

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.620/2016**  
(B.R.Sonawane V/s. State of Maharashtra & Ors.)

CORAM : HON'BLE SHRI S.S.HINGNE, MEMBER (J)

DATE : 24-10-2016.

**ORAL ORDER :**

Heard Mr. V.B.Wagh learned Counsel for the applicant and  
Mr. M.P.Gude learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant,  
S.O. 15-11-2016.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.621/2016**

(A.Y.Kalokhe V/s. State of Maharashtra & Ors.)

CORAM : HON'BLE SHRI S.S.HINGNE, MEMBER (J)

DATE : 24-10-2016.

**ORAL ORDER :**

Heard Mr. V.B.Wagh learned Counsel for the applicant and  
Mr. D.R.Patil learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant,  
S.O. 15-11-2016.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.646/2016  
WITH  
CAVEAT NO.293/2016**

(A.M.Kachre V/s. State of Maharashtra & Ors.)

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

DATE : 24-10-2016

**ORAL ORDER :**

Heard Mr. S.D.Joshi learned Advocate for the applicant,  
Mrs. Priya Bharaswadkar learned Presenting Officer for  
respondent nos.1 to 3 and Mr. S.S.Panale learned Advocate for  
respondent nos.4 to 17.

2. At the request of learned Advocate for respondent  
nos.4 to 17, **S.O. to 22-11-2016** for filing reply on record.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.667/2016**  
(B.L.Chole V/s. State of Maharashtra & Ors.)

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

DATE : 24-10-2016.

**ORAL ORDER :**

Heard Mr. N.S.Kadam learned Counsel for the applicant and  
Mr. I.S.Thorat learned Presenting Officer for respondents.

2. At the request of learned P.O., **S.O. 23-11-2016** for filing  
reply on behalf of the respondents.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.769/2016**  
(B.B.Wahul V/s. State of Maharashtra & Ors.)

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

DATE : 24-10-2016.

**ORAL ORDER :**

Heard Mr. Y.P.Deshmukh learned Counsel for the applicant  
and Mr. M.S.Mahajan learned Chief Presenting Officer for  
respondents.

2. At the request of learned P.O., **S.O. 29-11-2016** for filing  
reply on behalf of the respondents.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.797/2016**  
(G.A.Chavan V/s. State of Maharashtra & Ors.)

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

DATE : 24-10-2016.

**ORAL ORDER :**

Mr. C.V.Thombre learned Counsel for the applicant is **absent**. Mrs. Priya Bharaswadkar learned Presenting Officer for respondents is present.

2. At the request of learned P.O., **S.O.30-11-2016**, for filing affidavit in reply on behalf of the respondents.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.243/2015 IN C.P.St.No.921/2015 IN O.A.No.619/2003**

(Siraj Nizamoddin & Ors. V/s. State of Maharashtra & Ors.)

CORAM : HON'BLE SHRI S.S.HINGNE, MEMBER (J)

**(This matter is placed before Single Bench  
due to non-availability of Division Bench)**

DATE : 24-10-2016.

**ORAL ORDER :**

Heard Mr. V.B.Wagh learned Counsel for the applicant and  
Mr. V.R.Bhumkar learned Presenting Officer for respondents.

2. On consent of both sides, **S.O.24-11-2016**.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.36/2016 IN C.P.St.No.1947/2015 IN O.A.No.258/2013**  
(D.T.Sonawane V/s. State of Maharashtra & Ors.)

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

DATE : 24-10-2016.

**ORAL ORDER :**

Heard Mr. S.V.Deshmukh learned Counsel for the applicant  
and Mr. V.R.Bhumkar learned Presenting Officer for respondents  
is present.

2. At the request of learned P.O., **S.O.17-11-2016**, for filing  
reply on behalf of the respondents.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.110/2016 IN M.A.No.287/2015 IN O.A.NO.444/2014**

(Sk. Tajoddin & Ors. V/s. State of Maharashtra & Ors.)

CORAM : HON'BLE SHRI S.S.HINGNE, MEMBER (J)

**(This matter is placed before Single Bench  
due to non-availability of Division Bench)**

DATE : 24-10-2016.

**ORAL ORDER :**

Mr. S.S.Gangakhedkar learned Counsel for the applicant is **absent**. Mrs. Sanjivani Ghate learned Presenting Officer for respondents is present.

2. Since none present for the applicant, **S.O.23-11-2016**.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.166/2016 IN C.P.St.No.609/2016 IN O.A.No.94/2014**  
(A.R.Sanap V/s. State of Maharashtra & Ors.)

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

DATE : 24-10-2016.

**ORAL ORDER :**

Mr. K.G.Salunke learned Counsel for the applicant has filed leave note on record.

Heard Mr. M.P.Gude learned Presenting Officer for respondent nos.1 to 4 and Mr. Sham Patil learned Advocate for respondent no.5.

2. Learned P.O. as well as the learned Advocate for respondent no.5 submitted that order of the Tribunal has been complied with and grievance of the applicant has been redressed. Hence, they have prayed for disposal of the contempt petition.

3. Since learned Advocate for the applicant has filed leave note on record, S.O.23-11-2016, for disposal.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.368/2016 IN O.A.No.520/2016**  
(P.R.Kulkarni V/s. State of Maharashtra & Ors.)

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

DATE : 24-10-2016.

**ORAL ORDER :**

Heard Mr. A.S.Deshmukh learned Counsel for the applicant  
and Mrs. Deepali Deshpande learned Presenting Officer for  
respondents.

2. At the request of learned Advocate for the applicant,  
S.O.15-11-2016.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.369/2016 IN O.A.NO.225/2012**  
(E.M.Kongalwar V/s. State of Maharashtra & Ors.)

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

DATE : 24-10-2016.

**ORAL ORDER :**

Heard Mr. U.P.Giri learned Counsel for the applicant and  
Mrs. Resha Deshmukh learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant,  
**S.O.23-11-2016** for filing M.A. for condonation of delay caused in  
the filing M.A. for restoration.

**MEMBER (J)**

**YUK** ORAL ORDER 24-10-2016 SSH

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 719 OF 2016**

**[Shri Pandurang M. Chandanshiv Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

Heard Shri K.J. Suryawanshi – learned Advocate for the Applicant and Shri S.K. Shirase – learned Presenting Officer for respondent Nos. 1 to 3. Shri A.R. Tapse, learned Advocate holding for Shri Prashant D. Suryawanshi appeared and has filed **VAKALATNAMA** on behalf of respondent No. 4 and the same is taken on record.

2. At the request of learned Presenting Officer and learned Advocate for respondent No. 4, **S.O. to 30<sup>th</sup> November, 2016 for filing affidavit in reply on behalf of the respondents.**

**MEMBER (J)**

24.10.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 744 OF 2016**

**[Shri Anna Tulshiram Pawar Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

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

2. At the request of learned Presenting Officer, **S.O. to 30<sup>th</sup> November, 2016 for filing affidavit in reply.**

**MEMBER (J)**

24.10.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 758 OF 2016**

**[Shri Jagdish Mohanrao Kale Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

Heard Shri A.S. Deshmukh – 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 29<sup>th</sup> November, 2016 for filing affidavit in reply on behalf of the respondents.**

**MEMBER (J)**

24.10.2016-HDD(DB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 731 OF 2016**

**[Dr. Bhagwan Balasaheb Methe Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

Heard Shri J.S. Deshmukh – learned Advocate for the Applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, **S.O. to 30<sup>th</sup> November, 2016 for filing affidavit in reply on behalf of the respondents.**

**MEMBER (J)**

24.10.2016-HDD(DB).doc



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 46/2016 IN O.A.ST.NO. 1938/2015**

**[Shri Rajendra Shivaji Khodade Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

Shri N.V. Gaware – learned Advocate for the Applicant (**absent**). Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 4 in M.A. No. 46/2016 and the same has been taken on record.

3. **S.O. to 28<sup>th</sup> November, 2016.**

**MEMBER (J)**

24.10.2016-HDD(DB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 80/2016 IN O.A.ST.NO. 157/2016**

**[Shri Baburao Shankarrao Bawiskar Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

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

2. At the request of learned Presenting Officer, **S.O. to 28<sup>th</sup> November, 2016 for filing affidavit in reply on behalf of the respondents.**

**MEMBER (J)**

24.10.2016-HDD(DB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 100/2016 IN O.A.ST.NO.1004/2015**

**[Smt. Jaibunbee W/o Rasul Shaikh Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

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

2. This is an application filed by the applicant for restoration of Original Application St. No. 1004/2015.

3. It appears from the proceeding that the O.A. St. No. 1004/2015 came to be dismissed on 27.1.2016 for non-compliance of the service of notices upon the respondents. The Original Application has been filed on 16.7.2015. After dismissal of the O.A., this M.A. No. 100/2016 is filed immediately within seven days i.e. on 3.2.2016. That shows diligent though negligent in serving the notices upon the respondents. To have an opportunity of adjudication of the matter on merits to the applicant, this M.A. No. 100/2016 is allowed and the Original Application St. No. 1004/2015 is restored to its original file.

**MEMBER (J)**

24.10.2016-HDD(DB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**O.A.ST.NO.1004/2015**

**[Smt. Jaibunbee W/o Rasul Shaikh Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

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

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1,2,4 & 5 and separate affidavit in reply on behalf of respondent No. 3 and the same are taken on record and the copies thereof have been served upon the learned Advocate for the Applicant.

3. At the request of learned Advocate for the Applicant, S.O. to 18<sup>th</sup> November, 2016.

**MEMBER (J)**

24.10.2016-HDD(DB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 306/2016 IN O.A.ST.NO.1245/2015 WITH**

**M.A.NO.307/2016 IN O.A.ST.NO. 1244/2016**

**[Shri Ramakant Gopal Kulkarni & Anr. Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

Heard Shri R.V. Naiknavare – learned Advocates for the Applicants in both these matters and Shri S.K. Shirase – learned Presenting Officer for respondents in both these matters.

2. At the request of learned Advocate for the Applicants, **S.O. to 30<sup>th</sup> November, 2016.**

**MEMBER (J)**

24.10.2016-HDD(DB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 401/2016 IN O.A.NO.517/2016**

**[Balwantsingh Ramsingh Sardar Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

Heard Shri Avinash Deshmukh – learned Advocate for the Applicant, Shri M.S. Mahajan – learned Chief Presenting Officer for respondents and Shri D.T. Devane – learned Advocate for proposed respondent No. 4.

2. This Miscellaneous Application No. 401/2016 has been filed by the applicant for the following reliefs: -

***“A) This Miscellaneous Application may kindly be allowed.***

***B) The applicant may kindly be permitted to amend the aforementioned O.A. No. 517/2016 filed by him by inserting Paragraph Nos. 6 (xvi), 7 (X) to 7 (XIV) and prayer clause in Paragraph No. 12 (A-1) and (A-2) in it at the appropriate places and also by adding Mr. Shivdas Pandharinath Pavle as party respondent No. 4 in this Original Application.”***

3. Since proposed respondent No. 4 is to be affected by the order, he is necessary party. Hence, the present Miscellaneous Application is allowed and disposed of.

4. The applicant shall carry out necessary amendment within a period of one week.

5. There shall be no order as to costs.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.517 OF 2016**

**[Balwantsingh Ramsingh Sardar Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

Heard Shri Avinash Deshmukh – learned Advocate for the Applicant, Shri M.S. Mahajan – learned Chief Presenting Officer for respondents and Shri D.T. Devane – learned Advocate for respondent No. 4.

2. At the request of learned Presenting Officer and learned Advocate for respondent No. 4, S.O. to 15<sup>th</sup> November, 2016 for filing affidavit in reply.

**MEMBER (J)**

24.10.2016-HDD(DB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 415/15 WITH M.A.NO. 515/15 IN O.A.NO. 243/15  
[Shri Pandurang Narayan Sounke Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

Heard Shri V.B. Wagh, learned Advocate holding for Shri A.M. Gaikwad – learned Advocate for the Applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.

2. This Miscellaneous Application No. 415/2015 has been filed by the applicant for restoration of M.A. No. 515/2015 In O.A. No. 243/2015, which was dismissed for want of prosecution by order dated 22.09.2016.

3. Perused the application. Considered the contentions. For the reasons stated in the M.A. No. 415/2015 and as the applicant is seeking relief of appointment on compassionate ground in the O.A. No. 243/2015, the M.A. No. 415/2015 is allowed and the M.A. No. 515/2015 In O.A. No. 243/2015 stands restored to the file of the Tribunal on its original position.

4. Accordingly, the Miscellaneous Application No. 415/2015 stands disposed of. No order as to costs.

**MEMBER (J)**

24.10.2016-HDD(DB).doc



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 515/15 IN O.A.NO. 243/15**

**[Shri Pandurang Narayan Sounke Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

Heard Shri V.B. Wagh, learned Advocate holding for Shri A.M. Gaikwad – learned Advocate for the Applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.

2. This Miscellaneous Application No. 515/2015 has been filed by the applicant for condonation of delay of about 14 years and 70 days caused in filing accompanying Original Application No. 243/2015.

3. S.O. to 30<sup>th</sup> November, 2016.

**MEMBER (J)**

24.10.2016-HDD(DB).doc

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

**ORIGINAL APPLICATION NO. 845 OF 2011  
[Usha R. Nagare Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

**Dated : 24.10.2016**

**Oral Order:**

Shri R.J. Godbole, learned Counsel for the applicant  
(**Leave Note**). Smt. Sanjivani K. Deshmukh-Ghate, learned  
Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for  
the applicant, S.O. to 28.11.2016.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 48 OF 2014  
[Laxman N Lahane Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

**Dated : 24.10.2016**

**Oral Order:**

Shri D.G. Kamble, learned Counsel for the applicant  
**(Leave Note)**. Smt. Deepali S. Deshpande, learned Presenting  
Officer for the respondents, present.

2. Earlier, none appeared for the applicant, S.O. to  
28.11.2016 for dismissal.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 528 OF 2014  
[S.S. Pedapalli Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

**Dated : 24.10.2016**

**Oral Order:**

Heard Shri A.P. Sonpethkar, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Office to comply procedure in respect of paging of the O.A.

3. S.O. to 26.10.2016.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 99 OF 2015  
[ K.S. Gosavi Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

**Dated : 24.10.2016**

**Oral Order:**

Shri R.K. Shingnapure, learned Counsel for the applicant (**Absent**) Shri N.U. Yadav, learned Presenting Officer for the respondents, present.

2. On the last date i.e. on 18.08.2016, this matter was adjourned to today's date i.e. on 24.10.2016 and it was specifically observed that this O.A. will be dismissed in default, if none appears for the applicant on today. However, the registry has not taken proper steps thereof, and it is mentioned in the remark column of the today's board against the number of present matter that 'reply filed by R. 3'.

3. S.O. to 30.11.2016.

4. Registry is directed to take proper steps on the next date and mention against the number of this matter in the daily board of 30.11.2016 that matter is placed on board 'for dismissal in default'.

**Member (J)**

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

**ORIGINAL APPLICATION NO. 771 OF 2015  
[S.B. Dabhade Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

**Dated : 24.10.2016**

**Oral Order:**

Shri S.D. Dhongde, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The learned P.O. filed short affidavit in reply for respondent no. 1. It is taken on record and copy thereof has been served upon the learned Counsel for the applicant.

3. At the request of learned counsel for the applicant,  
S.O. to 10.11.2016.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 811 OF 2016  
[S.S. Vighe Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

[This matter is placed before Single Bench due to non-availability of Division Bench]

**Dated : 24.10.2016**

**Oral Order:**

Shri R.V. Gore, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Put before the Registrar for usual compliance as per the direction of the Hon'ble Chairman.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**Review No. 3/2016 in O.A. No. 63/2016  
[Dr. T. S. Kulkarni Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

[This matter is placed before Single Bench due to non-availability of Division Bench]

**Dated : 24.10.2016**

**Oral Order:**

Shri S.B. Talekar, learned Counsel for the applicant  
(**Absent**). Smt. P.R. Bharaswadkar, learned Presenting Officer for  
the respondent Nos. 1 to 5, present. None for respondent no. 6.

2. At the request of learned Presenting Officer, S.O.to  
29.11.2016, for reply in Review Application.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)



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

**ORIGINAL APPLICATION NO. 109 OF 2016  
[P.K. Chintamani Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

**[This matter is placed before Single Bench due to non-availability of Division Bench]**

**Dated : 24.10.2016**

**Oral Order:**

Heard Shri J.S. Deshmukh, learned Advocate holding for Shri J.B. Choudhary, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned counsel for the applicant filed rejoinder affidavit. It is taken on record and copy thereof has been served upon the learned Presenting Officer.

3. Admit.

4. Place the matter before the Division Bench in due course of time for final hearing wherever it is available.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 307 OF 2016  
[Dr. N.R. Pawar Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

**[This matter is placed before Single Bench due to non-availability of Division Bench]**

**Dated : 24.10.2016**

**Oral Order:**

Shri V.B. Wagh, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 24.11.2016, for reply.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 314 OF 2016**

[Mohd. Majeed s/o Mohd. FAKru Miya Deshmukh Vs. The State of Mah. & Ors.]

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

[This matter is placed before Single Bench due to non-availability of Division Bench]

**Dated : 24.10.2016**

**Oral Order:**

Shri S.D. Joshi, learned Counsel for the applicant and  
Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned counsel for the applicant,

S.O. to 29.11.2016.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 362 OF 2016  
[Pratap Varju Rathod & Ors. Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

**[This matter is placed before Single Bench due to non-availability of Division Bench]**

**Dated : 24.10.2016**

**Oral Order:**

Shri Y.P. Deshmukh, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned counsel for the applicant seeks time to file rejoinder affidavit. Time granted.

3. Place the matter before the Division Bench in due course of time wherever it is available.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 438 OF 2016**  
[Shaikh Jameel Ahmed Abul Faiz & Ors. Vs. The State of Mah. & Ors.]

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

[This matter is placed before Single Bench due to non-availability of Division Bench]

**Dated : 24.10.2016**

**Oral Order:**

Shri S.D. Joshi, learned Counsel for the applicant and  
Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 29.11.2016, for reply.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 488 OF 2016  
[S.S. Chite & others & Ors. Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

[This matter is placed before Single Bench due to non-  
availability of Division Bench]

**Dated : 24.10.2016**

**Oral Order:**

Shri S.D. Dhongde, learned Counsel 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 24.11.2016 for reply.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 489 OF 2016  
[A.S. Jadhav & others & Ors. Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

[This matter is placed before Single Bench due to non-availability of Division Bench]

**Dated : 24.10.2016**

**Oral Order:**

Shri S.D. Dhongde, learned Counsel for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned Presenting Officer filed affidavit in reply on behalf of respondent no. 1. It is taken on record and copy thereof has been served upon the learned counsel for the applicant.

3. S.O. to 24.11.2016.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 513 OF 2016  
[N.B. Mulay Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

**[This matter is placed before Single Bench due to non-availability of Division Bench]**

**Dated : 24.10.2016**

**Oral Order:**

Heard Shri K.B. Jadhav, learned Counsel for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. Admit.

3. Place the matter before the Division Bench in due course of time for final hearing wherever it is available.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)



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

**ORIGINAL APPLICATION NO. 540 OF 2016  
[R.D. Sapkale Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

[This matter is placed before Single Bench due to non-availability of Division Bench]

**Dated : 24.10.2016**

**Oral Order:**

Shri B.S. Deshmukh, learned Counsel for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.

2. At the request of learned Presenting Officer, S.O. to 30.11.2016, for reply.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 606 OF 2016  
[B.M. Shelke Vs. The State of Mah. & Ors.]**

**Coram : Hon'ble Shri S.S. Hingne, Member(J).**

**[This matter is placed before Single Bench due to non-availability of Division Bench]**

**Dated : 24.10.2016**

**Oral Order:**

Heard Shri A.S. Deshmukh, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned P.O. undertakes to file affidavit in reply during the course of the day and serve copy thereof upon the learned Counsel for the applicant.

3. Admit.

4. Place the matter before the Division Bench in due course of time for final hearing wherever it is available.

**Member (J)**

Kpb/24.10.2016 – KPB(SB)

**ORIGINAL APPLICATION NO. 776 OF 2016**

{G.A. Kedar Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri D.A. Bide, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Place this matter before Registrar of this Bench on today itself for usual compliance.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**REVE. 10/2016 IN OA 58/2016**

{M.I. Mundale & Ors. Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. Place this matter before Registrar of this Bench on today itself for usual compliance.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 161 OF 2013**

{Shri S.R. Deshmukh Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 & 2 and Shri A.D. Gadekar, learned Advocate for respondent no. 3, are present. None appears for respondent no. 4.
2. The learned Advocate for respondent no. 3 has filed affidavit in reply. It is taken on record. He undertakes to serve copy thereof upon the learned Advocate for the applicant.
3. As none appears for the applicant, S.O. to 28.11.2016.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 718 OF 2015**

{Shri Arun S. Mali & Anr. Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Dr. Kappalata Patil Bharaswadkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 26.10.2016.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 787 OF 2015**

{Shri Dattu C. Salve Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Shri M.P. Gude, learned Chief Presenting Officer for the respondent nos. 1 to 3 and Shri R.V. Naiknavare, learned Advocate for respondent no. 5, are present. None appears for respondent no. 4.
2. Earlier also none appeared for the applicant.
3. In view of above, place the matter on board on 28.11.2016 for dismissal.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 788 OF 2015**

{Shri S.M. Padvi Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.
2. The learned P.O. seeks time to file reply. Time granted.
3. S.O. to 29.11.2016 for filing reply.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)



**ORIGINAL APPLICATION NO. 789 OF 2015**

{Shri J.M. Wasave Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Smt. Priya B. Bharaswadkar, learned Presenting Officer for the respondents, is present.
2. The learned P.O. seeks time to file reply. Time granted.
3. S.O. to 29.11.2016 for filing reply.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 790 OF 2015**

{Sow. Hina K. Wasave Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.
2. The learned P.O. seeks time to file reply. Time granted.
3. S.O. to 29.11.2016 for filing reply.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 791 OF 2015**

{Shri Bharat A. Raut Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.
2. The learned P.O. seeks time to file reply. Time granted.
3. S.O. to 29.11.2016 for filing reply.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 03 OF 2016**

{Shri S.R. Tadavi Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, is present.
2. The learned P.O. seeks time to file reply. Time granted.
3. S.O. to 29.11.2016 for filing reply.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 04 OF 2016**

{Shri B. B. Wasave Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.
2. The learned P.O. seeks time to file reply. Time granted.
3. S.O. to 29.11.2016 for filing reply.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**REV. 8/2016 IN OA NO. 248/2015**

{Smt. Padmabai D. Marathe Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.
2. The learned P.O. seeks time to file reply. Time granted.
3. S.O. to 15.11.2016 for filing reply.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 69 OF 2016**

{Dr. Balaji G. Manoorkar Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, is present.
2. As none appears for the applicant, S.O. to 16.11.2016.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 104 OF 2016**

{Dr. Laxmikant N. Dolas Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Smt. Vidhya Taksal, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file reply. Time granted.
3. S.O. to 15.11.2016 for filing reply.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)



**ORIGINAL APPLICATION NO. 117 OF 2016**

{Smt. Radhabai T. Zade Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri M.S. Taur, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent no. 1 and Shri S.S. Shinde, learned Advocate holding for Shri Vivek Bhavthankar, learned Advocate for respondent nos. 2 to 4.

2. The learned P.O. seeks time to file reply of res. no. 1. Time granted.

3. S.O. to 21.11.2016 for filing reply by res. no. 1.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 104 OF 2016**

{Dr. Laxmikant N. Dolas Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Smt. Vidhya Taksal, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file reply. Time granted.
3. S.O. to 15.11.2016 for filing reply.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 442 OF 2016**

{Shri S.M. Tejale Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

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

2. I have gone through the order passed by this Tribunal on 7.10.2016.

3. Today, the learned P.O. further seeks time to take instructions from the respondents as to within how many days the amount will be disbursed to the applicant. Time granted.

4. S.O. to 10.11.2016 for taking instructions by the learned P.O.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 485 OF 2016**

{Ravindra A. Ghadge Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri M.S. Taur, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The learned P.O. filed reply for res. nos. 1 to 4. It is taken on record and copy thereof is served upon the learned Advocate for the applicant.

3. S.O. to 28.11.2016 for filing rejoinder by the applicant.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 527 OF 2016**

{Smt. Prathibha M. Katgar Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. The learned P.O. filed reply for res. nos. 2 & 3. It is taken on record and copy thereof is served upon the learned Advocate for the applicant.
3. S.O. to 29.11.2016 for filing rejoinder by the applicant.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 528 OF 2016**

{Smt. Asma Z. Shaikh Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri M.B. Kolpe, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.
2. The learned P.O. filed reply for res. nos. 2 & 3. It is taken on record and copy thereof is served upon the learned Advocate for the applicant.
3. S.O. to 29.11.2016 for filing rejoinder by the applicant.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 529 OF 2016**

{Smt. Sandhya S. Mugute Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. The learned P.O. filed reply for res. nos. 2 & 3. It is taken on record and copy thereof is served upon the learned Advocate for the applicant.
3. S.O. to 29.11.2016 for filing rejoinder by the applicant.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 533 OF 2016**

{Shri Motiram T. Nikam Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. None appears for the applicant. Shri P.R. Patil, learned Presenting Officer for the respondents, is present.

2. As none appears for the applicant, S.O. to 21.11.2016.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)



**ORIGINAL APPLICATION NO. 536 OF 2016**

{Shri Baliram B. Patil Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri A.D. Sugdare, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 & 2 and Shri S.D. Dhongde, learned Advocate for respondent nos. 3 & 4.

2. The learned C.P.O. seeks time to file reply of res. nos. 1 & 2. Time granted.

3. S.O. to 28.11.2016 for filing reply by res. nos. 1 & 2.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 581 OF 2016**

{Dr. Gokul N. Ghogare Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri V.B. Wagh, 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 reply of the respondents. Time granted.
3. S.O. to 29.11.2016 for filing reply by the respondents.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 630 OF 2016**

{Smt. Mangal M. Barase Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri M.S. Taur, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file reply of the respondents. Time granted.
3. S.O. to 29.11.2016 for filing reply by the respondents.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 653 OF 2016**

{Smt. Sandhya B. Thakare Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri A.P. Sonpethkar, learned Advocate holding for Shri P.N. Sonpethkar, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file reply of the respondents. Time granted.
3. S.O. to 29.11.2016 for filing reply by the respondents.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 657 OF 2016**

{Shrikh S. Murtuza Ali Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri M.P. Tripathi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned P.O. filed reply of respondents. It is taken on record and copy thereof is served upon the learned Advocate for the applicant.

3. At the request of learned Advocate for the applicant, S.O. to 29.11.2016 for filing rejoinder.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 669 OF 2016**

{C.S. Shinde Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. The learned C.P.O. seeks time to file reply. Time granted.
3. S.O. to 29.11.2016 for filing reply by the respondents.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 670 OF 2016**

{Dineshsing.L. Patil Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file reply. Time granted.
3. S.O. to 29.11.2016 for filing reply by the respondents.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 699 OF 2016**

{J.D. Patil Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**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. has filed separate affidavits in reply on behalf of res. nos. 2 & 3. Both the replies are taken on record and copies thereof are supplied to the learned Advocate for the applicant.

3. At the request of learned Advocate for the applicant, S.O. to 15.11.2016 for filing rejoinder.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)



**ORIGINAL APPLICATION NO. 721 OF 2015**

{Karim Dagdumiya Maniyar (Mannar) Vs. State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri V.Y. Patil, learned Advocate holding for Shri Anant Devakate, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18.11.2016.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 722 OF 2015**

{Mahadeo S. Shinde Vs. State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri V.Y. Patil, learned Advocate holding for Shri Anant Devakate, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 18.11.2016.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 340 OF 2015**

{Satish V. Kondekar Vs. State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri V.Y. Patil, learned Advocate holding for Shri Anant Devakate, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18.11.2016.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 634 OF 2014**

{S.N. Suryawanshi Vs. State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri V.Y. Patil, learned Advocate holding for Shri Anant Devakate, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18.11.2016.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 682 OF 2014**

{Abdul Md. Patel Vs. State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri V.Y. Patil, learned Advocate holding for Shri Anant Devakate, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18.11.2016.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 744 OF 2013**

{Dnyandeo T. Chemre Vs. State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri V.Y. Patil, learned Advocate holding for Shri Anant Devakate, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 18.11.2016.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**ORIGINAL APPLICATION NO. 503 OF 2016**

{Shri Baburao M Ghaywat Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 24.10.2016**

**Oral Order :-**

1. Heard Shri Kakasaheb Jadhav, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The recovery of excess payment to the tune of Rs. 3,43,186/- (Rs. Three lacks forty three thousand one hundred & eighty six only) vide order dated 31.8.2015 (A.1 page 10) is under challenge in this O.A..

3. Heard both sides at the stage of admission itself with the consent of both the parties.

4. The applicant was serving with the Respondent nos. 2 & 3 as a Jr. Clerk and is superannuated on 30.6.2015. The impugned order is passed on 31.8.2015 ordering the recovery from the amount of D.C.R.G. of the applicant. The applicant is a Group 'C' employee. The learned Advocate for the applicant relied on the observations made by Their Lordships of the Hon'ble Apex Court of the Land in the case of **STATE OF PUNJAB AND OTHERS**

**ETC. VS. RAFIQ**

**MASIH (WHITE WASHER) ETC. IN CIVIL APPEAL NO. 11527  
OF 2014 {ARISING OUT OF SLP (C) NO. 11684 OF 2012}**

delivered on 18.12.2014 and submitted that recovery cannot be done and claimed the refund of amount, which is already recovered.

5. The learned P.O. contended that the applicant has not passed the Post Recruitment Departmental Examination within 4 years of his appointment and within three attempts. Hence, applicant was not entitled for time bound promotion and in spite of the said fact the benefit of time bound promotion scheme was granted to the applicant. Hence, recovery of excess payment is ordered in view of the objection of Pay Verification Unit.

6. Needless to mention that in **STATE OF PUNJAB AND OTHERS ETC. VS. RAFIQ MASIH (WHITE WASHER) ETC.** (supra) few instances are mentioned, wherein recovery is not permissible viz.

- (i) Recovery from employees belonging to Class-III and Class-IV service (or Group 'C' and Group 'D' service) and



- (ii) Recovery from retired employees, or employees who are due to retire within one year, of the order of recovery.

The applicant's case falls in above 2 categories.

7. Consequently, recovery is not permissible and, if any amount is recovered from the applicant, that needs to be refunded to him.

8. In the result, O.A. stands allowed. The impugned order dated 31.8.2015 is quashed and set aside. It is declared that the Respondents cannot recover the amount and the amount if any recovered be refunded to the applicant. Considering the short span and above factual background, claim of interest is negated. There shall be no order as to costs.

**MEMBER (J)**

ARJ 24.10.2016 (s.B.) (Dias Computer)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 341/2016 IN O.A.NO.427/2016**

**[Dr. Dilip Banshirao Mote Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 24.10.2016.**

**ORAL ORDER:**

Heard Shri M.B. Kolpe – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply.

3. Learned Advocate for the Applicant insisted that the present Miscellaneous Application be decided today or it may be rejected.

4. It is worthwhile to note that the transfer order is issued on 31.5.2016. According to the respondents, the applicant is relieved on 2.6.2016 and Dr. Shinde has joined in place of the applicant on 10.6.2016. The applicant filed the O.A. on 3.6.2016. It is submitted that the Hon'ble High Court has passed the order on 8.6.2016 maintaining status quo.

5. The applicant seeks direction in this M.A. for making the payment of salary. In the above backdrop such interim direction cannot be given unless opportunity to the other side to file reply is given, because the applicant is relieved on 2.6.2016 so as to direct to release salary. Learned Advocate submits that the Director has issued one letter directing the applicant to

work at Dhule, but that does not establish the work place of the applicant.

6. In the above state of affairs, it is necessary to give the reasonable opportunity to the respondents to file reply and hearing without which the application cannot be appropriately decided. As such, only because the applicant's Advocate submits that the application be decided today cannot be accepted. The Court has to decide the matter in proper perspective and not at the insistence of party.

7. Hence, time till **15<sup>th</sup> November, 2016 is granted to the learned Presenting Officer for filing affidavit in reply, as a last chance.**

**MEMBER (J)**