

**ORIGINAL APPLICATION NO. 932 OF 2016**

[Shri Surendra A. Shisode Vs. the State of Mah. & Ors.]

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**

**(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. Heard Shri H.P. Jadhav, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 5. Shri Shrikant Y. Patil, learned Advocate for respondent no. 6 **(absent)**.

2. The learned Presenting Officer seeks time to file affidavit in reply of res. nos. 1 to 5. The learned Advocate for the applicant points out that, on the last occasion also time was granted for filing affidavit in reply.

3. In the circumstances, as a last chance, S.O. to 8.3.2017 for filing affidavit in reply by the respondents.

**MEMBER (J)**

**LATER ON :-**

Shri Shrikant Y. Patil, learned Advocate for the respondent no. 6 appeared.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 857 OF 2016**

[Shri Bhikan P. Sonar & Ors. Vs. the State of Mah. & Ors.]

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. Heard Smt. Suchita Dhongde (Upadhyay), learned Advocate holding for Shri Suresh D. Dhongde, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. The learned Advocate for the applicants seeks time to serve notices on res. no. 2 as directed earlier. She states that fresh notice be issued to res. no. 2.
3. In the circumstances, issue fresh notice to res. no. 2, returnable on 16.3.2017.
4. Tribunal may take the cases 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. 16.3.2017.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 859 OF 2016**

[Shri Pravin R. Wagh Vs. the State of Mah. & Ors.]

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**

**(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. Heard Smt. Suchita Dhongde (Upadhyay), learned Advocate holding for Shri Suresh D. Dhongde, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to serve notices on res. no. 2 as directed earlier. She states that fresh notice be issued to res. no. 2.

3. In the circumstances, issue fresh notice to res. no. 2, returnable on 16.3.2017.

4. Tribunal may take the cases 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. 16.3.2017.
9. Steno copy & hamdust allowed to both the parties.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 864 OF 2016**

(Shri Vasant S. Londhe Vs. the State of Mah. & Ors.)

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. None appears for the applicant. Shri Satyajit Bora, learned Advocate for respondent no. 5, are present.

2. The applicant has not served notices upon the respondent nos. 1 to 4 since long.

3. In the circumstances, as a last chance S.O. to 27.2.2017 for taking proper steps by the learned Advocate for the applicant.

**MEMBER (J)**

**ARJ ORAL ORDERS 7.2.2017**

**ORIGINAL APPLICATION NO. 865 OF 2016**

(Shri Vaijanath E. Jogdand Vs. the State of Mah. & Ors.)

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. None appears for the applicant. Shri Satyajit Bora, learned Advocate for respondent no. 5, are present.

2. The applicant has not served notices upon the respondent nos. 1 to 4 since long.

3. In the circumstances, as a last chance S.O. to 27.2.2017 for taking proper steps by the learned Advocate for the applicant.

**MEMBER (J)**

**ARJ ORAL ORDERS 7.2.2017**

**ORIGINAL APPLICATION NO. 866 OF 2016**

(Shri Vasant G. Deshmukh Vs. the State of Mah. & Ors.)

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. None appears for the applicant. Shri Satyajit Bora, learned Advocate for respondent no. 5, are present.

2. The applicant has not served notices upon the respondent nos. 1 to 4 since long.

3. In the circumstances, as a last chance S.O. to 27.2.2017 for taking proper steps by the learned Advocate for the applicant.

**MEMBER (J)**

**ARJ ORAL ORDERS 7.2.2017**



**ORIGINAL APPLICATION NO. 867 OF 2016**

(Shri Shivaji S. Solanke Vs. the State of Mah. & Ors.)

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**  
**(This matter is placed before the Single Bench**  
**due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. None appears for the applicant. Shri Satyajit Bora, learned Advocate for respondent no. 5, are present.
2. The applicant has not served notices upon the respondent nos. 1 to 4 since long.
3. In the circumstances, as a last chance S.O. to 27.2.2017 for taking proper steps by the learned Advocate for the applicant.

**MEMBER (J)**

**ARJ ORAL ORDERS 7.2.2017**

**M.A. NO. 386/2013 IN O.A. NO. 381/2013**

(Shri Uttam R. Kshirsagar Vs. the State of Mah. & Ors.)

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. None appears for the applicant. Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.
2. It appears from the record of this matter that, on last so many occasions also none appeared for the applicant.
3. In the circumstances, S.O. to 20.2.2017 for appearance of the learned Advocate for the applicant. It is made clear that, if on the next date learned Advocate for the applicant fails to appear, the matter may be dismissed in default.

**MEMBER (J)**

**ARJ ORAL ORDERS 7.2.2017**

**M.A. NO. 310/2016 IN O.A. ST. NO. 1452/2016**

(Shri Sk. Rabbani Sk. Dadubhai Vs. the State of Mah. & Ors.)

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. Heard Miss. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The present applicant is aggrieved by his supersession during promotions, which took place in the cadre on 20.2.1992, 12.8.2015, 22.10.2015 and 9.6.2016.

3. The learned Advocate for the applicant submits that seeking deemed date of promotion is a continuous cause of action. She further submits that a liberal view may be taken by this Tribunal and the delay caused in filing the original application may be condoned.

4. The learned Presenting Officer opposed the misc. application.

5. Considering the fact that the promotions given to the juniors to the applicant from August, 2015 to June, 2016 have also been challenged in the original application, keeping the point open as to since which date the applicant would be entitled for promotion, at least challenge to the promotion order dated 9.6.2016 is within limitation and there is no inordinate delay in challenging the promotion orders dated 12.8.2015 and 22.10.2015. In my view, the delay caused in filing the original application has been satisfactorily explained.

6. In view of above, the misc. application for condonation of delay caused in filing the original application is allowed. There shall be no order as to costs.

7. The office is directed to register the original application after proper scrutiny.

**MEMBER (J)**

**M.A. NO. 326/16 IN CP ST. 1528/2016 IN O.A. NO. 568/2015**

(Shri Mohd. Hussain Tayyubsab Inamdar Vs. the State of Mah. & Ors.)

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**

**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. Shri P.K. Wagh, learned Advocate holding for Shri R.D. Khadap, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned Presenting Officer submits that the appeal of the applicant is allotted to the concerned Hon'ble Minister and lastly it was adjourned to 31.1.2017. He seeks time to take instructions regarding the present status of the said appeal. Time granted as a last chance.

3. S.O. to 30.3.2017.

**MEMBER (J)**

**ARJ ORAL ORDERS 7.2.2017**

**ORIGINAL APPLICATION NO. 816 OF 2016**

(Dr. Deshmukh Mohammad Shabir & Ors. Vs. the State of Mah. & Ors.)

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**

**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. Heard Shri A.V. Rakh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The grievance of the applicants is that, though they had requested the respondents to permit them to appear for the departmental examination, held by the res. no. 4 - the Maharashtra Public Service Commission, no action was taken. All of them are probationary Officers and in view of the rules, may suffer, if they would not pass the departmental examination within a period of 2 years.

3. At the request of learned Advocate for the applicants, S.O. to 1.3.2017.

**MEMBER (J)**

**M.A. NO. 54 OF 2017 IN O.A. ST. NO. 173/2017**

[Sayyad Jarinabi Raisoddin & Ors. Vs. the State of Mah. & Ors.]

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**

**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

1. Heard Shri P.A. Kulkarni, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the M.A. and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid multiplicity, leave to sue jointly is granted, subject to payment of court fee stamps, unless it is paid already.

4. M.A. stands disposed of accordingly. There shall be no order as to costs.

5. The office is directed to register the original application after proper scrutiny.

**MEMBER (J)**

**ARJ ORAL ORDERS 7.2.2017**

**ORIGINAL APPLICATION NO. 803 OF 2016**

[Sayyed Kalim Sayyed Mehboob Vs. State of Mah. & Ors.]

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**

**(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)**

**DATE :- 07.02.2017**

**Oral Order :-**

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

2. The applicant though selected for the post of Police Constable, his appointment is withheld by the respondent no. 1 – the Superintendent of Police, Parbhani – on the ground that this Tribunal in original application No. 483/2016 vide order dated 17.5.2016 has granted interim relief in favour of the applicant therein. The operative portion of the said order reads as under :-

“14. In this background this Tribunal directs that the respondents shall intimate to last candidate in the merit list of the OBC ex-serviceman category, that his appointment shall be subject to outcome of this O.A.”

3. Admittedly, the present applicant is not a ex-serviceman and still the res. no. 1 in his affidavit in reply at paper book page 46 of the present original application has affirmed as under :-



“            --                            --                            --                            --                            --

I say and submit that, the claim of applicant to the post of Police Constable is under consideration because he has been duly selected as mention above. However by virtue of order of this Hon’ble Tribunal Dtd. 17<sup>th</sup> of May 2016 made in O.A. No. 483/2016 Mr. Govind Phulware Vs. State of Maharashtra & Others the respondent had been directed to intimate to the last candidate in the merit list of OBC Ex-servicemen category, that his appointment shall be subject to out come of Original Application No. 483/2016. Accordingly respondent orally intimated to the last candidate i.e. the applicant here in.

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3. In the above situation the learned Presenting Officer seeks time to have a clarification from the concerned in this regard.

5. The learned Presenting Officer further submits that, if necessary, a responsible Officer would be called by him in the Court to explain the above anomaly.

6. At the request of learned Presenting Officer, S.O. to 10.2.2017.
7. The learned Presenting Officer is directed to act upon the Steno copy of this order.

**MEMBER (J)**

**ARJ ORAL ORDERS 6.2.2017**

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

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**ORIGINAL APPLICATION No.560/2016.**

(Shri A. B. Kamble Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(This matter is placed before Single Bench due to non-availability of Division Bench)

**DATE** : 07.02.2017.

**ORAL ORDER:-**

Heard Shri H. V. Patil, learned Advocate for the Applicant and Shri I. S. Thorat, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 28.2.2017, as a last chance.

**MEMBER (J).**

ORAL ORDERS 7-2-2017-ATP

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

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**ORIGINAL APPLICATION No.608/2016.**

(Shri S. D. Dhakne Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(This matter is placed before Single Bench due to non-availability of Division Bench)

**DATE** : 07.02.2017.

**ORAL ORDER:-**

Heard Shri S. D. Joshi, learned Advocate for the Applicant and Smt S. K. Ghate Deshmukh, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant submits that, he has received an information that the grievance is settled. However, he has to take instructions in this regard.

3. At the request of the learned Advocate for the applicant, S.O. to 28.2.2017.

**MEMBER (J).**

ORAL ORDERS 7-2-2017-ATP

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

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**ORIGINAL APPLICATION No.607/2016.**

(Shri A. S. Solane Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(This matter is placed before Single Bench due to non-availability of Division Bench)

**DATE** : 07.02.2017.

**ORAL ORDER:-**

Heard Shri S. D. Joshi, learned Advocate for the Applicant and Shri N. U. Yadav, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant submits that, he has received an information that the grievance is settled. However, he has to take instructions in this regard.

3. At the request of the learned Advocate for the applicant, S.O. to 28.2.2017.

**MEMBER (J).**

ORAL ORDERS 7-2-2017-ATP

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

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**ORIGINAL APPLICATION No.708/2016.**

(Shri V. S. Harale Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(This matter is placed before Single Bench due to non-availability of Division Bench)

**DATE** : 07.02.2017.

**ORAL ORDER:-**

Heard Shri H. V. Patil, learned Advocate holding for Shri S.S. Deshmukh, learned Advocate for the Applicant and Shri M. P. Gude, learned Presenting Officer for the Respondents.

2. Learned P.O. files on record the affidavit in reply on behalf of Respondents no.1 & 2. The same is taken on record. Its copy is served on the learned Advocate for the Applicant.

3. S.O. to 16.3.2017.

**MEMBER (J).**

ORAL ORDERS 7-2-2017-ATP

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

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**ORIGINAL APPLICATION No.738/2016.**

(Shri A. D. Badse Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(This matter is placed before Single Bench due to non-availability of Division Bench)

**DATE** : 07.02.2017.

**ORAL ORDER:-**

Heard Shri Ashish Rajkar, learned Advocate for the Applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned P.O. files affidavit in reply on behalf of Respondent no.3. The same is taken on record. Its copy is served upon the learned Advocate for the Applicant.

3. S.O. to 28.2.2017.

**MEMBER (J).**

ORAL ORDERS 7-2-2017-ATP

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

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**ORIGINAL APPLICATION No.836/2016.**

(Dr. V. S. Karad Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(This matter is placed before Single Bench due to non-availability of Division Bench)

**DATE** : 07.02.2017.

**ORAL ORDER:-**

Heard Shri Ashish Rajkar, learned Advocate holding for Shri S. V. Mundhe, learned Advocate for the Applicant, Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents and Shri A. D. Aghav, learned Advocate for the Respondent no.3.

2. Learned Advocate for the Respondent no.3 files affidavit in reply. The same is taken on record. Its copy is served on the other side.

3. Learned C.P.O. submits that, he would seek the status report from the Respondent no.4 to find out as to within how much time it would be possible to conclude the inquiry in case the Applicant co-operate in the same.

4. At the request of the learned C.P.O. for the respondents, S.O. to 3.3.2017.

5. Steno copy is allowed to the learned C.P.O.

**MEMBER (J).**



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

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**ORIGINAL APPLICATION No.876/2016.**

(Shri A. R. Gavane Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(This matter is placed before Single Bench due to non-availability of Division Bench)

**DATE** : 07.02.2017.

**ORAL ORDER:-**

Heard Shri P. P. Kothari, learned Advocate for the Applicant and Smt D.S. Deshpande, learned Presenting Officer for the Respondents.

2. Learned P.O. files affidavit in reply on behalf of Respondents no.1 to 4. The same is taken on record. Its copy is served on the learned Advocate for the applicant.

3. The issue appears to be is that the written examination of the post was allegedly given by the brother of the applicant in his place, which ultimately resulted into cancellation of the selection of the present applicant. Under the circumstances, the Respondents are directed to file photocopy of the answer sheet purported to have been given by the applicant/his brother.

4. At the request of the learned P.O. for the respondents, S.O. to 6.3.2017.

5. Steno copy is allowed to the learned P.O.

**MEMBER (J).**

ORAL ORDERS 7-2-2017-ATP

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

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**ORIGINAL APPLICATION No.925/2016.**

(Shri K. R. Tharewal Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(This matter is placed before Single Bench due to non-availability of Division Bench)

**DATE** : 07.02.2017.

**ORAL ORDER:-**

Heard Shri N. S. Tekale, learned Advocate for the Applicant, Shri S. K. Shirse, learned Presenting Officer for the Respondents no.1 to 4 and Shri P. A. Bhosale, learned Advocate for the Respondent no.5.

2. Learned Advocate for the Respondent no.5 files affidavit in reply. The same is taken on record. Its copy is served on the other side.

3. Upon hearing both sides it appears that, the issue of promotion is subject to the passing of the Departmental Examination within a prescribed period, as per Exh. 'B'. It appears that, the applicant has not passed the Departmental Examination within the prescribed period as per the said notification and upon reaching the age of 55 years he was given a place in seniority list as he was exempted from passing the Departmental examination as per the said notification. In the meantime the Respondent no.5, the junior to him, who passed

the Departmental examination within the specified time was promoted. In the circumstances, place the present application hearing for admission on 2.3.2017.

4. Learned P.O. prays for time to file affidavit in reply.  
Time granted.

5. S.O. to 2.3.2017.

**MEMBER (J).**

ORAL ORDERS 7-2-2017-ATP

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

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**ORIGINAL APPLICATION No.906/2016.**

(Dr. A. R. Ladwanjari Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(This matter is placed before Single Bench due to non-availability of Division Bench)

**DATE** : 07.02.2017.

**ORAL ORDER:-**

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

2. At the request of the learned C.P.O. for the Respondents, S.O. to 15.3.2017 for filing affidavit in reply.

**MEMBER (J).**

ORAL ORDERS 7-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.666/2016**  
(Shri V.R.Thorat V/s. The State of Mah. & Ors.)

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

DATE : 07-02-2017

**ORAL ORDER:-**

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

2. Both sides are heard for considerable period. It is seen respondents have not placed on record minutes of the meeting of Police Establishment Board dated 16-07-2016, and relevant documents as regards transfer of the applicant.

3. Learned P.O. is directed to produce on record minutes of the meeting of Police Establishment Board dated 16-07-2016 and relevant documents as regards transfer of the applicant, on the next date.

4. This matter be treated as part heard.

5. Steno copy may be provided to the learned P.O. on his request.

6. S.O.27<sup>th</sup> February, 2017.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 322/2016  
[Smt. Swati Narhari Joshi Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri B.S. Kudale, learned Advocate for the Applicant and  
Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O to  
06.03.2017.

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 50/2017 in O.A. St. No. 107/2017  
[Shri Niwruitee K. Suradkar Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri- V.G. Salgare, learned Advocate for the Applicant  
(Absent). Shri M.S. Mahajan, learned Chief Presenting Officer for  
respondents, present.

2. As none present for the applicant, S.O. to 23.02.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 51/2017 in O.A. St. No. 3038/2016  
[Shri Pandurang R. Gaikwad Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri- U.S. Gawji, learned Advocate for the Applicant  
(Absent). Shri S.K. Shirse, learned Presenting Officer for respondents,  
present.

2. As none present for the applicant, S.O. to 27.02.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 56/2017 in O.A. St. No. 86/2017  
[Shri Sudhakar A. Goswami Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Heard Shri- Y.P. Deshmukh, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant seeks time to file amendment application. Time granted.

3. S.O. to 01.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 86/2016  
[Shri Bankat Namdeo Ghule Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri A.D. Gadekar, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer or respondent no. 1. Shri Shamsundar B. Patil, learned Advocate for respondent nos. 2 to 4 (**Leave Note**).

2. The learned Presenting Officer submits that he will file affidavit in reply on behalf of respondent no. 1 during the course of the day.

3. S.O. to 07.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 88/2016  
[Natha Yada Patekar Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri A.D. Gadekar, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer or respondent no. 1. Shri Shamsundar B. Patil, learned Advocate for respondent nos. 2 to 4 (**Leave Note**).

2. The learned Presenting Officer submits that he will file affidavit in reply on behalf of respondent no. 1 during the course of the day.

3. S.O. to 07.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 89/2016  
[Shaikh Ashraf Sk. Sardar Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri A.D. Gadekar, learned Advocate for the Applicant and  
Smt. Deepali S. Deshpande, learned Presenting Officer for respondent no.

1. Shri Shamsundar B. Patil, learned Advocate for respondent nos. 2 to 4  
**(Leave Note).**

2. The learned Presenting Officer submits that he will file  
affidavit in reply on behalf of respondent no. 1 during the course of the  
day.

3. S.O. to 07.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 90/2016  
[Shri Shankar Janba Mane Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri A.D. Gadekar, learned Advocate for the Applicant and  
Smt. Deepali S. Deshpande, learned Presenting Officer for respondent no.

1. Shri Shamsundar B. Patil, learned Advocate for respondent nos. 2 to 4  
**(Leave Note).**

2. The learned Presenting Officer submits that he will file  
affidavit in reply on behalf of respondent no. 1 during the course of the  
day.

3. S.O. to 07.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 92/2016  
[Shaikh Arifoddin Tamijoddin Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri A.D. Gadekar, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondent no. 1. Shri Shamsundar B. Patil, learned Advocate for respondent nos. 2 to 4 (**Leave Note**).

2. The learned Presenting Officer submits that he will file affidavit in reply on behalf of respondent no. 1 during the course of the day.

3. S.O. to 07.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 93/2016  
[Shri Dhondiba Aba Shinde D.A. Shinde Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri A.D. Gadekar, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent no. 1. Shri Shamsundar B. Patil, learned Advocate for respondent nos. 2 to 4 **(Leave Note)**.

2. The learned Presenting Officer submits that he will file affidavit in reply on behalf of respondent no. 1 during the course of the day.

3. S.O. to 07.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 229/2016  
[Dr. Pratibha D. Gaikwad Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Heard Shri V.B. Wagh, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 & 2.

2. Shri M.R. Kukarni, learned Advocate holding for Shri Y.P. Deshmukh, learned Advocate for respondent no. 3 appeared and seeks time to file Vakalatnama and affidavit in reply on behalf of respondent no. 3.

3. The learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 2. It is taken on record. The Copy of the same has been served upon the other side.

4. The pleadings are complete. The O.A. is admitted and it be kept for final hearing with liberty to respondent no. 3 to file affidavit in reply.

5. S.O. to 30.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 418/2016  
[Shri Manoranjan Murlidhar Gatkal Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri Virendra R. Borhate, learned Advocate holding for Shri J.M. Murkute, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing.

3. S.O. to 05.04.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 417/2016  
[Shri Raosaheb B. Kale Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri Virendra R. Borhate, learned Advocate holding for Shri J.M. Murkute, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05.04.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 425/2016  
[Dr. Sandeep A. Kokare Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

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

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

3. S.O. to 28.02.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 579/2016  
[Shri Dnyaneshwar Devidas Gavad & Ors. Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Heard Shri S.D. Dhongde, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 to 7. It is taken on record. Copy thereof has been served upon the learned Advocate for the applicant.

3. Pleadings are complete. The O.A. is admitted and it be kept for final hearing.

4. S.O. to 05.04.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 636/2016  
[Smt. Bharatbai W/o Vijay Lone & Ors. Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri D.G. Kamble, learned Advocate for the Applicant and  
Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O. to  
30.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 702/2016  
[Shri Shekhar G. Gaikwad Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri D.G. Kamble, learned Advocate for the Applicant and  
Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O. to  
30.03.2017.

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 698/2016  
[Shri Shriram M. Patil Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

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

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 to 3. It is taken on record. Copy of the same has been served upon the learned Advocate for the applicant.

3. Pleadings are complete. The O.A. is admitted and it be kept for final hearing.

4 S.O to 06.04.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 704/2016**

**WITH**

**CAVEAT NO. 229/2016**

**[Shri Pandurang P. Hiwale & Ors. Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri R.D. Khadap, learned Advocate for the Applicant **(Absent)**. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent Nos. 1 & 2 and Shri P.S. Dighe, learned Advocate for respondent no. 3, are present.

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

3. S.O. to 28.02.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 716/2016  
[Mrs. Pradnya Pradeep Jehurkar Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Heard Shri D.T. Devane, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. The learned Presenting Officer has filed separate affidavit in replies on behalf of respondent nos. 1 & 4 and 5 respectively and the same are taken on record and copies thereof have been served upon the learned Advocate for the applicant.

3. The learned Presenting Officer is directed to make submission of the concerned officers who were responsible for causing delay in sending proposal to the Accountant General, Nagpur for extending benefits of second time bound promotion to the applicant vide order dated 23.12.2010.

4. The learned P.O. is also directed to take instructions from the concerned officer i.e. the Accountant General, Nagpur about the time within which the proposal sent by the concerned department dated 18.01.2017 will be finalized.

5. S.O. to 09.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 725/2016  
[Shyam Chaganrao Kotkar Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri K.B. Jadhav, learned Advocate for the Applicant **(Absent)**. Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 & 2, is present. Shri G.M. Patel, learned Advocate for respondent no. 3 **(Absent)**.

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

3. S.O. to 30.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 780/2016  
[Dr. Wasim Ustaquin Siddiqui Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri J.M. Murkute, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 to 3. It is taken on record. Copy thereof has been served upon the learned Advocate for the applicant.

3. At the request of learned Presenting Officer, S.O to 05.04.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 819/2016  
[Shri Vishal B. Goje Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri M.B. Kolpe, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 to 4. It is taken on record. Copy thereof has been served upon the learned Advocate for the applicant.

3. At the request of learned Advocate for the applicant, S.O to 23.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 919/2016  
[Shri Sudhakar E. Patil Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri V.M. Jaware, learned Advocate for the Applicant and  
Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O to 30.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 11/2017  
[Shri Subhash K. Dahle Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

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

2. The learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 & 2. It is taken on record. Copy thereof has been served upon the learned Advocate for the applicant.

3. Pleadings are complete. The O.A. is admitted and it be kept for final hearing.

4. S.O to 23.02.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 33/2017  
[Shri Bharat L. Kharat Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri V.B. Wagh, learned Advocate for the Applicant and  
Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O to 15.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 38/2017**  
**[Mir Firasat Mir Mohammed Ali Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri Vivek Pingle, learned Advocate for the Applicant and  
Shri D.R. Patil, learned Presenting Officer for respondents.

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

3. S.O to 30.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 210/2016 in O.A. St. 816/2016  
[Shri Shamrao G. Wagatkar Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri S.D. Dhongde, learned Advocate for the Applicant and  
Shri S.K. Shirse, learned Presenting Officer for respondents.

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

3. S.O to 28.02.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 460/2016 in O.A. St. 1999/2016  
[Shri Hanuman S. Sarode Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri B.V. Thombre, learned Advocate for the Applicant and  
Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O to 30.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 3022/2016  
[Shri Shivaji R. Bhalegavkar Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

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

2. At the request of learned Advocate for the applicant, S.O to 23.02.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 723/2016  
[Shri S.S. Kulkarni Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Heard Shri R.N. Bharaswadkar, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. The matter is taken on board in view of circulation note filed by the learned Advocate for the applicant.

3. This matter was on yesterday's board and posted to 27.02.2017. However, inadvertently it was remained to be mentioned that "the interim relief granted earlier to continue till next date".

4. Hence, S.O to 27.02.2017. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 701/2015  
[Shri Mohan R. Choudhari Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri A.D. Sugdare, learned Advocate for the Applicant and  
Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O to  
10.02.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 48/2014  
[Shri Laxman N. Lahane Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri D.G. Kamble, learned Advocate for the Applicant  
(Absent). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer  
for respondents, present.

2. As none present for the applicant, S.O to 01.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 263/2016  
[Shri Bhagwat M. Betkar Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Heard Shri Virendra R. Borhate, learned Advocate holding for Shri J.M. Murkute, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant submits that he has not received the copy of the affidavit in reply till today. However, the learned Presenting Officer submits that he will serve the copy of the same to the learned Advocate for the applicant.

3. S.O to 05.04.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 268/2016  
[Shri Kailas Dharasht Patil Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri A.D. Sugdare, learned Advocate for the Applicant and  
Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O to  
10.02.2017.

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MEMBER (J)**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 365/2016  
[Shri Shaikh Nizamuddin Salluddin Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Shri S.S. Deshmukh, learned Advocate for the Applicant  
(Absent). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer  
for respondents, present.

2. As none present for the applicant, S.O to 01.03.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 610/2016  
[Smt. Jyoti w/o Jeevan Aglave Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

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

2. At the request of learned Presenting Officer, S.O to 14.02.2017.

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 695/2016  
[Shri J.S. Pendalwar Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

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

2. At the request of learned Advocate for the applicant, S.O to  
23.02.2017.

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 385/2016  
[C.S. Dhormale & Ors. Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Heard Shri S.P. Urgunde, learned Advocate for the Applicants and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. The learned Advocate for the applicants seeks permission to withdraw the present original application in view of the fact that the respondents have given all benefits to the applicant nos. 2 to 4 and so far as the applicant no. 1 is concerned, his proposal is forwarded to the higher authority for approval. He has placed on record the pursis signed by the applicant no. 4 along with relevant documents, which is taken on record and marked as Exhibit 'X collectively' for the purpose of identification.

3. In view of above facts, the Original Application stands disposed of as withdrawn with no order as to costs.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 627/2016  
[Shri Laxman Navsaji Lahane Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Heard Shri D.G. Kamble, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. In the present Original Application, the applicant is claiming the following reliefs: -

- “A) The Original Application may kindly be allowed and Rule be issued.**
- B) The respondents be directed to pay the wages of the applicant as per order dated 13.04.2016 in O.A. No. 839/2015 issued by the Government under the Minimum Wages Act, 1948 and the arrears on this account be directed to be paid alongwith interest as per bank rates.**
- C) Any other suitable and equitable relief may kindly be granted in favour of the applicant in the interest of justice.”**

3. The learned Advocate for the applicant submits that the present Original Application may be disposed of in view of the averments made by the respondent Nos. 2 & 3 in their affidavit in reply in paragraph Nos. 4 & 6.

4. It would be appropriate to reproduce the averments/statement made by the respondent Nos. 2 & 3 in paragraph Nos. 4 & 6 of their affidavit in reply and it read as follows: -

***“04. I say and submit that, the Respondent authorities has started to pay the wages to the applicant as per the G.R. dated 28.09.2010 from October, 2016. The applicant is receiving the wages as per his claim. The copy order to that effect dated 20.10.2016 is annexed herewith and marked as EXHIBIT R-1.***

***06. I say and submit that, as the claim of the applicant was decided by the competent authority, there remains nothing in this Original Application and hence same may kindly be dismissed.”***

5. In view of the aforesaid submissions made by the learned Advocate for the applicant and in view the statement made by the respondent Nos. 2 & 3 in paragraph Nos. 04 & 06 of their affidavit in reply, the present Original Application stands disposed of with no order as to costs.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 429/2016  
[Dr. Shripati Kondiram Shinde Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02. 2017.**

**ORAL ORDER:**

Heard Shri V.B. Wagh, learned Advocate for the Applicant, Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 to 3, Shri S.S. Mangle, learned Advocate for respondent nos. 4 & 5 and Shri D.T. Devane, learned Advocate for respondent no. 6.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing.

3. The matter is to be treated as part heard.

4. S.O. to 27.02.2017.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 637/2016**

**[Shri Pandurang Kishanrao Sarode & Ors. Vs. The State of Mah. & Ors.]**

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

**DATE : 07.02.2017.**

**ORAL ORDER:**

Heard Shri D.G. Kamble, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. In the present Original Application, the applicant is claiming the following reliefs: -

**“A) The Original Application may kindly be allowed and Rule be issued.**

**B) The respondents be directed to pay the wages of the applicant as per order dated 13.04.2016 in O.A. No. 839/2015 passed by the this Hon'ble Court, under the Minimum wages Act, 1948.**

**C) Any other suitable and equitable relief may kindly be granted in favour of the applicant in the interest of justice.”**

3. The learned Advocate for the applicant submits that the present Original Application may be disposed of in view of the observations made by the respondent No. 2 in paragraph Nos. 3 of their affidavit in reply.



4. It would be appropriate to reproduce the averments/statement made by the respondent No. 2 in paragraph No. 3 of their affidavit in reply and it reads as follows: -

***“03. At the outset I say and submit that the applicant nos. 1 to 4 are working as part time sweeper on the establishment of respondent office. As of today the applicant no. 2 and 4 are receiving wages of Rs. 900/- per month for every 29 days of the month and applicants No. 1 and 3 are receiving wages of Rs. 600/- per month for every 29 days and after expiry of such 29 days working order fresh orders are issued to these applicants. The above said wages of salary has been given to the applicants in view of order dated 13.01.2016 issued by the Higher authorities i.e. DGP, Mumbai. The said minimum wages have been sanctioned by virtue of Government resolution dated 27.02.2009. And accordingly as per State revised wages committee’s recommendations appendix attached thereto, at serial No. 32 Para No. 3.29.1 the minimum payment of wages payable to part time employees has been fixed to tune of Rs. 600/- per month and maximum of Rs. 1200/- per month. And at column No. 3 it was further***

***provided that the benefit of said revised wages shall be given from 01.04.2009.***

***The respondent has made due compliances to the above said provisions of minimum wages and till date the applicants are receiving the wages accordingly. The copy of part time sweeper order dtd. 30.08.2016 of applicants Nos. 1 to 4 and copy of order dated 13.01.2016 issued by Higher Authorities i.e. DGP, Mumbai are annexed here with and marked as Exhibit – “R-1” Colly. The copy of Gov. Resolution dtd. 27.02.2009 along with appendix thereto are annexed herewith as Exhibit- “R-2.”***

5. In view of the aforesaid submission made by the learned Advocate for the applicant and in view the statement made by the respondent No. 2 in paragraph No. 03 of their affidavit in reply, the present Original Application stands disposed of with no order as to costs.

**MEMBER (J)**

**ORAL ORDERS 7.2.2017-KPB(SB)BPP**