

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 356/2016 IN CP ST. 1518/2016 IN OA 396/1998

(Shri Chandulal G. Seth V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

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

2. There is dispute between the learned Counsels as to whether the order dated 4.12.2015 passed by the Tribunal in the O.A. is complied with or not, though statement was made by the learned Presenting Officer on 6.3.2017 that the said order is complied with. In order to reconfirm the position, S.O. to 3.5.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 386/2016 IN CP ST. 1771/2016 IN OA 614/1995

(Shri Bhanudas Waghmare V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. The learned Presenting Officer files on record the communication sent by the State of Maharashtra to the Accountant General – II, Nagpur in connection with the compliance of the order of this Tribunal passed in O.A. It is taken on record. In order to get further progress in the matter, S.O. to 30.6.2017.

3. The learned P.O. to act upon the steno copy of this order.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 426/2016 IN O.A. ST. 1824/2016
(Shri Krishna B. Joshi V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri Suresh 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 20.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 430/2016 IN O.A. ST. 1778/2016

(Shri Shaligram M. Sonawane V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

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

2. The learned P.O. seeks time to file affidavit in reply in the present misc. application. Time granted. S.O. to 20.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 114/2017 IN CP ST. 358/2017 IN O.A. 254/2015

(Shri Babu S. Shinde V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned P.O. has filed two separate affidavits in replies on behalf of res. nos. 1 to 3 & res. no. 4. The same are taken on record and copies thereof have been served upon the learned Advocate for the applicant. The learned P.O. further submits that further progress in the matter would be reported by the next date.

3. In the circumstances, S.O. to 22.6.2017 to report further progress in the matter by the learned P.O.

4. The learned P.O. to act upon Steno copy of this order.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 140/2017 IN CP ST. 472/2017 IN O.A. 63/2015

(Saylu P. Nawod V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri U.D. Mali, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. The learned P.O. submits that the proposal is already forwarded to the Accountant General – II, Nagpur and their approval is awaited. She files on record the copy of the communication dated 19.4.2017 in this regard. It is to be noted that only upon service of notice of the present matter upon the respondents the proposal appears to have been moved. In the circumstances, S.O. to 22.6.2017 to report further progress in the matter.

3. It is regretted to note that the office of the respondents wake up only upon service of notice issued by the Tribunal in the matter and no steps are taken on service of personal notice by the applicant upon them intimating them that he is going to file contempt petition for non compliance of the order of the Tribunal passed in O.A. no. 63/2015.

4. The learned P.O. to act upon the steno copy of this order.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION ST. NO. 402/2017
(Shri Gopal B. Mahajan V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. It appears that till today the learned Advocate for the applicant has not removed the objections raised by the Office. In the interest of justice, as a last chance, for removal of office objections, S.O. to 28.6.2017

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 816 OF 2016

(Dr. Deshmukh Mohammed Shahir Abdul Waheb & Ors. V/s.
State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

None appears for the applicants. Shri M.P. Gude,
learned Presenting Officer for the respondents, is present.

2. Learned P.O. submits that the affidavit in reply filed by
the res. nos. 1 to 3 would give details about steps taken by the
respondents in the matter. In view of absence of learned
Advocate for the applicant, S.O. to 22.6.2017 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 873 OF 2016

(Shri Mayur P. Ladde & Another V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri Avinash Deshmukh, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The learned P.O. submits that he will examine as to whether affidavit in reply of res. no. 1 is necessary in the matter and if it is necessary then he will file the same by the next date. At his request, S.O. to 27.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 738 OF 2012

(Shri Chandrakant S. Jadhav V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri Sudhir Patil, learned Advocate holding for Dr. Smt. Kalpalata Patil Bharaswadkar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Hearing of both sides would show that there were two departmental enquiries initiated against the applicant out of same in one of the departmental enquiry the applicant was exonerated. Both the sides, therefore, agreed that the O.A. no. 735/2012 was concerning with that departmental enquiry and it was disposed of by the Tribunal earlier.

3. In the present matter the issue is concerned with another departmental enquiry in which final orders were passed regarding deduction of amount from the DCRG and regarding regularization of the suspension period of the applicant.

4. The learned Advocate for the applicant submits that he will have to take instructions from the applicant to find out as to whether any other departmental enquiry is proposed against him and, therefore, it appears that in the order dated 16.12.2016 it is mistakenly recorded by the Tribunal that the D.E. is still pending.

5. In view of above facts, the learned Advocate for the applicant seeks time to make positive statement regarding initiation of any other departmental enquiry. Time granted.

6. S.O. to 16.6.2017 for final hearing.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 743 OF 2016
(Shri Rakesh D. Barela V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri D.K. Rajput, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Vivek Bhavthankar, learned Advocate for respondent nos. 4 & 5.

2. The learned P.O. has filed affidavit in reply of res. no. 1. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. Both the sides submit that pleadings in the present matter are complete.

3. S.O. to 21.6.2017 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 965 OF 1996
(Shri Shivdas K. Mangle V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to collect the copies of the documents of the original application.

Time granted.

3. S.O. to 22.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 609 OF 1996
(Shri Devidas R. Pawar V/s. State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

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

2. The learned Advocate for the applicant has filed on record the written arguments and the same are taken on record. Similarly the learned P.O. has also filed on record copy of judgment of this Tribunal in O.A. no. 414/2016 along with other documents and the same are also taken on record.

3. Pleadings of both the sides are complete in the matter and therefore, reserve for orders.

VICE CHAIRMAN

ARJ ORAL ORDERS 26.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.579/2016

(Shri Dnyaneshwar Gavad & Ors. V/s. The State of Mah.
& Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri S.D.Dhongde learned Advocate 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.13-06-2017 for final hearing.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.779/2016

(Shri Md Munwar Gulam V/s. The State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri S.D.Dhongde learned Advocate 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.13-06-2017 for final hearing.

YUK ORAL ORDER 26-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.205/2017
(Shri Sanjaykumar Rathod V/s. The State of Mah. &
Ors.)**

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri S.D.Joshi learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to take some instructions from the respondents. Time granted.
3. S.O.03-05-2017.

YUK ORAL ORDER 26-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.206/2017

(Shri Santosh Hange V/s. The State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri S.D.Joshi learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to take some instructions from the respondents. Time granted.

3. S.O.03-05-2017.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.102/2016
(Shri Shankar Tamke V/s. The State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Shri A.V.Patil-Indrale learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for the respondents is present.

2. Learned P.O. seeks time to file reply on behalf of the respondents. On the earlier occasion last chance was granted to the respondents to file reply. Now, time granted to the respondents to file reply as a most last chance.

3. S.O.16-06-2017.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.584/2016
(Shri Balaji Aherkar V/s. The State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Shri P.P.Uttarwar learned Advocate for the applicant is **absent**. Smt. Resha Deshmukh learned Presenting Officer for the respondents is present.

2. On the last occasion time was granted to the respondents to file reply. Today also, learned P.O. seeks time to file reply on behalf of the respondents. Time granted as a last chance to the respondents to file reply. If respondents fail to file reply, heavy costs would be imposed on them.

3. S.O.05-05-2017 for filing reply.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.634/2016

(Dr. S. Shailaja Kuppaswami V/s. The State of Mah. &
Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

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

2. On the last occasion time was granted to the respondents to file reply. Today also, learned P.O. seeks time to file reply on behalf of the respondents. Time granted as a last chance to the respondents to file reply. If respondents fail to file reply, heavy costs would be imposed on them.

3. S.O.05-05-2017 for filing reply.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.642/2016
(Dr. Sanjay Ghogre & Ors. V/s. The State of Mah. &
Ors.)**

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

DATE : 26-04-2017

ORAL ORDER:-

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

2. On the last occasion time was granted to the respondents to file reply. Today also, learned P.O. seeks time to file reply on behalf of the respondents. Time granted as a last chance to the respondents to file reply. If respondents fail to file reply, heavy costs would be imposed on them.

3. S.O.05-05-2017 for filing reply.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.736/2016

(Dr. Sumant Wagh V/s. The State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant has submitted that the applicant is intending to file representation requesting his transfer from the present posting on his personal ground. He, therefore, sought one week's time for the same.

3. Learned P.O. also sought time to file reply. Time granted.

4. S.O.03-05-2017.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri Harshal Randhir learned Advocate holding for Shri V.P.Patil learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for the respondents.

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

3. S.O.14-06-2017.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.887/2016
(Shri Ashok Pawar V/s. The State of Mah. & Ors.)**

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Ku. Amruta Paranjape learned Advocate holding for Shri P.S.Paranjape learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O.27-04-2017.

YUK ORAL ORDER 26-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.158/2017

(Dr. Surekha More V/s. The State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

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

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted.
3. S.O.08-06-2017.
4. Interim relief granted earlier to continue till then.

YUK ORAL ORDER 26-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.55/2017 IN O.A.St.No.167/2017
(Shri Abhimanyu Kalyan V/s. The State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Shri S.R.Barlinge learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for the respondents is present.

2. Since none is present for the applicant,
S.O.14-06-2017.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.97/2017 IN O.A.St.No.162/2017
(Shri Bhaudas Vaishnav V/s. The State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Shri S.B.Talekar learned Advocate for the applicant is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for the respondents is present.

2. Learned C.P.O. seeks time to file reply on behalf of the respondents. Time granted.
3. S.O.16-06-2017.

YUK ORAL ORDER 26-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.784/2015

(Shri Malappa Shendule V/s. The State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Shri A.S.Khedkar learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for the respondents is present.

2. Learned P.O. submits that matters of similarly situated persons are pending before the Hon'ble Supreme Court. Hon'ble Supreme Court has stayed order passed by Hon'ble High Court on 24-04-2015. Learned P.O., therefore, prays for adjournment.

3. Learned P.O. is directed to submit copies of order in Writ Petition as well as the order of Hon'ble the Supreme Court in respect of order passed in the matter of similarly situated persons, on the next date.

4. S.O.23-06-2017.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.785/2015
(Shri Chhagan Nerkar V/s. The State of Mah. & Ors.)**

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

DATE : 26-04-2017

ORAL ORDER:-

Shri L.M.Kulkarni learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for the respondents is present.

2. On 12-04-2016, 10-06-2016, 26-07-2016, 30-08-2016, 18-01-2017, 27-02-2017 and 24-03-2017 applicant as well as his learned Advocate remained absent. Today also none is present for the applicant. Hence, this case be fixed for dismissal/passing appropriate order on 07-06-2017.

3. S.O.07-06-2017.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.154/2016

(Shri Abhijeet Shinde V/s. The State of Mah. & Ors.)

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri V.B.Wagh learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

2. Learned P.O. submits that respondents are taking decision as per direction given by the Tribunal on 10-03-2017 and he will make positive statement on the next date. Hence, matter is adjourned till 04-05-2017.

3. S.O.04-05-2017.

MEMBER (J)

YUK ORAL ORDER 26-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.251/2017.

(Dr. Sham P. Toshni P. Toshniwal V/s.
The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

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

2. Issue notices to the respondents, returnable on 21.6.2017.
3. Since the learned Advocate for the applicant points that, the list may lapse due to the expiry of two years on 27.5.2017. It is hereby directed that the process if any undertaken thereafter by the Respondents shall be subject to the decision of the present application.
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.

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 21.6.2017.

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

ORAL

ORDERS

VICE CHAIRMAN.

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO.14/2016 IN OA NO.81/2013.

(Shri A. A. Hole V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Miss Bhavna Panpatil learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicant and Shri M. P. Gude learned Presenting Officer for the respondents.

2. Miss Bhavna Panpatil learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicant seeks time till tomorrow. At her request, S.O.27-06-2017 at the bottom of the Board.

ORAL

ORDERS

VICE CHAIRMAN.

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.230/2017.

(Dr. Kole N. V. V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Dr. Kole Nagnath Vinayakrao the applicant –
Party in person and Smt P. R. Bharaswadkar learned
Presenting Officer for the respondents.

2. At the request of Dr. Kole Nagnath Vinayakrao the
applicant – Party in person, S.O. to 02-05-2017.

VICE CHAIRMAN.

ORAL

ORDERS

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.249/2017.

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

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Miss Preeti Wankhade learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. is directed to confront the situation to the Respondents and get their report on or before 05.05.2017.

3. S.O.05-05-2017.

4. Learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN.

ORAL ORDERS 26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO.122/2017 IN OA ST.391/2017.

(Shri P. B. Deshmukh & Ors.
V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Miss Preeti Wankhade learned Advocate for the applicant and Smt. P. 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 application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid, and accompanying O.A. be registered and numbered, and present M.A. stands disposed of accordingly. No order as to costs.

VICE CHAIRMAN.

ORAL

ORDERS

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.831/2016.

(Shri Pathan Hares Khan V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Miss Bhavna Panpatil 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. Learned P.O. submits that during the course of the day he will file affidavit in reply and supply its copy to other side.

3. S.O.13-06-2017 for hearing on admission.

VICE CHAIRMAN.

ORAL

ORDERS

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.857/2016.

(Shri B. P. Sonar & Ors. V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri S. D. Dhongde learned Advocate for the applicants and Shri I. S. Thorat learned Presenting Officer for the respondents.

2. The respondents no.1 to 3 are directed to file the specific affidavit to clarify as to whether applicants no.2 & 3 were also Labourer or Badli Kamgar.

3. S.O.03-05-2017.

VICE CHAIRMAN.

ORAL

ORDERS

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.859/2016.

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

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri S. D. Dhongde learned Advocate for the applicants and Smt D. S. Deshpande learned Presenting Officer for the respondents.

2. The learned P.O. files affidavit in reply on behalf of Respondents o.1 to 3. The same is taken on record. Its copy is served on the other side.

3. S.O.02-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

OA No.567/2016 with MA No.39/2017.

(Shri V. K. Shirsat V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

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

2. Upon hearing both sides it appears that a detail affidavit in reply from the side of the Respondents is required. Today short affidavit is filed by the learned C.P.O. The same is taken on record. Its copy is served on the other side. Time to file detail affidavit in reply is hereby granted to the Respondents.

3. S.O. to 21-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.191/2015.

(Smt Surekha Chandrapalsingh Hazari & Ors.
V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Miss Bhavna Panpatil learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicants and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents.

2. First prayer of the present applicants that was their notices for voluntary retirement be accepted and they be granted consequential benefits upon the retirement.

3. During the pendency of the present application, admittedly the concerned Respondents has accepted the notices of voluntary retirement. It is a common contention that consequential benefits are being impared though some of the consequential benefits are remained to be given. In the present circumstances O.A. is disposed of with direction to the Respondents to grant

all the retirement benefits to the applicants within a period of three months from the date of this order. No order as to costs.

ORAL **ORDERS** **VICE CHAIRMAN.**
26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.696/2016.

(Shri P. d. Ahirrao V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri M. R. Wagh learned Advocate for the applicant and Smt D. S. Deshpande learned Presenting Officer for the respondents.

2. The learned P.O. files additional affidavit in reply on behalf of Respondents no.1 to 6. The same is taken on record. Its copy is served on the other side.

3. Prima facie, it appears that, the respondents are still taking a wrong decision as is found from the additional affidavit in reply. However, since the application pertains to the Division Bench the application is admitted.

4. The pleadings are complete. The arguable case is made out.

3. Admit.
4. Learned P.O. waives the notice for the respondents upon admission hearing.
5. Remove from Board. The matter may be circulated for final hearing as and when the Division Bench is available.

VICE CHAIRMAN.

ORAL

ORDERS

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.929/2016.

(Shri V. A. Wagh V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Miss Preeti Wankhade learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that presently the applicant is not seeking any interim relief.

3. The pleadings are complete. The arguable case is made out.

4. Admit.

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

6. Remove from Board. The matter may be circulated for final hearing as and when the Division Bench is available.

VICE CHAIRMAN.

ORAL

ORDERS

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

OA Nos.194, 195, 196 & 200 of 2017.

(Shri S. C. Nannaware & 3 Others
V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri V. B. Wagh learned Advocate for the applicants and Smt P. R. Bharaswadkar, S/Shri D. R. Patil and M. P. Gude learned Presenting Officers for the respondents in respective matters. Shri Vivek Bhavthankar learned Special Counsel appears for Respondents in OA Nos. 194 and 200 of 2017.

2. Learned P.O. seek time to file affidavit in replies.
Time granted.

3. It is to be noted that Shri Vivek Bhavthankar learned Special Counsel for the Respondents is sole authority for both the Respondents. In the circumstances, it is directed that by waiving the service of the notice he shall file service affidavits on the next date.

4. S.O. 21.6.2017.

VICE CHAIRMAN.

ORAL

ORDERS

26-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.143/2017.

(Shri U. R. Naglot V/s. The State of Mah. & Ors.)

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

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

DATE : 26-04-2017

ORAL ORDER:-

Heard Shri V. G. Pingle learned Advocate for the applicant and Smt R. S. Deshmukh learned Presenting Officer for the respondents.

2. Refer to the order dated 22.3.2017. Learned Advocate for the applicant points that, in fact the certificate regarding the diploma as is referred in the earlier order is already filed by the applicant vide Annexure A-7 (page no.33). The learned Advocate for the applicant files on record the guidelines of Management, Planning and Programming under the Scheme of Jan Shikshan Sansthan (Institute of people's Education), Ministry of Human Resource Development, Department of Elementary Education and Literacy, Government of India, New Delhi. Copy is served on the respondents. He also files on record a letter showing that scheme was

approved by the Union Cabinet on 24.1.2000. The same is also accepted. Copy is served on record.

3. In the mean time the Respondents are directed to take decision on the representation dated 31.8.2016, Annexure A-9 i.e. the letter send by Joint Director to the Chief Secretary. Since the same is pending since 31.8.2016.

4. In case decision unfavorable to the present applicant is taken by the respondents over the said representation, the detail affidavit in reply be filed on the next date.

5. S.O.20-06-2017.

6. Learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN.

ORAL ORDERS 26-04-2017-ATP
MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD

M.A. No. 23/2017 in O.A. No. 43/2015
[Shri Ramchandra G. Pardeshi Vs. The State of Mah. & Ors.]

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)

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

DATE : 26.04.2017.

ORAL ORDER:

Heard Shri T.G. Gaikwad, learned Advocate
for the Applicant and Shri S.K. Shirse, learned Presenting
Officer for respondents.

2. The matter pertains to the Division Bench.
Hence, the same be kept before Division Bench as and
when it is available.

MEMBER (J)

ORAL ORDERS 25.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 24/2017 in O.A. No. 257/2015
[Shri Dnyanoba G. Puri Vs. The State of Mah. & Ors.]**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)

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

DATE : 26.04.2017.

ORAL ORDER:

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

2. The matter pertains to the Division Bench. Hence, the same be kept before Division Bench as and when it is available.

MEMBER (J)

ORAL ORDERS 25.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 353/2016

[Shri Ladappa Annarao Chikale Vs. The State of Mah. & Ors.]

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)

DATE : 26.04.2017.

ORAL ORDER:

Heard Shri U.B. Bilolikar, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. The learned Presenting seeks time to take instructions from the concerned authority as to under which provisions or Rule the enquiry has been conducted, whether finding of Enquiry Officer has been recorded on each charge.

3. On perusal of the record it reveals that the Enquiry Officer i.e. the Sub Divisional Police Officer Bhum, District Osmanabad submitted his report in the enquiry, which is at pages no. 21 to 26 but he had not recorded his finding on each of the charges.

4. Therefore, the learned P.O. is directed to explain whether the report filed at pages no. 21 to 26 is the final report of the enquiry officer and whether

enquiry officer has recorded his findings on each of the charges leveled against the applicant-delinquent. Learned Presenting Officer is also directed to explain whether the enquiry is conducted under the provisions of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 or any other service Rules.

5. S.O. to 23.06.2017.
6. Steno copy allowed to the learned P.O. at his request.

MEMBER (J)

ORAL ORDERS 25.04.2017-KPB(SB)BPP