

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

**ORIGINAL APPLICATION NO.922 OF 2016
[Vijay P. Sable Vs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

Heard ShriS.S. Dambe, learned Advocate for the applicant and ShriM.S. Mahajan, learnedChief Presenting Officer for the respondents.

2. Vide order dated 30.09.2016, the applicant has been shown to be transferred from the post of I.T.I. Instructor from Parbhani to Latur. The said order seems to have been cancelled in respect of applicant only, as the applicant's name has not appeared in the second order dated 9.12.2016 and a separate order has been issued on 9.12.216, whereby the respondent no. 4 has been shown to be transferred in place of applicant at Latur.

3. The learned Advocate for the applicant submits that the respondent no. 4 has not yet been relieved so also the applicant. The applicant is due for transfer, since he has completed more than two tenures at Parbhani and very much interested in transfer at Latur and in counseling he has requested for transfer at Latur and it was accepted earlier. In view thereof, he requested for stay of transfer of respondent no. 4 at Latur.

4. The respondents are directed not to relieve the applicant till further orders, if he is not yet relieved and not to allow Respondent no. 4 to join at Latur.

5. In the mean time, issue notices to the respondents, returnable on 09.01.2017.

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 acknowledgment be obtained and produced

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O.A. No. 922/2016

along with affidavit of compliance in the Registry before due date.

Applicant is directed to file affidavit of compliance and notice.

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

11. S.O. to 09.01.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**M.A. No. 464/2016 in O.A. St. No. 2012 OF 2016
[S.V. BhartiVs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

Heard ShriS.B. Ghute, learned Advocate for the applicant and Shri M.S. Mahajan, learnedChief Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A., returnable on 01.02.2017.
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 M.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.

//2// M.A. No. 464/2016 in O.A.
St. No. 2012 OF 2016

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 01.02.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO.271 OF 2015
[Navnath K. KendreVs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

Heard ShriS.S. Dambe, learned Advocate holding for Shri S.P. Urgunde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Pleadings are complete, the O.A. is admitted and it be kept for final hearing after vacation.

3. S.O. to 10.01.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO.577OF 2016
[Dr. Baban L. JadhavVs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

Heard ShriJ.S. Deshmukh, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri H.P. Jadhav, learned counsel for respondent no. 4.

2. Pleadings are complete, the O.A. is admitted and it be kept for final hearing after vacation.

3. S.O. to 03.02.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO.524 OF 2016
[T.S. PathanVs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

ShriA.D. Sugdare, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 03.02.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO.601 OF 2016
[Tukaram R. AdbalwarVs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

ShriS.N. Pagare,learned Advocate 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. Time granted as a most last chance.

3. S.O. to 03.01.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO.605 OF 2016
[Nitin I. ChavanVs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

ShriD.K. Rajput, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 3 and Shri M.C. Syed, learned counsel for respondent no. 4, are present.

2. The learned counsel for respondent no. 4 has filed affidavit in reply. It is taken on record.

3. The learned Presenting Officer seeks time to file affidavit in reply of behalf of respondent nos. 1 to 3. Time granted.

4. S.O. to 03.02.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO.648 OF 2016
[AhmednagarZilla Van Kamgar Union Vs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

ShriA.S. Shelke, learned Advocate for the applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent no. 1 and ShriVivekBhavthankar, learned Special counsel for respondent nos. 2 to 4, are present.

2. The learned special counsel for respondent nos. 2 to 4 seeks time to file affidavit in reply. Time granted as a last chance.

3. S.O. to 01.02.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO.704 OF 2016
[P.P. HiwaleVs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

ShriR.D. Khadap, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 & 2 andShriP.S. Dighe, learned counsel for respondent no. 3.

2. The learned Presenting Officer seeks time to file affidavit in reply of behalf of respondent nos. 1 & 2. Time granted as a last chance.

3. S.O. to 04.01.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO.766 OF 2016
[Rambhau T. JadhavVs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

ShriA.D. Sugdare, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply of behalf of respondents. Time granted.

3. S.O. to 04.01.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**M.A. No. 466/2016 in O.A. No. 839/2012
[J.R. Sonawane Vs. The State of Mah. & Ors.]**

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

DATE : 19.12.2016

ORAL ORDER :

Shri D.D. Choudhary, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply of behalf of respondents. Time granted.

3. S.O. to 17.01.2017.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO.581 OF 2011
[M.U. KhadeVs.The State of Mah.& Ors.]**

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

DATE : 19.12.2016

ORALORDER :

Heard ShriR.D. Khadap, learned Advocateholding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. The learned Presenting Officer submits that she will file affidavit in reply during the course of the day. She is allowed to file affidavit in reply. Copy of the said affidavit in reply shall be served on the applicant.

3. The O.A. be kept tomorrow for hearing.

4. S.O. to 20.12.2016.

MEMBER (J)

Kpb/19.12.2016 – KPB(SB)

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

**ORIGINAL APPLICATION NO. 548 OF 2016
[D.B. Warule Vs. The State of Mah. & Ors.]**

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

DATE : 19.12.2016

ORAL ORDER :

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

2. The applicant is claiming following reliefs :-

“B. To hold and declare the applicant is entitled benefit of the Assured Carrier Progressive Scheme pertains to second time bound pay scale in view of the G.R. dated 01.04.2010.

C. To direct the respondents to extend the benefits of the G.R. dated 01.04.2010 and thereby to extend all the consequential benefits including pay fixation, revision of pay scale in every respect including the pensionary benefits.”

3. The affidavit in reply has already been filed by the respondents. In the said affidavit in reply the respondents have stated that pursuant to the order dated 26.02.2016 passed by this Tribunal in O.A. No. 971/2010, appropriate decision after verifying the eligibility of the applicant will be taken in the meeting of the District Promotion Committee (DPC) as early as

possible and will be communicated to the applicant. The learned Presenting Officer therefore, submits that the O.A. be disposed of accordingly.

4. The learned Advocate for the applicant submits that timeframe shall be granted, so that the decision can be taken as early as possible.

5. In view thereof, the O.A. is disposed of with direction to the respondents to convey the D.P.C. meeting and consider the applicant's claim as per its own merits. Decision taken in the D.P.C. shall communicate to the applicant in writing and such decision shall be taken within two months from the date of this order. There shall be no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 875 OF 2016
[ShriAkhilAhemadSulemanJuneri Vs.The State of Mah.&Ors.]**

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

DATE : 19.12. 2016.

ORAL ORDER:

Heard Shri D.T. Devane – learned Advocate for the Applicant and Smt. SanjivaniDeshmukh-Ghate – learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O. to 4th January, 2017.

MEMBER (J)

ORAL ORDERS 19.12.2016-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 545 OF 2012
[ShriNamdeoSahaduDhagde Vs.The State of Mah.&Ors.]**

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

DATE : 19.12. 2016.

ORAL ORDER:

Shri A.R. Devkate – learned Advocate for the Applicant (**absent**).
Shri N.U. Yadav – learned Presenting Officer for respondents, present.

2. The present Original Application No. 545/2012 was dismissed by this Tribunal vide its order dated 9.1.2015. Against the said order the applicant had filed Writ Petition No. 1653/2015. In the said Writ Petition Hon'ble High Court is pleased to dispose of the said Writ Petition vide its order dated 21.10.2016 and set aside the order passed by this Tribunal on 9.1.2015 in O.A. No. 545/2015 and remanded back the O.A. to this Tribunal for afresh consideration.

3. It seems from the office note of the Registrar, the parties were relegated before this Tribunal for considering the case of the applicant afresh. The parties were directed to appear before the Tribunal on 18.11.2016. The Tribunal was to decide the OA filed by the petitioner afresh with regards to the prayer made in the O.A. The applicant was directed to place amended copy of the OA on record.

4. From the office note it seems that the applicant has not incorporated prayer clause 'C' in the O.A. and, therefore, the matter is placed before the Tribunal today for passing necessary orders.

4. However, today none appears for the applicant and, hence, the present O.A. be kept on 3rd February, 2017 for passing necessary orders.

MEMBER (J)

ORAL ORDERS 19.12.2016-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 210 OF 2013
[ShriMadhukar S/o RajaramMapari Vs.The State of Mah.&Ors.]**

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

DATE : 19.12. 2016.

ORAL ORDER:

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

2. The learned Presenting Officer seeks time to file affidavit in reply to the amended O.A. This matter is already fixed for final hearing. It is material to note that the amendment was allowed long back as per order dated 10.6.2016 and while allowing the amendment, the respondents were given opportunity to file reply to the amended O.A. In stead of filing reply to the amended O.A., the respondents have filed reply to the M.A. that too on 21.11.2016.

3. It is really surprising that when the M.A. has already disposed of there was absolute no necessity for respondent Nos. 1 to 3 to file reply to the M.A. and the reply should have been filed to the amended O.A. Since last six months no reply is filed to the amended O.A. The applicant is a pensioner and aged about 69 years' and is fighting for his pensionary benefits.

4. Considering all these facts, the respondents are directed to file affidavit in reply to the amended O.A. within a period of two weeks subject to costs of Rs. 2,000/- (Rs. Two thousand only), which shall be paid to the applicant.

5. S.O. to 4th January, 2017.

MEMBER (J)

ORAL ORDERS 19.12.2016-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 658 OF 2016
[ShriMahendra S/o Eknath Mali Vs.The State of Mah.&Ors.]**

W I T H

**ORIGINAL APPLICATION NO. 659 OF 2016
[Shri Deepak S/o SantoshPatil Vs.The State of Mah.&Ors.]**

W I T H

**ORIGINAL APPLICATION NO. 660 OF 2016
[ShriNamdeoRamchandraPatil Vs.The State of Mah.&Ors.]**

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

DATE : 19.12. 2016.

ORAL ORDER:

Shri V.B. Wagh – learned Advocate for the Applicant in all these three matters (**absent**). Shri M.S. Mahajan& Mrs. Priya R. Bharaswadkar – learned Chief Presenting Officer & Presenting Officer for respective respondents in respective matters.

2. The learned Chief Presenting Officer & Presenting Officer submit that in this O.A. this Tribunal vide order dated 22.8.2016 has stayed the impugned transfer of the applicant on the basis of the order of passed by Hon'ble High Court in Writ Petition No. 8421/2016. They further submit that the said Writ Petition has been disposed of by the Hon'ble High Court, and therefore, the stay granted earlier by this Tribunal is required to be vacated. It is stated at bar that the intimation was given orally to Shri V.B. Wagh, learned Advocate for the

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applicant. In spite of such intimation, he did not appear and, therefore, the matter be kept tomorrow i.e. on 20.12.2016 for hearing.

MEMBER (J)

ORAL ORDERS 19.12.2016-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 928 OF 2016
[ShriGovindJalbaji Dhole 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 : 19.12.2016.

ORAL ORDER:

Heard Shri S.D. Dhongde – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. Vide order dated 9.11.2016 the applicant was promoted from the post of Talathi to the post of Circle Officer and was posted at Dhule City in place of one Mr. K.P. Borse, who was transferred. It is stated that the applicant has accordingly joined the services immediately as Circle Officer. However, on 14.12.2016, the impugned order has been passed, wherein it has been stated that the applicant was inadvertently promoted and in his place one Shri S.C. Nemané should have been promoted. The learned Advocate for the applicant submits that the applicant has not been given any opportunity before his reversion and, therefore, the impugned order is against the principles of natural justice. It is stated that the applicant has not yet been relieved from the post of Circle Officer.

3. In view of this above, the respondent No. 2 is directed not to relieve the applicant, if he is not yet relieved from the promotional post of Circle Officer till filing of the affidavit in reply by the respondents.

4. In the meanwhile, issue notices to the respondents, returnable on 4th January, 2017.

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

O.A. NO. 928 OF 2016

6. 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. S.O.to 4th January, 2016.

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

MEMBER (J)

ORAL ORDERS 19.12.2016-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 625 OF 2014
[ShriUddhav S/o DhondibaYerkal&Ors. Vs. The State of
Maharashtra &Ors.]**

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

DATE : 19.12. 2016.

ORAL ORDER:

Heard Shri S.D. Joshi – learned Advocate for the applicants and Shri V.R. Bhumkar – learned Presenting Officer for the respondent Nos. 1 & 2. ShriVivekBhavthankar – learned Special counsel for respondent Nos. 3 to 5 (**absent**).

2. On instructions from his clients i.e. the applicants, the learned Advocate for the applicant 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)

ORAL ORDERS 19.12.2016-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 547 OF 2016
[ShriDattaramUddhavRathod 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 : 19.12. 2016.

ORAL ORDER:

Heard Shri S.D. Dhongde – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks one week's time to verify the Original Application. Time granted as prayed for.
3. S.O. to 4th January, 2017.

MEMBER (J)

ORAL ORDERS 19.12.2016-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 407/2016 IN C.P.ST.1831/16 IN O.A. 624/12
[Shri Vijay S/o. ShankarraoTak 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 : 19.12. 2016.

ORAL ORDER:

Heard Shri D.V. Devane, learned Advocate holding for Shri K.G. Salunke – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.

2. As per order dated 15.12.2016 passed by the Hon'ble Chairman, the contemnor No. 1, ShriSubhashMahajan, Director of Technical Education, M.S., Mumbai, and contemnor No. 2, Shri Dr. Mahesh Shivankar, Joint Director of Technical Education, Regional Office, Osmanapura, Tq. & Dist. Aurangabad, have submitted their hand written apologies. The same are taken on record.

3. The contemnor Nos. 1 & 2 are present today before this Tribunal. The learned Presenting Officer submits that the impugned order has already been complied with by the respondents.

4. However, the matter be kept before the Hon'ble Chairman whenever he comes at Aurangabad for sitting.

5. The learned Presenting Officer is directed to communicate the contemnor Nos. 1 & 2 to remain present before the Hon'ble Chairman.

MEMBER (J)

ORAL ORDERS 19.12.2016-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.ST.NO. 2097/16 IN C.P.ST.2098/16 IN O.A. 905/16
[ShriMahavir S/o. ChandranathGosavi 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 : 19.12.2016.

ORAL ORDER:

Heard Ms. BhavnaPanpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. In the Miscellaneous Application the applicant is claiming intentional disobedience and willful non-compliance of the order dated 5.12.2016 passed by this Tribunal in O.A. No. 905/2016.

3. The learned Presenting Officer submits that though the interim relief was granted on 5.12.2016 not to relieve the applicant, the applicant was already relieved on 30.11.2016 and one Mr. More has already taken charge of the post of the applicant on 1.12.2016. In view of this, it is necessary to give an opportunity to the respondents to file detailed reply in the M.A. Hence, issue notices to the respondents, returnable on 30th January, 2016.

MEMBER (J)

ORAL ORDERS 19.12.2016-HDD(SB)