

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

ORIGINAL APPLICATION NO.769/2016.
(B.B. Wahul Vs. 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 :--07.10.2016.

ORAL ORDER:-

None present for the Applicant. Shri MS Mahajan, learned
Chief Presenting Officer for the Respondents.

2. Since nobody appears for the applicant, S.O. to 24.10.2016.

MEMBER (J)

07.10.2016-ATP

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

MA NO.393/2016 IN CP ST.1798/2016 IN OA 122/2014.
(Dr. Ashok B. Havelikar Vs. 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 :--07.10.2016.

ORAL ORDER:-

Heard Shri S.D. Dhongde, learned Advocate for the Applicant and Shri IS Thorat, learned Presenting Officer for the Respondents.

2. In OA No.122/2014 an order was passed on 11.8.2015 directing respondents to calculate the arrears of pension and other duties in respect of pensionary benefits to the applicant under Rule 130 of the MCS (Pension) Rules and to pay the same within 3 months from the date of order. Learned Advocate for the applicant submits that, till today even provisional pension is not received by the applicant. Therefore, it seems that there is prima faice contempt of the order passed by this Tribunal. However, before taking any action against the respondents, issue show cause notice to the respondents, as to why the contempt proceeding should not be initiated against them, returnable on 10.11.2016

3. S.O. to 10.11.2014.

MEMBER (J)

07.10.2016-ATP

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

MA NO.394/2016 IN CP ST.1810/2016 IN OA 162/2014.
(A. S. Mane Vs. 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 :--07.10.2016.

ORAL ORDER:-

Heard Shri V.B. Wagh, learned Advocate for the Applicant and
Shri IS Thorat, learned Presenting Officer for the Respondents.

2. Vide order dated 9.3.2016 in OA No.162/2014 the respondents were directed to review the applicant's entitlement to the benefits of second time bound promotion as per G.R. dated 1.4.2010 and the respondents to pass the necessary orders within 8 weeks from the date of order. It is stated that, till today no decision has been taken by the Respondents. Hence, issue show cause notice to the respondents, as to why the contempt proceeding should not be initiated against them, returnable on 10.11.2016.

3. S.O. to 10.11.2014.

MEMBER (J)

07.10.2016-ATP

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

ORIGINAL APPLICATION No.773/2016.
(G. D. Nagargoje Vs. State of Mah. & Ors.)

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

DATE :--07.10.2016.

ORAL ORDER:-

Heard Shri G.J. Karne, learned Advocate for the applicant and Shri NU Yadav, learned Presenting Officer for the Respondents.

2. The applicant is claiming appointment to the post of Talathi on the ground that, he is Ex-serviceman and handicap person. According to the learned Advocate for the applicant, the applicant has got 90 marks out of 200, but his nomenclature is not considered from handicap quota. He is claiming that, one post shall be kept open for the applicant till the respondents are heard. Admittedly, no final list has yet been published. It is not known as to how the applicant is entitled to be there only because he got 90 marks. From the mark list it seems that, there are number of candidates, who got more than 90 marks. In such circumstances, the case of the applicant will be considered on merits and no interim relief at this stage can be considered. It is however, made clear that, the result of the recruitment shall be subject to outcome of this O.A. Hence, issue notices to the respondents, returnable on 07.11.2016.

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. Respondent is 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 question such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. The respondents are free to file reply affidavit before due date, if they wish to do so.

8. S.O. 7.11.2016.

9. Steno Copy and Hamdust allowed to both parties.

MEMBER (J)

07.10.2016-ATP

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

MA NO.348/2016 IN OA St.1609/2016.
(A. M. Kale Vs. 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 :--07.10.2016.

ORAL ORDER:-

Heard Shri V.G. Pingle, learned Advocate for the Applicant, Smt. PR Bharaswadkar, learned Presenting Officer for the Respondents no.1 to 3 & 5, and Shri Sham Patil, learned Advocate for the Respondents no.4.

2. Learned Advocate for the applicant seeks permission to correct the address of the Respondent no.4. He is permitted to do so forthwith in MA as well as in OA.

3. Learned P.O. as well as learned Advocate Shri Sham Patil seeks time to file reply affidavits. Time granted.

4. S.O. to 18.11.2014.

MEMBER (J)

07.10.2016-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.255/2015

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

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

DATE : 07-10-2016

ORAL ORDER:-

Heard Shri V.Y.Patil learned Advocate holding for Shri A.R.Devkate learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks permission to file amended copy during the course of the day.
3. Respondents are at liberty to file reply to the amended O.A.
4. S.O.18-11-2016.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.81/2016

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

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

DATE : 07-10-2016

ORAL ORDER:-

Shri K.G.Salunke learned Advocate for the applicant is **absent**. Smt. Priya Bharaswadkar learned Presenting Officer for respondents is present.

2. Since pleadings are complete, matter is admitted. It is fixed for final hearing on 11-11-2016.

3. S.O. 11-11-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.199/2016

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

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

DATE : 07-10-2016

ORAL ORDER:-

Shri S.S.Ambhore learned Advocate for the applicant is **absent**. Shri D.M.Shinde learned Advocate for respondent no.2 is **absent**. Smt. Resha Deshmukh learned Presenting Officer for respondents is present.

2. Since pleadings are complete, matter is admitted. It is fixed for final hearing on 21-11-2016.

3. S.O. 21-11-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.207/2016

(G.J.Waghmare V/s. The State of Mah. & Ors.)

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

DATE : 07-10-2016

ORAL ORDER:-

Heard Shri H.P.Jadhav learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondent no.1. Shri Vivek Bhavthankar learned Advocate for respondent nos.2 to 5 is **absent**.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted as a most last chance.

3. S.O.26-10-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.225/2016

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

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

DATE : 07-10-2016

ORAL ORDER:-

Shri Vivek Deshmukh learned Advocate for the applicant is **absent**. Shri K.G.Salunke learned Advocate for respondent no.3 is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for respondents is present.

2. Learned CPO seeks time to file reply on behalf of the respondents. Time granted.

3. S.O.17-11-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.334/2016

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

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

DATE : 07-10-2016

ORAL ORDER:-

Shri K.G.Salunke learned Advocate for the applicant is **absent**. Shri S.D.Joshi learned Advocate for respondent no.3 is **absent**. Shri M.P.Gude learned Presenting Officer for respondents is present.

2. Since pleadings are complete, the matter is admitted.
It may be kept for final hearing on 21-11-2016.

3. S.O. 21-11-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.442/2016
(S.M.Teja V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri J.D.Kulkarni, Member (J)
DATE : 07-10-2016

ORAL ORDER:-

Heard Shri S.D.Dhongde learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents. Shri P.S.Patil learned Advocate for respondent no.3 is **absent**.

2. Today, applicant has placed on record a copy of letter dated 25/08/2016 (Exhibit-X) whereby some queries were made which are to be complied with as directed by the Sr. Accounts Officer.

3. Respondents have placed on record letter dated 16-07-2016 from which it seems that formalities have been complied with and now it is for the respondents to pass final order releasing the amount for which the applicant is entitled to.

4. Learned P.O. submits that he will take instructions as to within how many days the amount will be disbursed to the applicant.

5. S.O.24-10-2016.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.502/2016

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

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

DATE : 07-10-2016

ORAL ORDER:-

Shri N.P.Bangar learned Advocate for the applicant is **absent**. Shri K.B.Jadhav learned Advocate for respondent no.4 is **absent**.

Smt. Deepali Deshpande learned Presenting Officer for respondent nos.1 to 3 is present.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.2 and 3. It is taken on record. She undertakes to serve copy of the same on the other side.

3. Learned Advocate for the applicant may file rejoinder, if necessary.

4. S.O. 16-11-2016.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.562/2016

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

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

DATE : 07-10-2016

ORAL ORDER:-

Shri Y.K.Bobade learned Advocate for the applicant is **absent**.

Heard Smt. Priya Bharaswadkar learned Presenting Officer for respondent nos.1 and 2 and Shri M.L.Wankhede learned Advocate holding for Shri B.K.Dhabarde learned Advocate for respondent no.3.

2. Learned P.O. files affidavit in reply on behalf of respondent no.2. It is taken on record. Copy thereof be served on the other side.

3. Learned Advocate files affidavit in reply on behalf of the respondent no.3. It is taken on record. Copy thereof be served on the other side.

4. Applicant may file rejoinder, if necessary.

5. S.O. 17-11-2016.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.734/2016
(S.B.Turakane V/s. The State of Mah. & Ors.)

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

DATE : 07-10-2016

ORAL ORDER:-

Shri S.D.Joshi learned Advocate for the applicant is **absent**.

Heard Shri M.S.Mahajan learned Chief Presenting Officer for respondent nos.1 to 3 and Shri Pramod Dhorde learned Advocate for respondent no.4.

2. Today, Shri Pramod Dhorde learned Advocate appears on behalf of respondent no.4 and files reply affidavit. It is taken on record. Copy thereof be served on the other side.

3. Learned CPO seeks time to file reply on behalf of the respondents. Time granted.

4. S.O.16-11-2016.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.No.314/2016 IN O.A.No.535/2015

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

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

DATE : 07-10-2016

ORAL ORDER:-

Shri S.S.Jadhavar learned Advocate for the applicants is **absent**. Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted.

3. S.O.16-11-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.No.315/2016 IN O.A.No.575/2013

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

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

DATE : 07-10-2016

ORAL ORDER:-

Shri S.S.Jadhavar learned Advocate for the applicants is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for respondents is present.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted.

3. S.O.16-11-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.219/2016

(S.K.Ovhal V/s. The State of Mah. & Ors.)

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

DATE : 07-10-2016

ORAL ORDER:-

Shri V.S.Undre learned Advocate for the applicant and Shri A.S.Shelke learned Advocate for respondent no.6, are **absent**.

Shri V.R.Bhumkar learned Presenting Officer for respondents is present.

2. None is present for the applicant. Applicant has not filed service affidavit and notices are also not served on the respondents. Hence, the matter be kept for dismissal on 16-11-2016.

3. S.O.16-11-2016.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.210/2013

(M.R.Mapare V/s. The State of Mah. & Ors.)

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

DATE : 07-10-2016

ORAL ORDER:-

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file reply to the amended O.A. Time granted.
3. S.O.26-10-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.175/2014

(Dr. D.M.Mendekar V/s. The State of Mah. & Ors.)

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

DATE : 07-10-2016

ORAL ORDER:-

Heard Shri A.S.Kadam learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents. Shri K.U.More learned Advocate for respondent nos.4 and 5 are **absent**.

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

3. S.O. 17-11-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.314/2014

(M.S. C.E.A. Association V/s. The State of Mah. & Ors.)

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

DATE : 07-10-2016

ORAL ORDER:-

Shri S.D.Joshi learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. Since none present for the applicant, S.O. 16-11-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.538/2015

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

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

DATE : 07-10-2016

ORAL ORDER:-

Shri B.S.Deshmukh learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. Since none present for the applicant, S.O. 17-11-2016.

MEMBER (J)

YUK ORAL ORDER 07-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**O.A.Nos.269/2016, 270/2016, 271/2016, 272/2016,
273/2016, 274/2016 and 275/2016**

(S.C.Patil & Ors. V/s. The State of Mah. & Ors.)

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

DATE : 07-10-2016

ORAL ORDER:-

Shri S.D.Joshi learned Advocate for the applicants in all the matters is **absent**. Shri Sudhir Bhalerao for respondent no.4 in O.A.No.269/2016, 271/2016 and Shri Vaibhav Patil learned Advocate for respondent no.4 in O.A.No.272/2016 and 273/2016 are **absent**.

Heard Shri M.S.Mahajan learned Chief Presenting Officer and S/Shri M.P.Gude, I.S.Thorat, V.R.Bhumkar and S/Smt. Priya Bharaswadkar and Sanjivani Ghate learned Presenting Officers for respondent authorities and Shri S.B.Sant learned Advocate for respondent no.4 in O.A.No.274/2016.

2. Learned CPO/P.Os. filed a short affidavit in reply on behalf of respondent no.3. It is taken on record. Learned P.O. undertakes to serve copy of the same on the other side.

3. S.O.16-11-2016.

MEMBER (J)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.767/2015
(R.S.Patil V/s. The State of Mah. & Ors.)

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

DATE : 07-10-2016

ORAL ORDER:-

Heard Shri N.S.Kadam learned Advocate for the applicant, Shri I.S.Thorat learned Presenting Officer for respondents and Shri V.G.Pingle learned Advocate holding for Shri R.L.Chintalwar learned Advocate for respondent nos.2 and 3.

2. In the order dated 30-09-2016, this Tribunal had observed that if the applicant wants to withdraw the O.A. unconditionally, she will be at liberty to do so. Learned Advocate for the applicant was permitted to take instruction in this regard.

3. In view of the said order learned Advocate for the applicant submits that the applicant is ready to withdraw the O.A., unconditionally. He has also placed on record one communication to that effect, which is marked as document "XX" for identification. In view of that letter, learned Advocate for the applicant seeks permission to withdraw the O.A. unconditionally.

4. O.A., therefore, stands disposed of as withdrawn with no order as to costs.

MEMBER (J)