

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.891/2012

(A.A.Khan V/s. The State of Mah. & Ors.)

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

DATE : 24-11-2016

ORAL ORDER:-

Heard Shri D.P.Sathe learned Advocate holding for Shri K.M.Nagarkar learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for respondent no.1 and Shri S.S.Shinde learned Advocate holding for Shri Vivek Bhavthankar learned Special Counsel for respondent nos.2 and 3.

2. Since pleadings are complete, matter is admitted. It may be kept for final hearing before the Division Bench whenever it is available.

MEMBER (J)

YUK ORAL ORDER 24-11-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.592/2015

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

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

DATE : 24-11-2016

ORAL ORDER:-

Heard Shri S.D.Joshi learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondent no.1 and no.1 and Shri S.S.Shinde learned Advocate holding for Shri Vivek Bhavthankar learned Special Counsel for respondent nos.2 and 3.

2. Since pleadings are complete, matter is admitted. It may be kept for final hearing before the Division Bench whenever it is available.

MEMBER (J)

YUK ORAL ORDER 24-11-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.707/2015

(L.R.Dhage V/s. The State of Mah. & Ors.)

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

DATE : 24-11-2016

ORAL ORDER:-

Heard Shri Ashish Rajkar learned Advocate holding for Shri A.D.Gadekar learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Learned P.O. has filed affidavit in reply as per direction of the Tribunal dated 23-06-2016. It is taken on record. Copy thereof has been served on the other side.

3. S.O.19-12-2016.

MEMBER (J)

YUK ORAL ORDER 24-11-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.228/2016

(D.V.Landge V/s. The State of Mah. & Ors.)

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

DATE : 24-11-2016

ORAL ORDER:-

Shri A.D.Sugdare learned Advocate for the applicant has filed **leave note** on record. Smt. Sanjivani Ghate learned Presenting Officer for respondents is present.

2. Since pleadings are complete, matter is admitted. It may be kept for final hearing before the Division Bench whenever it is available.

MEMBER (J)

YUK ORAL ORDER 24-11-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.379/2016

(A.P.Nagrik & Ors. V/s. The State of Mah. & Ors.)

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

DATE : 24-11-2016

ORAL ORDER:-

Shri A.A.Nimbalkar learned Advocate for the applicant is **absent**. Smt. Priya Bharaswadkar learned Presenting Officer for respondents is present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent no.5. It is taken on record. Learned P.O. undertakes to serve copy of the reply on the other side.

3. S.O.02-01-2017.

MEMBER (J)

YUK ORAL ORDER 24-11-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.800/2016

(N.P.Sapkale V/s. The State of Mah. & Ors.)

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

DATE : 24-11-2016

ORAL ORDER:-

Shri A.C.Deshpande learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for respondents is present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent no.2. It is taken on record. Learned P.O. undertakes to serve copy of the reply on the other side.

3. S.O.19-12-2016.

MEMBER (J)

YUK ORAL ORDER 24-11-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.No.365/2016 IN C.P.St.No.1706/2016
IN O.A.No.814/2015**

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

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

DATE : 24-11-2016

ORAL ORDER:-

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Learned P.O. has filed separate affidavits in reply on behalf of respondent nos.1 to 4. Those are taken on record. Copies thereof have been served on the other side.

3. S.O. 14-12-2016 for filing rejoinder, if any.

MEMBER (J)

YUK ORAL ORDER 24-11-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.609/2012

(Dr. A.P.Deshpande & Ors. V/s. The State of Mah. & Ors.)

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

DATE : 24-11-2016

ORAL ORDER:-

Shri S.V.Natu learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for respondents is present.

2. Learned P.O. prays for time for filing affidavit in reply on behalf of respondent no.2. Time granted.

3. S.O. 12-01-2017.

MEMBER (J)

YUK ORAL ORDER 24-11-2016

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

ORIGINAL APPLICATION NO.868/2016.
(V. B. Nath Vs. State of Mah.& Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Miss. Preeti Wankhade, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

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

3. S.O. to 1.12.2016.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION St. NO.1969/2016.
(Smt. B. U. Rathod Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

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

2. Issue notices to the respondents in M.A., returnable on 20.1.2016.

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.

-2- **ORIGINAL APPLICATION St. NO.1969/2016.**

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 20.01.2017.

MEMBER (J).

24.11.2016-ATP

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

M.A. NO.442/2016 IN OA St. NO.1969/2016.
(Smt. B. U. Rathod Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

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

2. For the reasons stated in the application and considering the fact that the so-called delay is of 8 months and 15 days coupled with the fact that the applicant is claiming retiral benefits such as gratuity, G.P.F., G.I.S. Leave Encashment, Commutation etc. the delay caused in filing O.A. is condoned. Accordingly, M.A. stands disposed of with no order as to costs.

MEMBER (J).

24.11.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

M.A.NO.441/2016 IN OA ST. 1841/2016.
(M.R. Dusane Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri S. D. Dhongde, learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for the Respondents.

2. Issue notices to the respondents in M.A., returnable on 20.1.2016.

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.

-2- **M.A.NO.441/2016 IN OA ST. 1841/2016.**

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 20.01.2017.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION NO.240/2016.
(R. B. Khajekar Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri R. P. Bhumkar, learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for the Respondents.

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

3. S.O. to 11.1.2017.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION NO.320/2016.
(M. N. Bengal Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri Bhuiwar learned Advocate holding for Shri V.P. Golewar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents no.1 to 4. None present for the Respondent no.5.

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

3. S.O. to 12.1.2016.

MEMBER (J).

24.11.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.353/2016.
(L.A. Chikale Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri Amol Vasmatkar, learned Advocate holding for Shri U.B. Bilolikar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Learned P.O. files reply affidavit on behalf of Respondents no.1 to 5. Same is taken on record. Its copy is served on the applicant.

3. Learned Advocate for the applicant wants to go through it for filing rejoinder, if necessary.

4. S.O. to 18.1.2017.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION NO.486/2016.
(S.S. Bharti Vs. State of Mah.& Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Smt. Suchita Dhongde, learned Advocate holding for Shri S. D. Dhongde, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for the Respondents.

2. Learned P.O. files reply affidavit on behalf of Respondents no.1 to 3. Same is taken on record. Its copy is served on the applicant.

3. Learned Advocate for the applicant wants to go through it for filing rejoinder, if necessary.

4. S.O. to 17.1.2017.

MEMBER (J).

24.11.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.498/2016.
(S. S. Koli Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

None present for the applicant. Smt R.S. Deshmukh,
learned Presenting Officer for the Respondents.

2. Learned P.O. files reply affidavit on behalf of Respondents
no.1 to 3. Same is taken on record.

3. S.O. to 20.1.2017.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION NO.557/2016.
(V. B. Patil Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri S.S. Kulkarni, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the Respondents no. 2 to 5 and Smt. Seema T. Pawar, learned Advocate holding for Shri Ajay Talhar, learned Advocate for the Respondent no.1.

2. Learned P.O. files reply affidavit on behalf of Respondent no.5. It is taken on record. Its copy is served on the applicant. Learned Advocate for the respondent no.1 seeks time to file reply affidavit. Time granted.

3. S.O. to 20.1.2017.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION NO.620/2016.
(B.R. Sonawane Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri V. B. Wagh, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for the Respondents.

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

3. S.O. to 6.12.2016.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION NO.621/2016.
(A.Y. Kalokhe Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri V. B. Wagh, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for the Respondents.

2. Learned P.O. files reply affidavit on behalf of Respondents no.1 & 2. Same is taken on record. Its copy is served on the applicant.

3. S.O. to 6.12.2016.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION NO.805/2016.

(Firoz Kalekha Jamadar Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri V. B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. seeks time till tomorrow. Time granted.

3. S.O. to 25.11.2016.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION NO.807/2016.
(M.N. Jadhav Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri V. B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

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

3. Learned Advocate for the applicant submits that, vide the impugned order the respondents are seeking recovery of the amount from the pensionary benefits. The said order regarding recovery is stayed till filing of the reply.

4. S.O. to 20.1.2017.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION NO.808/2016.
(G.K. Kakade Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri V. B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

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

3. Learned Advocate for the applicant submits that, vide the impugned order the respondents are seeking recovery of the amount from the pensionary benefits. The said order regarding recovery is stayed till filing of the reply.

4. S.O. to 20.1.2017.

MEMBER (J).

24.11.2016-ATP

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

ORIGINAL APPLICATION NO.810/2016.
(B.D. Ghute Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

Heard Shri V. B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

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

3. Learned Advocate for the applicant submits that, vide the impugned order the respondents are seeking recovery of the amount from the pensionary benefits. The said order regarding recovery is stayed till filing of the reply.

4. S.O. to 20.1.2017.

MEMBER (J).

24.11.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.811/2015.

(Shahadeo Sahebrao Bangar Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

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

2. The applicant is a General Mechanic and has retired on superannuation on 31.7.2014. Since Pay Verification Unit, Aurangabad raised some objection the proposal regarding pensionary benefits was not forwarded. The applicant therefore, claimed that the respondents no.1 to 3 be directed to comply the technical queries raised by Pay Verification Unit and to forward proposal regarding pensionary benefits of the applicant to A.G. Nagpur. The applicant is also claiming direction to respondents no. 1 to 3 to pay all pensionary benefits like gratuity, D.C.R.G. and arrears of monthly pension etc. and to pay regular pension to the applicant along with interest.

3. The respondents have filed affidavit in reply.

4. Today the learned P.O. has placed on record one communication dated 17.11.2016 received by the Director, Medical Education, Mumbai from Dean, S.R.T.R. Medical College and Hospital, Ambejogai, from which it seems that, the respondents have removed the objection taken by the Pay Verification Unit and the pension case of the applicant has been

submitted to the A.G. Nagpur. It is also stated that, the amount as regards leave encashment, final G.P.F. etc. has been paid to the applicant.

5. In view thereof, the matter is now before A.G. for sanction of pension and other benefits.

6. The learned Advocate for the applicant agreed that the matter can be disposed of by giving direction to the respondents to see that the pension case of the applicant is sanctioned and all the details are paid within a time limit framed. Hence the order.

ORDER.

i) The O. A. is disposed of with direction to respondents no.1 to 3 to see that, the applicant is paid all the pensionary benefits like gratuity, D.C.R.G., arrears of monthly pension and the regular pension within three months from the date of this order.

ii) So far as interest on the delayed payment is concerned, the applicant will be at liberty to file representation to that effect to the appropriate authority.

iii) No order as to costs.

MEMBER (J).

24.11.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.645/2016.
(Sunil Ramrao Barse Vs. State of Mah.&Ors.)

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

DATE: : 24.11.2016.

ORAL ORDER:-

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

2. Learned Advocate for the applicant files rejoinder. It is taken on record. Its copy is served in advance to the respondents.

3. The applicant is serving as a Assistant Project Officer Group-B post vide impugned order dated 3.8.2016 (wrongly mentioned as 3.8.2015). The applicant has kept under suspension by the Govt. The said order has been challenged in this O.A.

4. It seems on the reply affidavit that, the respondents have alleged that, the Govt. has lost trust in the applicant and also found applicant guilty of misguiding and for giving false information to Senior officers of the Department.

5. Learned Advocate for the applicant pointed out that, the applicant has handed over the charge of his post to one Shri G. N. Funde on 1.8.2016. It seems that, the respondents are relying upon one letter / communication dated 4.8.2016 on the basis of which it is stated that, the applicant has given false information to the competent authority. However, the said letter

has been signed by Shri G. N. Funde and not by the applicant. The applicant has stated as to how the impugned order of revocation of suspension is without application of mind and arbitrary in his rejoinder affidavit. In my opinion, it will be better that, the respondents shall file reply to the rejoinder affidavit and may reconsider if it thinks proper to reconsider the revocation of suspension of the applicant.

6. Learned P.O. seeks two weeks time. Time granted.

7. S.O. to 13.12.2016.

MEMBER (J).

24.11.2016-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 523/2015 IN O.A.NO. 583/2015
[Shri Sambhaji Shahaji Khaladkar Vs. The State of Mah. &
Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Heard Shri R.P. Bhumkar – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for respondents.

2. Learned Advocate Shri V.R. Bhumkar appeared and submits that he has filed VAKALATNAMA on behalf of the applicant in the present case prior to his appointment as Presenting Officer, M.A.T. Bench at Aurangabad. He, therefore, requests that his appearance may kindly be discharged. His request is accepted and his appearance is discharged from this case.

3. This Miscellaneous Application No. 523 has been filed by the applicant for condonation of delay of about 545 days in filing accompanying O.A. No. 583/2015.

4. The learned Advocate for the applicant submits that in fact there is no delay in filing accompanying O.A. However, by way of ample precaution he has filed this Miscellaneous Application for condonation of delay. It seems that earlier the applicant was approached the Hon'ble Bombay High Court Bench at Aurangabad and filed Contempt Petition No.

M.A. 523/15 IN O.A.583/15

151/2013. The said Contempt Petition came to be disposed of on 12th August, 2015 with liberty to file approach appropriate forum. Accordingly, the applicant has approached this Tribunal.

5. For the reasons stated in the present Miscellaneous Application No. 523/2015 for condonation of delay caused in filing accompanying O.A. No. 583/2015, the same is allowed in the interest of justice and equity and also considering the fact that in the accompanying O.A. the applicant is claiming appointment on compassionate ground.

6. Accordingly, the present Miscellaneous Application stands disposed of with no order as to costs.

MEMBER (J)

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**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 583 OF 2015
[Shri Sambhaji Shahaji Khaladkar Vs. The State of Mah. &
Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Heard Shri R.P. Bhumkar – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for respondents.

2. Learned Advocate Shri V.R. Bhumkar appeared and submits that he has filed VAKALATNAMA on behalf of the applicant in the present case prior to his appointment as Presenting Officer, M.A.T. Bench at Aurangabad. He, therefore, requests that his appearance may kindly be discharged. His request is accepted and his appearance is discharged from this case.

3. Issue notices to the respondents, returnable on 18th 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

O.A. NO. 583 OF 2015

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. S.O.to 18th January, 2017.

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

MEMBER (J)

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**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 147/2016 IN O.A.ST.NO. 532/2016
[Shri Ajabrao Rambhau Patil Vs. The State of Mah. & Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Shri A.D. Sugdare – learned Advocate for the Applicant has filed leave note. Smt. Resha S. Deshmukh – learned Presenting Officer for respondent Nos. 1 to 3, present. Smt. Chaitali Choudhary – learned Advocate for respondent No. 4 (**absent**).

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1 and the same is take on record.

3. In view of leave note filed by the learned Advocate for the applicant, S.O. to 16th January, 2017.

MEMBER (J)

24.11.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 176/2016 IN O.A.ST.NO. 594/2016
[Shri Amal S/o Chandrakant @ Kanta Dhekale Vs. The State
of Mah. & Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Heard Shri C.R. Thorat – learned Advocate for the Applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that he has received copy of the affidavit in reply today itself. He seeks time to go through the said affidavit in reply. Time granted.

3. S.O. to 14th December, 2016.

MEMBER (J)

24.11.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 233/2016 IN O.A.ST.NO. 599/2015
[The State of Mah. & Ors. Vs. Vitthal Sambhaji Ingle & Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Heard Mrs. Deepali S. Deshpande – learned Presenting Officer for the miscellaneous applicants/original respondents and Mrs. Suchita A. Dhongde – learned Advocate for the respondents/original applicants.

2. In the present M.A. No. 233/2016 the State is claiming extension of time for completion of the departmental enquiry against the non-applicants/applicants in O.A. The extension is claimed for three months only. The present M.A. is filed on 15.6.2016. The period of three months has already been over and, therefore, nothing survives in the present M.A.

3. It seems that while order passed in O.A. No. 599/2015 on 4.2.2016 by this Tribunal, the applicants in M.A., who are respondents in O.A. were directed to take decision on the proposal of reinstatement of the original applicants, as per the rules & circumstances of the case, within a period of three months from the date of that order. However, proposal has not been kept before the Committee till today. Therefore, there is prima-facie contempt of the order, for which the original applicants may take appropriate steps.

M.A.233/16 IN O.A.ST.599/15

4. Since time as claimed by the original respondents has already been elapsed, the present M.A. No. 233/2016 stands disposed of with no order as to costs.

MEMBER (J)

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**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 518 OF 2012
[Shri Vishwanatah S/o Fakirji Jondhale & Ors. Vs. The State
of Maharashtra & Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Shri A.D. Gadekar – learned Advocate for the Applicants has filed leave note. Shri M.P. Gude – learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned counsel for the applicants, S.O. to 25th November, 2016.

MEMBER (J)

24.11.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 919 OF 2012
[Shri Manik Wamanrao Ghodekar Vs. The State of Mah. &
Ors.]**

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

DATE : 24.11. 2016.

ORAL ORDER:

Shri A.D. Gadekar – learned Advocate for the Applicants has filed leave note. Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned counsel for the applicants, S.O. to 25th November, 2016.

MEMBER (J)

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**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 338 OF 2013
[Shri Hari S/o Narayanrao Bhole & Ors. Vs. The State of
Maharashtra & Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Shri A.D. Gadekar – learned Advocate for the Applicants has filed leave note. Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned counsel for the applicants, S.O. to 25th November, 2016.

MEMBER (J)

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**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 773 OF 2015
[Shri Walmik S/o. Sitaram Shirsath Vs. The State of
Maharashtra & Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Shri A.D. Gadekar – learned Advocate for the Applicants has filed leave note. Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned counsel for the applicants, S.O. to 25th November, 2016.

MEMBER (J)

24.11.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 77 OF 2016
[As the Circulation obtained by the learned Advocate for the
applicant, this matter is taken on board]**

**[Shri Anil Panditrao Ghodke Vs. The State of Maharashtra &
Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Heard Shri Kanade Angad L. – learned Advocate for the Applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant, on instructions, seeks permission of this Tribunal to withdraw the present Original Application.

3. Permission granted. Withdrawal is allowed. Accordingly, the present Original Application stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

24.11.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 51/2016 IN OA.ST.NO. 183/2016
[Shri Vijay Anand Salve Vs. The State of Maharashtra & Ors.]**

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

DATE : 24.11. 2016.

ORAL ORDER:

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

2. The learned Presenting Officer seeks time to file affidavit in reply in M.A. No. 51/2016. Time granted as a last chance.

3. S.O. to 2nd January, 2017.

MEMBER (J)

24.11.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 711 OF 2016
[Shri Omprakash Dhondiram Mane Vs. The State of
Maharashtra & Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Heard Shri S.D. Joshi – learned Advocate for the Applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 1st December, 2016.

MEMBER (J)

24.11.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 242 OF 2016
[Shri Govind S/o Ramkisan Sakhare Vs. The State of
Maharashtra & Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Heard Shri K.G. Salunke – learned Advocate for the Applicant, Shri M.P. Gude – learned Presenting Officer for respondent Nos. 1, 2 & 4 and Shri S.K. Sawangikar – learned Advocate for respondent No. 3.

2. The applicant has carried out the amendment and the respondents are claiming time for filing affidavit in reply to the amended O.A. Time granted.

3. S.O. to 3rd January, 2017.

MEMBER (J)

24.11.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 303 OF 2016
[Shri Vinod Arjun Wagh Vs. The State of Maharashtra & Ors.]**

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

DATE : 24.11. 2016.

ORAL ORDER:

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

2. At the request of learned Advocate for the applicant, S.O. to 24th January, 2017.

MEMBER (J)

24.11.2016-HDD(SB).doc

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 796 OF 2016
[Shri Dnyaneshwar S/o Kumar Bhalke Vs. The State of
Maharashtra & Ors.]**

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

DATE : 24.11.2016.

ORAL ORDER:

Shri N.D. Kendre – learned Advocate for the Applicant
(**absent**). Shri M.S. Mahajan – learned Chief Presenting Officer
for the respondents, present.

2. Since nobody appeared for the applicant, S.O. to 9th
December, 2016.

MEMBER (J)

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