

FARAD CONTINUATION SHEET  
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI, BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.755/2016.  
( K.D. Chathe Vs. State of Mah. & Ors.)

CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).

DATE :--04.10.2016.

ORAL ORDER:-

Heard Shri S. S. Phatale, learned Advocate for the applicant and Shri MS Mahajan, learned Chief Presenting Officer for the Respondents.

2. The applicant has applied for the post of Police Patil of village Wadod Chatha Tq. Sillod from Open category. As per merit list he secured 61 marks and since one Shri Samadhan Salve secured 82 marks, he was selected, however, before issuing appointment said Samadhan Salve submitted resignation and therefore, the post is vacant. The applicant has applied for the said post, but his claim has been rejected vide impugned letter dated 16.5.2016. It is necessary to obtain say of the Respondents as to why the applicant should not be considered for the said post. Hence, issue notices to the respondents, returnable on 8.11.16. In the meantime the respondents are directed not to fill up the post till reply is filed.

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 Rev. Application. 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 question such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. 8.11.2016.

8. Steno copy & Hamdust allowed to both the parties.

MEMBER (J)

FARAD CONTINUATION SHEET  
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI, BENCH AT AURANGABAD.

MA NO.387/2016 IN OA ST.1767/2016.  
(SD Kambale & Ors. Vs. State of Mah. & Ors.)

CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).

DATE :--04.10.2016.

ORAL ORDER:-

Heard Shri RP Bhumkar, learned Advocate for the applicants and Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. For the reasons stated in the application and since the cause of action of all the applicants is same the application for sue jointly is allowed, subject to payment of court fee stamps, if not paid, and accompanying O.A. be registered and numbered, and present M.A. stands disposed of accordingly. No order as to costs.

MEMBER (J)

04.10.2016-ATP

FARAD CONTINUATION SHEET  
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI, BENCH AT AURANGABAD.

OA ST.1767/2016.

(SD Kambale & Ors. Vs. State of Mah. & Ors.)

CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).

DATE :--04.10.2016.

ORAL ORDER:-

Heard Shri RP Bhumkar, learned Advocate for the applicants and Shri MS Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 20.10.2016.

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

4. Applicants are authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Rev. Application. 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 question such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

7. S.O. 20.10.2016.

8. Steno copy & Hamdust allowed to both the parties.

MEMBER (J)

04.10.2016-ATP

FARAD CONTINUATION SHEET  
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI, BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.766/2016.  
(RT Jadhav Vs. State of Mah. & Ors.)

CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).

DATE :--04.10.2016.

ORAL ORDER:-

Heard Shri AD Sugdare, learned Advocate for the applicant and Shri MP Gude, learned Presenting Officer for the Respondents.

2. It seems that, the Respondents have refixed the pay of the applicant and it is noticed that Rs.7,18,630/- has been overpaid to the applicant due to wrong fixation of pay and vide impugned letter dated 1.8.2016 the Respondents are recovering the said amount from the applicant. Applicant is a Class III employee, and has retired as a Junior Engineer on 31.05.2015. In view of this fact the recovery vide impugned letter dated 1.8.2016 is stayed till further orders.

3. Issue notices to the Respondents, returnable on 9.11.2016.

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 Rev. Application. 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 question such as limitation and alternate remedy are kept open.

7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

8. S.O. 9.11.2016.

9. Steno copy & Hamdust allowed to both the parties.

MEMBER (J)

FARAD CONTINUATION SHEET  
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI, BENCH AT AURANGABAD.

TA NO.01/2016 (WP NO.115/2016)  
( A.G. Sanap Vs. State of Mah. & Ors.)

CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).  
(This matter is placed before Single Bench due  
to non availability of Division Bench.)

DATE :--04.10.2016.

ORAL ORDER:-

Heard Shri SS Dambe, learned Advocate holding for Shri RD Sanap, learned Advocate for the applicant and Smt DS Deshpande, learned Presenting Officer for the Respondents.

2. The reply affidavit has already been filed by the Respondents no. 1 & 2. The pleadings are complete in all respects. Therefore, the matter is admitted and kept for final hearing, whenever the Division Bench is available. Interim relief to continue till further orders.

MEMBER (J)

04.10.2016-ATP

FARAD CONTINUATION SHEET  
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI, BENCH AT AURANGABAD.

T. A. NO.194/93 (RCS NO.32/1989)  
( Vishwanath V. Bejgamwar Vs. State of Mah. & Ors.)

CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).  
(This matter is placed before Single Bench due  
to non availability of Division Bench.)

DATE :--04.10.2016.

ORAL ORDER:-

Heard Shri Kakasaheb B. Jadhav, learned Advocate  
for the applicant and Smt D. S. Deshpande, learned  
Presenting Officer for the Respondents.

2. Issue notices to the Respondents, returnable on  
9.11.2016.

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 Rev. Application. 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 question such as  
limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. 9.11.2016.

8. Steno copy & Hamdust allowed to both the parties.

MEMBER (J)

04.10.2016-ATP

FARAD CONTINUATION SHEET  
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI, BENCH AT AURANGABAD.  
MA NO.215/2016 IN CP ST.370/16 IN OA 470/15.  
(DR Rathod Vs. State of Mah. & Ors.)

CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).  
(This matter is placed before Single Bench due  
to non availability of Division Bench.)

DATE :--04.10.2016.

ORAL ORDER:-

Heard Shri RP Bhumkar, learned Advocate for the applicant and Smt SK Ghate Deshmukh, learned Presenting Officer for the Respondents.

2. This MA was filed for initiating contempt action against the Respondents for non compliance of order passed on 18.3.2016 in OA No.470/2015. In the said OA the Respondents were directed to appoint the applicant to the post of Pharmacist from VJ-A category within a period of one month.

3. The learned Advocate for the applicant today placed on record the appointment order issued by the Respondents authorities dated 25.7.2016 and also filed withdrawal pursis. The same are taken on record and marked at Exh.X & X-1 respectively. The learned Advocate for the Applicant therefore, seeks permission to withdraw the M.A. as well as C.P. In view of thereof the MA as well as CP stand disposed of, as withdrawn with no order as to costs.

MEMBER (J)



