

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

**M.A. No. 430/2016 in O.A. St. No. 1773/2016
[S.M. Sonawane Vs. The 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 : 17.11.2016.

ORAL ORDER:-

Heard Shri S.D. Dhongde, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents in M.A., returnable on 03.01.2017.

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 M.A. Respondents are 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.

//2//

M.A. No. 430/2016 in
O.A. St. No. 1773/2016

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. Steno copy and Hamdast is allowed to both parties.
8. S.O. to 03.01.2017.

MEMBER (J)

17.11.2016-KPB(DB)

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

**ORIGINAL APPLICATION NOS. 753, 754 & 808 ALL OF 2012
[Dr. Ansari Majid & Ors. Vs. The 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 : 17.11.2016.

ORAL ORDER:-

Shri Milind M. Patil, learned Advocate for the Applicants in all these matters and Shri M.S. Mahajan and Shri D.R. Patil, learned Chief Presenting Officer and Presenting Officer for respondents in all these matters.

2. The present Original Applications be placed before Division Bench, as and when it is available.

MEMBER (J)

17.11.2016-KPB(DB)

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

**ORIGINAL APPLICATION NO. 576 OF 2013
[R.G. Ubale & others Vs. The 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 : 17.11.2016.

ORAL ORDER:-

Shri S.S. Dambe, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The present Original Application be placed before Division Bench, as and when it is available.

MEMBER (J)

17.11.2016-KPB(DB)

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

**ORIGINAL APPLICATION NO. 525 OF 2016
[M.K. Borse Vs. The 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 : 17.11.2016.

ORAL ORDER:-

Shri S.S. Dambe, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 2 & 3 and also filed separate affidavit in replies on behalf of respondent nos. 2 and 3 respectively, as per the directions given by the Hon'ble Chairman on 13.10.2016. The copies of the same are taken on record and copies thereof have been served upon the learned Advocate for the applicant.

3. S.O. to 16.12.2016.

MEMBER (J)

17.11.2016-KPB(DB)

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

**ORIGINAL APPLICATION NO. 733 OF 2016
[V.L Badhe Vs. The 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 : 17.11.2016.

ORAL ORDER:-

Shri V.G. Salgare, learned Advocate for the Applicant (**Absent**) Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, present.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 4. It is taken on record.

3. S.O. to 21.12.2016.

MEMBER (J)

17.11.2016-KPB(DB)

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

**O.A. NOS. 211 to 217 ALL OF 2016
[A.D. Nagre Vs. The 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 : 17.11.2016.

ORAL ORDER:-

Shri G.G. Suryawanshi, learned Advocate for the Applicants in all these matters and S/Shri M.P. Gude, S.K. Shirse, I.S. Thorat, N.U. Yadav, V.R. Bhumklar, Smt. Deepali S. Deshpande and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for the respondents in all these matters.

3. Pleadings are complete and the O.As. are admitted and it be kept for final hearing, as and when Division Bench is available with liberty to the learned Presenting Officers for filing affidavit in reply on behalf of respondent no. 1 in all these O.As.

MEMBER (J)

17.11.2016-KPB(DB)

ORIGINAL APPLICATION NO. 742 OF 2016

[Shri Amol Sakharam Ranjankar Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri Avinash S. Deshmukh – learned Advocate for the Applicant and Shri D.R. Patil – learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply. Time till 2nd December, 2016 is granted as a most last chance for filing affidavit in reply.

3. S.O. to 2nd December, 2016.

MEMBER (J)

ORIGINAL APPLICATION NO. 774 OF 2016

[Dr. Aruna Gangadhar Dahiphale & Ors. Vs. The State of Maharashtra & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri Prashant P Dama – learned Advocate for the Applicants and Shri M.P. Gude – learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply.
Time granted.
3. S.O. to 5th December, 2016 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 775 OF 2016

[Shri Dnyanoba D. Jagtap & 04 Ors. Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri Sham Patil, learned Advocate holding for Shri V.B. Wagh – learned Advocate for the Applicants and Shri I.S. Thorat – learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply.
Time granted.
3. S.O. to 4th January, 2017 for filing affidavit in reply.

MEMBER (J)

17.11.2016-HDD(SB).doc

ORIGINAL APPLICATION NO. 820 OF 2016

[Dr. Surendra G. Todewale Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri J. S. Deshmukh – learned Advocate for the Applicant and Shri D.R. Patil – learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply. The learned Advocate for the applicant submits that the applicant has retired from the service on 31.05.2015 on attaining the age of superannuation and recovery is being made after retirement.

3. In view of the above, time is granted subject to condition that amount shall not be recovered till filing of the affidavit in reply by the respondents.

4. S.O. to 5th January, 2017 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 821 OF 2016

[Smt. Basanti Prakash Mundhe Vs. The State of Maharashtra & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri J. S. Deshmukh – learned Advocate for the Applicant and Shri D.R. Patil – learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply. The learned Advocate for the applicant submits that the husband of the applicant has died while in service on 09.09.2014 and he was due for retirement on superannuation on 31.12.2014.

3. In view of the above, time is granted subject to condition that amount shall not be recovered till filing of the affidavit in reply by the respondents.

4. S.O. to 5th January, 2017 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 822 OF 2016

[Dr. Subhash Baliram Jadhav Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri J. S. Deshmukh – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply. The learned Advocate for the applicant submits that the applicant has retired from the service on 31.07.2014 on attaining the age of superannuation and recovery is being made after retirement.

3. In view of the above, time is granted subject to condition that amount shall not be recovered till filing of the affidavit in reply by the respondents.

4. S.O. to 5th January, 2017.

MEMBER (J)

ORIGINAL APPLICATION NO. 829 OF 2016

[Shri Shivkumar Babu Swami Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11.2016.

ORAL ORDER:

Heard Shri Sham Patil, learned Advocate holding for Shri V.B. Wagh – learned Advocate for the Applicant and Shri D.R. Patil – learned Presenting Officer for respondents.

2. The learned Advocate Shri G.N. Patil appeared before this Tribunal today and has submitted that he has filed M.A. for intervention and has also filed pursis to that effect. The copy of the pursis is taken on record.

3. In view of the above, intervention application be tagged along with the present O.A. No. 829/2016, on the next date.

4. The learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

5. S.O. to 5th December, 2016 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 833 OF 2016

[Dr. Sanjay Kumarrao Muley Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri J. S. Deshmukh – learned Advocate for the Applicant and Shri I.S. Thorat – learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 5th January, 2017 for filing affidavit in reply.

MEMBER (J)

17.11.2016-HDD(SB).doc

ORIGINAL APPLICATION NO. 776 OF 2016

[Shri Girish Ambadas Kedar Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri D.A. Bide – learned Advocate for the Applicant and Shri D.R. Patil – learned Presenting Officer for respondents.

2. The learned Chief Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 10th January, 2017 for filing affidavit in reply.

MEMBER (J)

17.11.2016-HDD(SB).doc

ORIGINAL APPLICATION NO. 302 OF 2016

[Shri Narendra Kishanrao Ashtikar Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri A. S. Deshmukh – learned Advocate for the Applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for respondents.

2. After hearing the parties for considerable period, at the request of learned Presenting Officer, **S.O. to 18th November, 2016.**
3. This case be treated as part heard.

MEMBER (J)

M.A.ST.NO.1338/2015 IN O.A.ST.NO. 811/2015

[Shri Chandrakant B. Kadam Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri S.S. Devgude, learned Advocate holding for Shri P.D. Suryawanshi – learned Advocate for the Applicant, Shri V.R. Bhumkar – learned Presenting Officer for respondent Nos. 1 & 2 and Shri Vivek Bhavthankar – learned Special counsel for respondent Nos. 3 to 5.

2. The learned Special Counsel for respondent Nos. 3 to 5 seeks time to file affidavit in reply. Time granted.

4. S.O. to 4th January, 2017.

MEMBER (J)

17.11.2016-HDD(SB).doc

ORIGINAL APPLICATION NO. 113 OF 2012

[Shri Bhagwat T. Kadam Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Shri K.G. Salunke – learned Advocate for the Applicant (**absent**).
Smt. Resha S. Deshmukh – learned Presenting Officer for respondents,
present.

2. It appears from the record that on the last occasion i.e. on 21.09.2016, none was appeared on behalf of the applicant. Hence, the present Original Application be kept for dismissal on 13th December, 2016.

MEMBER (J)

17.11.2016-HDD(SB).doc

ORIGINAL APPLICATION NO. 573 OF 2015

[Shri Ajinath Kisan Kharat Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Smt. Panpatil, learned Advocate holding for Shri S.B. Talekar – learned Advocate for the Applicant and Shri N.U. Yadav – learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 4th January, 2017.

MEMBER (J)

17.11.2016-HDD(SB).doc

ORIGINAL APPLICATION NO. 12 OF 2016

[Suvarna Bhikan Ghodke Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 17.11. 2016.

ORAL ORDER:

Heard Shri S.P. Dhobale, learned Advocate holding for Shri S.R. Dheple – learned Advocate for the Applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 4th January, 2017.

MEMBER (J)

17.11.2016-HDD(SB).doc

M.A. 370/2015 IN C.P.ST.1129/2015 IN O.A. 199/2014

[Uttam Narayan Vendait Vs. The State of Mah. & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 17.11. 2016.

ORAL ORDER:

Shri P.M. Shinde – learned Advocate for the Applicant (**absent**).
Mrs. Deepali S. Deshpande – learned Presenting Officer for respondent
No.1 and Shri Vivek Bhavthankar – learned Special Counsel for
respondent Nos. 2 & 3, were present.

2. The learned Special Counsel for respondent Nos. 2 & 3 submits that in order to comply the order passed by this Tribunal dated 13.10.2016, he was to deposit the amount with this Tribunal. However, the Registrar of this Tribunal Bench at Aurangabad refused to accept the cheque for the amount of Rs. 4,50,000/-, and therefore, he is ready to deposit the amount by Demand Draft. He has also placed on record a copy of communication to this effect, which is marked as document 'X' for the purposes of identification.

3. In view of the above, S.O. to 23rd November, 2016.

MEMBER (J)

M.A. 374/2016 IN C.P.ST.1692/2016 IN O.A. 74/2016

[Dr. Mahesh Narayanrao Gude Vs. The State of Maharashtra & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 17.11.2016.

ORAL ORDER:

Heard Shri G.K. Kshirsagar – learned Advocate for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer, S.O. to 5th December, 2016.

MEMBER (J)

17.11.2016-HDD(SB).doc

O.A.NO. 641/2015 WITH M.A.NO. 243/2016

[Bhagatsingh Pratapsingh Patil (Pawar) Vs. The State of Maharashtra & Ors.]

CORAM : Hon'ble Shri J.D. Kulkarni, Member (J)
(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 17.11.2016.

ORAL ORDER:

Heard Shri Milind Patil – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. S.O. to 23rd November, 2016.

MEMBER (J)

17.11.2016-HDD(SB).doc

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION No.860/2016.

(B. J. Chavan V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri Sham Patil, learned Advocate holding for Shri V. B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The learned Advocate for the applicant submits that, he will take instructions to withdraw the O.A.

3. S.O. to 23.11.2016.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.861/2016.

(H.M. Deshmukh V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri V. G. Pingle, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for respondents.

2. The applicant has been granted 2nd time bound promotion benefit, but the same has been withdrawn vide impugned order and now the respondents are recovering the alleged excess amount paid to the applicant. The recovery of the alleged excess amount is stayed till further orders. In the mean time issue notices to the respondents, returnable on 23.12.2016.

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 O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

-2- **ORIGINAL APPLICATION No.861/2016.**

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 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. Steno copy and Hamdast is allowed to both parties.

8. S.O. 23.12.2016.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION St. No.1607/2016.

(N. K. Wankhede V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri S.P. Landge, learned Advocate holding for Shri S.R. Pande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant submits that, he is going to file today the application for condonation of delay. In view thereof, the matter is adjourned till 23.12.2016.

3. S.O. to 23.12.2016.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.137/2016.

(P.B. Parlikar V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri A. S. Deshmukh, learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for respondents.

2. Since the pleadings are complete, the matter is admitted and kept for final hearing.

3. S.O. to 15.12.2016.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.241/2016.

(K. D. More V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

None present for the applicant. Shri V. R. Bhumkar,
learned Presenting Officer for respondents.

2. Since the pleadings are complete, the matter is
admitted and kept for final hearing.

3. S.O. to 03.01.2017.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.225/2016.

(R. R. Dudhate V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

None present for the applicant. Smt P.R. Bharaswadkar, learned Presenting Officer for respondents no.1 & 2 and Shri K. B. Jadhav, learned Advocate holding for Shri K. G. Salunke, learned Advocate for the respondent no.3.

2. Learned P.O. seeks time to file reply affidavit. Time granted.

3. S.O. to 3.1.2017.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA.NO. 434/2016 IN OA NO.333/2016.

(J. S. Borade V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri A.P. Ghule Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents no.1 to 3. None present for the respondent no.4.

2. Issue notices to the respondents in M.A., returnable on 3.1.2017.

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. Respondents are 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.

-2- **MA.NO. 434/2016 IN OA NO.333/2016.**

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. Steno copy and Hamdast is allowed to both parties.

8. S.O. 3.1.2017.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.385/2016.

(C. S. Dhormale & Ors. V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri S. P. Urgunde, learned Advocate for the applicant and Shri I. S. Thorat, learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file reply affidavit. Time granted.

3. S.O. to 3.1.2017.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.434/2016.

(Dr. Abdul Salim V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri P. B. Bodhane, learned Advocate holding for Shri J. B. Choudhary, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file reply affidavit. Time granted.

3. S.O. to 4.1.2017.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.442/2016.

(Sunil Madhavrao Tejale V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri S. D. Dhongde, learned Advocate for the applicant, Shri S. K. Shirse, learned Presenting Officer for Respondents no.1 & 2 and Shri P.S. Patil, learned Advocate for the Respondent no.3.

2. As per orders dated 7.10.2016 & 24.10.2016 the learned P.O. was directed to take instructions as to within how many days the amount will be disbursed to the applicant.

3. Today, learned P.O. submits that, he has been instructed by Shri Khairnar, Sr. Clerk in the Regional Office, Nashik that, the amount will be disbursed to the applicant within six weeks.

4. In view thereof, the O.A. stands disposed of with direction to the Respondents to pay the amount to the applicant within six weeks from the date of this order, with no order as to costs.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.457/2016.

(G. S. Dighule V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

None present for the applicant. Smt D.S. Deshpande, learned Presenting Officer for respondents no.1 & 2 and Shri K. B. Jadhav, learned Advocate for the Respondent no.3.

2. Learned Advocate Shri K. B. Jadhav, for Respondent no.3 seeks time to file reply affidavit. Time granted.

3. S.O. to 4.1.2017.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.467/2016.

(S. P. Mahajan V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri D.J. Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant submits that, he has received the copy of the reply today.

3. Since the pleadings are complete, the matter is admitted and kept for final hearing.

4. S.O. to 5.1.2017.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.537/2016.

(A. L. Pawar V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri A. S. Kadam, learned Advocate holding for Shri B. S. Chondhekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Since the pleadings are complete, the matter is admitted and kept for final hearing.

3. S.O. to 6.1.2017.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.558/2016.

(B. K. Shinde V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri D. J. Patil, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned P.O. files reply affidavit on behalf of Respondent no.3. Same is taken on record. Its copy is served on the learned counsel for the applicant.

3. The applicant has claimed direction to the Divisional Commissioner, Nashik to take decision on the appeal No.80/2005. From the record it seems that, the appeal was in fact decided by the Divisional Commissioner vide order dated 4.1.2006 and the matter was remitted to the Collector for taking an appropriate action after making due inquiry. It seems that, in stead of taking action as per direction of the Divisional Commissioner, the Collector sought guidelines from the Divisional Commissioner vide letter dated 4.10.2012.

-2- ORIGINAL APPLICATION No.558/2016.

4. Today, the learned P.O. has filed a reply for Respondent no.3. In para no.4 of the said reply it is stated that, the Divisional Commissioner vide letter dated 6.9.2016 has directed Respondent no.3 Collector Dhule to take necessary action initiating D.E. against the applicant after superannuation as per the provisions of law and as per provisions of M.C.S. (Pension) Rules.

5. It is now for the Collector to take appropriate action and if the applicant is aggrieved by that action he may approach Tribunal again. In view thereof, nothing survives in the O.A. Hence the O.A. stands disposed of, with no order as to costs.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.579/2016.

(D.D. Gavad & Ors. V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri S. D. Dhongde, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Learned C.P.O. seeks time to file reply affidavit. Time granted.

3. S.O. to 3.1.2017. Interim Relief to continue till further order.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.562/2016.

(Radhabai P. Gusinge V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri S.P. Deogude, learned Advocate for the applicant, Smt D.S. Deshpande, learned Presenting Officer for Respondents no.1 & 2 and Shri M.L. Wankhede, learned Advocate holding for Shri B. K. Dhabarde, learned Advocate for Respondent no.3.

2. Since the pleadings are complete the matter is admitted and kept for final hearing.

3. S.O. 4.1.2017.

MEMBER (J)

17-11-2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.623/2016.

(A. P. Katkar V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri S.P. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for Respondent no.1 and Shri G. N. Patil, learned Advocate for the Respondent no.2.

2. Learned Advocate Shri G. N. Patil, for the Respondent no.2 submits that, he will file reply affidavit within one week.

3. S.O. to 29.11.2016. Interim relief to continue till further orders.

MEMBER (J)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION No.647/2016.

(G. T. Pagare V/s. The State of Mah. & Ors.)

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

DATE : 17-11-2016

ORAL ORDER:-

Heard Shri S. P. Urgunde, learned Advocate for the applicant, Smt R. S. Deshmukh, learned Presenting Officer for respondents no.1 to 4, and Shri M.S. Indani, learned Advocate for the Intervenor. None present for the Respondent no.5.

2. Learned P.O. has already filed reply affidavit. None present for the Respondent no.5.

3. Learned Advocate for the applicant submits that, he has filed writ petition against the order passed by this Tribunal allowing the intervenor to argue the matter, and the said writ petition is kept on 30.11.2016 before Hon'ble High Court. He requested that the matter shall be adjourned till 30.11.2016.

4. Learned Advocate for the Intervenor however, submits that in case the matter is adjourned since no stay is granted

-2- ORIGINAL APPLICATION No.647/2016.

by the Hon'ble High Court the matter be heard today itself. The learned Advocate for the applicant submits that, he is ready to argue the matter on merits tomorrow. However, considering the fact that, the order of allowing intervention of the Intervenor has been challenged before Hon'ble High Court and the matter is fixed on 30.11.2016 it will not be proper in the interest of justice and equity to pass any order in the matter till 30.11.2016. Hence, the matter is adjourned till 2.12.2016.

5. S.O. to 2.12.2016.

MEMBER (J)

17-11-2016-ATP

