

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

ORIGINAL APPLICATION NO. 828 OF 2016

[Shri Sunil Manoharrao Pande Vs. The State of Mah. & Ors.]

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

DATE : 09.11.2016.

ORAL ORDER:

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

2. The leaned Advocate for the applicant has not insisted for interim relief and submits that the notices to the respondents be issued. Hence, issue notices to the respondents, returnable on 14th December, 2016.

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. 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.

O.A. NO. 828 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. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 14th December, 2016.
8. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 850 OF 2016

[Shri Anand Sheshrao Gavali Vs. The State of Mah. & Ors.]

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

DATE : 09.11. 2016.

ORAL ORDER:

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

2. The applicant has been appointed to the post of Police Patil of Village Ambelohal Tq. Gangapur, Dist. Aurangabad vide order dated 18.8.2016 (Annexure 'A-4' page-19) for a period of 10 years. Till today he is working as a Police Patil.

3. In the meantime, the applicant has received a show cause notice dated 13.9.2016 vide which it has informed to the applicant that his Character Certificate was cancelled and that his explanation, if not found satisfactory, his appointment as Police Patil will be cancelled. The applicant has already submitted explanation to the said show cause notice to apprehend adverse action.

4. In view of the above, the respondents are directed not to take any adverse action against the applicant on the basis of show cause notice dated 13.9.2016 till filing of the affidavit in reply in this case.

5. In the meantime, issue notices to the respondents, returnable on 15th December, 2016.

O.A. NO. 850 OF 2016

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

7. 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. Respondent is 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 question 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 with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

10. S.O. to 15th December, 2016.

11. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 848 OF 2016

[Dr. Mohammed Gulam Subhani Vs. The State of Mah. & Ors.]

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

DATE : 09.11.2016.

ORAL ORDER:

Heard Shri T.A. Quadri, learned Advocate holding for Shri Zia-Ul-Mustafa – learned Advocate for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. Vide order dated 31st May, 2016 the applicant has been transferred as Medical Officer from Primary Health Centre Kundalwadi, Tq. Biloli, Dist. Nanded to Primary Health Centre Tuppa, Tq. & Dist. Nanded. The said order, however, was not implemented though the applicant requested that he be relieved from Kundalwadi, Tq. Biloli. It seems that in the meantime the impugned order dated 7.10.2016 has been issued wherefrom it seems that the applicant's earlier transfer order to Tuppa has been cancelled. The learned advocate for the applicant submits that the applicant never applied for cancellation of the transfer order at Tuppa. On the contrary, the applicant was insisting for relieving from Kundalwadi to join at Tuppa and has also requested the respondents to relieve him from Kundalwadi. He was, however, not relieved. Admittedly, the applicant is not yet relieved from Kundalwadi, and therefore, he is very much working at Kundalwadi. Whether the impugned order is legal or not will be considered on merits.

3. Hence, issue notices to the respondents, returnable on 15th December, 2016.

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. Respondent is 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 question 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. Applicants are directed to file affidavit of compliance and notice.
8. S.O. to 15th December, 2016.
9. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 333 OF 2016

[Shri Janardhan Sandu Borade Vs. The State of Mah. & Ors.]

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

DATE : 09.11.2016.

ORAL ORDER:

Heard Shri A.P. Ghule Patil – learned Advocate for the Applicant and Shri V.R. Bhumkar – learned Presenting Officer for respondent Nos. 1 to 3. Shri B.N. Magar Patil – learned Advocate for respondent No. 4 (**absent**).

2. At the request of learned Advocate for the applicant S.O. to 17.11.2016 to enable him to file amendment application.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 586 OF 2016

[Shri R.M. Baviskar Vs. The State of Mah. & Ors.]

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

DATE : 09.11.2016.

ORAL ORDER:

Shri A.D. Sugdare – learned Advocate for the Applicant has filed leave note. Shri M.P. Gude – 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 copy of the same has been taken on record.

3. In view of leave note filed by the learned Advocate for the applicant, S.O. to 19th December, 2016.

MEMBER (J)

09.11.2016-HDD(SB).doc

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

ORIGINAL APPLICATION NO. 658 2016

[Shri M.E. Mali Vs. The State of Mah. & Ors.]

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

DATE : 09.11. 2016.

ORAL ORDER:

Heard Shri V.B. Wagh – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents

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

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

MEMBER (J)

09.11.2016-HDD(SB).doc

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

ORIGINAL APPLICATION NO. 659 2016

[Shri D.S. Patil Vs. The State of Mah. & Ors.]

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

DATE : 09.11.2016.

ORAL ORDER:

Heard Shri V.B. Wagh – learned Advocate for the Applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents

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

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

MEMBER (J)

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

ORIGINAL APPLICATION NO. 660 2016

[Shri W.R. Patil Vs. The State of Mah. & Ors.]

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

DATE : 09.11.2016.

ORAL ORDER:

Heard Shri V.B. Wagh – learned Advocate for the Applicant and Shri M.P. Gude – learned Presenting Officer for the respondents

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

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

MEMBER (J)

09.11.2016-HDD(SB).doc

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

**ORIGINAL APPLICATION NO. 607 OF 2016
[Shri A.S. Solanke Vs. The State of Mah. & Ors.]**

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

DATE : 09.11.2016.

ORAL ORDER:

Heard Shri S.D. Joshi – 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 5 and the same has been taken on record and the copy thereof has been served upon the learned Advocate for the Applicant.

3. S.O. to 2nd December, 2016.

MEMBER (J)

09.11.2016-HDD

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

**ORIGINAL APPLICATION NO. 608 OF 2016
[Shri S.D. Dhakane Vs. The State of Mah. & Ors.]**

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

DATE : 09.11.2016.

ORAL ORDER:

Heard Shri S.D. Joshi – 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 5 and the same has been taken on record and the copy thereof has been served upon the learned Advocate for the Applicant.

3. S.O. to 2nd December, 2016.

MEMBER (J)

09.11.2016-HDD

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

ORIGINAL APPLICATION NO. 693 OF 2016

[Shri D.M. Borude Vs. The State of Mah. & Ors.]

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

DATE : 09.11.2016.

ORAL ORDER:

Heard Shri V.B. Wagh – learned Advocate for the Applicant and Shri I.S. Thorat – learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 14th December, 2016 for filing affidavit in reply. Interim relief granted earlier to continue till then.

MEMBER (J)

09.11.2016-HDD(SB).doc

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

ORIGINAL APPLICATION NO. 721 OF 2016

[Shri P.V. Marwale Vs. The State of Mah. & Ors.]

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

DATE : 09.11.2016.

ORAL ORDER:

Heard Shri V.B. Wagh – learned Advocate for the Applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer, S.O. to 14th December, 2016 for filing affidavit in reply. Interim relief granted earlier to continue till then.

MEMBER (J)

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