

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.645/2016**

(S.R.Borse V/s. State of Mah. & Ors)

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

DATE : 28-09-2016.

ORAL ORDER:-

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Learned P.O. prays for time for filing affidavit in reply on behalf of the respondents. Time granted as a last chance.

3. S.O.21-10-2016.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.651/2016**

(S.S.Mule & Ors. V/s. State of Mah. & Ors)

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

DATE : 28-09-2016.

ORAL ORDER:-

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

2. Learned P.O. prays for time for filing affidavit in reply on behalf of the respondents. Time granted.

3. S.O.21-10-2016.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.672/2016**

(P.M.Kamble V/s. State of Mah. & Ors)

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

DATE : 28-09-2016.

ORAL ORDER:-

Heard Shri A.D.Sugdare learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for respondents.

2. Learned P.O. prays for time for filing affidavit in reply on behalf of the respondents. Time granted.

3. S.O.27-10-2016.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.475/2015 IN O.A.St.No.1401/2014**

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

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

DATE : 28-09-2016.

ORAL ORDER:-

Shri B.V.Dhage learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate-Deshmukh learned Presenting Officer for respondents is present.

2. Learned P.O. prays for time for filing reply in the M.A. on behalf of the respondents. Time granted.

3. S.O.10-11-2016.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.309/2016 IN O.A.St.No.1437/2016**

(U.P.Waghmare V/s. State of Mah. & Ors)

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

DATE : 28-09-2016.

ORAL ORDER:-

Shri V.G.Salgare learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for respondents is present.

2. Learned P.O. prays for time for filing affidavit in reply on behalf of the respondents. Time granted.

3. S.O.10-11-2016.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.314/2014**

(M.S. C.E.A. Employee Association V/s. State of Mah. & Ors)

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

DATE : 28-09-2016.

ORAL ORDER:-

Heard Shri S.D.joshi learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned P.O. files a short affidavit to the rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O.07-10-2016.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.767/2015**

(R.S.Patil V/s. State of Mah. & Ors)

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

DATE : 28-09-2016.

ORAL ORDER:-

Heard Shri N.S.Kadam learned Advocate for the applicant, Shri I.S.Thorat learned Presenting Officer for respondent and Shri R.L.Chintalwar learned Advocate for respondent nos.2 and 3.

2. At the request of both sides, S.O. to 30-09-2016.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.826/2015**

(A.B.Shattari V/s. State of Mah. & Ors)

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

DATE : 28-09-2016.

ORAL ORDER:-

Shri K.G.Salunke learned Advocate for the applicant is **absent**. Heard Shri N.U.Yadav learned Presenting Officer for respondent nos.1 & 2 and Shri G.N.Patil for respondent no.3.

2. On the last occasion, applicant sought permission to amend the O.A. and the permission was granted. Today, neither applicant nor his counsel is present. In view thereof, matter be kept for passing dismissal order on 21-10-2016.

3. S.O.21-10-2016.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.375/2016 IN O.A.St.No.1734/2016**

(Dr. M.M.Ghodke & Ors. V/s. 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 : 28-09-2016.

ORAL ORDER:-

Heard Shri Shamsundar B. Patil learned Advocate for the applicants and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the M.A., and since the cause and the prayers are identical and the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid, is allowed.

4. Accompanying O.A. be registered and numbered, and present M.A. stands disposed of accordingly. No order as to costs.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**O.A.St.No.1734/2016**

(Dr. M.M.Ghodke & Ors. V/s. 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 : 28-09-2016.

ORAL ORDER:-

Heard Shri Shamsundar B. Patil learned Advocate for the applicants and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Issue notice to the respondents, returnable on 27-10-2016.

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 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,

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O.A.St.No.1734/2016

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. 27-10-2016.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.350/2016**

(S.D.Patil V/s. 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 : 28-09-2016.

ORAL ORDER:-

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 and 3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. 26-10-2016.

**MEMBER (J)**

YUK ORAL ORDER 28-09-2016

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

**ORIGINAL APPLICATION NO. 271 OF 2015**

**[Navnath K. Kendre Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri S.P. Urgunde – learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar – learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 07.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 567 OF 2016**

**[Dr. N.B. Chavan Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri J.S. Deshmukh – learned Advocate for the Applicant (**Absent**). Shri D.R. Patil – learned Presenting Officer for respondents no. 1 to 3, present. None present for respondent no. 4.

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

3. S.O. to 07.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 733 OF 2015**

**[Harishchandra G. Lohkare Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri G.J. Kore– learned Advocate for the Applicant  
(**Absent**). Shri V.R. Bhumkar – learned Presenting Officer for  
respondent nos. 1, 3 & 4 present. None present for respondent no.  
2.

2. Since, pleadings are complete and the O.A. is admitted  
and it be kept for final hearing.

3. S.O. to 07.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 36 OF 2016**

**[Laxmi S. Shinde Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri S.P. Salgar – learned Advocate for the Applicant and Shri N.U. Yadav – learned Presenting Officer for respondent nos. 1, 5 to 7. Shri Vivek Bhavthankar, learned Special counsel for respondent nos. 2 to 4, **absent.**

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1, 5 to 7. Time granted as a last chance.

3. S.O. to 08.11.2016.

**MEMBER (J)**

**28.09.2016- Kpb(SB)**



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

**ORIGINAL APPLICATION NO. 71 OF 2016**

**[Namdeo B. Suryawanshi Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri V.G. Pingle, learned Advocate holding for Shri K.B. Jadhav – learned Advocate for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for respondents no. 1 & 4, present. Shri Vivek Bhavthankar, learned Special counsel for respondent nos. 2 & 3, **absent.**

2. Learned Advocate for the applicant submits that he will file rejoinder affidavit during the course of the day.

3. In view of the fact that the pleadings are complete and the O.A. is admitted and it be kept for final hearing.

4. S.O. to 1.11.2016.

**MEMBER (J)**

**28.09.2016- Kpb(SB)**

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

**ORIGINAL APPLICATION NO. 165 OF 2016**

**[Shashikant M Ghoshir Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri Kiran B. Jadhavar – learned Advocate for the Applicant (**Absent**). Shri V.R. Bhumkar – learned Presenting Officer for respondents, present.

2. Pleadings are complete, the O.A. is admitted and it be kept for final hearing.

3. S.O. to 08.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 172 OF 2016**

**[Bhagwan N. Patil Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri V.G. Pingle, learned Advocate holding for Shri D.B. Thoke – learned Advocate for the Applicant and Shri S.K. Shirse – learned Presenting Officer for respondent Nos. 1 to 7. Shri V.C. Sharma/Shri S.V. Suryawanshi, learned Advocate for respondent No.8, **absent**.

2. Learned Presenting Officer has file affidavit in reply on behalf of respondent nos. 6 and 7. It is taken on record and copy thereof, has been served upon the learned Advocate for the applicant.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of other respondents. Time granted.

4. S.O. to 08.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 173 OF 2016**

**[Arti S. Patil Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri V.G. Pingle, learned Advocate holding for Shri D.B. Thoke – learned Advocate for the Applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for respondent Nos. 1 to 7. Shri B.S. Deshmukh, learned Advocate for respondent No.8, **absent.**

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

3. S.O. to 08.11.2016.

**MEMBER (J)**

**28.09.2016- Kpb(SB)**

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

**ORIGINAL APPLICATION NO. 183 OF 2016**

**[Ramesh V. Devne Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri S.P. Landge – learned Advocate for the Applicant and Shri V.R. Bhumkar – learned Presenting Officer for respondent Nos. 1, 3 to 5. Shri A.D. Aghav, learned Advocate for respondent No. 2, **absent**.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 5. It is taken on record and copy thereof, has been served upon the learned Advocate for the applicant.

3. S.O. to 09.11.2016.

**MEMBER (J)**

**28.09.2016- Kpb(SB)**

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

**ORIGINAL APPLICATION NO. 194 OF 2016**

**[Ramesh S. Jakatdar Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri V.G. Pingle – learned Advocate for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for respondents.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted as a last chance.

3. S.O. to 09.11.2016.

**MEMBER (J)**

**28.09.2016- Kpb(SB)**

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

**ORIGINAL APPLICATION NO. 235 OF 2016**

**[Balasaheb D. Ghodke Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri Sham Patil - learned Advocate holding for Shri  
V.B. Wagh – learned Advocate for the Applicant and Smt. P.R.  
Bharaswadkar – learned Presenting Officer for respondents.

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

3. S.O. to 09.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 237 OF 2016**

**[Mohammad Salim Moh. Naim Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri S.P. Landge, learned Advocate holding for Shri S.R. Pande – learned Advocate for the Applicant and Smt. Deepali S. Deshpande – learned Presenting Officer for respondent Nos. 1 & 2. Shri U.D. Dalvi, learned Advocate for respondent No. 3, **absent**.

2. Learned Advocate for the applicant seeks time to argue the matter. Time granted.

3. S.O. to 10.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)



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

**ORIGINAL APPLICATION NO. 284 OF 2016**

**[Dr. Usha N Bholane Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Heard Shri K.A. Ingle – learned Advocate for the Applicant, Smt. P.R. Bharaswadkar – learned Presenting Officer for respondent Nos. 1 to 4 and Shri S.P. Landge, learned Advocate holding for Shri B.S. Deshmukh, learned Advocate for respondent No. 5.

2. Since, the matter pertains to pensionary benefits, a most last chance is granted to file affidavit in reply to the learned Presenting Officer as well as learned counsel for respondent no. 5.

3. S.O. to 21.10.2016.

**MEMBER (J)**

**28.09.2016- Kpb(SB)**

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

**ORIGINAL APPLICATION NO. 303 OF 2016**

**[Vinod A. Wagh Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri Shrikant Patil – learned Advocate for the Applicant (**Absent**). Smt. Deepali S. Deshpande – learned Presenting Officer for respondents, present.

2. Since, the pleadings are complete, the O.A. is admitted and it be kept for final hearing.

3. S.O. to 10.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 365 OF 2016**

**[Shaikh Nizamuddin Sallauddin Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri K.A. Ingle, learned Advocate holding for Shri S.S. Deshmukh– learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar – learned Presenting Officer for respondents.

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

3. S.O. to 10.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 417 OF 2016**

**[Raosaheb B. Kale Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri J.M. Murkute - learned Advocate for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for respondents.

2. Learned Chief Presenting Officer has file affidavit in reply on behalf of respondent no. 2. It is taken on record and copy thereof, has been served upon the learned Advocate for the applicant.

3. Since, the pleadings are complete, the O.A. is admitted and it be kept for final hearing.

4. S.O. to 10.11.2016.

**MEMBER (J)**

**28.09.2016- Kpb(SB)**

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

**ORIGINAL APPLICATION NO. 506 OF 2016**

**[Tatyrao R. Sagar Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri S.P. Urgunde – learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar – learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 04.10.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 583/16 with CAVEAT NO.  
296/16**

**[Ramesh K. Ratnaparkhi Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri A.S. Deshmukh – learned Advocate for the Applicant and Shri M.P. Gude – learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 04.10.2016.

3. The present O.A. be tagged along with No. 650/2016 and both the matters be placed on board on 04.10.2016.

**MEMBER (J)**

**28.09.2016- Kpb(SB)**

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

**ORIGINAL APPLICATION NO. 596 OF 2016**

**[Subhash G. Chavan Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri S.G. Kulkarni – learned Advocate for the Applicant and Smt. Resha S. Deshpande – learned Presenting Officer for respondents.

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

3. S.O. to 08.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 597 OF 2016**

**[Prashant J Patil Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri R.S. Shejule- learned Advocate holding for Shri C.T. Jadhav- learned Advocate for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for respondents.

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

3. S.O. to 10.11.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)



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

**ORIGINAL APPLICATION NO. 600 OF 2016**

**[Sadashiv J. Daware Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Heard Shri R.S. Shejule- learned Advocate holding for Shri K.M. Nagarkar – learned Advocate for the Applicant and Shri D.R. Patil – learned Presenting Officer for respondents.

2. Learned Advocate for the applicant submits that except respondent no. 7, all respondents have served with the notices and he will file service affidavit.

3. Hence, issue fresh notice to the respondent no. 7, returnable on 10.11.2016.

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 respondent no. 7 intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent no. 7 is put to notice

that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by hand delivery, speed post, courier and 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. Steno copy and Hamdast is allowed to both parties.

9. S.O. to 10.11.2016.

**MEMBER (J)**

**28.09.2016- Kpb(SB)**

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

**ORIGINAL APPLICATION NO. 638 OF 2016**

**[Ghansham R. Palwade Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri A.S. Deshmukh- learned Advocate for the Applicant and Shri M.P. Gude – learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted as a last chance.

3. S.O. to 14.10.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 665 OF 2016**

**[Ghansham R. Palwade Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Shri A.S. Deshmukh- learned Advocate for the Applicant and Shri M.P. Gude – learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted as a last chance.

3. S.O. to 14.10.2016.

**MEMBER (J)**

28.09.2016- Kpb(SB)

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

**ORIGINAL APPLICATION NO. 426 OF 2016**

**[Dr. Damodar J. Rathod Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

Heard Shri Sham Patil, learned Advocate holding for Shri Subhash Chillarge - learned Advocate for the Applicant and Shri I.S. Thorat – learned Presenting Officer for respondents.

2. Vide impugned order dated 31.05.2016, the applicant was transferred from the post of Medical Officer Group-A, Sub District Hospital, Gokunda, Tal. Kinwat, Dist. Beed to Primary health Centre, Kini, Tal, Bhokar, Dist. Nanded on administrative ground and the said order of transfer is under challenge.

3. During pendency of the O.A., it was noticed that the options were called before transfer and in the said option form, the applicant gave only one option. In fact, the applicant was required to give three options. Vide order dated 14.09.2016, it has been observed that the applicant has filed additional affidavit making fresh demand for his transfer. The applicant has also filed representation to that effect

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O.A. No. 426/2016

on 5.8.2016 to the Secretary, Public Health Department, Maharashtra State, Mumbai and the respondents were directed to make clear as to whether the posts are vacant at three places where the applicant has given options.

4. Today, learned Presenting Officer has placed on record a copy of communication dated 27.09.2016 (which is marked as Exhibit-X for the purposes of identification), from which it seems that one post of Medical Officer is vacant at Primary Health Centre Chincodi, Tq. Himayatnagar, Dist. Nanded.

5. Learned Advocate for the applicant submits that the applicant is ready for being transferred at Chinchodi.

6. In view of this, the respondent no. 1 is therefore, directed to file affidavit stating as to whether the applicant can be accommodated at Chinchodi and if yes, within how many days the order will be issued.

7. It is made clear that there is no need to file affidavit in reply, in case the respondent no. 1 issues order.

8. S.O. to 14.10.2016.

**MEMBER (J)**

**28.09.2016- Kpb(SB)**

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

**ORIGINAL APPLICATION NO. 453 OF 2016**

**[Ashok S. Dahiphale Vs. The State of Mah. & Ors.]**

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

**DATE : 28.09. 2016.**

**ORAL ORDER:**

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

2. The applicant has challenged the impugned order dated 31.05.2016, whereby he has transferred from the post of Deputy Superintendent of Land Records, Patoda, Dist. Beed to Hatgaon Dist. Nanded.

3. It is clear from the order dated 29.08.2016 that before issuing impugned order, options were called by the respondents and the applicant has given options in the pro-forma at paper book page no. 18 at Gangakhed, Dist. Aurangabad, Newasa, Dist. Ahmednagar and Shirur Kasar, Dist. Beed. In the reply affidavit, it is stated that the posts were not available at the same places. However, considering the fact that the applicant has made a specific statement that the posts were available at all three places, the respondent no. 2 was directed to make short affidavit to counter the

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submissions made by the learned Advocate for the applicant and to make specific statement as to whether it is a factual position. However, in the affidavit in reply the respondents have denied that the post at Shirur Kasar is vacant and therefore, it was directed that the respondents shall state as to who was holding that post.

4. In view of the aforesaid direction, one Arvind Girgosavi, who is Deputy Director of Land Records at Aurangabad Region, Aurangabad has filed affidavit. The said affidavit was refused vide order dated 14.09.2016 and the respondent no. 2 i.e. the Settlement Commissioner and Director of Land Records, Pune was directed to file their affidavit.

5. Today, one Shri Sambhaji Kadu Patil, Settlement Commissioner and Director of Land Records (M.S.) Pune has filed affidavit. The said affidavit is nothing but repetition of earlier affidavit which was earlier filed by Shri Girgosavi and the same is not as per the directions issued by this Tribunal as per orders dated 29.08.2016 and 14.09.2016. It is material to note that, though it was specifically directed to the respondent no. 2 to mention as to whether the post at



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Gangapur, Dist. Aurangabad, Newasa, Dist. Ahmednagar and Shirur Kasar, Dist. Beed are vacant and to state specifically as to who was occupying the post at Shirur Kasar, the affidavit is silent on this point. This is nothing but utter disregard to the orders passed by this Tribunal. The affidavit is not as per the directions of this Tribunal and hence, it is rejected, though it is kept on record.

6. The Settlement Commissioner and Director of Land Records, Maharashtra State, Pune it therefore, directed to appear before this Tribunal and to state the reasons for not filing affidavit as per the direction of this Tribunal and also to specifically state as to whether the applicant can be accommodated on any of the three posts of his choice. Fresh affidavit shall be filed within a week.

7. S.O. to 05.10.2016

**MEMBER (J)**

**28.09.2016- Kpb(SB)**

**ORIGINAL APPLICATION NO. 350 OF 2016**

{Shri Sanjay D. Patil Vs. the State of Mah. & Ors.}

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

**DATE :- 28.09.2016**

**Oral Order :-**

1. Heard Smt. Vidhya Taksal, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. The learned P.O. has filed separate affidavits in replies on behalf of res. nos. 1 & 3. The same are taken on record and copies thereof are served upon the learned Advocate for the applicant.
3. The learned Advocate for the applicant submits that, she will go through the said replies and file rejoinder, if necessary.
4. In view thereof, S.O. to 26.10.2010.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 476 OF 2016**

{Ashvini P. Ganage Vs. the State of Mah. & Ors.}

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

**DATE :- 28.09.2016**

**Oral Order :-**

1. Heard Shri S.P. Dhoble, learned Advocate holding for Shri A.V. Patil Indrale, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. The learned C.P.O. filed reply on behalf of res. no. 1. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.
3. The learned C.P.O. prays for time for filing reply on behalf of other respondents. Time granted.
4. S.O. to 27.10.2016.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 438 OF 2016**

{Shri Sk. Jameel Ahmed s/o Abul Faiz Vs. State of Mah. & Ors.}

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

**DATE :- 28.09.2016**

**Oral Order :-**

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file affidavit in reply. Time granted.
3. S.O. to 24.10.2010.

**MEMBER (J)**

ARJ 28.09.2016 (D.B.)

**ORIGINAL APPLICATION NO. 606 OF 2016**

{Shri Bhagwat M. Shelke Vs. State of Mah. & Ors.}

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

**DATE :- 28.09.2016**

**Oral Order :-**

1. Heard Smt. Vidhya Taksal, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file affidavit in reply. Time granted.
3. S.O. to 24.10.2010.

**MEMBER (J)**

**MA 485/2015 IN OA NO. 625/2014**

{Shri Dagdu D. Dagadkhair Vs. State of Maharashtra & Ors.}

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

**DATE :- 28.09.2016**

**Oral Order :-**

1. Heard Shri S.P. Dhoble, learned Advocate holding for Shri V.R. Bhumkar, learned Advocate for the applicant in this M.A., Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 5 in the misc. application and Shri S.D. Joshi, learned Advocate for respondent nos. 6 to 10 in this M.A. / applicants in O.A.

2. The learned Advocate for the applicant submits that, he may be permitted to withdraw the present M.A., with liberty to file fresh M.A. Permission as sought for is granted.

3. The present M.A. stands disposed of as withdrawn, with liberty to the applicant to file fresh M.A. There shall be no order as to costs.

**MEMBER (J)**

ARJ 28.09.2016 (D.B.)

**OA NO. 625/2014**

{Uddhav D. Yerka & Ors. Vs. the State of Maharashtra & Ors.}

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

**DATE :- 28.09.2016**

**Oral Order :-**

1. Heard Shri S.D. Joshi, learned Advocate for applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.
2. This O.A. has been already admitted by this Tribunal vide its order dated 9.9.2015.
3. In view thereof, the O.A. shall be kept for final hearing as and when D.B. is available.

**MEMBER (J)**

ARJ 28.09.2016 (D.B.)

**MA 168/2016 IN CP ST. 635/2016 IN OA 432/2013**

{Shri Shivprasad U. Wadnere Vs. the State of Mah. & Ors.}

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

**DATE :- 28.09.2016**

**Oral Order :-**

1. Heard Smt. Vidhya Taksal, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Today, the learned P.O. submits that the applicant has been given appointment on compassionate ground during the pendency of this litigation and, therefore, nothing survives in the M.A. & C.P.

3. The learned Advocate for the applicant also admits the fact that the applicant has been appointed on compassionate ground.

4. As per the order passed by this Tribunal in O.A. no. 432/2013 dated 1.12.2014, the respondents were directed to consider the case of applicant for compassionate appointment considering his name in the waitlist as on 23.5.2013. Since, the said order has been complied with, nothing remains in the M.A. as well as C.P.

5. Accordingly, M.A. no. 168/2016 as well as C.P. st. No. 635/2016 stand disposed of as has become infructuous. There shall be no order as to costs.

**MEMBER (J)**

ARJ 28.09.2016 (D.B.)



**O.A. NO. 641/2015 WITH MA 243/2016**

{Bhagatsingh P. Patil (Pawar) Vs. the State of Mah. & Ors.}

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

**DATE :- 28.09.2016**

**Oral Order :-**

1. None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.
2. As the applicant and his learned Advocate are absent today, S.O. to 7.11.2016.

**MEMBER (J)**

ARJ 28.09.2016 (D.B.)

**MA 328/2016 WITH MA ST. 1353/2016 IN OA ST. 1354/2016**

{Mah. Rajya Rojandari Va Kayam Van Kamgar Kruti Samiti through its Gen. Secty. & Ors. Vs. the State of Mah. & Ors.}

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

**DATE :- 28.09.2016**

**Oral Order :-**

1. Heard Shri A.S. Shelke, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. The learned Advocate for the applicant requested that fresh notices to the respondents be issued in M.A. no. 328/2016.
3. Hence, issue fresh notices to the respondents in M.A. no. 328/2016, returnable on 27.10.2016.
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 M.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the 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. 27.10.2016.
9. Steno copy & hamdust allowed to both the parties.

**MEMBER (J)**

ARJ 28.09.2016 (D.B.)

**ORIGINAL APPLICATION NO. 797 OF 2015**

{Shri Mohnish K. Khamitkar Vs. the State of Mah. & Ors.}

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

**DATE :- 28.09.2016**

**Oral Order :-**

1. None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.
2. As the applicant and his learned Advocate for the applicant are absent, S.O. to 21.10.2016.

**MEMBER (J)**

ARJ 28.09.2016 (D.B.)