

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

ORIGINAL APPLICATION NO. 758 OF 2015

[Dr. T.S. Kulkarni 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 : 26.09. 2016.

ORAL ORDER:

Shri S.B Talekar – learned Advocate for the Applicant (**absent**). Shri M.P. Gude – learned Presenting Officer for respondent, present.

2. Since pleadings are complete in all respect and hence, this matter is admitted and it be kept for final hearing whenever Division Bench is available.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 763 OF 2015

[I.A. Jahagirdar 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 : 26.09. 2016.

ORAL ORDER:

Shri S.B Talekar – learned Advocate for the Applicant
(**absent**). Smt. Deepali S. Deshpande – learned Presenting
Officer for respondent, present.

2. The learned Presenting Officer seeks time to file affidavit
in reply on behalf of respondent nos. 1 and 2. Time granted.

3. S.O. to 7.10.2016

MEMBER (J)

26.09.2016-HDD(DB).doc

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

ORIGINAL APPLICATION NO. 134 OF 2016

[M.S. Rajput 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 : 26.09. 2016.

ORAL ORDER:

Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh – learned Advocate for the Applicant and Smt. Deepali S. Deshpande – learned Presenting Officer for respondent.

2. The learned Advocate for the applicant seeks time to take instructions. Time granted.

3. S.O. to 13.10.2016

MEMBER (J)

26.09.2016-HDD(DB).doc

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

ORIGINAL APPLICATION NO. 595 OF 2016

[D.R. Dhumal 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 : 26.09. 2016.

ORAL ORDER:

Shri B.R. Waramaa- learned Advocate for the Applicant
(**absent**). Smt. Priya R. Bharaswadkar – learned Presenting
Officer for respondent, present.

2. The learned Presenting Officer seeks time to file affidavit
in reply on behalf of respondents. Time granted.

3. S.O. to 25.10.2016

MEMBER (J)

26.09.2016-HDD(DB).doc

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

ORIGINAL APPLICATION NO. 599 OF 2016

[S.R. Bahiram 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 : 26.09. 2016.

ORAL ORDER:

Shri D.J. Patil- learned Advocate for the Applicant
(**absent**). Shri M.S. Mahajan – learned Chief Presenting Officer
for respondent, present.

2. The learned Chief Presenting Officer seeks time to file
affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 25.10.2016

MEMBER (J)

26.09.2016-HDD(DB).doc

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

M.A. No. 327/16 in C.P. St. No.1470/16 in O.A. No. 581/16
[Dr. Gokul N. Ghogare 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 : 26.09. 2016.

ORAL ORDER:

Shri V.B. Wagh- learned Advocate for the Applicant Shri
N.U. Yadav – learned Presenting Officer for respondent.

2. The learned Presenting Officer seeks time to file affidavit
in reply on behalf of respondents in M.A.. Time granted.

3. S.O. to 04.10.2016

MEMBER (J)

26.09.2016-HDD(DB).doc

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

**M.A. No. 301/2016 in O.A. No. 539/2016
[Amol K. Kakde & 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 : 26.09. 2016.

ORAL ORDER:

Heard Shri V.B. Wagh– learned Advocate for the Applicants and Smt. Deepali S. Deshpande – learned Presenting Officer for respondents.

2. By this Misc. Application the applicants have prayed a direction that the respondent nos. 1 and 2 shall permit the applicant to continue and to allow them to work on the post of Higher Grade Stenographer in view of the order passed by the Hon'ble High Court on 5.7.2016.

3. In paragraph no. 5 of the order dated 5.7.2016, passed by the Hon'ble High Court in W.P. No. 7203 of 2016 has observed as under:-

"5. Till next date of hearing, respondents are directed to maintain status quo as on today as to the service of the petitioners."

4. In the said W.P., further order has been passed on 20.07.2016 by the Hon'ble High Court. It was contention of the learned Advocate of the petitioners that the order of termination was not communicated to the petitioners immediately. On that, the Hon'ble High Court has observed in paragraph nos. 5 to 7 as under:-

"5. We do not wish to enter into the said controversy, suffice it to say that we have passed the order granting status-quo on 05.07.2016.

6. In the circumstances, we dispose of this petition with a hope that the Maharashtra Administrative Tribunal will take up the pending Original Application for hearing at the earliest.

7. Till the said Original Application is finally decided by the Maharashtra Administrative Tribunal, interim order passed by this Court on 05.07.2016 shall remain in force."

From the aforesaid observations, it is clear that the question as to what was the status of the applicants on 5.7.2016 will have be considered?

5. Learned Advocate for the applicants submits that the applicant no. 1 Shri Amol kantarao Kakde, is serving

in the office of Divisional Social Welfare, Mumbai and he was served with the notice on 5.7.2016 itself; whereas the applicant no. 2 Shri Mokind Somnathrao Mule, who is serving at Dhule and he was served with the notice on 30.07.2016; whereas the applicant no. 3 Ku. Rohini Indrajeet Pise, who is serving at Solapur and she was served with the notice on 9.07.2016. It will have to be seen as to whether the application as regards applicant nos. 1 and 3 who were serving at Mumbai and Solapur respectively is maintainable before this Tribunal or not?

6. Learned Presenting Officer invited my attention to paragraph no. 8 of the affidavit in reply filed by the respondent no. 1 and 2 in M.A., which reads as under:-

"8. I say and submit that, pursuant to the order on the respondent no. 2 dated 22-6-2016, the concerned officers of the Applicants relieved the Applicants on 30.06.2016 and from 1.7.2016, the Applicants are not in the service of this respondent. The Hon'ble High Court, Bench at Aurangabad in W.P. No. 7203/2016 vide order dated 5.7.2016 directed to maintain Status-quo to the service of the Applicant. But it is submitted that, at the time of order of Hon'ble High Court, the Applicants are already relieved by their concerned officer and they are not in the service."

7. In view of the aforesaid fact, it seem that the fact is whether the applicants were in service on 5.7.2016 is to be decided on merits and it is the only question in dispute.

8. Learned Advocate for the applicants submits that he will file affidavit in rejoinder to the statement made in paragraph no. 8 of the affidavit in reply filed by the respondent nos. 1 and 2.

9. Learned Presenting Officer submits that she will file additional affidavit in reply as regards jurisdiction.

10. In the mean time, Learned Presenting Officer is also directed to file affidavit in reply in O.A.

11. In view thereof, S.O. to 13.10.2016.

MEMBER (J)

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

- 1) M.A.543/15 IN CP.ST.1721/15 IN O.A. 717/98
- 2) M.A.544/15 IN CP.ST.1723/15 IN O.A. 522/2000
- 3) M.A.545/15 IN CP.ST.1727/15 IN O.A. 718/98
- 4) M.A.546/15 IN CP.ST.1731/15 IN O.A. 1203/99
- 5) M.A.547/15 IN CP.ST.1725/15 IN O.A. 492/02
- 6) M.A.548/15 IN CP.ST.1719/15 IN O.A. 493/02
- 7) M.A.549/15 IN CP.ST.1729/15 IN O.A. 525/02
- 8) M.A.ST.1328/15 IN CP.ST.1329/15 IN O.A. 705/96
- 9) M.A.ST.1330/15 IN CP.ST.1331/15 IN O.A. 682/96
- 10) M.A.ST.1332/15 IN CP.ST.1333/15 IN O.A. 718/96

[Amol K. Kakde & 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 : 26.09. 2016.

ORAL ORDER:

Heard Shri M.H. Patil and Smt. Vidya Taksal learned Advocate holding for Shri A.S. Deshmukh – learned Advocates for the Applicants in respective matters and Shri M.S. Mahajan – learned Chief Presenting Officer for respondents.

2. Vide order dated 23.08.2016, learned Chief Presenting Officer was directed to supply the copy of the regularization order to the applicants. Learned Chief Presenting Officer submits that the said copy will be supplied within a week.

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3. As per said order dated 23.08.2016 the applicants were to file short affidavit mentioning therein the heads under which the amounts remained to be paid. The said affidavit is not filed on the ground that the copy of the regularization has not been supplied. The learned Advocate for the applicants submits that they will file such affidavit within three weeks.

4. Today learned C.P.O. has placed on record a copy of letter dated 23.09.2016 received by him from the Regional Dairy Development Officer, Nasik Division, Nasik and submits that the difference has been paid. The applicants may take in to consideration the said letter while giving details as regards non compliance in their short affidavit.

5. S.O. to 26.10.2016.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 136 OF 2016

[Shamsundar M. Choudari Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Smt. Vidya Taksal – learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the Applicant and Shri V.R. Bhumkar – learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant,
S.O. to 26.10.2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

M.A.NO. 365/16 IN C.P.ST.1706/16 IN O.A.NO. 814/15

(Shri Shivaji M. Borole 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.)

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

DATE : 26.09. 2016.

ORAL ORDER:

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh – learned Advocate for the Applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. The respondents were directed to complete / finally conclude the departmental enquiry against the applicant initiated by respondent No. 2 vide memorandum of charge dated 28.5.2012 within a period of four months from that date. The order was passed on 11.3.2016. It is stated that till today departmental enquiry is not concluded.

3. Hence, issue notices to the respondents in M.A. No. 365/2016 filed for permission to file contempt petition, returnable on 24th October, 2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

C.P.NO. 122/2003 IN T.A. NO. 2285/1991

(Narayan Kardam Vyas 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.)

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

DATE : 26.09. 2016.

ORAL ORDER:

Shri Ajay Deshpande – learned Advocate for the Applicant (**absent**). Shri N.U. Yadav – learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant, S.O. to 21st October, 2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

C.P.NO. 16/2014 IN O.A. NO. 330/2009

(Sharad Wamanrao Pande 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.)

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

DATE : 26.09. 2016.

ORAL ORDER:

Shri Ajay Deshpande – learned Advocate for the Applicant (**absent**). Shri S.K. Shirase – learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant, S.O. to 21st October, 2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

ORIGINAL APPLICATION NO. 750 OF 2015

(D.L. Kedare 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.)

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

DATE : 26.09. 2016.

ORAL ORDER:

Shri S.B. Talekar – learned Advocate for the Applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents, present.

2. It appears from the record that affidavit in reply on behalf of respondent No. 3 has already been filed on record.
3. In that view of the matter and considering the cause made out in the O.A. No. 750/2015, it is admitted with liberty to the applicant to file rejoinder, if any.
4. The Division Bench is not available.
5. Hence, the present O.A. be kept for final hearing before the Division Bench, whenever it is available.

MEMBER (J)

ORIGINAL APPLICATION NO. 58 OF 2016

[M.L. Mundfale & Anr. Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Heard Shri P.V. Suryawanshi – learned Advocate for the Applicant, Mrs. Deepali S. Deshpande – learned Presenting Officer for respondent No. 1 and Shri N.S. Kadam – learned Advocate for respondent Nos. 2 to 4.

2. Learned Advocate for respondent Nos. 2 to 4 has filed affidavit in reply on their behalf and the same has been taken on record. It's copy has already been served upon the learned Advocate for the applicant.

3. At the request of both the sides, S.O. to 27th September, 2016.

4. This matter be treated as part heard.

MEMBER (J)

26.09.2016-HDD(DB).doc

ORIGINAL APPLICATION NO. 311 OF 2015

[Kalpana Maruti Patil Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Shri H.P. Jadhav – learned Advocate for the Applicant (**absent**). Mrs. Priya R. Bharaswadkar – learned Presenting Officer for respondent Nos. 1 to 4 and S.S. Shinde, learned Advocate holding for Shri Vivek Bhavthankar – learned Advocate for respondent No. 5, were present. Shri K.M Nagarkar – learned Advocate for respondent No. 6 (**absent**).

2. This matter was dismissed in default on 2.8.2016, since nobody had appeared on behalf of the applicant. However, at the request of learned Advocate for the applicant the same was restored on 11.8.2016, subject to payment of costs of Rs. 1,000/-.

3. Thereafter, the present case came for final hearing again on 11.8.2016 and on that date at the request of learned Advocate for the applicant, it was adjourned to today's date i.e. 26.9.2016.

4. However, today also nobody appeared for the applicant. Hence, this matter be kept for dismissal on 14th October, 2016.

MEMBER (J)

ORIGINAL APPLICATION NO. 263 OF 2015

[Deepak Narayan Dedhe Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Shri Ganesh V. Patil – learned Advocate for the Applicant (**absent**). Shri N.U. Yadav – learned Presenting Officer for respondents, present.

2. It appears from the record that nobody appeared for the applicant on 3.2.2016 & 16.3.2016. Thereafter on 6.4.2015 Leaned Advocate for the applicant sought time to file rejoinder and the matter was adjourned on 8.6.2016. On 8.6.2016 Learned Advocate for the Applicant again sought time to file rejoinder. On 12.8.2016 again nobody appeared for the applicant and, therefore, the matter was admitted and kept for final hearing to today's date i.e. 26.9.2016. However, today also nobody appears for the applicant.

3. This O.A. has been filed by the applicant for appointment to the post of Kotwal. The applicant may not be interested for prosecution the present matter. Hence, it be kept for dismissal on 14th October, 2016.

MEMBER (J)

ORIGINAL APPLICATION NO. 419 OF 2012

[Anilkumar Y. Baste Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Heard Shri Ajay Deshpande – learned Advocate for the Applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time. Time granted.

3. S.O. to 26th October, 2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

M.A.NO. 73/2016 IN O.A.ST.NO. 215/2016

[Ashok B. Wagh Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Heard Shri A.S. Shelke – learned Advocate for the Applicant and Shri M.P. Gude – learned Presenting Officer for the respondent Nos. 1 & 2 and Shri S.S. Shinde, learned Advocate holding for Shri Vivek Bhavthankar – learned Advocate for respondent Nos. 3 to 5.

2. Learned Advocate for respondent Nos. 3 to 5 has filed affidavit in reply on their behalf to the M.A. No. 73/2016 and the same has been taken on record and the copy thereof has been served on the other side.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 & 2. Time granted.

4. S.O. to 19th October, 2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

O.A.ST.NO. 112/2016 WITH M.A.NO. 57/2016

[Pandurang B. Balande Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

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

2. The present O.A. St. No. 112/2016 has been filed by the applicant for direction to the respondents to extend the benefit of time pay scale of Rs. 5200-20200 Grade Pay Rs. 2400/- w.e.f. July, 2007 instead of 1.1.2011.

3. Learned Advocate for the applicant submits that the respondents have granted deemed date of promotion to the applicant. He has also placed on record a copy of order dated 01.08.2016 and the same has been taken on record and marked as document 'X-1' for the purposes of identification.

4. Learned Advocate for the applicant also filed withdrawal pursis and submits that in view of the fact that deemed date has been given to the applicant, he wants to withdraw the present O.A. The copy of the withdrawal pursis is taken on record and marked as document 'X-2' for the purposes of identification.

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**O.A. ST. 112/2016 WITH
M.A.57/2016**

5. In view of the aforesaid submission made by the Learned Advocate for the applicant, the O.A.St. No. 112/2016, as well as, M.A. No. 57/2016 both stand disposed of as withdrawn.

6. There shall be no order as to costs.

MEMBER (J)

26.09.2016-HDD(DB).doc

M.A.NO. 308/2016 IN O.A.NO. 975/2016

[Waman N. Bondar Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Heard Smt. M.G. Kasturkar, learned Advocate holding for Smt. M.A. Kulkarni – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the fresh notices be issued in M.A. No. 308/2016. Hence, issue fresh notices to the respondents in M.A. No. 308/2016, returnable on 27th October, 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 M.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,

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M.A. 308/2016 IN O.A.975/2016

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. to 27th October, 2016.

8. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

26.09.2016-HDD(DB).doc

M.A.NO. 296/2016 IN O.A.ST.NO. 1298/2016

[Dr. D.W. Kendre Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Heard Smt. M.S. Sawangikar, learned Advocate holding for Shri S.K. Sawangikar – learned Advocate for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that she will collect the notices issued in M.A. No. 296/2016 and will serve on the respondents. She is allowed to do so. The applicant shall file service affidavit on the next date.

3. S.O. to 26th October, 2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

ORIGINAL APPLICATION NO. 656 OF 2016

[Gangaram Damu Maske Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Heard Smt. S.P. Chate, learned for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that she will serve the notices and she will file service affidavit and seeks time. Time granted.
3. S.O. to 5th October, 2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

ORIGINAL APPLICATION NO. 615 OF 2016

[Manohar W. Adhikar Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Heard Shri Vishal Pagar, learned Advocate holding for Shri V.S. Kadam – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant is directed to file service affidavit.
3. S.O. to 5th October, 2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

ORIGINAL APPLICATION ST.NO. 818 OF 2016

[Akhil Ahemad Suleman Juneri Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Shri M.D. Mustafa Ahemad Momin – learned Advocate for the Applicant (**absent**). Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed additional affidavit in reply on behalf of respondent No. 1 and the same has been taken on record. She undertakes to serve the copy of the same on the learned Advocate for the applicant.

3. Since nobody appears for the applicant, S.O. to 19th October, 2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

ORIGINAL APPLICATION NO. 714 OF 2016

[Subhash Devrao Mahale Vs. The State of Mah. & Ors.]

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

DATE : 26.09. 2016.

ORAL ORDER:

Heard Shri V.G. Pingle – learned Advocate for the Applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 3rd October, 2016.

MEMBER (J)

26.09.2016-HDD(DB).doc

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

MA No.361/2016 IN OA ST.NO.1668/2016.

(H.L. Bhatewale Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

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

2. Issue notices to the respondents in M.A., returnable on 26.10.2016.

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

4. 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.361/2016 IN OA ST.NO.1668/2016.

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 26.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.123/2014.
(RR Potpallewar Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri VG Pingle, learned Advocate for the applicant and Shri IS Thorat, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 26.10.2016 for final hearing, as last chance.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.817/2016.

(Dr. Anita R. Rathod & Ors. Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri VB Wagh, learned Advocate for the applicant and Shri IS Thorat, learned Presenting Officer for the Respondents.

2. Learned P.O. files reply affidavit on behalf of Respondent no.3. The same is taken on record. Its copy is served on the other side. Learned P.O. seeks time to file reply affidavit on behalf of Respondent no.1. Time granted.

3. S.O. to 7.11.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.69/2016.

(Dr. Balaji G. Manoorkar Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri KG Salunke learned Advocate for the applicant and Smt RS Deshmukh, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant seeks time to file rejoinder.
Time granted.

3. S.O. to 24.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.104/2016.
(Dr. L.N. Dolas Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Shri AS Deshmukh learned Advocate for the applicant and Smt RS Deshmukh, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply affidavit. Time granted.
3. S.O. to 24.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.277/2016.
(B.V. Pawar & Ors. Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri Hemand Surve learned Advocate for the applicant, Shri SK Shirse, learned Presenting Officer for the Respondents no.1 to 3 and Shri VB Wagh, learned Advocate for the Respondent no.4.

2. Learned Advocate for the applicant seeks time to file rejoinder. Time granted.

3. S.O. to 3.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.399/2016.
(Dr. PK Rathod Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri VB Wagh, learned Advocate for the applicant and Shri MP Gude, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply affidavit. Time granted.
3. S.O. to 19.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.415/2016.
(L.R. Gaikwad Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri VB Wagh, learned Advocate for the applicant and Shri DR Patil, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply affidavit. Time granted.
3. S.O. to 19.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.419/2016.

(Deepak Digambarrao Pujari Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri SD Joshi, learned Advocate for the applicant and Shri IS Thorat, learned Presenting Officer for the Respondents.

2. The applicant in this case has challenged the order of relieving him from the post of Chief Officer, Municipal Council, Jalna and requested that he may be reinstated. The learned Advocate for the applicant submits that in view of the interim order he was reinstated in the service and therefore, the O.A. has become infructuous. In view thereof, the O.A. stands disposed of, as infructuous, with no order as to costs.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.556/2016.
(D.D. Pujari Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri SD Joshi learned Advocate for the applicant, Shri IS Thorat, learned Presenting Officer for the Respondents no.1 to 3 and Shri Mene, learned Advocate holding for Shri AS Deshpande, learned Advocate for the Respondent no.4.

2. Learned P.O. submits that, some Special Counsel has been appointed on behalf of Respondents no.2 & 3 and that he will file reply affidavit on their behalf and will serve copy thereof to the learned Advocate for the applicant in advance.

3. Learned Advocate Shri Mene files reply affidavit on behalf of Respondent no.4. Same is taken on record and its copy is served on the other side.

4. S.O. to 29.9.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.477/2016.
(AP Ghodke Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri JD Angad, learned Advocate holding for Shri AL Kanade, learned Advocate for the applicant and Shri VR Bhumkar, learned Presenting Officer for the Respondents no.1 to 3 and Shri BS Deshmukh, learned Advocate for the Respondent no.4.

2. Learned Advocate for the Respondent no.4 submits that, he will file reply affidavit during course of the day.

3. S.O. to 5.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.517/2016.

(BR Sardar Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Shri AS Deshmukh, learned Advocate for the applicant and Smt SK Ghate Deshmukh, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant filed rejoinder affidavit. It is taken on record. Its copy is served on the learned P.O.
3. At the request of the learned P.O., S.O. to 17.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.532/2016.

(GS Mali Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Shri AS Deshmukh, learned Advocate for the applicant, Shri VR Bhumkar, learned Presenting Officer for the Respondents no.1 & 2 and Shri VB Wagh, learned Advocate for the Respondent no.3.

2. Learned P.O. files reply affidavit on behalf of Respondent no.1. Same is taken on record. Its copy is served on the other side.

3 S.O. to 17.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.538/2016.
(SV Navthar Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Leave note filed by Shri AD Sugdare, learned Advocate for the applicant. Heard Smt SK Ghate Deshmukh, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply affidavit. Time Granted.
3. S.O. to 19.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

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

ORIGINAL APPLICATION NO.691/2016.
(DB Patil Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

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

2. The applicant has participated in the recruitment process as per advertisement No.89/2013 for the post of Group "A" (Technical). It is stated that, the final wait list has been prepared, but the same has not been yet published. The only prayer which made in this OA is that, the Respondent no.3 be directed to publish the list.

3. Learned Advocate for the applicant invited my attention to one letter dated 4.2.2016 at paper book page nos.107 & 108 whereby even the Govt. has requested the M.P.S.C. to publish the list. In view thereof, it not be necessary to file reply affidavit on behalf of respondents. The learned C.P.O. is therefore, directed to take instructions from M.P.S.C. as to when said list will be published.

4. S.O. to 5.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI, BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.566/2016.
(Dr. Meera B. Yewale Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

None present for the applicant. Heard Shri IS Thorat, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply affidavit. Time granted.
3. S.O. to 20.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI, BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.542/2016.
(Smt. Vaishali A. Kathar Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri AD Gadekar, learned Advocate for the applicant, Smt SK Ghate Deshmukh, learned Presenting Officer for the Respondents no.1 to 3 and Shri DT Devane, learned Advocate for the Respondent no.4.

2. Shri DT Devane, learned Advocate filed reply affidavit on behalf of respondent no.4. The same is taken on record. Its copy is served on the applicant.

3. At the request of the learned Advocate for the Applicant, S.O. to 20.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI, BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.572/2016.
(SG Chavan Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Shri MP Gude, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply affidavit. Time granted.
3. S.O. to 21.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI, BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.578/2016.
(CH Dongaonkar Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri Amit Dhongde, learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant, Smt PR Bharaswadkar, learned Presenting Officer for the Respondents no.1,3 and 4 and Shri DT Devane, learned Advocate for the Respondents no.2 & 5.

2. Learned P.O. seeks time to file reply affidavit. Time granted.
3. S.O. to 21.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI, BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.657/2016.
(Shaikh Shabana Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri Ashish Rajkar, learned Advocate holding for Shri MP Tripathi, learned Advocate for the applicant and Shri SK Shirse, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply affidavit. Time granted.
3. S.O. to 24.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI, BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.666/2016.
(VR Thorat Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Shri AS Deshmukh, learned Advocate for the applicant and Shri NU Yadav, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply affidavit. Time granted.
3. S.O. to 10.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI, BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.697/2015.
(TB Thakre Vs. State of Mah. & Ors.)

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

DATE :--26.09.2016.

ORAL ORDER:-

Heard Shri GB Kulkarni, learned Advocate for the applicant and Shri SK Shirse, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 26.10.2016.

MEMBER (J)

26.09.2016-ATP (SB)