

O.A. No. 232 /2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri S.P. Palshikar, learned counsel for the applicant and Shri S.A. Deo, learned C.P.O. for the respondents.

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

Vice-Chairman.

pdg

O.A. No. 109/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri A.M. Tirukh, learned counsel for the applicant and Shri S.A. Deo, learned C.P.O. for the respondents 1 and 2. None for R.3.

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

Vice-Chairman.

pdg

O.A. No. 356/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri S. N. Gaikwad, learned counsel for the applicant and Shri P.N. Warjekar, learned P.O. for the respondents 1 to 3. None for R.4.

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

Vice-Chairman.

pdg

O.A. No. 437/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri G.K. Bhusari, learned counsel for the applicant and Shri A.M. Khadatkar, learned P.O. for the respondents.

At the request of learned P.O., S.O. **two weeks for reply by way of last chance.**

Vice-Chairman.

pdg

O.A. No. 70/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri S.P. Palshikar, learned counsel for the applicant and Shri S.A. Deo, learned C.P.O. for the respondents.

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

Vice-Chairman.

pdg

O.A. No. 819/2014.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

C.A. No.402/2016.

Shri G.K. Bhusari, learned counsel for the applicants and Smt. M.A. Barabde, learned P.O. for the respondent No.1. None for R. 2 to 5.

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

Vice-Chairman.

pdg

O.A. No. 261/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri S.S. Dhengale, Adv. holding for Shri P.J. Mehta, learned counsel for the applicant and Shri S.A. Deo, learned C.P.O. for the respondent Nos.1 to 3. Shri B.D. Pandit, Adv. for R. 4.

The learned C.P.O. filed reply on behalf of respondent Nos.1 to 3. The same is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

At the request of learned counsel for the applicant, Stand over.

Vice-Chairman.

pdg

O.A. No. 562/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

C.A. No.446/2016.

None for the applicant. Shri A.M. Ghogre, learned P.O. for the respondent Nos.1 to 3.

Await service to R. 4 to 7.

Put up before the Registrar after service.

S.O. **after service.**

Vice-Chairman.

pdg

O.A. No. 754/2015.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

C.A. Nos.466 and 381 of 2016.

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

At the request of learned P.O.,
S.O. **two weeks for filing reply to the CAs.**

Put up alongwith O.A. No.754/2015
with C.A. No. 141/2016 and C.P.(St.)
No.556/2016.

Vice-Chairman.

pdg

O.A. No. 647/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri S.U. Ambagade, learned counsel for the applicant and Shri S.A. Deo, learned C.P.O. for the respondents.

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

Vice-Chairman.

pdg

O.A. No. 574/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri S.P. Palshikar, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for the respondents.

The learned counsel for the applicant submits that the applicant is bed ridden.

Twice the matter is adjourned for reply of the respondents by giving sufficient time i.e. four weeks' time. However, no reply is filed. It is made clear that if reply is not filed by the next date, heavy cost will be saddled and the respondent No.1 will be called up to appear before this Tribunal.

At the request of learned P.O., S.O. **three weeks for filing reply by way of last chance.**

Vice-Chairman.

pdg

O.A. No. 767/2014.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri S. S. Dhengale, learned counsel for the applicants and Shri H.K. Pande, learned P.O. for the respondents.

At the request of learned P.O., S.O. **two weeks for filing reply by way of peremptory chance.**

Vice-Chairman.

pdg

O.A. No. 695/2015.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

1. Heard Shri S.N. Gaikwad, learned counsel for the applicants and Shri V.A. Kulkarni, learned P.O. for the respondents 1 and 2. None for R.3.
2. At the request of learned counsel for the applicant, issue fresh notice to R.3 returnable **after service.**
3. Shri V.A. Kulkarni, learned P.O. waives notice for the respondents 1 and 2. Hamdast granted.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

6. 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.

7. 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.

8. S.O. after service.

Vice-Chairman.

pdg

O.A. No. 308/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

None for the applicants. Shri M.I. Khan, learned P.O. for the respondent No.1.

R.2 is not served. Hamdast was served in May, 2016.

By way of last chance, S.O. **four weeks.**

It is made clear that if no steps are taken, O.A. will be dismissed.

Vice-Chairman.

pdg

O.A. No. 799/2011.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

C.A. No.312/2016.

Shri R.V. Shiralkar, learned counsel for the applicant and Shri H.K. Pande, learned P.O. for the respondent Nos.1 to 3. None for R.4.

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

Vice-Chairman.

pdg

O.A. No. 653/2010.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

R.A. No.04/2015.

None for the applicant. Smt. M.A. Barabde, learned P.O. for the respondents.

At the request of learned P.O., S.O.
four weeks for reply by way of last chance.

Vice-Chairman.

pdg

O.A. No. 370/1999.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

R.A. No.05/2015.

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

At the request of learned P.O., S.O. **three weeks for reply by way of last chance.**

Vice-Chairman.

pdg

O.A. No. 81/2016

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

None for the applicant. Shri P.N. Warjekar, learned P.O. for respondents 1 and 2. Shri Tejas Deshpande, Adv. for R. 3 and 4.

The learned counsel for R. 3 and 4 has filed communication dated 17.2.2016 to the effect that the applicant is given charge of the earlier post.

The learned counsel for R. 3 and 4 submits that thus the grievance of the applicant does not survive.

None appeared for the applicant on the earlier dates also. Thus, the grievance of the applicant is redressed. In effect, the O.A. is disposed of as grievance of the applicant is redressed.

Vice-Chairman.

pdg

O.A. No. 105/2016

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri A.S. Gadmade, Adv. holding for Shri G.R. Sadar, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for respondents 1 and 2. Shri S.P. Palshikar, Adv. for R.4.

At the request of learned P.O. as well as learned Adv. for R.4, S.O. **two weeks by way of last chance.**

Vice-Chairman.

pdg

O.A. No. 123/2016

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri D.S. Sawarkar, learned counsel for the applicants and Shri H.K. Pande, learned P.O. for respondents.

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

Vice-Chairman.

pdg

O.A. No. 305/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

None for the applicant. Shri A.M. Khadatkar, learned P.O. for respondents.

At the request of learned P.O., S.O. **two weeks for reply by way of peremptory chance.**

Vice-Chairman.

pdg

O.A. No. 175/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

None for the applicant. Shri M.I. Khan, learned P.O. for the respondents 1 and 2. None for R.3 & 4.

The learned P.O. has filed reply on behalf of R.2 Divisional Commissioner, Amravati. The same is taken on record. He undertakes to serve its copy to the learned counsel for the applicant.

ADMIT.

Shri M.I. Khan, learned P.O. waives notice for respondents 1 and 2.

Vice-Chairman.

pdg

O.A. No. 486/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Heard Shri S.N. Gaikwad, Adv. holding for Shri D.M. Kakani, learned counsel for the applicant and Shri V.A. Kulkarni, learned P.O. for the respondents 1 to 3. Shri S.S. Dhengale, Adv. for R. 4/ Caveator.

The learned P.O. has filed reply on behalf of R. 2 Divisional Commissioner, Amravati. The same is taken on record and a copy thereof is supplied to the learned counsel for the applicant.

ADMIT.

Shri V.A. Kulkarni, learned P.O. waives notice for respondents 1 to 3.

Stand over.

Vice-Chairman.

pdg

O.A. No. 351/2016.

CORAM : S.S. Hingne, Vice-Chairman.
DATE : 16th November 2016.

None for the applicant. Shri P.N. Warjekar, learned P.O. for the respondents 1 to 5. None for R. 6.

The learned P.O. has filed reply on behalf of R. 3 & 4. The same is taken on record. He undertakes to serve its copy to the other side.

Place before the regular D.B. when available.

Vice-Chairman.

pdg

O.A. No. 370/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

Shri A.D. Girdekar, learned counsel for the applicant and Shri V.A. Kulkarni, learned P.O. for the respondents 1 to 4. None for R. 5.

At the request of learned P.O., S.O. **three weeks for reply by way of peremptory chance.**

Vice-Chairman.

pdg

O.A. No. 459/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

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

At the request of learned C.P.O., S.O.

four weeks for reply.

Vice-Chairman.

pdg

O.A. No. 521/2016.

CORAM : S.S. Hingne, Vice-Chairman.

DATE : 16th November 2016.

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

At the request of learned P.O., S.O.

four weeks for reply.

Vice-Chairman.

pdg

O.A.No. 538/2014

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

C.A.447/2016 –

Shri S.G. Shukla, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for R-1 to 3. None for R-4 to 6.

At the request of Id. counsel for the applicant, **S.O. 1st week of January,2017.**

V.C.

dnk.

O.A.No. 624/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

C.A.488/2016 –

Shri Bharat Kulkarni, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for R-1&2. None for R-3.

Learned counsel for the applicant files affidavit-in-reply to the C.A. It is taken on record. Copy is served to the Id. P.O. The learned counsel for the applicant submits that the information required is now furnished in the reply and as such the C.A. can be disposed of. Accordingly the C.A. is disposed of.

O.A.624/2016-

At the request of Id. P.O. for R-1&2, **S.O. four weeks for filing reply.**

V.C.

O.A.St.No. 1548/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

C.A.396/2016 –

Shri G.G. Bade, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A.St.No. 1051/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

C.A.274/2016 –

Shri A.B. Bambal, 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 filing reply on C.A.

O.A.St,1051/2016 -

1. Heard Shri A.B.Bambal, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for R-1.
2. Issue notice to R-2, returnable in **four weeks**. Learned C.P.O. waives notice for R-1.
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. There is a delay of one and half decade. Hence, the aspect of limitation is kept open.

8. **S.O. four weeks.**

9. Put up after service.

V.C.

O.A.No. 103/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

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

The hamdast was collected on 15-03-2016 but no steps yet are taken to serve R-2&3. It appears that none appeared for the applicant on the last three dates, hence the matter is listed today for dismissal and accordingly it was reflected on the board for "dismissal". Despite of this, today none appeared for the applicant. Hence, the O.A. is dismissed in default.

V.C.

dnk.

O.A.No. 685/2015

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

MCA 63/2016 -

Heard P.S. Wathore, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for R-1.

2. Notice on application to the respondents be issued returnable **after service.**

3. Shri P.N. Warjurkar the learned 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 the O.A.

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 an affidavit of compliance in the Registry as far as possible once week before the date fixed by this Tribunal. Applicant is directed to file Affidavit of compliance and notice.

8. **S.O. After service.**

V.C.

dnk.

O.A.No. 229/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri D.A. Sonwane, Id. counsel holding for Shri A.S. Moon, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the Respts.

At the request of Id. counsel for the applicant, **S.O. four weeks.**

V.C.

dnk.

O.A.No. 489/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri G.G. Bade, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the Respts.

Learned P.O. files on behalf of the respondents. It is taken on record. copy is served to the Id. counsel for the applicant. At the request of Id. counsel for the applicant, **S.O. one week.**

V.C.

dnk.

O.A.No. 339/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri A.C. Dharmadhikari, Id. counsel
for the applicant and Shri M.I. Khan, Id. P.O.
for the Respts.

S.O. two weeks.

V.C.

dnk.

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1 to 3. Shri B.D. Pandit, Id. P.O. appears on behalf of R-4.

Learned P.O. files reply on behalf of R-3. It is taken on record. Copy is served to the Id. counsel for the applicant.

At the request of Id. counsel for R-4,
S.O. two weeks for reply.

V.C.

dnk.

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for R-1 to 3. Shri B.D. Pandit, Id. P.O. appears on behalf of R-4.

Learned P.O. files reply on behalf of R-3. It is taken on record. Copy is served to the Id. counsel for the applicant.

At the request of Id. counsel for R-4,
S.O. two weeks for reply.

V.C.

dnk.

O.A.831/2014

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri P.V. Thakre, Id. counsel for the applicant and Shri P.N. Warjurkar, Id. P.O. for the Respts.

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

P.H.

V.C.

dnk.

O.A.No.45/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Smt. K.N. Saboo, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A.No.265/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri H.D. Futane, Id. counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the Respts.

The learned P.O. files reply on behalf of R-2&3. It is taken on record. Copy of the same is supplied to the Id. counsel for the applicant. At the request of Id. counsel for the applicant, **S.O. two weeks.**

V.C.

dnk.

O.A.No.292/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri S.C. Deshmukh, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1 to 3. None for R-4 to 7.

At the request of Id. P.O., **S.O. one weeks for reply of R-3.**

V.C.

dnk.

O.A.No.296/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri R.V. Shiralkar, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A.No.340/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

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

The learned P.O. files the communication dated 24/06/2016 (P-22) which is the letter issued by the applicant. The communication mentions that the applicant has withdrawn the O.A. and he is ready to obey by the order issued by the respondent/ department. The applicant has challenged the transfer order dated 30-05-2016. This order is referred in the communication. Therefore, it seems that the applicant is not interested and hence none is appearing for him in the O.A. Today also none present for the applicant.

In the above state of affairs, the O.A. is dismissed.

V.C.

dnk.

O.A.No.357/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri R.V.Shiralkar, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1 to 4 and Shri M. Bajpai, Id. counsel for R-5. None for R-6.

Shri Bajpai, Id. counsel submits that Shri Sachin Zoting, Id. counsel for R-6 is out of station. At his request, **S.O. 24-11-2016 by way of last chance** as the interim relief is operating in the matter and other applicants are adversely affected thereby.

Put up along with O.A.No.401/2016.

V.C.

dnk.

O.A.No.401/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri N.D.Thombre, Id. counsel for the applicant, Shri A.M. Ghogre, Id. P.O. for R-1

to 4 and Shri M. Bajpai, Id. counsel for R-6.
None for R-5.

Shri Bajpai, Id. counsel submits that Shri Sachin Zoting, Id. counsel for R-5 is out of station. At his request, **S.O. 24-11-2016 by way of last chance** as the interim relief is operating in the matter and other applicants are adversely affected thereby.

Put up along with O.A.No.357/2016.

V.C.

dnk.

O.A.No.368/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Heard Shri S.S. Dhengale, Id. counsel for the applicant, Shri S.A. Sainis, Id. P.O. for R-1&2 and Shri D.M. Surjuse, Id. P.O. for R-3.

Closed for orders.

V.C.

dnk.

O.A.No.372/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri R.V. Shiralkar, Id. counsel holding for Shri P.N. Shende, Id. counsel for the applicant and Smt. M.A. Barabde, Id. P.O. for R-1 to 4. None for R-5.

At the request of Id. P.O., S.O. one week to make the record available by way of last chance.

V.C.

dnk.

O.A.No.376/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri R.V. Shiralkar, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A.No.402/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Ratna singh, Id. counsel holding for
Shri A. Mardikar, Id. counsel for the applicant
and Shri M.I. Khan, Id. P.O. for the Respts.

At the request of Id. P.O., S.O. three
weeks for reply by way of last chance.

V.C.

dnk.

O.A.No.404/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

K.R. Prajapati, Id. counsel for the applicant, Shri M.I. Khan, Id. P.O. for R-1 to 3 and Shri A.Z. Gharde, Id. counsel for R-4 to 6.

The learned counsel files rejoinder on behalf of the applicant. It is taken on record. Copies are served to the other sides.

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

V.C.

O.A.No.441/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri N.R. Saboo, Id. counsel for the applicant, Smt. S.V. Kolhe, Id. P.O. for R-1&2 and Shri Anwar Ali, Id. counsel holding for Shri H.Dangre, Id. counsel for R-3.

S.O. three weeks.

V.C.

dnk.

O.A.No.478/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Mrs. S.C. Deo, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the Respts.

Learned P.O. submits that he received the parawise reply. At his request, S.O. two weeks for reply by way of last chance.

V.C.

dnk.

O.A.No.529/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

N. Sahu, Id. counsel for the applicant
and Shri A.M. Ghogre, Id. P.O. for the Respts.

At the request of Id. P.O., S.O. three
weeks for filing reply of R-1 by way of last
chance.

V.C.

dnk.

O.A.No.539/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri P.V. Thakre, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the Respts.

At the request of Id. P.O.,S.O. one week for reply.

V.C.

dnk.

O.A.No.626/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri S.R. Renu, Id. counsel holding for
Shri R. Joshi, Id. counsel for the applicant and
Shri M.I. Khan, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A.No.702/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri N.R.Saboo, Id. counsel for the applicant and Shri M.I. Khan, Id. P.O. for the Respts.

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

V.C.

dnk.

O.A.No.527/2015

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

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

At the request of Id. P.O., **S.O. 21-11-2016** along with other connected matter.

V.C.

dnk.

O.A.No.592/2015

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

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

At the request of Id. P.O., **S.O. 21-11-2016** along with other connected matter.

V.C.

dnk.

O.A.No.49/2005

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Shri S.P. Hedao, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the Respts.

The learned P.O. files the recruitment rules of 1988. Copies of the same are supplied to the Id .counsel for the applicant. At the request of Id. counsel for the applicant, **S.O. two weeks at 3.00 p.m.**

Matter be treated as **P.H.**

V.C.

dnk.

O.A.No.234/2013

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

None for the applicant. Shri M.I. Khan,
Id. P.O. for the Respts.

S.O. two weeks.

V.C.

dnk.

O.A.No.474/2015

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

C.A.173/2016

Shri N.R.Saboo, Id. counsel for the applicant and Smt. S.V. Kolhe, Id. P.O. for R-1 to 3. None for R-4 and 5.

The C.A. is moved to complete the departmental enquiry within stipulated period. It reveals from the reply that the proposal to initiate the departmental enquiry is sent. The learned P.O. submits that thus the C.A. is premature.

In the O.A. by the interim order the suspension order was stayed. However, the nature of the order whether it is valid or invalid were not decided. Under such circumstances, the matter is adjourned whether any development took place so as to decide the matter effectively. Hence, it is adjourned for four weeks.

S.O. four weeks. P.H.

V.C.

dnk.

O.A.No.499/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

None for the applicant. Shri M.I. Khan,
Id. P.O. for the Respts.

S.O. two weeks.

V.C.

dnk.

O.A.No.138/2016 with C.A.411/2016

Coram : Hon. Shri S.S. Hingne, V.C.

Dated : 16.11.2016.

Heard Shri Uday Dastane, Id. counsel
for the applicant, Shri S.A. Sainis, Id. P.O. for

R-3 and Shri V.G. Palshikar, Id. counsel for R-1,2&4.

Closed for orders.

V.C.

dnk.

O.A. Nos.217/2016 and 578/2015

Coram : S.S. Hingne:
Vice-Chairman.
DT.16/11/2016

Both the O.As. are decided by one order since the parties and the points involved are common.

2. Heard Shri J.B. Gandhi and Shri Anad Deshpade, Id. Counsel for the applicants and Shri A.M. Khadatkar, Id. P.O. for Respondent No. 1 and none for R/2 in O.A. No.217/2016 and Shri A.M. Ghogre, Id. P.O. for the respondents Nos.1 and 2 and Shri J.B. Gandhi, Id. Counsel for R/3 in O.A. No. 578/2015.

3. With consent of Id. Counsel for both the sides the

matter is heard and decided at the admission stage.

4. The Sub-Divisional Officer, Mangrulpir issued the proclamation for the appointment for the post of Police Patil of village Dabhadi , Tq. Mangrulpir, Distt. Washim. Manoj Mahalle came to be selected as he scored highest 68 marks. Swapnil Nilkanth Mahalle scored 67 marks. Swapnil challenged the selection of Manoj Vasantrao Mahalle in O.A. No.578/2015 on the ground that i) there was overwriting in the answer sheet of Manoj and despite of this marks are allotted to that question and ii) Swapnil is the heir of the Police Patil as such has preferential right. Thus, according to him, if the 1 mark of Manoj is

reduced, the score of both become equal i.e., 67 and in that event Swapnil gets the preference being the heir of Police Patil.

5. Manoj Vasantao Mahalle filed O.A. No.217/2016 claiming that he scored 60% marks in 12th and as such ought to have been given 2 marks but he is given only 1 mark and therefore he claims addition of 1 mark. According to him, the overwriting of answer is not in its entirety and therefore the marks cannot be reduced on that ground. This fact is admitted by the respondents that 2 marks ought to have been given to him but only 1 mark was given inadvertently to him.

6. So far as the aspect of overwriting the answer is

concerned, the question no. 69 was as under :-

Question : “ पोलीस पाटील यांची नियुक्ती
.....हे करतात.”

Ans : १) उपविभागीय पोलिस अधिकारी
२) उपजिल्हाधिकारी
३) उपविभागीय दंडाधिकारी
४) कार्यकारी दंडाधिकारी

Manoj wrote the answer as under :-

“उपविभागीय पोलिस अधिकारी ”

7. The instruction No. 17 of the proclamation runs as under :-

“ एकदा उत्तर लिहीलेले पुन्हा जर खोडुन उत्तर लिहीण्यात आले असेल तर संबंधित प्रश्नास गुण देता येणार नाही.”

8. The language used above clearly demonstrates that if the entire objective answer is

scored out and then if it is rewritten, then no marks can be allotted. In the case in hand, no doubt the material portion is scored but the answer is not scored and rewritten. As such as per the instruction no. 17, it is proper to allot marks to that answer.

Manoj Mahalle has secured 60% marks in the Higher Secondary School which is manifest from the mark-sheet. As per instructions to allot marks in interview, a candidate securing 60% and above marks is entitled to get 2 marks. In the chart Manoj is allotted only 1 mark which is wrong. There cannot be reduction of mark in the total on the ground of scored answer. If one mark is added to him, his total comes to 69.

Thus, the factual position emerges that Manoj secured 68 marks and Swapnil secured 67 marks. In effect the selection of Manoj is proper, legal and valid.

Consequently the O.A. No.217/2016 is allowed and O.A. No.578/2015 is dismissed with no order as to costs.

S.S. Hingne

Vice-Chairman.

Skt.

O.A. Nos.368/2016

Coram : S.S. Hingne:
Vice-Chairman.
DT.16/11/2016

Heard Shri S.S.
Dhengale, Id. Counsel for the
applicant, Shri S.A. Sanis, Id. P.O.
for Respondent Nos. 1 and 2 and
Shri D.M.Surjuse, Id. Counsel for
R/3.

2. With consent of Id.
Counsel for both the sides, the
matter is heard and decided at the
admission stage.

3. The issue under
challenge is about the residential
place.

4. The applicant and R/3
applied for the post of Police Patil

for the village Dulara, Tq. Ramtek, Distt. Nagpur. R/3 submitted the application contending that she is the resident of that village. Attack of the applicant is on the ground that in the application (page-28), R/3 has filed the copy of the ration card in proof of resident of the village Dulara. This application is submitted on 3/9/2015. In the ration card (page-65), it is mentioned that R/3 i.e. Vedmala's name is added on 26/10/2015. This shows that on the date of submitting the application i.e. 3/9/2015, Vedmala was not the resident of village Dulara. Truly, such subsequent amendment of addition of name in the ration card is not helpful.

5. However the matter does not end there. In the application (

page-28), the applicant has also submitted the certificate of residence dtd. 27/8/2015 (page-40) issued by the Secretary of the Gram Panchayat. The document at page 33 is a marriage certificate which shows that Vedmala married Bhagwan on 30/5/2004. Vedmala has also relied on the election card (page-42), wherein she is shown as a resident of village Dulara, which is issued on 24/2/2009. Her name is included in the voters list (page-107). As such this can be a sufficient material to hold that Vedmala is resident of the village Dulara. She has secured highest marks and therefore her appointment (Annex. A-1, page 18) is legal and valid. Thus, the O.A. is devoid of any merits .

**Consequently, it is dismissed with
no order as to costs.**

S.S. Hingne

Vice-Chairman.

Skt.