

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 226 OF 2015
[Shri R.B. Yedake 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 : 08.12. 2016.

ORAL ORDER:

Heard Shri A.D. Gadekar – learned Advocate for the Applicant, Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondent No. 1 & Shri G.N. Patil – learned Advocate for respondent No. 2 to 4.

2. The learned Advocate Shri G.N. Patil has filed affidavit in reply on behalf of respondent Nos. 2 to 4 and the same is taken on record and copy thereof has been served upon other side.

3. S.O. 17th January, 2017 for filing rejoinder, if any.

MEMBER (J)

ORAL ORDERS 08.12.2016/hdd

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 148 TO 150 OF 2016
[Shri L.B. Kadam & Ors. 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 : 08.12. 2016.

ORAL ORDER:

Heard Shri A.D. Gadekar – learned Advocate for the Applicants in all these matters, S/Shri M.P. Gude, D.R. Patil & Smt. Resha S. Deshmukh – learned Presenting Officers for the respondent Nos. 1 & 5 and Shri Sham Patil – learned Advocate for respondent Nos. 2 to 4 in all these matters.

2. The learned Advocate Shri Sham Patil has filed affidavit in reply on behalf of respondent Nos. 2 to 4 and the same is taken on record and copy thereof has been served upon other side.

3. S.O. 17th January, 2017 for filing rejoinder, if any.

MEMBER (J)

ORAL ORDERS 08.12.2016/hdd

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.455/16 IN O.A. ST. 1900/16
[Shri Dipak B. Mahale & Ors. 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 : 08.12. 2016.

ORAL ORDER:

Heard Shri Y.B. Bolkar – learned Advocate for the Applicants and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

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

3. For the reasons stated in the application, and since the cause and the prayers are identical and since 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, and accompanying O.A. be registered and numbered, and the present M.A. stands disposed of accordingly. No order as to costs.

MEMBER (J)

ORAL ORDERS 08.12.2016 / HDD ARJ

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**O.A. ST. 1900/16
[Shri Dipak B. Mahale & Ors. 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 : 08.12. 2016.

ORAL ORDER:

Heard Shri Y.B. Bolkar – learned Advocate for the Applicants and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 6th January, 2017.

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, 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

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O.A. ST. NO. 1900/2016

with affidavit of compliance in the Registry before due date.
Applicants are directed to file affidavit of compliance and notice.

7. S.O.to 6th January, 2017.
8. Steno copy and Hamdast is allowed to both parties.

ORAL ORDERS 08.12.2016 / HDD ARJ

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 742 OF 2016
[Shri Amol S. Ranjankar Vs. The State of Maharashtra &
Ors.]**

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

DATE : 08.12. 2016.

ORAL ORDER:

Heard Ms. Preeti Wankhade, learned Advocate holding for Mr. A.S. Deshmukh, learned Advocate for the Applicant and Mr. M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. has filed affidavit in reply on behalf of res. Nos. 2 & 3. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. At the request of learned Advocate for the Applicant, S.O. to 19.12.2016.

MEMBER (J)

ORAL ORDERS 08.12.2016 / HDD ARJ

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 910 OF 2016
[Shri Dattatraya P. More Vs. The State of Maharashtra &
Ors.]**

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

DATE : 08.12. 2016.

ORAL ORDER:

Heard Mr. M.S. Sonawane, learned Advocate for the Applicant and Mr. M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The applicant has challenged the order dated nil of his transfer issued by res. No. 3 from Dist. Education & Training Institute, Sangamner, Tq. Sangamner, Dist. Ahmednagar to Dist. Education and Training Institute, Loni Kalbhor, Dist. Pune. It is stated that the said order is not having any date, but admittedly it has been received by the applicant on 18.6.2016. According to the applicant, he has filed representation on 22.6.2016, 29.6.2016 and 6.9.2016 and requested the respondent authorities that he may be continued for one more year, since his daughter is taking education in 12th standard and also his niece is studying in 10th standard.

3. The learned Advocate for the applicant contended that the applicant is only claiming that he has no objection for his transfer, but he shall be continued only till completion of the present academic year. The examination is scheduled in the month of February / March, 2017 and the applicant is claiming extension till examination is over.

4. The learned Advocate for the applicant submits that the applicant has not yet been relieved, but the learned C.P.O. submits that the applicant has been relieved on 30.11.2016 and since the date of relieving, the applicant is not on duty.

5. The learned C.P.O. is directed to take instructions as to whether any person has joined in place of the applicant till now.

6. The learned C.P.O., on instructions, submits that the applicant is at Sangamner from 2001 and whenever transfer order is issued, he tried to get it cancelled on one ground or the other. It is stated that since the Principal, Dist. Education & Training Institute, Sangamner did not relieve the applicant though the impugned transfer order is issued in June, 2016 explanation was called. It is further submitted that though the applicant has been relieved on 30.11.2016 he proceeded on leave without getting it sanctioned. It is further stated by the learned C.P.O. that one person viz. Shri Raut has already occupied the post of the applicant.

7. Since the applicant has already been relieved and one Shri Raut is occupying his place the question of granting any interim stay in his favour does not arise.

8. In the meanwhile, issue notices to the respondents, returnable on 6th January, 2017.

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

10. 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.

11. 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.

12. 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.

13. S.O.to 6th January, 2017.

14. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORAL ORDERS 08.12.2016 / HDD ARJ

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 792 OF 2015
[Dr. Prasad V. Kulkarni & Ors. Vs. The State of Maharashtra
& Ors.]**

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

DATE : 08.12. 2016.

ORAL ORDER:

Heard Shrio Vishnu Dhoble, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. S.O. to 02.02.2017. Interim relief granted earlier to continue till then.

ORAL ORDERS 08.12.2016 / HDD

MEMBER (J)