

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**ORIGINAL APPLICATION NO.1024 OF 2017**

DISTRICT: PUNE

S.A. Markad

.. Applicant

Versus

The State of Maharashtra & Ors.

..Respondents

Shri M.D. Lonkar, the learned Advocate for the Applicant.

Ms. S. Suryawanshi, the learned P.O. for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 07.11.2017.

ORDER

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 12.12.2017.
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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within three days or service report on affidavit is not filed three days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Heard on interim relief. Perused the record.

9. Applicant is transferred mid-term and mid-tenure. Perusal of record reveals that no reasons much less special reasons and exceptional circumstances are recorded, as against those candidates who are not due for transfer.

10. Applicant has made a case for grant of ex-parte ad interim relief. Hence, following order is passed :-

(i) Ex parte ad interim relief is granted in terms of paragraph 15(b), which reads as follows :-

(b) Pending the hearing and final disposal of the present O.A., this Hon'ble Tribunal be pleased to pass any order staying the order impugned dated 2.11.2017 qua the Petitioner with further directions to the respondents to allow the petitioner to continue to work as Block Development Officer, Class-I, P.S., Malshiras, Dist. Solapur on such terms and conditions as deem fit and proper.

(Quoted from page 7, of O.A. paper book).

(ii) It is further directed that applicant be permitted to work on his post and place before transfer.

(iii) Respondents are called to show cause as to why the ad interim relief should not be made absolute.

(iv) Steno copy and Hamdast is allowed to both sides.

(v) Learned P.O. is directed to communicate this order to the Respondents.

11. Adjourned to 12.12.2017 with liberty to circulate before due date.

Sd/-

(A.H. Joshi, J.)
Chairman

m

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20____

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> <u>2/11/2017</u></p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member)-A</p> <p><u>APPEARANCE:</u> Shri/Smt: <u>V.B. Joshi</u> Ld. Advocate for the Applicant</p> <p>Shri/Smt: <u>A.J. Chougule</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: <u>CA is disposed.</u> <i>YE</i></p>	<p><u>C.A. No.53 of 2017 in O.A. No.1100 of 2015</u></p> <p>Shri V.S. Rane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.B. Joshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO points out that the amount payable to the applicant is paid to him by cheque. Ld. PO has tendered letter received from the Secretary notifying remorse and assurance that due care would be observed in future.</p> <p>3. In view of compliance, CA is disposed.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman 7.11.2017</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> <u>6/11/17</u></p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. : <u>A.V. Bandiwadekar</u> Advocate for the Applicant Shri/Smt. : <u>S. Suryavanshi</u> C.P.O. / P.O. for the Respondent/s.</p> <p>Adj. To. <u>6/12/2017</u></p> <p align="right"><i>B.F.</i></p>	<p><u>07.11.2017</u></p> <p align="center"><u>C.A 42/2017 in O.A No 970/2014</u></p> <p>Dr V.D Shinde ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O states that as per the directions of G.A.D entire promotion process has been stayed because according to G.A.D the quota for reservation cannot be apportioned at this stage awaiting SLP filed by the State, before Hon'ble Supreme Court.</p> <p>3. Public Health Department is called to secure information from G.A.D as to whether there exists any legal impediments in processing the promotions relatable to the year 2012 as per the rules including reservations as applicable at the relevant time which were due but not ordered.</p> <p>4. Statement be made, based on instructions from G.A.D on next date.</p> <p>5. S.O to 6.12.2017.</p> <p align="right">Sd/- (A.H Joshi J.) Chairman</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 07.11.2017.

C.A.No.57 of 2017 in O.A.No.576 of 2016

J.A. Shirode

....Applicant.

Versus

The State of Maharashtra & Ors.

....Respondents.

1. Heard Shri V.P. Potbhare, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. Shri K.B. Bhise, the learned Presenting Officer for the Respondents has reported the compliance i.e. permitting the applicant to join duty. The belated compliance is no restitution in itself.
3. The judgment of this Tribunal is dated 13.04.2017. Order was to be complied within four weeks.
4. In this case main notice was not issued. Hence, issue notice of show cause as to why action for contempt should not be taken against the Respondent No.3.
5. Notice is made returnable on 19.12.2017.
6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
7. 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.
8. 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.
9. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
10. In case notice is not collected within three days or service report on affidavit is not filed seven days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
11. Learned P.O. is directed to communicate this order. Steno copy and Hamdast is allowed to learned P.O..
12. S.O. to 19.12.2017.

DATE: 2/11/2017

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt: V.P. Potbhare

Advocate for the Applicant

Shri/Smt: K.B. Bhise

C.P.O / P.O. for the Respondent/s

Adj. To: 19/12/2017

Sd/-

(A.H. Joshi J.)
Chairman

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE</u> : 7/11/2017</p> <p><u>CORAM</u> : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE</u> : Shri/Smt. : A.V. Bandiwadker Advocate for the Applicant Shri/Smt. : S.P. Manchekar C.P.O./P.O. for the Respondent/s</p> <p>Adj. To : 16/11/2017. Steno copy & Hamdast is allowed</p> <p style="text-align: right;">H.A.</p>	<p>Date : 07.11.2017.</p> <p style="text-align: center;">O.A.No.379 of 2017</p> <p>A.D. DalviApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. The Superintendent of Police (Rural), Pune is called to show cause as to why he himself ought not withdraw / revoke the order of suspension or why suspension should not be set aside by this Tribunal in view of the judgment and order passed in O.A.No.611 of 2017 passed on 23.10.2017.</p> <p>3. Report of action as taken or reply as would be required be filed on or before 16.11.2017.</p> <p>4. Learned P.O. is directed to communicate this order. Steno copy and Hamdast is allowed to learned P.O..</p> <p>5. S.O. to 16.11.2017.</p> <p style="text-align: right;">Sd/- (A.H. Joshi J) Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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07.11.2017

O.A No 1174/ 2016

Shri A.R Kadam ... Applicant
Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms S.P Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned P.O states that the case is processed for recalling/dropping of the charges and the case would be put up before Hon'ble Chief Minister for decision and one month's time is needed.

3. In view of request of learned C.P.O, S.O to 12.12.2017.

4. Steno copy and Hamdast is allowed. Learned C.P.O is directed to communicate this order to the Respondents.

DATE: 2/11/2017

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri M. Rameshkumar (Member)-A

APPEARANCE:

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

C.P.O / P.O. for the Respondent/s

Adj. To. 12/12/2017

Steno copy & Hamdast is allowed.

ME

Sd/-

(A.H Joshi J.)
Chairman

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. _____ of 20 _____ DISTRICT _____ A plicant/s

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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DATE: 7/11/2017

CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:
Shri/Smt. None for the appl.
Advocate for the Applicant
Shri/Smt. Archana B.K.
CFO / P.O. for the Respondent/s
Adv. Shardul Singh Spl. Counsel for R4.
As to En view of ms
withdrawal purshis, O.A is disposed
as withdrawn.

prk

Date : 07.11.2017.

O.A.No.1038 of 2016
(Subject : Transfer)

C.A. JadhavApplicant.

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri Shardul Singh, the learned Special Counsel for the Respondents No.1 to 4.
2. None appeared for the Applicant.
3. Applicant has placed on record purshis for withdrawal of O.A.. It is signed by the learned Advocate for the Applicant. Applicant desires to withdraw the O.A..
4. In view of the withdrawal purshis, O.A. is disposed as withdrawn.

Sd/-
(A.H. Joshi) Chairman

(G.C.P.) J 2260 (A) (50,000—2-2015)

(Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>7/11/2017</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member)-A</p> <p>APPEARANCE: Shri/Smt: <u>K.R. Jagdale</u> Advocate for the Applicant Shri/Smt: <u>S.P. Manchekar</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: <u>15/11/2017</u></p> <p align="right"><i>BTE</i></p>	<p><u>07.11.2017</u></p> <p align="center"><u>O.A No 41/2016</u></p> <p>Shri S.B Sawant ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms S.P Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned P.O prays for time to file reply.</p> <p>3. It is hoped that each para, sentence and point contained in O.A is replied.</p> <p>4. S.O to 15.11.2017.</p> <p align="right">Sd/- (A.H Joshi, J.) Ch airman</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____

DISTRICT _____

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE</u> : 7/11/17</p> <p><u>CORAM</u> :</p> <p>Shri Shri. <u>RAJIV AGARWAL</u> (Vice-Chairman)</p> <p>Shri Shri <u>R. B. MALIK</u> (Member)</p> <p><u>APPEARANCE</u> : <u>B.P. Patil</u></p> <p>Shri <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Archana B.K.</u> C.P.O. for the Respondents</p> <p>Adj. No. <u>O.A. is admitted.</u> <u>S.O. 40 14/11/17</u> FH</p>	<p>Date : 07.11.2017.</p> <p>O.A.No.76 of 2017</p> <p>Shri J. N. Salunkhe ...Applicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Pleading are complete. The Original Application is admitted and appointed for final hearing on 14.11.2017.</p> <p style="text-align: right;">Sd/- (B. P. PATIL) MEMBER (J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 07.11.2017.

O.A.No.906 of 2017

Shri G. B. PatilApplicant.

Versus

The State of Maharashtra & Ors. ..Respondents.

1. Heard Ms Sonali Sase holding for Shri Abhijit Kadam, learned Advocate for the Applicant and Shri K. B. Bhise, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 12.12.2017.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record

8. S.O. to 12.12.2017

DATE: 7/11/17

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice-Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE: B.P. Patil

Ms. Sonali Sase
holding for Shri Abhijit Kadam
Advocate for the Applicant

Shri/Smt. K. B. Bhise

C.P.O./P.O. for the Respondents

Adj. To S.O. to 12/12/17

Sd/-

(B. P. PATIL)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____

DISTRICT _____

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 07.11.2017.

O.A.No.1103 of 2016

Shri P.T. Patil

...Applicant.

Versus

The State of Maharashtra & Ors.Respondents.

1. Applicant and Advocate absent. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Perused the record. As per amended prayer, the applicant has challenged the G.R. dated 27.02.2017.

3. The matter be placed the Division Bench.

4. S.O. to 29.11.2017.

DATE: 7/11/17

CORAM:

~~Shri. Mr. Shri. RAJIV AGARWAL~~
(Vice-Chairman)

~~Shri. Mr. Shri. R. B. MALIK (Member)~~

APPEARANCE: B.P. Patil

~~Shri. Mr. Applicant and~~

~~Advocate absent,~~

Shri Smt. A.J. Chougule

PTO/P.O. for the Respondents

Adj. To S.O. to 29/11/17
before Division Bench.

@

vsm

Sd/-

(B. P. PATIL)
MEMBER (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>7/11/17</u></p> <p>CORAM: Shri. RAJIV AGARWAL (Vice-Chairman) Shri R. B. MALIK (Member) J <u>B. P. Patil</u></p> <p>APPEARANCE: Shri <u>A. R. Joshi</u> Advocate for the Applicant Shri Smt. <u>N. K. Rajpurohit</u> C.P.O./P.O. for the Respondents</p> <p><u>O.A. is disposed of.</u> Adj. To.....</p>	<p>Date : 07.11.2017.</p> <p>O.A.No.705 of 2017</p> <p>Shri S. H. ShaikhApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A. R. Joshi, learned Advocate for the Applicant and Shri N. K. Rajpurohit, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant has sought direction of the Tribunal to the Respondent No.1 to pass necessary order on the basis of recommendation dated 23.02.2016 made by the Respondent No.2.</p> <p>3. On instructions from Shri J.K. Pakale, Desk Officer, Home Dept., Mantralaya, Mumbai, learned P.O. has submitted that on the basis of recommendation of Respondent No.2, dated 23.02.2016, the G.A.D. has approved the proposal and forwarded it to Respondent No.1 for taking appropriate decision. He has submitted that the respondent no.1 will take decision on the recommendation within two weeks from today.</p> <p>4. Learned Advocate for the applicant has submitted that the application may be disposed of with a direction to Respondent No.1 to take decision within two weeks and communicate its outcome to the applicant.</p> <p>5. In view of the submissions made by learned Advocate for the applicant and learned P.O. for the respondents, the application is disposed of with a direction to Respondent No.1 to take decision on the proposal/recommendation sent by the Respondent No.2 on 23.02.2016 within two weeks and communicate its outcome to the applicant.</p> <p style="text-align: right;">Sd/- (B. P. PATIL) MEMBER (J)</p> <p style="text-align: right;">P.T.O.</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 07.11.2017.

M.A. No.463 of 2017
In
O.A.No.1018 of 2017

Shri R. S. Wani

....Applicant.

Versus

The State of Maharashtra & Ors. ..Respondents.

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Learned Advocate for the applicant seeks leave to amend the M.A. Leave is granted to carry out the amendment forthwith.
3. Issue notice before admission returnable on 05.12.2017.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicants are authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement to be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.
8. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record

9. S.O. to 05.12.2017

Sd/-

(B. P. PATIL)
MEMBER (J)

DATE: 7/11/17

CORAM;

~~Hon'ble Shri. RAJIV AGARWAL~~
(Vice-Chairman)

Hon'ble Shri R. B. MALIK (Member) J

APPEARANCE: B. P. Patil

Shri/Smt. C.T. Chandratre

Advocate for the Applicant

Shri/Smt. A. J. Chougule

C.P.O./P.O. for the Respondents

Adi. To: S.O. to 5/12/17.