.N.. Saboo, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

Ld. CPO has filed reply of R.3 and 4, it is taken on record and a copy thereof is supplied to the Ld. counsel for the applicant.

At the request of Ld. CPO, S.O. **two weeks** for filing reply of R.2.

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 508/2018.

(D.B.)

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

Dated : 12th July 2019.

C.A. 213/2019.

The Ld. counsel for the applicant is absent. Applicant is present in person. Heard Shri P.N. Warjekar, the learned P.O. for the respondents.

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

3. It is submitted that the applicant has filed one affidavit of which copy is received by Ld. P.O., but the original affidavit is not received from the Registry. The said affidavit be collected from the Registry and tag with the file. It is submission of the Ld. P.O. that the respondent No.3 is intending to file reply to the additional reply filed by the applicant.

Smt. Monica Charmodi, District Malaria Officer, Nagpur is personally present before this Tribunal to file affidavit to the reply about the correctness of certificate on page No.11.

S.O. two weeks.

Member (J)

Vice-Chairman

Dt. 12.7.2019.
pdg.

O.A. No. 621/2018.

(D.B.)

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

Dated : 12th July 2019.

None for the applicant. Shri S.A. Sainis, the learned P.O. for the respondents 1 to 3. Shri S.P. Chavan, Adv. for R. 4 to 6.

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

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 738/2018.

(D.B.)

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

Dated : 12th July 2019.

Heard Mrs. K.N. Saboo, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondents.

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

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 215/2019.

(D.B.)

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

Dated : 12th July 2019.

Heard Shri S.K. Thengri, the Ld. counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents 1 to 5. None for R.6.

The Ld. counsel for the applicant is directed to supply amended copy of the O.A. to the Ld. P.O.

S.O. **two weeks.**

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

**O.A. Nos. 341 and 342 of 2019.
(D.B.)**

**Coram:Shri Shree Bhagwan,
Vice-Chairman and
Shri A.D. Karanjkar,
Member(J)
Dated : 12th July 2019.**

Heard Shri G.G. Bade, the Ld. counsel for the applicants and Shri V.A. Kulkarni, the learned P.O. for the respondents.

At the request of the learned P.O., S.O. **one week** for filing reply.

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 612/2017.

(D.B.)

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

Dated : 12th July 2019.

C.A. 262/2019.

Heard Shri P.S. Sahare, the Ld. counsel for the applicant and Shri S.A. Sainis the learned P.O. for the respondents 1 and 2. None for R.3.

C.A. No.262/2019 for early hearing is allowed.

O.A. No. 612/2017.

Matter be kept for hearing on **29th July 2019.**

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 587/2018.

(D.B.)

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

Dated : 12th July 2019.

C.A. 199/2019.

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

C.A. No.199/2019 is allowed.

O.A. be amended within one week.

S.O. **19th July 2019.**

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 584/2007.

(D.B.)

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

Dated : 12th July 2019.

Heard V.G. Wankhede, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

The Ld. counsel for the applicant submits that the applicant has engaged Shri V.G. Wankhede, Advocate as his counsel and Shri Y.D. Shukla, Advocate is discharged from this case.

Accordingly, Shri Y.D. Shukla, Advocate is discharged from this case.

S.O. **24th July 2019.**

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 540/2019.

(D.B.)

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

Dated : 12th July 2019.

Heard Shri S.A. Nerkar, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

2. Issue notice to the respondents 2 and 3 returnable in three weeks.

3. Shri S.A. Deo, the learned C.P.O. waives notice for respondent No.1. 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. 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.

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 753/2011.

(D.B.)

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

Dated : 12th July 2019.

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

Ld. P.O. submits that record of enquiry is received by the office yesterday. The Ld. counsel for the applicant is intending to peruse the record of enquiry and requested for time.

S.O. 19th July 2019.

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 455/2013.

(D.B.)

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

Dated : 12th July 2019.

Heard Shri Sachin Khandekar, the
Ld. counsel for the applicant and Shri P.N.
Warjekar, the learned P.O. for the
respondents 1 to 3. None for R.4.

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

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 644/2013.

(D.B.)

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

Dated : 12th July 2019.

C.A. 210/2018.

Heard Shri A. Mardikar, the Ld. counsel for the applicant and Shri P.N. Warjekar, the learned P.O. for the respondents.

At the request of Ld. counsel for the applicant, S.O. **one week.**

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. Nos. 646,647,648 and 723 of 2018.
(D.B.)

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

Dated : 12th July 2019.

Heard Shri N.R. Saboo, the Ld. counsel for the applicants and Shri P.N. Warjekar, the learned P.O. for the respondents 1 and 2. None for R.3.

At the request of Ld. counsel for the applicants, S.O. **one week.**

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. Nos. 705, 706,707 & 708 of 2013.

(D.B.)

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

Dated : 12th July 2019.

Heard Shri P.J. Mehta, the Ld. counsel for the applicants and Shri P.N. Warjekar, the learned P.O. for the respondents.

At the request of Ld. counsel for the applicant, S.O. **26th July 2019.**

Member (J)

Vice-Chairman

Dt. 12.7.2019.

pdg.

O.A. No. 455/2017 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

None for the applicant. Shri M.I. Khan, Id. P.O. for R-1. Shri L.S. Burde, Id. counsel holding for Shri H.D. Marathe, Id. counsel for R-4. None for R-2, 3 & 5.

At the request of Id. counsel for R-4, **S.O. Next week.**

Member (J)

dnk.

O.A. No. 827/2015 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

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

At the request of learned counsel for the applicant, **S.O. Next week.**

Member (J)

dnk.

O.A. No. 162/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

Shri A.D. Girdekar, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1&2, Shri S.N. Gaikwad, Id. counsel for R-3&4 and Shri A.P. Sadavarte, Id. counsel appears on behalf of R-5.

2. At the request of Id. CPO, learned counsel for R-3&4 and learned counsel for R-5, **S.O., two weeks** for filing reply.

Member (J)

dnk.

O.A. No. 273/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

Heard the applicant in person and Shri M.I. Khan, Id. P.O. for the respondents.

2. The learned P.O. submitted reply on behalf of R-3 and also produced the order dated 4/7/2019 by which the applicant is transferred from the office of the Superintendent of Police, Gadchiroli to the office of the Superintendent of Police, Gondia. Copies of the same are taken on record and also given to the applicant.

3. In view of this transfer order, there remains no grievance. Hence, the O.A. stands disposed of. No order as to costs.

Member (J)

dnk.

O.A. No. 308/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

Shri M.V. Joshi, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1. Await service of R-2.

The applicant to file service affidavit
of R-2.

S.O. one week.

Member (J)

dnk.

O.A. No. 392/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

None for the applicant. Shri A.M.
Khadatkar, Id. P.O. for R-1. Await service of
R-2&3.

At the request of Id. P.O., **S.O.**
19/7/2019 for filing reply.

Member (J)

dnk.

O.A. No. 428/2019 **(SB)**

Coram : Hon. Shri A.D. Karanjkar,
Member (J).

Dated : **12.07.2019**

None for the applicant. Shri A.M.
Khadatkar, Id. P.O. for R-1 to 4. None for R-
5.

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

Member (J)

dnk.

O.A. No. 455/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

Shri S.S. Dhengale, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for R-1. Await service of R-2 to 7.

The learned counsel for the applicant submitted that the respondents are served and one week time is required to file service affidavit. At his request, **S.O. one week**

Member (J)

dnk.

O.A. No. 461/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

None for the applicants. Shri A.M. Khadatkar, Id. P.O. for the respondents.

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

Member (J)

dnk.

O.A. Nos. 473 & 474 of 2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

Shri I.N. Choudhari, Id. counsel for
the applicants and shri P.N. Warjurkar, Id.
P.O. for the respondents.

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

Member (J)

dnk.

O.A. No. 499/2019 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

Shri V.G. Wankhede, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1 Await service of R-2 to 4.

2. The learned P.O. submitted that the applicant is already relieved and representation submitted by the applicant is under consideration.

3. The learned counsel for the applicant submitted that he would amend the O.A.

4. The respondents are directed to decide the applicant's representation within three weeks from the date of this order.

S.O. three weeks.

Steno copy is granted.

Member (J)

dnk.

O.A. No. 260/2016 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

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

S.O. two weeks.

Member (J)

dnk.

O.A. No. 508/2016 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

None for the applicant. Shri H.K.
Pande, Id. P.O. for R-1. None for R-2.

S.O. three weeks.

Member (J)

dnk.

O.A. No. 769/2017 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

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

S.O. two weeks.

Member (J)

dnk.

O.A. No. 432/18 with C.A.171/18 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

Shri K.S. Malokar, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents. None for Intervener.

2. It is submitted that the applicant has filed representation for mutual transfer and he will file necessary documents on the next date.

S.O. two weeks.

Member (J)

dnk.

O.A. No. 770/2017 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,
Member (J).**

Dated : 12.07.2019

Heard Mrs. S. Dashputre, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The learned counsel for the applicant requested two weeks' time for producing some important documents to establish the claim of the applicant. At her request, **S.O. 30/07/2019.**

Member (J)

dnk.

O.A. No. 544 of 2019 **(SB)**

Coram : Hon. Shri A.D. Karanjkar,

Member (J).

Dated : 12.07.2019

Heard Shri N.R. Saboo, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. Vide order dated 31/5/2019 the applicant is transferred to Mandavi, District Bhandara and Dr. Lata Galpande who was posted at Pardi, Tq. Lakhandur, District Bhandara is transferred to Mangali where the applicant is posted. It is submitted that the applicant is on Earned Leave and Dr. Lata Galpande challenged her transfer in O.A.No. 406/2019 in which the learned Single Bench stayed the effect of the transfer order of Dr. Lata Galpande. It is submitted by the applicant that in view of this stay order, there is no possibility of Dr. Lata Galpande to be relieved to join at Mangali in place of the applicant and therefore till decision of the O.A.No. 406/2019 the applicant should not be relieved.

3. It is also submitted that the applicant's retirement is 30/06/2020 and the period is less than one year and considering this aspect, it is necessary to interfere in the matter.

4. It is contention of the learned CPO that the Chief Executive Officer, Zilla

Parishad, Bhandara has relieved the applicant on 8/7/2019. After perusing this order dated 8/7/2019 it appears that the copy of this order was forwarded for information and action to the Taluka Health Officer, Panchayat, Pauni/ Bhandara with a direction to relieve the applicant. This means that the applicant is not relieved from the post.

5. In view of this discussion, in my opinion the case is made out for granting interim stay. I, therefore, direct that the order of transfer of the applicant be stayed till further orders and this matter be kept for hearing along with O.A.No. 406/2019.

6. In the meantime, issue notice to R-2 & 3, returnable **after three weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

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

8. 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.

9. 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.

10. 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.

11. 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.

S.O. after three weeks.

Steno copy is granted.

Member (J)

dnk.

O.A.No.80/2017 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

Heard Shri S.D.Shukla, the Id. Counsel for the applicant and Shri H.K.Shukla, the Id. P.O. for the respondents.

2. As per the order dated 18/12/2018, the Id. counsel for the applicant has filed Rejoinder. It is taken on record. Copy is supplied to the other side.

3. Hence, matter is admitted and kept for final hearing.

4. The Id. P.O. waives notice for the respondents.

5. **S.O. in due course.**

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.794/2016 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

Rev.No.18/2018:-

None for the applicant (Original Applicant). Shri A.M.Ghogre, Id. P.O. (Original Respondents).

2. The Id. P.O. has filed Review Application No. 18/2018. While on order dated 23.08.18, directions was given to complete Departmental Enquiry within 90 days. However, the Id. P.O. submits that on the same issue Criminal Trial is going on and papers are with the Police Department and Court. It is difficult to complete the Enquiry. Review Application is allowed. However, Department is directed to complete the Departmental Enquiry.

3. It appears from the order dated 23/08/2018, that 90 days was expired on 23/11/2018, but the matter is listed today. The Department is directed to take copy of the paper of Departmental Enquiry either from Police Department or From Court and complete the Departmental Enquiry **within six months** from the date of this order. It is also observed that whatever facts are

produced in the Departmental Enquiry, it should not influence the trial against the applicant in Court.

4. Applicant is also directed to co-operate with the Department to finish the Departmental Enquiry in time frame given in today's order. If tomorrow Department demonstrate that despite various efforts applicant is not co-operating with the Departmental Enquiry then Department will at liberty to take necessary action.

5. With the above directions, **Review Application is disposed of** with no order as to costs.

Vice Chairman

Date:-12/07/2019.
aps.

O.A.No.110/2019 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

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

2. The Id. P.O. filed the affidavit-in-reply on behalf of the respondent no. 2. It is taken on record. He submits that he will serve the copy to the other side. He further submits that the reply of respondent no. 2 is sufficient.

3. Hence, matter is **admitted** and kept for final hearing.

4. The Id. P.O. waives notice for the respondents.

5. **S.O. in due course.**

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.110/2019 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

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

2. The Id. P.O. filed the affidavit-in-reply on behalf of the respondent no. 2. It is taken on record. He submits that he will serve the copy to the other side. He further submits that the reply of respondent no. 2 is sufficient.

3. Hence, matter is **admitted** and kept for final hearing.

4. The Id. P.O. waives notice for the respondents.

5. **S.O. in due course.**

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.724/2015 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

M.C.A.Nos.54 & 55/2019:-

Shri A.A.M.Sharik, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. & Shri S.A.Deo, the Id. C.P.O. for the respondents.

2. Order was passed on 19/12/2018, considering that none appeared for the applicant on previous many dates, in that background, the O.A. was dismissed with no order as to costs.

3. Information sought from the Id. P.O. and Id. C.P.O., in such type of O.A., where O.A. was dismissed, need not to file restoration or condonation of delay. The only remedy available with the applicant or its counsel is either applicant has to proceed for Review Application or he has to file Writ Petition in Hon'ble High Court.

4. With the above directions, **M.C.A. Nos. 54 & 55/2019 are disposed of.**

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.679/2018 (S.B.)

Coram: Shri Shree Bhagwan,
Vice Chairman

Dated : 12th July 2019.

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

2. The Id. counsel for the applicant submits that the applicant's grievances have been redressed and the O.A. is become infructuous.

3. In view of this, **O.A. is disposed of** with no order as to costs.

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.22/2017 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

Heard Shri S.N.Gaikwad, the Id. counsel for the applicant and Shri H.K.Pande, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant desires two weeks time. At his request, **S.O. two weeks.**

Vice Chairman

Date:-12/07/2019.
aps.

O.A.No.371/2016 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

Heard Shri A.D.Girdekar, the Id. counsel for the applicant, Shri S.A.Sainis, the Id. P.O. for the respondent nos. 1 to 3 and Shri V.B.Gawali, the Id. counsel for the respondent no. 4.

2. The Id. counsel for the applicant desires two weeks time. At his request, **S.O. two weeks.**

Vice Chairman

Date:-12/07/2019.
aps.

O.A.No.136/2018 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

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

2. The Id. P.O. filed the affidavit-in-reply on behalf of the respondent nos. 1 to 3. It is taken on record. Copy is served to the other side.

3. Matter is **admitted** and kept for final hearing.

4. The Id. P.O. waives notices for the respondents.

5. Point of limitation is kept open.

6. S.O. in due course.

7. *Meanwhile, the Id. counsel for the applicant is at liberty to file Rejoinder, if any.*

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.868/2018 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

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

2. It appears that there were grave charges against the applicant regarding bribery and punishment awarded vide order dated 14.10.2017 (Annexure-A-1, P.B., Pg. No. 9) means to be mild. However Id. P.O. seeks time to file reply.

3. S.O. two weeks.

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.874/2018 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

Heard Shri G.G.Bade, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for the State. Await service of respondent no. 2.

2. The Id. counsel for the applicant submits that he will take instruction, whether the notice of respondent no. 2 has been served or not?

3. The Id. P.O. has invited my attention on letter dated 18/07/2018 (Annexure-A-4, P.B., Pg. No. 19), by which it appears that the applicant has mentioned that his retirement was only after nine months.

4. By this facts, it appears that applicant is now already retired. In view of this, O.A. become infructuous and **disposed of** with no order as to costs.

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.67/2019 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

Heard Shri Barun Kumar holding for Shri N.B.Rathod, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

2. The Id. counsel for the applicant submits that the applicant is going to retire in December, 2019. However, the Id. P.O. seeks time to file reply.

3. **S.O. three weeks.**

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.88/2019 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

Heard Shri Karnik holding for Shri P.C.Marpakwar, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for the State. Await service of respondent nos. 2 & 3.

2. The Id. counsel for the applicant submits both the respondents are served and he will file the service affidavit during the course of the day.

3. **S.O. three weeks.**

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.53/2019 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

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

2. The Id. P.O. submits that reply of respondent no. 2 was already filed. The Id. P.O. filed the reply of respondent nos. 1 & 3 to 7. It is taken on record. Copy is served to the other side.

3. Pleadings are now completed. Matter is **admitted** and kept for final hearing.

4. The Id. P.O. waives notice for the respondent nos. 1 & 2.

5. The Id. counsel for the applicant is at liberty to file Rejoinder, if any.

6. S.O. in due course.

Vice Chairman

Date:-12/07/2019.

aps.

O.A.No.72/2019 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

Heard Shri A.P.Sadavarte holding for Shri U.S.Dupare, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for the State. Await service of respondent no. 2.

2. The Id. counsel for the applicant submits that he has filed his power, by mistake his name is not appeared on board. The Registry should take necessary action. He further submits that fresh notice should be issued to respondent no. 2.

3. Issue fresh notice to R-2, returnable on 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

Date:-12/07/2019.
aps.

O.A.No.298/2019 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

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

2. The Id. counsel for the applicant submits that notices have been served to all the respondents. The Id. P.O. seeks time to file reply.

3. S.O. 02.08.2019.

Vice Chairman

Date:-12/07/2019.
aps.

O.A.No.297/2019 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice Chairman**

Dated : 12th July 2019.

C.A.No.261/2019:-

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

2. The Id. counsel for the applicant pointed out that order dated 21.06.2019, para nos. 3 & 4 specific observations have been made which are below:-

3. *The Id. counsel for the applicant has pointed out letter dated 30.03.2019 (A-A-13, P.B., Pg. No. 48) in which the Assistant Commissioner of Social Welfare Department, Amravati has permitted the applicant to join on certain conditions. The respondents are directed to permit the applicant to join and the conditions mentioned in the letter dated 30.03.2019 is kept open till final hearing of the O.A..*

4. *If the final outcome of the O.A. becomes against the applicant's grievances, then the applicant should be made clear that those conditions will be imposed on the applicant.*

3. However, the Id. counsel for the applicant submitted that applicant has not been allowed to join as per the above order dated 21.06.2019 by Assistant Commissioner, Social Welfare, Amravati.

4. The Id. P.O. filed the affidavit-in-reply on behalf of the respondent no. 4. It is taken on record. Copy is served to the other side.

5. In view of the observations in para no. 3, the Id. P.O. submits that he will personally contact to the Department for joining of the applicant.

6. S.O. next week.

Vice Chairman

Date:-12/07/2019.

aps.