

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 862 OF 2016  
[Shimant S/o Gahininath Gaikwad Vs. The State of Mah. &  
Ors.]**

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

**DATE : 21.12. 2016.**

**ORAL ORDER:**

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

2. The learned Chief Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 8<sup>th</sup> February, 2016.

ORAL ORDERS 21.12.2016-HDD(SB)

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 536/2015 IN O.A.ST.NO.1422/2015  
[Sunil S/o. Vitthal Jagtap Vs. The State of Mah. & Ors.]**

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

**DATE : 21.12. 2016.**

**ORAL ORDER:**

Heard Shri Chandrakant Patil, learned Advocate holding for Shri Paresh B. Patil – learned Advocate for the Applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for respondents.

2. The applicant has challenged the impugned communications dated 1.9.2015 & 2.9.2015 issued by the respondent No. 2.

3. According to the learned Advocate for the applicant, there is no delay at all in filing accompanying Original Application, but by way of ample precaution he has filed application for condonation of delay.

4. The respondents have replied the Miscellaneous Application, as well as, Original Application.

5. In view of the above position and for the reasons stated in the Miscellaneous Application No. 536/2015 filed for condonation of delay, the same is allowed and the Original Application be registered and numbered.

**MEMBER (J)**

**ORAL ORDERS 21.12.2016-HDD(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST.NO.1422 OF 2015  
[Sunil S/o. Vitthal Jagtap Vs. The State of Mah. & Ors.]**

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

**DATE : 21.12. 2016.**

**ORAL ORDER:**

Heard Shri Chandrakant Patil, learned Advocate holding for Shri Paresh B. Patil – learned Advocate for the Applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 9<sup>th</sup> February, 2017.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

**O.A. ST.NO.1422 OF 2015**

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O.to 9<sup>th</sup> February, 2017.
8. The respondents shall file affidavit in reply on or before the next date.
9. Steno copy and Hamdast is allowed to both parties.

ORAL ORDERS 21.12.2016-HDD(SB)

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 341/2016 IN O.A.NO. 427/2016  
[Dr. Dilip S/o Banshirao Mote Vs. The State of Mah. &  
Ors.]**

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

**DATE : 21.12.2016.**

**ORAL ORDER:**

Heard Shri M.P. Kolpe – learned Advocate for the Applicant and Shri S.K. Shirase – learned Presenting Officer for respondents.

2. The learned Advocate for the Applicant submits that he is not pressing Miscellaneous Application No. 341/2016 and may be disposed of.

3. In view of the aforesaid submission made by the learned Advocate for the Applicant, M.A. No. 341/2016 stands disposed of. No order as to costs.

**ORAL ORDERS 21.12.2016-HDD(SB)**

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 427 OF 2016  
[Dr. Dilip S/o Banshirao Mote Vs. The State of Mah. &  
Ors.]**

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

**DATE : 21.12.2016.**

**ORAL ORDER:**

Heard Shri M.P. Kolpe – learned Advocate for the Applicant and Shri S.K. Shirase – learned Presenting Officer for respondents.

2. The learned Advocate for the Applicant has filed affidavit in rejoinder and the same is taken on record and the copy thereof has been served upon the learned Presenting Officer for the respondents.

3. The learned Presenting Officer has also filed affidavit in reply on behalf of respondent No. 4 and the same is taken on record and the copy thereof has been served upon the learned Advocate for the Applicant.

4. Since the pleadings are complete, the present Original Application is **admitted** and kept for final hearing on 3<sup>rd</sup> January, 2017.

ORAL ORDERS 21.12.2016-HDD(SB)

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 343/2016 IN O.A.ST.NO. 1570/2016  
[Datta S/o. Arjun Tumram Vs. The State of Mah. & Ors.]**

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

**DATE : 21.12. 2016.**

**ORAL ORDER:**

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

2. At the request of learned Chief Presenting Officer, S.O. to 1<sup>st</sup> February, 2017 for filing affidavit in reply in M.A. NO. 343/2016.

**ORAL ORDERS 21.12.2016-HDD(SB)**

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 448/2016 IN O.A.NO. 829/2016  
[Rajkumar Hanmantrao Shinde Vs. The State of Mah. &  
Ors.]**

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

**DATE : 21.12. 2016.**

**ORAL ORDER:**

Heard Shri G.N. Patil – learned Advocate for the Miscellaneous Applicant/Intervenor, Mrs. Deepali S. Deshpande – learned Presenting Officer for respondent Nos. 2 to 5 and Shri V.B. Wagh – learned Advocate for respondent No. 1/applicant in O.A.

2. This is an application filed by Shri Rajkumar Hanmantrao Shinde praying for join him as a party respondent in Original Application No. 829/2016, in view of the fact that as additional charge is given to him and he is interested party.

3. The learned Advocate Shri V.B. Wagh for the Applicant in O.A. has no objection for joining Shri Rajkumar Hanmantrao Shinde, as party respondent. However, he submits that even no reply of newly added respondent viz. Shri Rajkumar Hanmantrao Shinde, is necessary in the O.A.

4. For the reasons stated in the present Miscellaneous Application filed for intervention, the same is allowed and the learned Advocate for the applicant in O.A. is directed to join



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**M.A.NO. 448/2016 IN  
O.A.NO. 829/2016**

Shri Rajkumar Hanmantrao Shinde as respondent No. 5 in  
O.A. forthwith.

5. Accordingly, the present Miscellaneous Application No.  
448/2016 stands disposed of with no order as to costs.

**ORAL ORDERS 21.12.2016-HDD(SB)**

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 829/2016  
[Shri Shivkumar Babu Swami Vs. The State of Mah. & Ors.]**

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

**DATE : 21.12.2016.**

**ORAL ORDER:**

Heard Shri V.B. Wagh – learned Advocate for the Applicant, Mrs. Deepali S. Deshpande – learned Presenting Officer for respondent Nos. 1 to 4 and Shri G.N. Patil – learned Advocate for respondent No. 5.

2. The learned Advocate for the applicant has filed rejoinder affidavit and the same is taken on record and the copy thereof has been served on the other side.

3. The learned Advocate for newly added respondent No. 5 is directed to file affidavit in reply on his behalf, on the next date and copy thereof be served upon the other side well in advance.

4. In that view of the matter and considering the cause made out in the original application, the same is **admitted** and it be kept for final hearing on 6<sup>th</sup> January, 2017.

5. Status quo granted earlier to continue till then.

**MEMBER (J)**

**ORAL ORDERS 21.12.2016-HDD(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 471/2016 IN O.A.NO. 814/2015  
[Shri Shivaji S/o. Madhavrao Borole Vs. The State of Mah.  
& Ors.]**

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

**DATE : 21.12.2016.**

**ORAL ORDER:**

Heard Shri Avinash Deshmukh – learned Advocate for the Applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.

2. The learned Presenting Officer submits that she will take instructions as to within how much days the final order in the departmental enquiry will be passed and for that purpose she seeks time till 4<sup>th</sup> January, 2017. Time granted as prayed for.

3. S.O. to 4<sup>th</sup> January, 2017.

ORAL ORDERS 21.12.2016-HDD(SB)

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 473/2016 IN O.A.ST.NO. 995/2015  
[Shri Manohar S/o. Aabarao Gaikwad Vs. The State of  
Mah. & Ors.]**

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

**DATE : 21.12. 2016.**

**ORAL ORDER:**

Heard Ms. Preeti R. Wankhade – learned Advocate for the Applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. This amendment applicant has been filed along with copies of the documents as per the directions of the Hon'ble High Court in W.P. No. 9608/2015 dated 23.11.2016. In fact, the Hon'ble High Court was pleased to allow the applicant to file copy of the application dated 27.9.1989 and has granted liberty to file amendment application. Accordingly, an application is filed.

3. In view thereof, notices be issued to the respondents in the application for amendment, returnable on 30<sup>th</sup> January, 2017.

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

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**M.A.NO. 473/2016 IN  
O.A.ST.NO. 995/2015**

M.A. Respondents are 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. S.O.to 30<sup>th</sup> January, 2017.

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

ORAL ORDERS 21.12.2016-HDD(SB)

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 347 OF 2015  
[Shri Dipak S/o. Dnyanoba Edke Vs. The State of  
Maharashtra & Ors.]**

**WITH**

**ORIGINAL APPLICATION NO. 802 OF 2015  
[Shri Raosaheb S/o. Jairam Mhaske Vs. The State of  
Maharashtra & Ors.]**

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

**DATE : 21.12.2016.**

**ORAL ORDER:**

Heard Shri Avishkar S. Shelke – learned Advocate for the Applicants in both these matters and Smt. Sanjivani Deshmukh-Ghate & Shri M.P. Gude – learned Presenting Officers for the respective respondents in respective matters.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 in O.A. No. 802/2015 and the same is taken on record and copy thereof has been served on the other side.

3. The learned Advocate for the applicants submits that in O.A. No. 449/2015, the applicants were accommodated and were given appointment in view of the undertaking given by the respondents and on the similar line affidavit in rejoinder is filed.

4. The learned Presenting Officers submits that they will be given opportunity to file reply to the rejoinder affidavit, whereby stand of the respondents can be explained.

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**O.A.NOS. 347 & 802 both of 2015**

5. In view thereof, S.O. to 16<sup>th</sup> January, 2017 for filing reply to the rejoinder affidavit.

**ORAL ORDERS 21.12.2016-HDD(SB)**

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 623 OF 2015  
[Shri Preamsing S/o. Poma Rathod Vs. The State of Mah. &  
Ors.]**

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

**DATE : 21.12. 2016.**

**ORAL ORDER:**

Heard Shri Kakasaheb B. Jadhav – 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 5<sup>th</sup> January, 2017.

ORAL ORDERS 21.12.2016-HDD(SB)

**MEMBER (J)**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 730 OF 2016  
[Shri Dipak S/o. Kundlik Bahir Vs. The State of Mah. &  
Ors.]**

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

**DATE : 21.12.2016.**

**ORAL ORDER:**

Heard Shri N.K. Tungar – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and the same is taken on record.

3. The learned Advocate for the applicant submits that though he has collected the notices, inadvertently he could not serve the same upon the respondents, and therefore, he may be allowed to serve notices by changing returnable date.

4. In view thereof, the applicant is allowed to serve the notices upon the respondents, returnable on 30<sup>th</sup> January, 2017.

5. S.O. to 30<sup>th</sup> January, 2017.

**MEMBER (J)**

**ORAL ORDERS 21.12.2016-HDD(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 175 OF 2014  
[Dr. Deepak S/o. Mahadeorao Mendekar Vs. The State of  
Mah. & Ors.]**

**[Circulation obtained by the learned Advocate for  
the applicant for speaking to minutes**

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

**DATE : 21.12. 2016.**

**ORAL ORDER:**

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

2. The learned Advocate for the applicant submits that the Original Application No. 175/2014 has been disposed of in view of order passed in O.A. Nos. 126, 129 & 215 all of 2014. However, while passing the final order in the said O.A. No. 175/2014 clause No. (iv) has not been included.

3. Perusal of the order passed in O.A. Nos. 126, 129 & 215 all of 2014 dated 16<sup>th</sup> August, 2016, shows that in clause (iv) following directions are given: -

“(iv) Respondents are also directed to protect pay of the applicants, as has been fixed in the month of October/ November-2012.”

**O.A. NO. 175 OF 2014**

4. The learned Presenting Officer has also conceded for passing such order as passed in O.A. No. 175/2014.

5. In view thereof, it is necessary to incorporate clause (iv) as clause (iv) in the operative order in O.A. No. 175/2014. The same be incorporated accordingly and in view thereof clause (iv) of the order shall be read as 'clause (v)'.

6. The Registrar of this Tribunal Bench at Aurangabad is directed to call upon the parties to produce certified copies, if already issued to them and shall issue fresh/corrected certified copies of the order to them.

**MEMBER (J)**

**ORAL ORDERS 21.12.2016-HDD(SB)**

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

**ORIGINAL APPLICATION ST. NO. 3018 OF 2016  
[H.R. Saonawane Vs. The State of Maharashtra & Ors.]**

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

**DATE : 21.12.2016**

**ORAL ORDER :**

Heard Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The applicant has challenged the order of suspension dated 15.12.2016 issued by the Collector, Aurangabad. The said order is alleged to be served on the applicant on 19.12.2016.

3. The learned Advocate for the applicant has argued matter in details from which it is clear that the main allegation against the applicant is that he has sanctioned some revenue entries while he was not working on that post. However, from the record, it seems that the applicant has been serving on the post of Circle Officer in view of the various orders passed by this Tribunal in O.A. No. 44/2016, M.A. 172/2015 etc. and even the respondent authority was directed to pay his salary on the said post. Prima-facie, it seems that the Tahsildar, Aurangabad has issued so-many notices to the applicant and also sent proposal to the Collector for keeping the applicant under suspension under

the wrong assumption that the applicant was not serving as Circle Officer. Though, the Tahsildar as well as Collector was knowing the fact that the matter was pending before this Tribunal, the applicant has also been served with the suspension order. It may not be justified to stay the said order, at this juncture, since the order has already been served on the applicant.

4. The learned C.P.O. submits that he will file affidavit in reply to the O.A. and the matter can be heard on merits on the very day on which the affidavit in reply is filed. The respondents are directed to file affidavit in reply on the next day.

5. The learned C.P.O., on instructions from Tahsildar, submits that one Shri R.P. Bagade, has already been joined in place of applicant on 20.12.2016, though no documents are filed to support the fact.

6. The learned Advocate for the applicant submits that he has not yet handed over the charge and the record is also with him however, the suspension order has already been served on him. In view of this, the respondents are directed to maintain

status quo as on today. If the applicant's suspension order is held illegal on merits, he can be reinstated on the post.

7. In view thereof, issue notice to the respondent, returnable on 9.1.2017.

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

9. 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.

10. 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.

11. 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.

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

13. S.O. to 09.01.2017.

**MEMBER (J)**

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

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**Original Application No.923/2016.**  
( A.R.Kotwal Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER:-**

Heard Shri Vivek Pingle, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable within four weeks. In the meantime the respondents are directed not to recover the so-called excess amount in view of the order dated 28.9.2016 issued by Senior Accounts Officer i.e. Respondent no.2.

3. Applicant is authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.

4. Authorization for service of 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.

5. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained



and produced along with affidavit of compliance in the Registry as far as possible before the due date.

6. Affidavit of service be filed one week before due date.
7. Learned P.O. is directed to communicate this order.
8. Affidavit in reply be filed before due date.
9. Steno copy and Hamdast is allowed to both parties.
10. S.O. to 6.2.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**M.A.No.468/2016 in OA St.No.1989/2016.**  
( A.R.Halase Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER:-**

Heard Shri M. K. Bhosle, learned Advocate for the applicant and Smt. P.R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. The learned Advocate for the applicant submits that the delay for filing O.A. is of 530 days, but wrongly the same has been mentioned as 608 days. He seeks permission to make correction in the prayer clause "B". Permission granted. It shall be done forthwith. Hence, issue notices to the respondents, returnable within four weeks.

3. Applicant is authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.

4. Authorization for service of 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.

5. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained

and produced along with affidavit of compliance in the Registry as far as possible before the due date.

6. Affidavit of service be filed one week before due date.
7. Learned P.O. is directed to communicate this order.
8. Affidavit in reply be filed before due date.
9. Steno copy and Hamdast is allowed to both parties.
10. S.O. to 6.2.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**MA No.469/2016 in OA St.2082/2016.**  
(Md. Asfiouddin & Ors.Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri I.D. Maniyar, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. For the reasons stated in the application and since the cause of action of all the applicants is same the application for sue jointly is allowed, subject to payment of court fee stamps, if not paid, and accompanying O.A. be registered and numbered, and present M.A. stands disposed of accordingly. No order as to costs.

**MEMBER (J).**

ORAL ORDERS 20.12.2016-ATP

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

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**MA St.No.2081/2016 in OA St.2082/2016.**

(Md. Asfiouddin & Ors.Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri I.D. Maniyar, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. The applicants are claiming quashing of order dated 13.4.2015 passed by Respondent no.3. It is stated that, there is delay of 47 days for filing O.A. and the same may be condoned. Hence, issue notices to the respondents in MA, returnable within four weeks.

3. Applicants are authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.

4. Authorization for service of 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.

5. The service of notice may be done by the applicants by hand delivery, speed post, courier and acknowledgment be

obtained and produced along with affidavit of compliance in the Registry as far as possible before the due date.

6. Affidavit of service be filed one week before due date.
7. Learned P.O. is directed to communicate this order.
8. Affidavit in reply be filed before due date.
9. Steno copy and Hamdast is allowed to both parties.
10. S.O. to 8.2.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**MA No.470/2016 in OA St.3002/2016.**  
(Sk. Shaharukh & Ors.Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri P. V. Suryawanshi, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. For the reasons stated in the application and since the cause of action of all the applicants is same the application for sue jointly is allowed, subject to payment of court fee stamps, if not paid, and accompanying O.A. be registered and numbered, and present M.A. stands disposed of accordingly. No order as to costs.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**OA St.3002/2016.**

(Sk. Shaharukh & Ors.Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri P. V. Suryawanshi, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable within four weeks.

3. Applicants are authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.

4. Authorization for service of 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.

5. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry as far as possible before the due date.

6. Affidavit of service be filed one week before due date.



7. Learned P.O. is directed to communicate this order.
8. Affidavit in reply be filed before due date.
9. Steno copy and Hamdast is allowed to both parties.
10. S.O. to 8.2.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.682/2015.**  
(B. Y. Sole & Ors. Vs. State of Mah.& Ors.)  
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**CORAM :HON'BLE SHRI J.D. KULKARNI, MEMBER (J).**

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri Pankaj Deshmukh, learned Advocate holding for Shri Vinay Muley-Dharurkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. Learned P.O. files reply affidavit on behalf of newly added Respondent no.3 i.e. Tahsildar, Beed. He submits that, copy of the notice has not been received by Accountant General i.e. Respondent no.2.

3. Heard Shri Pankaj Deshmukh, learned Advocate holding for Shri Vinay Muley-Dharurkar, learned Advocate for the applicant is directed to supply copy of the O.A. to respondent no.2.

4. S.O. to 8.2.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.328/2016.**  
(K. N. Jadhav Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

None present for the applicant. Heard I.S. Thorat, learned Presenting Officer for the Respondents.

2. The reply affidavit has already been filed on behalf of Respondents no.1 & 2. However, the applicant has challenged the order passed by Respondent no.3 and therefore, the reply of Respondent no.3 is necessary. It seems that, the applicant has not filed service affidavit in respect of Respondent no.3 in spite of repeated chances. Hence, applicant is directed issue fresh notice to the Respondentno.3 or to file service affidavit on or before next date, failing which the matter will be placed for dismissal.

3. S.O. to 9.2.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.426/2016.**  
(Dr. D.J. Rathod Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

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

2. Learned P.O. submits that, in view of the order dated 28.9.2016 passed by this Tribunal a proposal has been submitted to the Minister for accommodating the applicant at Chinchodi and the same is under consideration. The learned P.O. therefore, seeks four weeks time. Time granted.

3. S.O. to 6.2.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.559/2016.**  
(D.W. Bansode Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Smt R.S. Deshmukh, learned Presenting Officer for the Respondents.

2. Learned P.O. files reply affidavit on behalf of Respondents no.2 & 3. The same is taken on record. Its copy is served on the applicant.

3. Learned Advocate for the applicant seeks time to go through it and file rejoinder, if any. Time granted.

4. S.O. to 6.2.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.623/2016.**  
(A.P. Katkar Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

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

2. Shri G.N. Patil learned Advocate filed reply affidavit on behalf of Respondent no.2. The same is taken on record. Its copy is served on other side.
3. Since pleadings are complete the matter is admitted and kept for final hearing.
4. S.O. to 9.1.2017. Interim relief to continue till then.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.669/2016.**  
(C.S. Shinde Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri A. S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time till tomorrow. Time granted.
3. S.O. to 22.12.2016.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.670/2016.**  
(D.L. Patil Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri A. S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time till tomorrow. Time granted.
3. S.O. to 22.12.2016.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP



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

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**ORIGINAL APPLICATION NO.714/2016.**  
(S. D. Mahale Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri Vivek Pingle, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply affidavit. Time granted, as a last chance.

3. S.O. to 6.1.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.440/2016.**

(C.S. Thokal Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri D.A. Bide, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant files rejoinder affidavit. The same is taken on record. Its copy is served on the other side.

3. Vide impugned order dated 31.5.2016 the applicant has been transferred from the post of Supervisory Urban Leprosy Unit, Ahmednagar to Primary Health Centre, Manjri Tq. Rahuri. The applicant is Medical officer and is under extended period of service. He is suffering from Heart disease and had undergone Angioplasty. It seems that, he has filed representation for transfer on considering his medical condition and also the fact that he is under extended period of service. He has also joined at Manjri on 3.6.2016, but immediately thereafter within 3 to 4 days additional charge of the post of Medical Officer of Taluka Medical Health Officer has been given to him and now he is holding additional charge and mostly working at Taluka place. He has stated that since nobody is attending at Taluka places additional charge can be converted into permanent post and the applicant may be transferred at Taluka place as Taluka Medical Health Officer Rahuri.

.....2..

4. The learned P.O. submits that, this is a temporary appointment and since no Medical Officer is available at present the applicant has been given additional charge. The learned P.O. is therefore, directed to take instructions from Respondent no.3 as to whether the applicant can be accommodated at Rahuri and can be posted as Taluka Medical Health Officer at Rahuri. Learned P.O. seeks two weeks time. Time granted.

5. S.O. to 10.01.2017.

6. Steno copy is allowed to the learned P.O.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.741/2016.**

(Dr. Varsha V. Rote Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. P.R. Bharaswadkar, learned Presenting Officer for the Respondents.

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

3. S.O. to 12.1.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.758/2016.**  
(J. M. Kale Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Smt P.R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant files rejoinder affidavit. It is taken on record. Its copy is served on the learned P.O.

3. Learned P.O. seeks time. Time granted.

4. S.O. to 12.1.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

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**ORIGINAL APPLICATION NO.828/2016.**  
(S. M. Pande Vs. State of Mah.& Ors.)

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

**DATE** :21.12.2016.

**ORAL ORDER :-**

Shri Prashant Deshmukh, learned Advocate for the applicant (Absent). Smt P.R.Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned P.O. files reply affidavit on behalf of Respondents no.2 and 3. The same is taken on record.

3. S.O. to 8.1.2017.

**MEMBER (J).**

ORAL ORDERS 21.12.2016-ATP

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

**ORIGINAL APPLICATION NO. 666 OF 2016  
[V.R. Thorat Vs. The State of Mah. & Ors.]**

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

**DATE : 21.12.2016**

**ORAL ORDER :**

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

2. After hearing the matter for considerable time, the learned Presenting Officer seeks time to go through the judgments on the similar points.

3. The learned Advocate for the applicant submits that he will file copies of the relevant judgments on record and supply the copies to the learned P.O.

4. The O.A. is to be treated as part heard.

5. S.O. to 05.01.2017.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO. 382 OF 2016  
[R.R. Dagadghate Vs. The State of Mah. & Ors.]**

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

**DATE : 21.12.2016**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Ashish Rajkar, learned Advocate for respondent no. 3.

2. Perused the various documents placed on record, the applicant is claiming direction to respondent no. 2 to appoint the applicant on the post of Police Patil of village Jivrag Takli, Tq. Sillod, Dist. Aurangabad. It is admitted fact on merits that the respondent no. 3 Shri Manik Narayan Lute has scored highest marks i.e. 66, whereas, the applicant has scored 62 marks. The respondent No. 3 has filed affidavit in reply saying that he is not interested to work on the post of Police Patil village Jivrag Takli, Tq. Sillod, Dist. Aurangabad and that he has no objection to appoint any other person in his place. Admittedly, the process of selection is completed, but no order of appointment has been issued. From the merit list it seems that Shri Dagadghate Raju Raghunath i.e. applicant got 62 marks,



one Dagadghate Narayan Raghunath, got 59 marks, one Dagadghate Rameshwar Haridas got 57 marks. In other words the applicant is the person who got highest marks after respondent no. 3.

3. In such circumstances, the respondent no. 2, the Sub Divisional Officer, Aurangabad is directed to file short affidavit in view of the reply affidavit filed by the respondent no. 3 in the case so as to making points clear.

4. S.O. to 17.01.2017.

5. Steno copy allowed to the learned P.O. at his request.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO. 774 OF 2016**  
**[Dr. Aruna G. Dahiphale & Ors. Vs. The State of Mah. & Ors.]**

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

**DATE : 21.12.2016**

**ORAL ORDER :**

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

2. The applicant is claiming following relief:-

*“C. By issuing appropriate order or direction against the respondents to refund the tuition fees as it is exempted for in service P.G. candidate from yearly educational fees as per Govt. Resolution dated 06.01.1990.”*

3. The learned Advocate for the applicants has placed reliance on judgment passed by this Tribunal at Mumbai seat in M.A. No. 545/2013 in O.A. No. 1101 of 2013 on 18.12.2013, wherein similar issue was involved and the applicants therein were exempted from payment of tuition fees and other allowances. The learned Advocate for the applicant submits that the issue involved in the present O.A. is covered by the said judgment.

4. The learned P.O. submits that he has been instructed by the concerned authorities to the effect that there is no need to

file affidavit in reply in this case and he admits that the matter has been covered by the order passed in M.A. No. 545 of 2013 in O.A. No. 1101 of 2016 and in the said matter the following order has been passed.

**“ORDER**

Heard Shri J.S. Deshmukh, learned counsel for the Applicants and Shri D.B. Khaire, learned Chief Presenting Officer for the Respondents.

By the above Mis. Application, the applicants are seeking a relief that they should be exempted from payment of tuition fees for the academic year of 2012-2013 and 2013-2014 in view of the G.R. dated 06.01.1990. A copy of the same is annexed in the above Misc. Application, wherein relevant clause 11 reads as under:

**“11. Fees**

(a) Tuition fees and other payments would be as regulated by the government from time to time. No exemption from admission as well as tuition fee shall be granted to any student on any account. However in service candidate of Government of Maharashtra shall be exempted from payment of fees. Non-payment of fees of her/him Examination the student can appear at the subsequent University examination provided he/she pays Rs. 200 as continuation fees alongwith fees

//3// O.A. No. 771/2016

alongwith the University Examination fees at every subsequent appearance.””

5. In view thereof, I pass following order:-

**ORDER**

The Respondents are directed to refund the tuition fees as it is exempted for in-service P.G. Candidate from yearly education fees as per Govt. Resolution dated 06.01.1990. There shall be no order as to costs.

**MEMBER (J)**

Kpb/21.12.2016 – KPB(SB)

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

**M.A. No. 472/2016 in O.A. St. No. 3000/2016  
[A.V. Sontakke & Ors. Vs. The State of Mah. & Ors.]**

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

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

**DATE : 21.12.2016**

**ORAL ORDER:**

Heard Shri J.S. Deshmukh, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. This 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)**

Kpb/21.12.2016 – KPB(SB)

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

**O.A. St. No. 3000/2016  
[A.V. Sontakke & Ors. Vs. The State of Mah. & Ors.]**

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

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

**DATE : 21.12.2016**

**ORAL ORDER:**

Heard Shri J.S. Deshmukh, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 30.01.2017.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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

8. S.O. to 30.01.2017.

**MEMBER (J)**

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

**O.A. No. 897/2016  
[Shalini R. Raut Vs. The State of Mah. & Ors.]**

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

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

**DATE : 21.12.2016**

**ORAL ORDER:**

Heard Shri S.P. Slagar, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The interviews are already over and therefore, there is no reason to grant any interim stay at this stage.

3. Hence, issue notices to the respondents, returnable on 30.01.2017.

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 O.A. Respondents are 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 30.01.2017.

**MEMBER (J)**

Kpb/21.12.2016 – KPB(DB)

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

**M.A. St. 3016/2016 in C.P. St. No. 3017/16 in O.A.  
44/2016**

**[H.R. Sonawane Vs. The State of Mah. & Ors.]**

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

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

**DATE : 21.12.2016**

**ORAL ORDER:**

Heard Shri S.B. Talekar, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that he will issue personal notices to the contemnor and therefore, the O.A. be deferred.

3. S.O. to 9.1.2017

4. Steno copy allowed to the learned P.O. at his request.

**MEMBER (J)**

Kpb/21.12.2016 – KPB(DB)

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

**M.A. No.509/2015 in O.A. St. No. 550/2015  
[Pradeep B. Kokate & Ors. Vs. The State of Mah. & Ors.]**

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

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

**DATE : 21.12.2016**

**ORAL ORDER:**

Heard Ms. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 2.2.2017.

**Member (J)**

Kpb/21.12.2016 – KPB(SB)

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

**M.A. No. 14/2016 in O.A. No. 81/2013  
[Anand A. Hole & Ors. Vs. The State of Mah. & Ors.]**

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

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

**DATE : 21.12.2016**

**ORAL ORDER:**

Heard Ms. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents in M.A. It seems from the record, so many chances are already been given for filing affidavit in reply. However, a most last chance is granted for filing affidavit in reply on a condition that if the reply is not filed on 23.01.2017, the matter will be heard without reply.

3. S.O. to 23.01.2017.

4. Steno copy allowed to the learned P.O. at his request.

**Member (J)**