

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 622/2016
(Shri Manik Tukaram Takalkar & Others Vs. The State of
Maharashtra & Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).
(This matter is placed before Single Bench
due to non-availability of Division Bench)**

DATE : 19.01.2017.

ORAL ORDER:-

Heard Shri R.P. Bhumkar, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

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

3. S. O. to. 13.02.2017.

MEMBER (J)

ORAL ORDERS 19.01.2017-KPB(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 643/2016
(Shri Govind Yadavrav Bharsakhle Vs. The State of
Maharashtra & Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).
(This matter is placed before Single Bench
due to non-availability of Division Bench)**

DATE : 19.01.2017.

ORAL ORDER:-

Heard Shri R.P. Bhumkar, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

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

3. S. O. to. 13.02.2017.

MEMBER (J)

ORAL ORDERS 19.01.2017-KPB(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 09/2013
(Dr. Pralhad Ramdhan Rathod Vs. The State of Maharashtra &
Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).
(This matter is placed before Single Bench
due to non-availability of Division Bench)**

DATE : 19.01.2017.

ORAL ORDER:-

Heard Shri K.G. Salunke, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. 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 learned Advocate for the applicant.

3. The matters shall be placed before the Division Bench, whenever it is available.

MEMBER (J)

ORAL ORDERS 19.01.2017-KPB(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 485/2015
(Dr. V.B. Sawale Vs. The State of Maharashtra & Ors.)**

**ORIGINAL APPLICATION NO. 768/2015
(Dr. P.N. Pensalwar Vs. The State of Maharashtra & Ors.)**

**ORIGINAL APPLICATION NO. 769/2015
(Dr. S. S. Shivpuje Vs. The State of Maharashtra & Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).
(This matter is placed before Single Bench
due to non-availability of Division Bench)**

DATE : 19.01.2017.

COMMON ORAL ORDER:-

O.A. No. 485/2015

Heard Shri B.K. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

O.A. No. 768/2015

Heard Shri B.K. Patil, learned Advocate holding for Shri J.S. Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondent Nos. 1 to 3. Shri P.R. Tandale, learned Advocate for respondent no. 4, absent.

O.A. No. 769/2015

Heard Shri B.K. Patil, learned Advocate holding for Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondent Nos. 1 to 3. Shri P.R. Tandale, learned Advocate for respondent no. 4, absent.

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

3. S.O. to 27.01.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 721/2012
(Avinash Prabhakar Latpate and others Vs. The State of
Maharashtra and others)**

With

**ORIGINAL APPLICATION NO. 487/2013
(Dr. P.G. Rathod Vs. The State of Maharashtra & Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).
(This matter is placed before Single Bench
due to non-availability of Division Bench)**

DATE : 19.01.2017.

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants in both these matters and Shri V.R. Bhumkar, learned Presenting Officer for the respective Respondents in respective O.As..

2. Vide order dated 18.10.2016, the Division Bench directed the respondents to place documents on record supported with affidavit, within four weeks. The record and proceedings of the selection committee, whereby the applicants were selected also be placed on record with appropriate affidavit.

3. The learned Presenting Officer submits that he may be granted time to file affidavit in reply and record. It is stated that no response is being received and no competent officer is taking responsibility.

//2// O.A. No. 721/2012 & 487/2013

4. Today, one Shri Santosh Tongire, Lab Technician, Assistant Director of Health Services (Malaria), Aurangabad is present before the Court and he stated that he is directed to remain present. He also stated that he does not know about the matter. However, he submits that the record is at Pune. However, no person was deputed to bring record from Pune. This shows that the respondents are not responsible and are not understanding the orders of this Tribunal.

5. The learned Presenting Officer is directed to give time to produce record and file necessary affidavit within two weeks. The respondent No. 2 i.e. the Joint Director, Health Services (Malaria), Pune and respondent no. 3. i.e. the Assistant Director, Health Services (Malaria), Aurangabad shall remain present on the next date before this Tribunal explaining circumstances why the matter has not been taken up seriously. In case, the reply is not filed on the next date or the responsible officers as directed above does not remain present, heavy costs will be saddled in addition to action of contempt of order of this Tribunal may be taken upon the responsible officers.

6. S.O. to 2.2.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 04/2015
(Dr. Prithviraj Ganeshram Rathod & Others Vs. The State of
Maharashtra & Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J).
(This matter is placed before Single Bench
due to non-availability of Division Bench)**

DATE : 19.01.2017.

ORAL ORDER:-

Heard Shri R.P. Bhumkar, learned Advocate for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for the Respondents.

2. Vide order dated 15.12.2016, the Tribunal directed the respondent no. 1 i.e. the State Government to file affidavit in reply and Costs of Rs. 2500/- was imposed. The reply was to be filed within three weeks.

3. It is stated that the Costs has been deposited as directed. So far as the reply is concerned, it is material to note that the said affidavit is nothing but a short affidavit stating that the proposal for the applicant's claim has been submitted by the Commissioner, ESIS and the same is under consideration of Government and that the decision will be taken in due course of time in consultation with the General Administrative Department and Law & Judiciary Department. This is nothing but evasive reply. The respondents were

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O.A. No. 4/2015

expected to file reply each and every paragraph of the O.A. and to put defence on record. It is material to note that the applicant has claimed number of reliefs in the O.A. and there is no reply even to the prayer clauses. The affidavit therefore, cannot be accepted, as affidavit in compliance as per order dated 20.10.2016. It is nothing but attempt to misguide the Tribunal and to give go by to the order dated 15.12.2016.

4. The respondent no. 1 i.e. the State of Maharashtra shall submit detailed reply to the O.A. within a further period of two weeks, failing which heavy costs will be saddled on the respondent no. 1 and not only that action regarding non compliance of the order of this Tribunal may also be initiated.

5. S.O. to 3.2.2017.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 496 OF 2012

{Shri Sumedh D. Waghmare Vs. The State of Mah. & Ors.}

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

DATE :- 19.01.2017

Oral Order :-

1. Heard Shri K.M. Nagarkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant and learned Presenting Officer for the respondents, S.O. to 20.1.2017.

MEMBER (J)

ARJ ORAL ORDERS 19.1.2017

ORIGINAL APPLICATION NO. 308 OF 2014

{Shri Ambadas N. Paikrao & Ors. Vs. The State of Mah. & Ors.}

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

DATE :- 19.01.2017

Oral Order :-

1. Heard Shri K.M. Nagarkar, learned Advocate holding for Shri R.S. Shejule, learned Advocate for the applicants and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. After hearing the matter for a considerable period, the learned Advocate for the applicants submits that his clients have filed representation on 12.5.2011 to the State Government and other authorities as per the order passed by Hon'ble Bombay High Court, Bench at Aurangabad in writ petition no. 7723/2010 dated 21.3.2011. Though the impugned orders have been issued by the respondents, the same are not issued by the authority at the level of Government of Maharashtra and, therefore, the proposal has not been decided by the competent authority i. e. the res. no.

1. The learned Advocate for the applicants seeks permission to file on record the copy of the said representation dated 12.5.2011. He is permitted to do so. He is directed to

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O.A. NO. 308/14

supply the copy of the said representation to the learned Presenting Officer for the respondents.

3. The learned Presenting Officer is directed to take instructions from the respondents as to whether the res. no. 1 has received the representation of the applicants dated 12.5.2011, and if yes, whether any order has been passed by the Government of Maharashtra i. e. the res. no. 1 on the said representation.

4. As per the directions of Hon'ble High Court as well as this Tribunal, the respondents were directed to take a decision on the proposal, if any, pending for regularization of the applicants.

5. The learned Presenting Officer is further directed to take instructions as to whether any decision has been taken on the said representations by the competent authority i. e. res. no. 1. If the decision is not taken by the res. no. 1 whether it has been taken by any other authority.

7. The learned Presenting Officer is at liberty to file short affidavit on the above points.

8. S.O. to 2.3.2017.

MEMBER (J)

ORIGINAL APPLICATION NO. 376 OF 2015

[Nitin Sambhaji Kelkar Vs. the State of Maharashtra & Ors]

A N D

ORIGINAL APPLICATION NO. 405 OF 2015

[Shri Suresh B. Rangdal Vs. the State of Maharashtra & Ors]

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

DATE :- 19.01.2017

Oral Order :-

1. Heard Shri V.B. Wagh, learned Advocate for the applicants in both these matters and Smt. Resha S. Deshmukh & Smt. Sanjivani Deshmukh Ghate, learned Presenting Officers for the respondents in both these matters.
2. In both these original applications the impugned transfer order dated 30.5.2015 issued by the res. no. 1 the Additional Director General of Police, Pune have been challenged.
3. Today, the learned Presenting Officers have placed on record the order dated 2.12.2016, copies of the same are taken on record of the respective original applications and marked as document 'X'. It seems from the order dated 2.12.2016 (document 'X') that the impugned transfer orders of both the applicants are cancelled.

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O.A. NOS. 376 & 405 BOTH OF 2015

4. The learned Advocate for the applicants, therefore, submits that nothing survives in the present original applications.

5. In view of above, both the original applications stand disposed of with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 601 OF 2015

{Shri Shrimant M. Ture Vs. The State of Mah. & Ors.}

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

DATE :- 19.01.2017

Oral Order :-

1. Heard S/shri Avinash Deshmukh alongwith Kakasaheb Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks leave to file short affidavit of the concerned respondent and necessary documents along with it. Leave as prayed for is granted. The learned P.O. is directed to serve copy of the said short affidavit on the learned Advocate for the applicant in advance.

3. S.O. to 20.2.2017.

MEMBER (J)

ARJ ORAL ORDERS 19.1.2017

ORIGINAL APPLICATION NO. 08 OF 2016

{Shri Sunderrao K. Kokate Vs. The State of Mah. & Ors.}

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

DATE :- 19.01.2017

Oral Order :-

1. None appears for the applicant. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.
2. On the last occasion i. e. on 23.11.2016 also none appeared for the applicant. However, since pleadings were complete, the matter was admitted and was kept for final hearing.
3. As none appears for the applicant today, the matter to come on board on 2.2.2017 for dismissal.

MEMBER (J)

ARJ ORAL ORDERS 19.1.2017

ORIGINAL APPLICATION NO. 151 OF 2016

{Dr. (Shri) Sudhakar M. Surwase Vs. The State of Mah. & Ors.}

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

DATE :- 19.01.2017

Oral Order :-

1. None appears for the applicant. Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.
2. As none appears for the applicant, S.O. to 2.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 19.1.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 29 OF 2017

**(Shri Shankar Daga Chaudhari Vs. The State of Maharashtra
and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

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

2. Issue notices to the respondents, returnable on 6th March, 2017.

3. Tribunal may take the case/s 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.

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O.A. NO. 29 OF 2017

7. In the meantime, the respondent No. 3 is directed not to recover the amount as per the order dated 15.12.2016 till further orders.

8. S.O. to 6th March, 2017.

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

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 04/17 WITH M.A.ST.3014/16 IN O.A.ST.3015/16
(Shri Ganesh S/o. Shankar Chopwad & Anr. Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01. 2017.

ORAL ORDER:

Heard Shri Manish M. Tripathi, learned Advocate holding for Shri N.S. Kadam – learned Advocate for the applicants and Shri M.P. Gude – learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A. No. 04/2017, returnable on 6th March, 2017.

3. Tribunal may take the case/s 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 M.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.

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**M.A.NO. 4/17 WITH M.A.ST.3014/16
IN O.A.ST.3015/16**

7. S.O. to 6th March, 2017.
8. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 25/17 IN O.A.ST.3012/16

**(Shri Rajaram S/o. Maneji Kannewar Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01. 2017.

ORAL ORDER:

Heard Ms. Preeti R. Wankhade – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A. No. 25/2017, returnable on 6th March, 2017.

3. Tribunal may take the case/s 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 M.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.

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M.A.NO. 25/17 IN O.A.ST.3012/16

7. S.O. to 6th March, 2017.
8. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 195 OF 2016
(Smt. Gita Bhaskar Shejwal Vs. The State of Maharashtra and
Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard V.B. Patil – learned Advocate for the applicant and
Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant has filed rejoinder
affidavit and the same is taken on record and copy thereof has
been served upon the learned Presenting Officer for the
respondents.

3. S.O. to 15th February, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 284 OF 2016

**(Dr. Usha Narendra Bholane Vs. The State of Maharashtra and
Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Shri B.N. Jadhav, learned Advocate holding for Shri K.A. Ingale – learned Advocate for the applicant, Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondent Nos. 1 to 4 and Shri B.S. Deshmukh – learned Advocate for the respondent No. 5.

2. On query, the learned Presenting Officer submits that she has intimated the order passed by this tribunal dated 25.11.2016 to respondent No. 4 i.e. the Deputy Director, Health Services, Nashik, but nobody approached her since last date till today.

3. It appears from the proceedings that on the last date i.e. on 25.11.2016 the time was granted to the respondents for filing affidavit in reply subject to payment costs of Rs. 1,000/- (Rs. One thousand only).

4. The learned Presenting Officer has specifically made a statement that she has personally talk to Shri More, Officer Superintendent in the office of Deputy Director of Health Services, Nashik, but no response is received.

5. The applicant is claiming pension and pensionary benefits since he has retired on 17.11.2004 and till today no benefits are given to the applicant.

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O.A. NO. 284 OF 2016

6. Considering all these aspects the respondent No. 4 is directed to personally appear before this Tribunal and shall also pay further costs of Rs. 5,000/- for not filing affidavit in reply and not responding to the learned Presenting Officer. The amount of costs shall be paid by respondent No. 4 from his own pocket.

7. S.O. to 16th February, 2016.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 284 OF 2016

**(Dr. Usha Narendra Bholane Vs. The State of Maharashtra and
Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Shri B.N. Jadhav, learned Advocate holding for Shri K.A. Ingale – learned Advocate for the applicant, Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondent Nos. 1 to 4 and Shri B.S. Deshmukh – learned Advocate for the respondent No. 5.

2. On query, the learned Presenting Officer submits that she has intimated the order passed by this tribunal dated 25.11.2016 to respondent No. 4 i.e. the Deputy Director, Health Services, Nashik, but nobody approached her since last date till today.

3. It appears from the proceedings that on the last date i.e. on 25.11.2016 the time was granted to the respondents for filing affidavit in reply subject to payment costs of Rs. 1,000/- (Rs. One thousand only).

4. The learned Presenting Officer has specifically made a statement that she has personally talk to Shri More, Officer Superintendent in the office of Deputy Director of Health Services, Nashik, but no response is received.

5. The applicant is claiming pension and pensionary benefits since he has retired on 17.11.2004 and till today no benefits are given to the applicant.

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O.A. NO. 284 OF 2016

6. Considering all these aspects the respondent No. 4 is directed to personally appear before this Tribunal and shall also pay further costs of Rs. 5,000/- for not filing affidavit in reply and not responding to the learned Presenting Officer. The amount of costs shall be paid by respondent No. 4 from his own pocket.

7. S.O. to 16th February, 2016.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 657 OF 2016
(Smt. Shaikh Shabana d/o Murtuza Ali Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Shri M.P. Tripathi – learned Advocate for the applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that in spite of the suspension order dated 16.6.2016, no enquiry is yet initiated against the applicant.

3. The learned Presenting Officer however, wants to take instructions in this regard, for which he seeks one week's time. Time granted as prayed for.

4. S.O. to 9th February, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 662 OF 2016
(Dr. Laxman P. Durgawad Vs. The State of Maharashtra and
Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

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

2. The learned Presenting Officer seeks time for filing affidavit in reply. Time granted as last chance.

3. S.O. to 1st February, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 700 OF 2016
(Shri. Appasaheb G. Shinde Vs. The State of Maharashtra and
Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Shri K.B. Jadhav – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served upon the learned Presenting Officer for the respondents.

3. It appears from the proceedings that the affidavit in reply on behalf of respondent Nos. 2 to 4 has already been filed on record.

4. In that view of the matter and considering the cause made out in the present Original Application, the same is **admitted** and kept for final hearing on 7th March, 2017 for final hearing.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 732 OF 2016
(Dr. Surekha Shyamalal Totala Vs. The State of Maharashtra
and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Shri Ajay Deshpande – learned Advocate for the applicant has filed leave note. Shri M.P. Gude – learned Presenting Officer for the respondents, present.

2. The learned Presenting Officer for the respondents seeks time to file affidavit in reply. Time granted.

3. S.O. to 3rd March, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 772 OF 2016
(Shri. Rajan Baburao Darange Vs. The State of Maharashtra
and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

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

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 5 along with some documents and the same is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. S.O. to 7th March, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 790 OF 2016
(Shri. Pitambar Khairnar Vs. The State of Maharashtra and
Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Smt. Suchita Dhongde, learned Advocate holding for Shri S.S. Patil – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.

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

3. The learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 4. Time granted.

4. S.O. to 3rd February, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 856 OF 2016
(Shri. Govind Baliram Gurav Vs. The State of Maharashtra and
Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Shri Vinod D. Godbharle – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 along with some documents and the same is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. The learned Advocate for the applicant submits that the applicant is not pressing prayer clause 'C' and that he will file separate proceeding in respect of prayer clause 'C' and seeks relief as per prayer clauses 'B' & 'D' only.

4. The present Original Application is heard for considerable time and reserved for orders.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. 285/16 M.A. 144/16 IN O.A.ST. 1950/15
(Shri. Nagnath Gyanba Jadhav Vs. The State of Maharashtra
and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Smt. Suchita Dhongde, learned Advocate holding for Shri S.D. Dhongde – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 28th February, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 308/2016 IN O.A.NO. 975/2016

**(Shri. Waman S/o. Nivrutti Bondar Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Smt. M.G. Kasture, learned Advocate holding for Mrs. M.A. Kulkarni – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. The learned Presenting Officer for the respondents seeks time to file affidavit in reply. Time granted.

3. S.O. to 3rd March, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 405/2016 IN O.A.ST.NO. 1784/2016
(Shri. Vinayak R. Kulkarni Vs. The State of Maharashtra and
Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Smt. Suchita Dhongde – learned Advocate for the applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. The learned Presenting Officer for the respondents seeks time to file affidavit in reply in M.A. No. 405/2016. Time granted.

3. S.O. to 8th March, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 406/2016 IN O.A.ST.NO. 1785/2016
(Shri. Prabhakar P. Deshpande & Ors. Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Smt. Suchita Dhongde – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. The learned Presenting Officer for the respondents seeks time to file affidavit in reply in M.A. No. 406/2016. Time granted.

3. S.O. to 8th March, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 459/2016 IN O.A.NO. 315/2016

**(Smt. Nital D/o Digambar Jadhav Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Shri S.S. Dambe – learned Advocate for the applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondents.

2. The applicant wants to add paragraphs “xiii(1) to xiii (4) and prayer clause ‘C-1’ in the prayer clause as stated in the amendment application and also wants to file some documents on record.

3. If the amendment is allowed the nature of the claim may not be changed and the documents are required to be taken on record in the interest of justice and equity. The respondents will get an opportunity to file additional affidavit to the amended O.A., if they desire to do so.

4. For the reasons stated in the present Miscellaneous Application for amendment, the same is allowed. The learned Advocate for the applicant shall carry out necessary amendment within a week. The respondents will be at liberty to file additional affidavit.

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

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 597 OF 2016
(Shri. Prashant Jaywant Patil Vs. The State of Maharashtra
and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Heard Shri K.B. Jadhav, learned Advocate holding for Shri C.T. Jadhav – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. In the present Original Application the applicant has claimed appointment on compassionate ground.

3. It appears from the proceeding that affidavit in reply has been already filed on behalf of respondent No. 2. The respondents No. 2 has stated in the affidavit in reply that the applicant has been given appointment on compassionate ground from Maratha/Open Category and the said order has been received by the applicant on 24.8.2016. The applicant has joined the post and has filed joining report dated 24.8.2016.

4. In view of the above position, nothing survives in the present Original Application, and hence, the same stands disposed of accordingly with no order as to costs.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 421 OF 2012
(Shri. Anant Madhavrao Thakur Vs. The State of Maharashtra
and Others.)**

CORAM : HON'BLE SHRI J.D. Kulkarni, Member (J)

DATE : 19.01.2017.

ORAL ORDER:

Shri Ajay Deshpande – learned Advocate for the applicant has filed leave note. Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant and since the present Original Application is of the year 2012, S.O. to 25th January, 2017.

MEMBER (J)

ORAL ORDERS 19.01.2017- HDD(SB)