

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.38/2015

(Dr. K.N.Swami V/s. The State of Mah. & Ors.)

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

DATE : 02-12-2016

ORAL ORDER:-

Heard Shri A.D.Gadekar learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondent nos.1 to 3. Shri K.G.Salunke learned Advocate for respondent nos.4 & 5 is **absent**.

2. Learned Advocate for the applicant has requested for adjournment. Adjournment granted.

3. S.O.31-01-2017.

YUK ORAL ORDER 02-12-2016

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.324/2015

(B.K.Shinde V/s. The State of Mah. & Ors.)

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

DATE : 02-12-2016

ORAL ORDER:-

Heard Shri D.J.Patil learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has requested for adjournment. Adjournment granted.

3. S.O.31-01-2017.

YUK ORAL ORDER 02-12-2016

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.619/2015

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

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

DATE : 02-12-2016

ORAL ORDER:-

Heard Shri H.V.Tungar learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

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

YUK ORAL ORDER 02-12-2016

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.623/2015

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

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

DATE : 02-12-2016

ORAL ORDER:-

Heard Shri K.B.Jadhav learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has requested for adjournment. Adjournment granted.

3. S.O.21-12-2016.

YUK ORAL ORDER 02-12-2016

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.136/2016

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

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

DATE : 02-12-2016

ORAL ORDER:-

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

2. On consent of both sides, S.O.09-12-2016.

YUK ORAL ORDER 02-12-2016

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 779 OF 2016
[Shri Mohommad Munawar Gulam Dastgir Vs. The State of
Maharashtra & Ors.]**

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

DATE : 02.12. 2016.

ORAL ORDER:

Heard Shri S.D. Dhongde – learned Advocate for the Applicant has filed leave note. Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents, present.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 and the same has been taken on record. He undertook to serve the copy of the same on the learned Advocate for the applicant.

3. In view of leave note filed by the learned Advocate for the applicant, S.O. to 27th January, 2017.

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 868 OF 2016
[Shri Vishwanath S/o. Babunath Nath Vs. The State of
Maharashtra & Ors.]**

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

DATE : 02.12. 2016.

ORAL ORDER:

Heard Ms. Preeti Wankhade – learned Advocate for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks permission to substitute the Original Application and since she will not carry out the amendment as directed, she is allowed to substitute the Original Application.

3. The learned Advocate for the applicant shall serve the copy of the substitute Original Application on the respondents.

4. After service of copy of the substituted Original Application, the respondents shall file affidavit in reply on or before the next date.

5. Since this case has already been fixed on 11th January, 2017, it be fixed on the said date.

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 450/2016 IN O.A.NO. 533/2016
[Shri Motiram S/o Tulshiram Nikam Vs. The State of
Maharashtra & Ors.]**

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

DATE : 02.12.2016.

ORAL ORDER:

Heard Shri D.J. Patil, learned Advocate holding for Shri Vijay V. Deshmukh – learned Advocate for the Applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. This Miscellaneous Application No. 450/2016 has been filed by the applicant seeking permission to amend the Original Application No. 533/2016 in view of subsequent events that has come to the knowledge of the applicant after filing of the reply affidavit by the respondents.

3. In view thereof, and for the reasons stated in the present Miscellaneous Application, the same is allowed and the applicant is permitted to amend the Original Application. The applicant undertakes to amend the Original Application within a period of one week.

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

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 533 OF 2016
[Shri Motiram S/o Tulshiram Nikam Vs. The State of
Maharashtra & Ors.]**

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

DATE : 02.12. 2016.

ORAL ORDER:

Heard Shri D.J. Patil, learned Advocate holding for Shri Vijay V. Deshmukh – learned Advocate for the Applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. After amending the Original Application by the applicant, the respondents shall file affidavit in reply to the amended O.A. on the next date.

3. S.O. to 16th December, 2016.

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.ST.1633/16 WITH M.A.NO. 378/16 IN O.A. 1634/16
[Shri Vyankat Swarooprao More & Ors. Vs. The State of
Maharashtra & Ors.]**

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

DATE : 02.12.2016.

ORAL ORDER:

Heard Shri T.B. Bhosale – learned Advocate for the Applicants and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. This is 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)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 378/2016 IN O.A.ST.NO. 1634/2016
[Shri Vyankat Swaroprao More & Ors. Vs. The State of
Maharashtra & Ors.]**

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

DATE : 02.12.2016.

ORAL ORDER:

Heard Shri T.B. Bhosale – learned Advocate for the Applicants and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. The learned Presenting Officer for the respondents seeks time to file affidavit in reply in M.A. No. 378/2016, which is filed for condonation of delay of about 8 years and 214 days caused in filing accompanying Original Application.

3. The learned Presenting Officer submits that he has not yet received application filed by the applicant for condonation of delay. However, the learned Advocate for the applicant is directed to supply the copy of the application of condonation of delay to the respondents.

4. S.O. to 20th January, 2017.

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 742 OF 2016
[Shri Amol S. Ranjankar Vs. The State of Maharashtra &
Ors.]**

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

DATE : 02.12.2016.

ORAL ORDER:

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

2. The learned Chief Presenting Officer, on instructions, submits that he will file affidavit in reply on 6th December, 2016, positively.

3. In view thereof, S.O. to 6th December, 2016 for hearing.

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 703 OF 2011
[Dr. Ravindra S/o. Madhavrao Lahurikar Vs. The State of
Maharashtra & Ors.]**

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

DATE : 02.12. 2016.

ORAL ORDER:

Heard Shri A.D. Gadekar – learned Advocate for the Applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 31st January, 2017.

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 949 OF 2012
[Mr. Namdeo Dudhajirao Waghmare Vs. The State of
Maharashtra & Ors.]**

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

DATE : 02.12. 2016.

ORAL ORDER:

Heard Shri J.B. Choudhary – learned Advocate for the Applicant, Smt. Resha S. Deshmukh – learned Presenting Officer for respondent Nos. 1 & 2 and Shri G.N. Patil – learned Advocate for respondent Nos. 3 & 4.

2. After hearing the matter at length, it is reserved for orders.

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 210 OF 2013
[Shri Madhukar S/o Rajaram Mapari Vs. The State of
Maharashtra & Ors.]**

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

DATE : 02.12.2016.

ORAL ORDER:

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

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 to the amended Original Application and the same is taken on record and the copy thereof has been served upon the learned Advocate for the Applicant.

3. At the request of learned Advocate for the Applicant, S.O. to 6th December, 2016.

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 899 OF 2016
[Shri Sunil S/o Narayan Jogdand Vs. The State of Mah. &
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 : 02.12. 2016.

ORAL ORDER:

Heard Shri A.D. Sugdare, learned Advocate holding for Shri V.S. Panpatte – learned Advocate for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for respondents.

2. The applicant has challenged the termination order dated 28th November, 2016 issued by the respondent No. 2 – Dean, Swami Ramanand Tirth Rural Government Medical College, Ambajogai. It seems that the applicant has been appointed on temporary basis as a Sweeper (Class-IV) on 25.1.2016 (Annexure 'A-6' page-32 of the paper book). From the condition mentioned in the said appointment order, it seems that it was specifically mentioned that the applicant's services can be terminated at any time without issuing any notice.

3. The learned Advocate for the Applicant submits that such conditions are illegal, but the fact remains that the appointment was accepted by the applicant on the terms and conditions mentioned in the appointment order.

4. The learned Advocate for the applicant admits that the termination order has been served with immediate effect. He prays for interim relief that till final disposal of the Original Application effect, operation and execution of impugned order dated 28.11.2016 issued by respondent No. 2 may kindly be stayed. However, since the termination order has already been served on the applicant, no interim relief can be granted.

5. Issue notices to the respondents, returnable on 20th December, 2016.

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 along

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O.A. NO. 899 OF 2016

with affidavit of compliance in the Registry before due date.
Applicant is directed to file affidavit of compliance and notice.

10. S.O.to 20th December, 2016.

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

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 900 OF 2016
[Shri Prashant S/o Bansi Wadmare Vs. The State of Mah.
& 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 : 02.12. 2016.

ORAL ORDER:

Heard Shri A.D. Sugdare, learned Advocate holding for Shri V.S. Panpatte – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for respondents.

2. The applicant has challenged the termination order dated 28th November, 2016 issued by the respondent No. 2 – Dean, Swami Ramanand Tirth Rural Government Medical College, Ambajogai. It seems that the applicant has been appointed on temporary basis as a Sweeper (Class-IV) on 25.1.2016 (Annexure 'A-7' page-33 of the paper book). From the condition mentioned in the said appointment order, it seems that it was specifically mentioned that the applicant's services can be terminated at any time without issuing any notice.

3. The learned Advocate for the Applicant submits that such conditions are illegal, but the fact remains that the appointment was accepted by the applicant on the terms and conditions mentioned in the appointment order.

4. The learned Advocate for the applicant admits that the termination order has been served with immediate effect. He prays for interim relief that till final disposal of the Original Application effect, operation and execution of impugned order dated 28.11.2016 issued by respondent No. 2 may kindly be stayed. However, since the termination order has already been served on the applicant, no interim relief can be granted.

5. Issue notices to the respondents, returnable on 20th December, 2016.

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 along

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O.A. NO. 900 OF 2016

with affidavit of compliance in the Registry before due date.
Applicant is directed to file affidavit of compliance and notice.

10. S.O.to 20th December, 2016.

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

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 901 OF 2016
[Shri Haribhau S/o Murlidhar Kalunke Vs. The State of
Mah. & 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 : 02.12. 2016.

ORAL ORDER:

Heard Shri A.D. Sugdare, learned Advocate holding for Shri V.S. Panpatte – learned Advocate for the Applicant and Shri S.K. Shirase – learned Presenting Officer for respondents.

2. The applicant has challenged the termination order dated 28th November, 2016 issued by the respondent No. 2 – Dean, Swami Ramanand Tirth Rural Government Medical College, Ambajogai. It seems that the applicant has been appointed on temporary basis as a Sweeper (Class-IV) on 25.1.2016 (Annexure 'A-6' page-32 of the paper book). From the condition mentioned in the said appointment order, it seems that it was specifically mentioned that the applicant's services can be terminated at any time without issuing any notice.

3. The learned Advocate for the Applicant submits that such conditions are illegal, but the fact remains that the appointment was accepted by the applicant on the terms and conditions mentioned in the appointment order.

4. The learned Advocate for the applicant admits that the termination order has been served with immediate effect. He prays for interim relief that till final disposal of the Original Application effect, operation and execution of impugned order dated 28.11.2016 issued by respondent No. 2 may kindly be stayed. However, since the termination order has already been served on the applicant, no interim relief can be granted.

5. Issue notices to the respondents, returnable on 20th December, 2016.

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 along

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O.A. NO. 901 OF 2016

with affidavit of compliance in the Registry before due date.
Applicant is directed to file affidavit of compliance and notice.

10. S.O.to 20th December, 2016.

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

MEMBER (J)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 454/2016 IN O.A.ST.NO. 2023/2016
[Dr. Atul Ramesh Ladwanjari & Ors. Vs. The State of Mah.
& 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 : 02.12. 2016.

ORAL ORDER:

Heard Shri A.G. Talhar – learned Advocate for the Applicants and Shri M.S. Mahajan – learned Chief Presenting Officer for respondents.

2. This is 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)

ORAL ORDERS 02.12.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST.NO. 2023 OF 2016
[Dr. Atul Ramesh Ladwanjari & Ors. Vs. The State of Mah.
& 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 : 02.12. 2016.

ORAL ORDER:

Heard Shri A.G. Talhar – learned Advocate for the Applicants and Shri M.S. Mahajan – learned Chief Presenting Officer for respondents.

2. The applicant is challenging the advertisement dated 19.11.2016 (Annexure 'A-5' page-85 of the paper book) for appointment to the post of Medical Officer, Grade 'A' (MBBS). The applicants are the Medical Officers of Group 'B'. It is the case of the applicants that there is 33% quota of reservation of Medical Officers Group 'A' having qualification of BAMS and the all the applicants are having BAMS. Without keeping the reservation quota of 33%, the advertisement has been issued and all the Medical Officers are being appointed directly, who are having qualification of MBBS only, and therefore, the learned Advocate for the Applicant seeks directions that, pending the hearing and final disposal of this Original Application the respondents may kindly be restrained from filling up the posts of Medical Officers Group-A having the qualification of M.B.B.S. as per the advertisement (Annexure

O.A. ST.NO. 2023 OF 2016

"A-5") till filling up the reservation quota of 33% of the Medical Officers Group-A having qualification of B.A.M.S.

3. Admittedly, the advertisement has been issued on 19.11.2016 and the interviews are scheduled in between 5th December, 2016 and 12th December, 2016, as instructed by the applicants to their learned Advocate.

4. In view thereof, no interim relief at this stage can be granted, unless the respondents are heard on that point.

5. Issue notices to the respondents, returnable on 14th December, 2016.

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 along

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O.A. ST.NO. 2023 OF 2016

with affidavit of compliance in the Registry before due date.
Applicant is directed to file affidavit of compliance and notice.

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

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

MEMBER (J)

ORAL ORDERS 02.12.2016

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION St. NO.2003/2016.
(L.A. Lomte Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

None present for the applicant. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 27.1.2017.

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.

-2- ORIGINAL APPLICATION St. NO.2003/2016.

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 27.1.2017.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

MA No.451/2016 in OA St.No.2003/2016.

(L.A. Lomte Vs. State of Mah.& Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

None present for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. The delay caused in filing O.A. is just 95 days. Hence in the interest of justice the delay is condoned. Accordingly M.A.No.451/2016 stands disposed of with no order as to costs.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

MA No.453/2016 in O.A.St.No.1890/2016.

(S.B.Sathe Patil & Ors. Vs. State of Mah.& Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Shri R.N. Bharaswadkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. The applicants are claiming condonation of delay for filing O.A. In the O.A. the claim is for getting Assured Career Progress Scheme benefit to the applicants. It seems from the contents of the application that, the proposals regarding grant of Assured Career Progress Scheme benefit to the applicants have been forwarded to the competent authority and the same are still pending with the Government. In view of this, the so called delay for filing the O.A. is condoned in the interest of justice and equity. Accordingly M.A.No.453/2016 stands disposed of with no order as to costs.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

MA St. No.2017/2016 in O.A.St.No.1890/2016.
(S.B.Sathe Patil & Ors. Vs. State of Mah.& Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Shri R.N. Bharaswadkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. This is an application preferred by the applicant 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 present M.A. stands disposed of accordingly. No order as to costs.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

O.A.St.No.1890/2016.

(S.B.Sathe Patil & Ors. Vs. State of Mah.& Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Shri R.N. Bharaswadkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 27.1.2017.

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 acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

7. Steno copy and Hamdast is allowed to both parties.
8. S.O. to 27.1.2017.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO. 215/2016.

(D.R. Parde Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

None present for the applicant. Shri M. P. Gude, 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.

3. S.O. to 24.1.2017.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.229/2016.

(Dr. P.D. Gaikwad Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

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. files reply affidavit on behalf of Respondent no.2. The same is taken on record. Its copy is served on the applicant.

3. The applicant's claim for maternity leave has been rejected by the Deputy Director vide order dated 9.3.2016 wherein reference has been given to the G.R. dated 15.1.2016. The applicant has placed on record the copies of judgment passed in this regard in OA Nos.492/13 & 40/2015, in which similar issue has been involved and decided. No reply has been given on these two judgments in the reply affidavit filed today by respondent no.2. The respondent no.2 therefore, is directed to file affidavit as to whether the judgment in these two O.A. is binding on him or not and what steps he wants to take in this regard. The affidavit shall be filed within two weeks.

3. S.O. to 4.1.2017.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.285/2016.

(D. V. Salgarkar Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant, Shri I. S. Thorat, learned Presenting Officer for the Respondents no.1 & 2. Shri S.D. Dhongde learned Advocate for the Respondent no.3 has filed leave note.

2. Learned P.O. files reply affidavit on behalf of Respondent nos.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 necessary.

4. S.O. to 24.1.2017.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.365/2016.

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

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Heard Shri Shaikh, learned Advocate holding for Shri S.S. Deshmukh, learned Advocate for the applicant and Smt R.S. Deshmukh, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant seeks time to file rejoinder, if necessary. Time granted on condition that it rejoinder is to be filed its copy shall be served in advance to the learned P.O.

3. S.O. to 19.12.2016 for final hearing.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.373/2016.

(A. K. Rankhambe Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Heard Shri R.M. Jade, learned Advocate holding for Shri G.G. Suryawanshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents no.1 to 3. None appeared for Respondent no.4.

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

3. S.O. to 24.1.2017.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.423/2016.

(H. S. Morellu Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Heard Shri S. N. Pagare, 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.

3. S.O. to 9.12.2016.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.460/2016.

(M. J. Khating Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Heard Shri S.P. Telgude, learned Advocate holding for Shri Swapnil Tawshikar, learned Advocate for the applicant and Smt RS Deshmukh, learned Presenting Officer for the Respondents.

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

3. Since the pleadings are complete, the matter is admitted and kept for final hearing.

4. S.O. to 27.1.2017.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.495/2016.

(R.L. Nagarhwar Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

None present for the applicant. Shri D.R. Patil, learned Presenting Officer for the Respondents.

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

3. S.O. to 23.1.2017.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.601/2016.

(T.R. Adbalwar Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

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

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

3. S.O. to 19.12.2016.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.729/2016.

(Lalaji Babasaheb Diwane Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Heard Shri V. B. Wagh, learned Advocate for the applicant, Shri N. U. Yadav, learned Presenting Officer for the Respondents no.1 to 3 and Shri A. S. Deshmukh, learned Advocate for the Respondent no.4.

2. Learned P.O. files reply affidavit on behalf of Respondent no.1 to 3. The same is taken on record. Its copy is served on the other side.

3. The learned Advocate for the applicant submits that he has been instructed by the client to withdraw the O.A. He has also filed pursis, which is marked at Exh.X for the purpose of identification, and seeks permission to withdraw the O.A.

4. In view thereof, the O.A. stands disposed of, as withdrawn, with no order as to costs.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.745/2016.

(Mr. S. M. Bhabad Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Heard Shri A. P. Avhad, learned Advocate for the applicant and Smt S.K. Ghate - 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 file rejoinder affidavit. Time granted.

4. S.O. to 11.1.2017.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.754/2014.

(R. A. Vhatkar Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

Heard Shri V. B. Wagh, 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.

3. S.O. to 5.12.2016.

MEMBER (J).

02.12.2016-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.778/2016.

(A. N. Wadekar Vs. State of Mah.&Ors.)

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

DATE _____ : 02.12.2016.

ORAL ORDER :-

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

2. Learned P.O. files reply affidavit on behalf of Respondent no.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 he will file rejoinder affidavit, if necessary. Time granted.

4. S.O. to 3.1.2017.

MEMBER (J).

02.12.2016-ATP