

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO. 224/2017**

(Shri Devidas Kachru Taru V/s. the State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman(A).
and
Hon'ble Shri B.P. Patil, Member (J).**

DATE : 02.08.2017.

ORAL ORDER:-

Heard Shri A.S. Shelke, learned Advocate for the Applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 & 2 and Shri Sachin B. Munde, learned Advocate holding for Shri S.G. Rudrawar, learned Advocate for respondent no. 3.

2. Though, the notices were issued to the respondents by the Register of this Tribunal by an order dated 11.4.2017 and the respondents were asked to file affidavit in reply on 2.5.2017, but no reply has been filed by the Respondents. We are expressed our displeasure about the attitude of the respondents. The respondent no. 2 should have filed affidavit in reply in this case, without waiting for the rules, which were required to be placed on record.

3. The main grievance of the applicant is that he was seeking relaxation in age as per the note below of para

4.3 (i)(a) in the advertisement issued by Maharashtra Public Service Commission (for short 'the Commission'), on 18.06.2015. This note is reproduced below:-

“Note- Age limit may be relaxed by the Government on recommendation of the Commissioner in favour of the candidate (s) who are actually engaged in jobs involving Educational Innovation or Teacher Education or production of teaching learning materials or teaching materials.”

The applicant has given his detailed representation to the Secretary of the Commission on 30.09.2016 specifying details regarding his claim that he is eligible to get relaxation in age as per this Note. The reply of M.P.S.C. is dated 3.3.2017, rejecting his candidature, as he was over aged and thus was not eligible for age relaxation, as he was not in Government service. The claim of the applicant is that he was eligible for age relaxation in terms of note below in the advertisement, which must be in accordance with the relevant Recruitment Rules, which has apparently not been considered by the Commission.

4. The respondent No. 2 is directed to file affidavit in reply on the issue as to whether the representation of the applicant for age relaxation was considered and if so, reasons why his claim was rejected. This should be specifically included in the affidavit in reply to be filed by the respondent No. 2.

5. Learned Advocate Shri A.S. Shelke, for the applicant stated that the respondent no. 3 has not yet been issued appointment letter and the same may be stayed because the applicant has very strong case and he has been disqualified without considering his representation.

6. Prima-facie, we find that the applicant has made out a case for grant of interim relief. The Respondent No. 1 is restrained from giving appointment letter to the respondent No. 3, till affidavit in reply filed by the Respondent Nos. 1 & 2.

7. Learned C.P.O. states that the reply of Respondent Nos. 1 and 2 will be filed within four weeks.

//4//

O.A. No. 224/2017

8. Learned Advocate for Respondent No. 3 also stated that he will file affidavit in reply on the same date.

9. S.O. to 7.9.2017.

10. Steno copy allowed to the learned C.P.O. at his request.

MEMBER (J)
KPB ORAL ORDER 02-08-2017

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 512/2017

(Shri N.G. Jadhav Vs. The State of Mah. & Ors.)

**Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman
(D.B. matter)**

Date : 02.08.2017

ORAL ORDER:-

Heard Shri A.S. Shejwal, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. In view of the fact that at present the Division Bench is sitting at Aurangabad Bench and similar matters are already placed before the said Division Bench, the present matter also be placed before the Division Bench on 3.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION ST. NO. 1037/2017
(Shri M.G. Pallewad Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents in the original application, returnable on 12.9.2017.

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. 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. S.O. 12.9.2017.

8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 175/2016

(Shri B.B. Chilgar Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 to 3. None appears for respondent no.4.

2. The learned P.O. files on record additional affidavit in reply of res. no. 2 in view of the orders of the Tribunal dated 6.7.2017 & 25.7.2017. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. With consent of both the sides, S.O. to 9.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 225/2016

(Rukhamin R. Dudhate Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri Vivek Deshmukh, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 & 2 and Shri K.G. Salunke, learned Advocate for respondent no.3.

2. The learned Advocate for the applicant seeks time to file application for amendment in original application. The said request of the learned Advocate for the applicant has been objected by the other side on the ground that on last 2 dates same request was made by the learned Advocate for the applicant.

3. In the circumstances, as a last chance, S.O. to 22.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 514/2016

(Shri P.R. Kachare Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that the applicant would be satisfied, if direction to decide the representation of the applicant dated 16.6.2014 (paper book pages 34 & 35 of the O.A.) is issued to the res. no. 1. He further submits that the said representation was sent through proper channel to res. no. 1 (paper book page 30 onwards of the O.A.).

3. In the circumstances, the original application is disposed of without any order as to costs with a direction to res. no. 1 to decide the representation of the applicant (supra) at the earliest and in any case within a period of 4 months from the date of this order. In case the said representation cannot be located in the office, copy of the representation of the applicant (page 30 onwards of the O.A.) be treated as a representation of the applicant.

4. Steno copy / authenticated copy be supplied to the learned Presenting Officer for the respondents.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 536/2016
(Shri B.B. Patil Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 & 2 and Shri S.D. Dhongde, learned Advocate for respondent nos. 3 & 4.

2. The learned Advocate for the applicant submits that the applicant would be satisfied, if direction to decide the representation of the applicant dated 27.10.2015 (paper book page 30 of the O.A.) is issued to the res. no. 1. He further submits that the said representation was sent through proper channel to res. no. 1 (paper book page 28 onwards of the O.A.).

3. In the circumstances, the original application is disposed of without any order as to costs with a direction to res. no. 1 to decide the representation of the applicant (supra) at the earliest and in any case within a period of 4 months from the date of this order. In case the said representation cannot be located in the office, copy of the representation of the applicant (page 28 onwards of the O.A.) be treated as a representation of the applicant.

4. Steno copy / authenticated copy be supplied to the learned Presenting Officer for the respondents.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 431/2016

(Archana D. Lathkar Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Shri K.M. Nagarkar, learned Advocate for the applicant **(leave note)**. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. In view of leave note of the learned Advocate for the applicant, S.O. to 23.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 760/2016

(Shri G.D. Muley & Ors. Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned for Shri A.S. Deshmukh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1, 3 & 5. Shri G.N. Patil, learned Advocate for respondent nos. 2 & 4 (**absent**).

2. The learned Advocate for the applicants, on instructions submits that in view of the affidavit in reply filed yesterday, nothing survives in the present original application for further adjudication. However, in view of the decision taken by the respondents, further action in the matter be taken by the concerned respondents at the earliest.

3. In the circumstances, present original application stands disposed of without any order as to costs. The res. no. 5 is hereby directed to take further decision in the matter at the earliest and in any case within a period of 4 weeks from the date of this order.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 761/2016

(Shri V.T. Chobe & Ors. Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned for Shri A.S. Deshmukh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1, 3 & 5. Shri G.N. Patil, learned Advocate for respondent nos. 2 & 4 (**absent**).

2. The learned Advocate for the applicants, on instructions submits that in view of the affidavit in reply filed yesterday, nothing survives in the present original application for further adjudication. However, in view of the decision taken by the respondents, further action in the matter be taken by the concerned respondents at the earliest.

3. In the circumstances, present original application stands disposed of without any order as to costs. The res. no. 5 is hereby directed to take further decision in the matter at the earliest and in any case within a period of 4 weeks from the date of this order.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 806/2016
(Ranjeeta S. Patil Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

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

2. The learned P.O. seeks time. At his request, S.O. to 10.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 771/2016
(Usha R. Bahirat Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Shrikant Veet, learned Advocate for respondent no. 4, are present.

2. In view of absence of learned Advocate for the applicant, S.O. to 11.9.2017 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 02/2017

(Shri Dattatraya K. Ubale Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned P.O. filed on record separate replies on behalf of res. nos. 2 & 4. The same are taken on record and copies thereof have been served upon the learned Advocate for the applicant.

3. The learned Advocate for the applicant makes a statement that in fact the departmental enquiry is at the fag end and the stage of enquiry is of recording the statement of the present applicant whereupon the only stage would be of hearing and passing appropriate orders.

4. In the circumstances, at the request of learned Advocate for the applicant, the original application is disposed of without any order as to costs with a direction to res. no. 4 to decide the departmental enquiry at the earliest and in any case within a period of 3 months from the date of this order, subject to cooperation from both the delinquents.

5. Steno copy as well as authenticated copy allowed to the learned P.O.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 911/2016

(Shri Nagnath P. Kokane Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri R.V. Naiknavare, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 16.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 912/2016

(Shri Ramakant G. Kulkarni Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri R.V. Naiknavare, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 16.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 87/2017

(Shri Diwakar R. Suravase Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri K.N. Faruqui, learned Advocate holding for Shri N.L. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. From the order dated 20.4.2017 passed by Hon'ble Member (J) in the present matter, it appears that the applicant was required to satisfy this Tribunal on the point of tenability. In the circumstances, it is better that the present matter be dealt with by the same Bench. In the circumstances, S.O. to 22.8.2017 for hearing

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 151/2017

(Shri Nagorao H. Faliwad Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri Santosh Bhosale, learned Advocate holding for Shri S.P. Brahme, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 7.9.2017 for filing affidavit in reply.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 216/2017

(Shri Tajkhan S. Pathan Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned P.O. submits that, though she has received copy of the communication sent by the res. no. 2 to the Joint Director, the annexures of the said communication are not supplied to her. She seeks time to obtain the said communication along with annexures thereto. At her request, S.O. to 10.8.2017 for placing the communication.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 387/2017

(Shri Naresh G. Khardekar Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Ms. P.R. Wankhade, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 14.9.2017 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 267/2017

(Shri (Dr.) Sachin D. Waghmare Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri J.S. Deshmukh, 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 time to take proper steps in the matter.

3. In the circumstances, notices to the respondents be issued afresh, returnable on 28.9.2017

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

5. 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.

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. Applicant is directed to file affidavit of compliance and notice.

8. S.O. 28.9.2017.

9. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 430/2017

(Shri Chous Galeb Ad. Amodi Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

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 Advocate for the applicant, S.O. to 7.9.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 422/2016 IN OA ST. 1713/2016

(Shri B.G. Randive Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri G.J. Kore, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that, he will have to go through the relevant rules to find out as to whether pensionary benefits can be granted to the delinquent like the present applicant, who is convicted for the offences U/ss 7, 13 (1) (d) and 13 (2) of the Prevention of Corruption Act by the Special Court and whose appeal is pending before Hon'ble High Court. At his request, S.O. to 21.8.2017 for making submissions by the learned Advocate for the applicant.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 80/2017 IN OA ST. 109/2017
(Shri S.T. Dive Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri A.S. Deshmukh, learned Advocate holding for Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The present M.A. has been filed by the applicant for condonation of 990 days delay caused in filing the original application.

3. The learned P.O. has filed affidavit in reply of res. nos. 1 to 3. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

4. Perused the application. Considered the contentions.

5. For the reasons stated in the M.A., it is allowed without any order as to costs and the delay of 990 days caused in filing O.A. is condoned.

6. Office to register the O.A. after due scrutiny.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA ST. 109/2017

(Shri S.T. Dive Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri A.S. Deshmukh, learned Advocate holding for Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in the original application, returnable on 29.9.2017.

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. 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. S.O. 29.9.2017.

8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 215/2017 IN OA ST. 813/2017

(Shri S.S. Ramod Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri A.S. Deshmukh, learned for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned C.P.O., S.O. to 7.9.2017 for filing reply of the respondents in the M.A.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A. NO. 311/2015

(Smt. Kalpana A. Patil Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

None appears for the applicant. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos. 1 to 4 is present. None appears for respondent no. 5. Shri K.M. Nagar, learned Advocate for respondent no. 6 **(leave note)**.

2. In view of absence of learned Advocate for the applicant and learned Advocate for res. no. 5, S.O. to 11.8.2017 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 268/2016

(Shri Kailas Dashrat Patil Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

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

2. The applicant is seeking quashment of the order dated 29.1.2015 issued by the res. no. 4, wherein after retirement of the applicant a recovery from the retiral benefits is directed on the ground that the time bound promotions granted to him on two times are required to be rectified, which would entail into recovery of the amount.

The narrow compass of controversy is that at the time of granting first time bound promotion the applicant's temporary service from January, 1989 was considered by the then Head of the Department, which at the time of pay verification, upon his retirement, was found to be wrong.

3. The learned Advocate for the applicant has placed reliance on the ratio laid down in the decision rendered by the Single Bench of principal seat of this Tribunal at Mumbai i. e.

O.A. no. 342/2016 dated 9.3.2017 (document 'X'). The said

decision is based on the ratio laid down by the Hon'ble Supreme Court in **Civil Appeal NO. 11527/2014 (arising out of SLP (c) No. 11684/2012) State of Punjab and Ors. Vs. Rafiq Masih (White Washer) etc.** dated 18.12.2014. The issue of undertaking from the applicant at the time of granting benefits was raised by the respondents therein and it was overruled by the learned Member of the Tribunal at Mumbai.

4. In my opinion, in view of the decision of Hon'ble Single Bench of this Tribunal at Mumbai i. e. O.A. no. 342/2016 dated 9.3.2017, the present original application deserves to be allowed. Hence I pass following order :-

ORDER

- (i) The original application is allowed without any order as to costs.
- (ii) The impugned order dated 29.1.2015 issued by the res. no. 4 and the consequential recovery in view of passing of the said order is hereby quashed and set aside.
- (iii) It is hereby directed that the amount withheld be paid to the applicant at the earliest and in any case within a period of 3 months from the date of this order.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA 373/2016 WITH MA 298/2017

(Shri Anant K. Rankhambe Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri R.M. Jade, learned Advocate holding for Shri G.G. Suryawanshi, learned for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 3. None appears for respondent no.4.

2. This matter is already heard partly by Hon'ble Member (J). Hence, S.O. to 23.8.2017 for final hearing before Hon'ble Member (J).

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 419/2012

(Shri Anilkumar Y. Baste Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri S.B. Mene, learned Advocate holding for Shri A.S. Deshpande, learned for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.8.2017 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A. NO. 529/2015

(Shri Gangaram N. Shirsath Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Shri R.P. Bhumkar, learned for the applicant has filed his leave note. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 31.8.2017 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 463/2016

(Shri Ishwar B. Pawar Vs. the State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Ms. Preeti Wankhade, learned for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.8.2017 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 464/2016

(Shri Milind L. Kulkarni Vs. the State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Ms. Preeti Wankhade, learned for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.8.2017 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 465/2016

(Shri Vinayak S. Jadhav Vs. the State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Ms. Preeti Wankhade, learned for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.8.2017 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 789/2016

(Shri Rahul R. Jadhav Vs. the State of Mah. & Ors.)

Coram : Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date : 02.08.2017

ORAL ORDER:-

Heard Shri A.S. Deshmukh, learned for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 7.9.2017 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 2.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.156/2014

(Dr. Balaji Bhandare V/s. The State of Mah. & Ors.)

**CORAM : Hon'ble Shri Rajiv Agarwal,
Vice-Chairman (A)**

AND

Hon'ble Shri B. P. Patil, Member (J)

DATE : 2nd August, 2017

ORAL ORDER:

Heard Shri K.G.Salunke learned Advocate for the Applicant and Shri D.R.Patil learned Presenting Officer for the Respondents.

2. The Applicant's grievance was that he was not interviewed pursuant to the advertisement issued by the respondents on 16-01-2014. Learned Advocate for the Applicant, however, fairly concedes that subsequently the advertisement was dropped and none was selected. We are, therefore, not examining merits of the case regarding correctness of not interviewing the Applicant. O.A. has become infructuous and it is disposed of accordingly with no order as to costs.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.641/2015
WITH
MISCELLANEOUS APPLICATION NO.111/2017**
(Shri Bhagatsingh Patil (Pawar) V/s. The State of
Maharashtra & Ors.)

**CORAM : Hon'ble Shri Rajiv Agarwal,
Vice-Chairman (A)**

AND

Hon'ble Shri B. P. Patil, Member (J)

DATE : 2nd August, 2017

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. This Tribunal by detailed order dated 13-02-2017 has asked Collector, Aurangabad to clarify certain issues in this O.A. It appears that, almost 5 months have elapsed and no affidavit in reply has been filed by the Collector.

3. Last opportunity is granted to file affidavit in clarifying issued mentioned in our aforesaid order on 04-08-2017 otherwise, the Collector is directed to remain present personally before the Tribunal to explain the reasons as to why affidavit has not been filed.

4. Steno copy may be provided to the learned CPO on his request.

5. S.O. to 04-08-2017.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**REV. 04/2016 IN O.A.NO. 306/2014
(Shri Sopan A. Wanve & Ors. Vs. The State of Maha. and
Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Shri A.S. Deshmukh – learned Advocate for the applicants and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. This case may be placed before the Bench comprising of Hon'ble Chairman and an Administrative Member.

MEMBER (J)

VICE CHAIRMAN (A)

ORAL ORDERS 02.08.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

REV. 05/2016 IN O.A.NO. 345/2014

**(Shri Narayan R. Nagargoje Vs. The State of Maha. and
Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Shri A.S. Deshmukh – learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.
2. This case may be placed before the Bench comprising of Hon'ble Chairman and an Administrative Member.

MEMBER (J)

VICE CHAIRMAN (A)

ORAL ORDERS 02.08.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**REV. 06/2016 IN O.A.NO. 615/2015
(Shri Sanjay P. Tejankar Vs. The State of Maha. and Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Shri A.D. Gadekar – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.
2. This Review Petition has been filed by the applicant seeking review of order dated 04.03.2016 passed in O.A. No. 615/2015.
3. On going through the said order, it appears that the said order is passed by the Division Bench of this Tribunal comprising of Hon'ble Vice Chairman (A), Shri B. Majumdar and Hon'ble Member (J), Shri J.D. Kulkarni.
4. Hon'ble Shri J.D. Kulkarni is still working at Nagpur Bench of this Tribunal, in fact, as a Vice Chairman (J) and he comes to Aurangabad for circuit sitting. Therefore, this case may be placed before the Division Bench comprising of Hon'ble Shri J.D. Kulkarni, Vice Chairman (J) and Administrative Member, whenever he comes at Aurangabad for holding circuit sitting.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**REV. 11/2016 IN O.A.NO. 03/2012
(Shri Kailas P. Bodkhe Vs. The State of Maha. and Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Shri K.B. Jadhav – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.
2. This Review Petition has been filed by the applicant seeking review of order dated 20.10.2016 passed in O.A. No. 03/2012.
3. On going through the said order, it appears that the said order is passed by the Division Bench of this Tribunal comprising of Hon'ble Vice Chairman (A), Shri B. Majumdar and Hon'ble Member (J), Shri J.D. Kulkarni.
4. Hon'ble Shri J.D. Kulkarni is still working at Nagpur Bench of this Tribunal, in fact, as a Vice Chairman (J) and he comes to Aurangabad for circuit sitting. Therefore, this case may be placed before the Division Bench comprising of Hon'ble Shri J.D. Kulkarni, Vice Chairman (J) and Administrative Member, whenever he comes at Aurangabad for holding circuit sitting.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 977 OF 2010
(Shri Bhagwat P. Patil Vs. The State of Maha. and Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Shri V.B. Patil – learned Advocate for the applicant, Smt. Resha S. Deshmukh – learned Presenting Officer for the respondent Nos. 1 & 2 and Shri A.D. Sugdare – learned Advocate for respondent No. 5. Shri M.P. Tripathi – learned Advocate for respondent No. 4 (**absent**). None appears for respondent No. 3.

2. The applicant has filed this Original Application challenging the order passed by respondent No. 2 viz. the Maharashtra Public Service Commission (for short 'the Commission'), cancelling his candidature on the ground that he was overage. The applicant claims that he was eligible to get age relaxation as he was already working as Assistant Public Prosecutor to which post he was appointed in terms of Sub-clause (3) of Section 25 of Cr.P.C. Several similarly situated persons/employees, whose candidature was rejected on the similar ground had approached the Hon'ble Supreme

Court by filing S.L.P. and Hon'ble Supreme Court has held that those who were working as Assistant Public Prosecutor under Section 25 (3) of Cr.P.C. on the date on which the advertisement was issued by the Commission and on the date of their application, will be eligible for age relaxation. Learned Advocate for the applicant states that the applicant was accordingly eligible to get age relaxation. He was allowed to appear in the written examination and also for oral interview in which he scored 50 marks. As the applicant was found eligible to appear for written test and scored 50 marks in interview, he should have been offered appointment on the post of Assistant Public Prosecutor. The respondents have not recommended the candidates to fill up all 84 posts of Assistant Public Prosecutor posts and recommendations have been issued in respect of 56 + 7 posts only. The applicant can, therefore, be considered against the remaining vacancies, which are yet to be filled.

3. Learned Presenting Officer contended that out of 84 posts only 33 posts were available for Open General Category. Remaining posts were reserved vertically and/or horizontally.

O.A. NO. 977 OF 2010

As the applicant has applied from Open General Category obviously he could not have been considered for any post reserved horizontally or vertically.

4. In the affidavit in reply filed on behalf of the respondent No. 2 i.e. M.P.S.C. on 20.03.2017, it has been clarified that the last candidate selected from Open General Category has secured 58 marks in interview. The applicant has secured 50 marks. It is submitted by the respondent No. 2 that in the merit list of the said post, there were in fact 34 candidates from Open Category who secured marks between the range of 51 to 58 in interview i.e. more marks than the applicant. M.P.S.C. has already recommended 63 candidates and if these 34 candidates are added the total will reach 97, which means the applicant has obviously not qualified for first 84 vacancies. We are, therefore, not able to grant any relief in favour of the applicant.

5. In view of the above position, the present Original Application is dismissed with no order as to costs.

MEMBER (J)

ORAL ORDERS 02.08.2017-HDD

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 367 OF 2013
(Shri Bajirao S. Gore & Ors. Vs. The State of Maha. and
Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Shri Avinash Deshmukh – learned Advocate for the applicant and Shri I.S. Thorat – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant prays for time. Time granted.
3. This case be placed before the next Division Bench, as and when it is available.

MEMBER (J)

VICE CHAIRMAN (A)

ORAL ORDERS 02.08.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 588 OF 2013
(Shri Shrikisan T. Naikwade Vs. The State of Maha. and
Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Shri R.L. Chintalwar – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.
2. The applicant was seeking transfer to Parbhani District. However, during the pendency of this Original Application he has been transferred to Parbhani.
3. Learned Presenting Officer has submitted that the bill of his salary etc. for six months' has already been submitted to the Treasury and it is likely to be paid shortly to the applicant.
4. In view of the aforesaid submission made by the learned Presenting Officer for the respondents, the present Original Application stands disposed of as it has become infructuous, with no order as to costs.

MEMBER (J)

VICE CHAIRMAN (A)

ORAL ORDERS 02.08.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 764 OF 2013
(Shri Chandramohan D. Bhate Vs. The State of Maha. and
Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande – learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant prays for time. Time granted.
3. This case be placed before the next Division Bench, as and when it is available.

MEMBER (J)

VICE CHAIRMAN (A)

ORAL ORDERS 02.08.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 63 OF 2014
(Dr. Ashruba J. Jadhav Vs. The State of Maha. and Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Shri J.S. Deshmukh – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. On instructions, the learned Advocate for the applicant seeks leave of this Tribunal to withdraw the present Original Application.
3. In view of the aforesaid submission made on behalf of the applicant, leave to withdraw the Original Application is granted.
4. Accordingly, the present Original Application stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

VICE CHAIRMAN (A)

ORAL ORDERS 02.08.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.446/2012 IN C.P.ST.1507/2012 IN O.A. 11/2003
(Shri Pawan A. Landge Vs. The State of Maha. and Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Shri S.D. Dhongde – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 6th September, 2017.

MEMBER (J)

VICE CHAIRMAN (A)

ORAL ORDERS 02.08.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 578 OF 2013
(Smt. Shalini G. Bhaware Vs. The State of Maha. and Ors.)**

**CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)**

DATE : 02.08. 2017.

ORAL ORDER:

1. Shri L.S. Shaikh – learned Advocate for the applicant (**absent**). Shri I.S. Thorat – learned Presenting Officer for the respondents, present.

2. Heard Learned Presenting Officer for the respondents.

3. It transpires from the proceedings that this case was heard by Hon'ble Member (J) on 21.08.2014 when none was present for the applicant. Thereafter, this case was placed before the Hon'ble Vice Chairman (J) on 13.07.2017. However, on that date also none was present for the applicant. Thereafter, this case was placed before us today i.e. on 02.08.2014. However, today also none appeared for the applicant.

4. Learned Presenting Officer argued that this case has become infructuous as the prayer of the applicant in the present Original Application was to allow him to participate in the CET examination, which was scheduled on 22.09.2013. It is almost four years since the date of examination and no purpose will be served by keeping this Original Application pending.

5. We agree with the submission made by the learned

O.A. NO. 578 OF 2013

Presenting Officer for the respondents as the applicant was seeking permission to appear in the CET examination, which was scheduled on 22.09.2013, the date is over long back and no purpose will be served by keeping this case on board.

6. In view of the above, the present Original Application stands disposed of as infructuous with no order as to costs.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 570 OF 2013
(Shri Nitin K. Salunkhe Vs. The State of Maha. and Ors.)**

CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
: Hon'ble Shri B.P. Patil, Member (J)
DATE : 02.08. 2017.

ORAL ORDER:

1. Heard Ms. Ashlesha Raut, learned Advocate holding for Shri S.B. Talekar – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.

2. The applicant in this case is claiming that he has qualification of B.Ed and on the basis of that qualification he should have been promoted as Graduate Teacher (Secondary). He has also claimed further promotion as Education Extension Officer, Grade-III. The applicant has produced a copy of certificate issued by “हिन्दी साहित्य सम्मेलन, प्रयाग” , which the applicant is treating as B.Ed. Degree. This averment should be specifically made in the present Original Application, if the necessary by amending the Original Application, so as to enable the respondents to reply to this issue as to whether the applicant is holding a proper B.Ed degree.

The recruitment rules for promotion to the post of Graduate Teacher (Secondary) should also be placed on record and if any person junior to the applicant holding graduation degree, as well as, degree of B.Ed has been promoted to that post, it has to be specifically mentioned in the O.A., if the applicant is claiming that he has been overlooked for promotion.

O.A. NO. 570 OF 2013

3. Learned Advocate for the applicant sought leave of this Tribunal to amend the present Original Application to incorporate these points in the Original Application.

4. Learned Advocate for the applicant states that the amendment will be carried out within a period of four weeks' and the amended copy of the O.A. will be served on the respondents thereafter.

5. S.O. to 16th September, 2017.

MEMBER (J)

VICE CHAIRMAN (A)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.303/2017 IN OA ST.1040/2017.
(Shri R. H. Rathod Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri D. R. Irale Patil learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents.

2. Issue notice to the respondents in M.A., returnable on 18th Sept. 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. 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. S.O. to 18.09.2017.

8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.383/2016 IN OA ST.1756/2016.
(Smt. Mangal S. Kathar Vs. The State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.

DATE : 02-08-2017

ORAL ORDER:-

It is reported that Shri D. T. Devane learned Advocate for the applicant has filed leave note. Shri V. R. Bhumkar learned Presenting Officer for the respondents is present.

2. In view of the leave note filed by Shri D. T. Devane learned Advocate for the applicant, S.O. to 08.09.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO. 353/2016 IN OA ST.1548/2016.
(Shri S. S. Bhakt Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri M. B. Kolpe learned Advocate for the applicant and Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. Shri M. B. Kolpe learned Advocate for the applicant seeks time. At his request, S.O. to 08.09.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.202/2016.
(Shri A. P. Purnapatre & Ors.Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

None present for the applicants. Shri N. U. Yadav learned Presenting Officer for the respondents is present.

2. The record would show that, for last four dates nobody is appearing for the applicants. In the circumstances the Original Application is dismissed in default without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.587/2016.
(Shri V. H. Bagul Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri A. D. Gadekar learned Advocate for the applicant and Shri D. R. Patil learned Presenting Officer for the respondents.

2. The learned P.O. submits that, during course of the day additional affidavit in reply would be filed as directed by order dated 10.07.2017. Copy be served on the other side.

3. S.O. to 21.08.2017 for hearing on admission.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.210/2017.
(Shri R. B. Pimple Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri Girish Nagori learned Advocate holding for Shri B. B. Yenge learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. seeks time. Time granted as a last chance for a period of two weeks. At his request, S.O. to 17.8.2017 with a caveat that, in case no compliance is made heavy costs may be imposed.

3. The learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.513/2017.
(Shri D. R. Bhosrekar Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri V. B. Wagh learned Advocate holding for Shri P. G. Rodge, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. seeks time to take instructions regarding the confusion created while deciding the appeal and thereafter passing the final order recently without hearing the present applicant. At his request, S.O. to 21.8.2017.

3. The learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.133/2016.
(Smt Laxmibai N. Atkulwar Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

1. None present for the applicant. Shri N. U.Yadav learned Presenting Officer for the respondents.

2. The learned P.O. points towards the fact that, in fact the Respondent no.4 is senior to the applicant and due to the mischief played by the Clerk handing the file the present applicant though junior was given the posting of her choice. However, later on the said mischief came to the knowledge as is evident from page no.28, the office note was put up at Anexure A-4 (page 30) the decision as per the Law was taken by the Respondent no.3.

3. In the circumstances, place the present application for hearing on admission for satisfying the same and for satisfying the above queries by the learned Advocate for the applicant.

4. S.O. to 31.08.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.199/15 IN CP ST. 6/98 IN OA 1/98.
(Shri D. S. Jade Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Advocate Sarita Gaikwad holding for Smt Pratibha Bharad learned Advocate for the applicant and Shri S. K. Shirse learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant points towards the fact that, the notice on Advocate Mr. Surve is already served. This can be seen from service report dated 28.6.2017 filed by the office. However, there is no explanation from Advocate Mr. Surve. In his absence S.O. to 11.09.2017 for filing reply, if any by Advocate Mr.Surve.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.197/2017 IN OA ST.NO.526/2017.
(Shri Chetan Y. Thakur Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri S. P. Dhobale learned Advocate holding for Shri N. L. Chaudhary learned Advocate for the applicant and Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. In pursuance of the order dated 13.06.2017 the learned Advocate for the applicant files on record the decision rendered by the Scrutiny Committee. The same is accepted. Its copy is served on the other side. The said shall be part and parcel of the O.A.

3. Issue notices to the respondents, returnable on 18.09.2017.

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

5. 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.

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. Applicant is directed to file affidavit of compliance and notice.

8. S.O. to 18.09.2017.

9. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN.

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.214/2017 IN OA NO.150/2017.
(Shri B. P. Mane Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri S. S. Dambe learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. The learned P.O. files affidavit in reply on behalf of Respondents 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 seeks time to file service affidavit regarding proposed respondent. He submits that, the notice was sent by R.P.A.D. on the available address of the proposed respondent no.4 as is found in the select list. However, the said envelope was returned for want of complete address. In the circumstances, service affidavit be filed. Thereupon the necessary steps would be directed.

4. In the meantime fresh notices to the proposed respondents may be issued.

5. Issue notices to the proposed respondents, returnable on 18.09.2017.

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. 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. Applicant is directed to file affidavit of compliance and notice.

10. Steno copy & hamdust allowed to both the parties.
11. Interim relief to continue till then.
12. S.O. to 11.09.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.296/2017 IN OA NO.70/2017.
(Shri R. S. Shendge Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Smt. Vidya Taksal learned Advocate holding for Shri A. S. Deshmukh learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents.

2. The applicant proposes to bring on record the developments that took place during pendency of the O.A. by way of proposed amendment. In the circumstances, application for amendment is allowed. The amendment be carried within a period of one week. Accordingly the Misc. application is allowed without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

OA NO.70/2017.

(Shri R. S. Shendge Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Smt. Vidya Taksal learned Advocate holding for Shri A. S. Deshmukh learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. seeks time to file affidavit in reply to the amended O.A. At his request, S.O. to 28.08.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.108/2017.
(Shri K. P. Shinde Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri B. R. Kedar learned Advocate holding for Shri R. B. Bhosale learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. Upon hearing both sides it is gathered that, as per the applicant there are in all 9 posts in the cadre consisting of X-Ray Technicians and City Scan Technicians. The affidavit in reply at page no.11 would show that, 6 posts are sanctioned. In the circumstances, both the sides to file documents, if any, in their possession to show the cadre strength on affidavit.

3. Liberty to file additional documents in this respect is hereby granted.

4. S.O. to 29.08.2017 for compliance.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.326/2017.
(Shri N. S. Jadhav Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri Ganesh Jadhav learned Advocate holding for Shri Sandip Rathod learned Advocate for the applicant and Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. Shri Ganesh Jadhav learned Advocate holding for Shri Sandip Rathod learned Advocate for the applicant seeks time. He points that, present applicant is seeking appointment to the post of Police Patil upon resignation of the earlier incumbent. However, as there was no select list or waiting list is to be prepared, according to the rules no appointment to the present applicant can be given.

3. In view of the submission of the learned Advocate for the applicant S.O. to 11.09.2017 to satisfy the query by the applicant.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA No.81/17 IN MA St.153/17 IN OA St.154/17.
(Shri U. T. Dabhade & Ors. Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri S. G. Kulkarni learned Advocate holding for Shri S. D. Dhongde learned Advocate for the applicants and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents.

2. Shri S. G. Kulkarni learned Advocate holding for Shri S. D. Dhongde learned Advocate for the applicants submits that, notices are not collected and he requested to issue fresh notices to the respondent no.3. Hence, issue fresh notices to the respondent no.3 in M.A., returnable on 25.09.2017.

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. 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. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 25.09.2017.

8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN.

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.393/2017.
(Taslim Khan Chand Khan Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri P. D. Deshmukh learned Advocate holding for Dr. Swapnil Tawshikar learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant make the compliance regarding the service on respondent no.4.

3. The learned P.O. seeks time to file affidavit in reply. At her request, S.O. 11.09.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.272/2017.
(Dr. Vaishali P. Deshpande Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Advocate Juee Palekar holding for Shri S. D. Joshi learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. seeks time to file affidavit in reply. At his request, S.O. to 07.09.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.207/2017.
(Shri P. A. Kathar Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

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. The service affidavit is filed. It is taken on record.
3. The learned C.P.O. seeks time for filing reply. At his request, S.O. to 06.09.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.200/2017.
(Shri N. H. Sonawane & Ors. Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

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

2. The learned P.O. submits that, parawise remark is received and affidavit in reply would be filed very soon. At his request, S.O. 04.09.2017 for filing reply.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.169/2017.
(Shri S. R. Chavan Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri P. B. Rakhunde learned Advocate for the applicant and Shri M. P. Gude learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to file an application for amendment. At his request, S.O. to 07.09.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION No.196/2017.

(Shri Sagar Sanjay Jagtap Vs.
The State of Maharashtra & Ors.

CORAM: Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

COMMON 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 Advocate for the applicant on instructions submits that, applicantswishes to withdraw the application. Allowed to withdraw the same. Accordingly the Original Application is disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION Nos.194 of 2017.

(Subhash Chandrasen Nannaware Vs.
The State of Maharashtra & Ors.

CORAM: Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

COMMON 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 Advocate for the applicant on instructions submits that, applicant wishes to withdraw the application. Allowed to withdraw the same. Accordingly the Original Application is disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.191/2017.
(Shri A. S. Mane Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

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 learned P.O. files affidavit in reply on behalf of Respondent no.1. The same is taken on record. Its copy is served on the other side.

3. The arguable case is made out.

4. Admit.

5. Learned P.O. waives the notice for the respondents upon admission hearing.

6. The matter is kept for final hearing in due course of time.

7. The learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.74/2017.
(Shri V. K. Wagh & Ors. Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri D. J. Patil learned Advocate for the applicant and Smt. P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. Both sides submit that, the decision in the writ petition reference of which is made in order dated 22.06.2017 is awaited. Hence, S.O. to 20.09.2017. Interim relief to continue till then.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.64/2017.
(Dr. Shehal I. Nagre Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri R. B. Bhosale learned Advocate holding for Shri J. G. Toshniwal learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents.

2. Shri R. B. Bhosale learned Advocate holding for Shri J. G. Toshniwal learned Advocate for the applicant seeks time. At his request, S.O. to 06.09.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.739/2016.
(Shri D. B. Mukhade Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

Heard Shri S. P. Dhobale learned Advocate holding for Shri A. V. Patil learned Advocate for the applicant and Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. Read the order dated 10.07.2017.
3. The learned Advocate for the applicant seeks time to file affidavit in rejoinder. Time granted as a last chance for filing affidavit in rejoinder.
4. S.O. to 13.09.2017 for filing affidavit in rejoinder.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.421/16 IN CP 6/98 IN OA NO.01/98.
(Shri S. S. Tupe Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(Division Bench matter.)

DATE : 02-08-2017

ORAL ORDER:-

It is reported that Shri P. V. Suryawanshi learned Advocate for the applicant has filed leave note. Smt R. S. Deshmukh learned Presenting Officer for the respondents is present.

2. In view of leave note filed by Shri P. V. Suryawanshi learned Advocate for the applicant S.O. to 07.09.2017.

VICE CHAIRMAN.

ORAL ORDERS 02.08.2017-ATP