

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 83/2017

(Smt. Sayyed Jarinabi Raisoddin & Ors. Vs. The 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 : 19-06-2017

ORAL ORDER:-

Heard Shri P.A. Kulkarni, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents for continuation of interim order.

2. At the request of learned P.O. leave is hereby granted to him to file copy of the notification issued by the Government in respect of physical test, during the course of the day. He is directed to serve copy of the said notification upon the learned Advocate for the applicant.

3. S.O. to 23.6.2017 for passing orders. Liberty is hereby granted to both the sides to file short written notes of arguments in the mean time in the matter. The interim relief to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 339/2017

(Shri Ravsaheb A. Kakad & Ors. Vs. The 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 : 19-06-2017

ORAL ORDER:-

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in the original application, returnable on 25.7.2017.

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

4. Applicants are authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date.

Applicants are directed to file affidavit of compliance and notice.

7. Besides issuing notices to the respondents at the addresses, the res. no. 3 – The Maharashtra Public Service Commission, Mumbai – is hereby directed to put the copy of the notices with a note that, the res. nos. 4 to 38 are parties to the present proceeding, on its website below the impugned selection list.

8. S.O. 25.7.2017. Liberty to the applicants to move for interim relief, as and when exigency may arise is hereby granted.

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

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**O.A. NOS. 282, 283, 284, 285, 286, 287, 288 AND 289 ALL
OF 2017**

**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 : 19-06-2017

ORAL ORDER:-

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer, Smt. Priya R. Bharaswadkar, S/shri M.P. Gude, D.R. Patil, V.R. Bhumkar and I.S. Thorat, learned Presenting Officers for the respondents in the respective matters.

2. The learned Advocate for the applicants submits that, considering the short period for submission of option forms, in some matters, the option forms may not have been submitted by some of the applicants for their transfer. In the circumstances, the learned Advocate for the applicants would file a pursis communicating the option forms in each of the cases and copy thereof be served upon the learned C.P.O. for onwards transmission to the concerned respondents, who shall decide the said representations / options on or before the next date i. e. 27.6.2017.

3. S.O. to 27.6.2017.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 321/2017

(Smt. Manisha P. Jagtap Vs. the 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 : 19-06-2017

ORAL ORDER:-

Heard Shri P.A. Kulkarni, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 23.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 124/2017 IN OA ST. 385/2017

(Shri Janardhan V., Ghasing Vs. the 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 : 19-06-2017

ORAL ORDER:-

Heard Shri Sham Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of both the sides, S.O. to 22.6.2017. In the meantime, the concerned respondents are directed to consider the case involved in the present matter in the light of G.R. dated 22.6.2017.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 796/2016

(Shri Dnyaneshwar K. Bhalke Vs. the 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 : 19-06-2017

ORAL ORDER:-

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

2. None appeared for the applicant on the last 2 dates. Perused the record and submissions of the learned Presenting Officer for the respondents.

3. The learned P.O. submits that, in the list of recommended candidates starting from paper book page 63 the Tribunal would find that at sr. nos. 37, 67 and 106 the candidates from physically handicapped category are already selected in the required quota. The last of the candidate at sr. no. 106 had secured 120 marks while the applicant in the present matter has secured 111 marks and, therefore, there is no merit in the present original application.

4. In the circumstances, without making any comment on the merit of the present case, since the learned Advocate for the applicant is absent, the present original application stands dismissed in default without any order as to costs.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 403/2015

(Shri Vasant M. Khare Vs. the State of Mah. & Ors.)

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

Date : 19-06-2017

ORAL ORDER:-

None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, is present.

2. None appeared for the applicant on the last date also. In the circumstances, S.O. to 17.7.2017 either for appearance of the learned Advocate for the applicant or for passing necessary orders in the matter.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 567/2015

(Shri (Dr.) Nilkanth B. Chavan Vs. the State of Mah. & Ors.)

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

Date : 19-06-2017

ORAL ORDER:-

None appears for the applicant. Shri D.R.Patil, learned Presenting Officer for the respondent nos. 1 to 3, is present. None appears for respondent no. 4.

2. In view of absence of Applicant or his learned Advocate, S.O. to 11.7.2017 either for appearance of the learned Advocate for the applicant or for passing necessary orders in the matter.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA NO. 176/2016 IN OA ST. 594/2016
(Shri Amol C. Dhekle Vs. the State of Mah. & Ors.)

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

Date : 19-06-2017

ORAL ORDER:-

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

2. In view of absence of learned Advocate for the applicant, S.O. to 19.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 623/2015
(Shri P.P. Rathod Vs. the State of Mah. & Ors.)

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

Date : 19-06-2017

ORAL ORDER:-

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. At the request of learned P.O. to take instructions, S.O. to 29.6.2017. The matter be treated as a part heard.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 186/2015

(Shri (Dr.) Avinash R. Magre Vs. the State of Mah. & Ors.)

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

Date : 19-06-2017

ORAL ORDER:-

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

2. The learned Advocate for the applicant seeks time to take instructions from the applicant. The record would show that already sufficient chances are granted to him for the said purpose. In the circumstances, S.O. to 12.7.2017, as a last chance.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 454/2015

(Smt. Shobha R. Choudhary Vs. the State of Mah. & Ors.)

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

Date : 19-06-2017

ORAL ORDER:-

Heard Shri Deepak Rajput, learned Advocate holding for Shri S.M. Avhad, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time. On perusal the order dated 21.2.2016, it appears that the learned Advocate for the applicant was to satisfy the Tribunal on the ground as mentioned in the said order. Thereafter, many adjournments were granted to him therefore.

3. In the circumstances, S.O. to 10.7.2017 either for advancing the argument by the learned Advocate or for dismissal.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 573/2015
(Shri A.K. Kharat Vs. the State of Mah. & Ors.)

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

Date : 19-06-2017

ORAL ORDER:-

Heard Miss. Ashlesha Raut, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 797/2015

(Shri Vasantsingh S. Patil Vs. the State of Mah. & Ors.)

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

Date : 19-06-2017

ORAL ORDER:-

None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. The previous record also would show that none has appeared for the applicant. The learned P.O. submits that, in fact, no cause of action arose within the territorial jurisdiction of this Bench of the Tribunal as can be seen from the grounds mentioned in the original application. He further submits that the punishment of keeping in abeyance the amount of Rs. 1,83,207/- from the gratuity of the applicant was imposed due to his misconduct as detailed in the Annex. A-1 paper book pages 13 & 14 of the O.A.

3. Without going into the merit of the case, since the learned Advocate for the applicant is absent, the original application is dismissed in default, without any order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.6.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.156/2017.

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 : 19-06-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant seeks time. At his request, S. O. to 4.7.2017.

VICE CHAIRMAN.

ORAL ORDERS 19-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.204/17 IN CP ST.608/17 IN OA NO.654/15.

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 : 19-06-2017

ORAL ORDER:-

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

2. Issue notice to the respondents, returnable on
20.7.2017.

3. S. O. to 20th July, 2017.

VICE CHAIRMAN.

ORAL ORDERS 19-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

CP NO.15/2014 IN OA NO.1128/1999.

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 : 19-06-2017

ORAL ORDER:-

Heard Shri A. S. Deshmukh learned Advocate for the applicant and Shri I. S. Thorat learned Presenting Officer for the respondents.

2. At the request of the learned P.O. as a last chance S. O. to 23.6.2017, otherwise due action under the contempt of Court Act would be taken against the present Secretary Shri R. D. Shinde.

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

VICE CHAIRMAN.

ORAL ORDERS 19-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

OA Nos.86, 88, 89, 90, 92, 93, 148, 149, 150 of 2016
and OA No.226/2015.

(R. R. Landge & Oths. Vs. 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 : 19-06-2017

ORAL ORDER:-

Heard Shri Vivek Pingle learned Advocate holding for Shri A. D. Gadekar learned Advocate for the applicants in all these matters, S/Shri I. S. Thorat, N. U. Yadav, Smt. D.S. Deshpande, Smt. R. S. Deshmukh, Smt. S. K. Ghate Deshmukh, Smt. D.S. Deshpande, S/Shri M. P. Gude, V. R. Bhumkar, Smt. S. K. Ghate Deshmukh and Shri D. R. Patil learned Presenting Officer for the respondent no.1 in all these matters and Shri Shamsundar B. Patil, learned Advocate for Respondents no.2 to 4 in OA Nos.86, 88, 89, 90, 92, 93/2016 and for Respondent no.2 only in O.A. nos. 148, 149, 150/2016 and Shri G. N. Patil, learned Advocate for the Respondent nos. 2 to 4 in OA No.226/2015.

2. Learned Advocate Shri Shamsunder Patil submits that in OA Nos. 86, 88, 89, 90, 92 and 93 adopting the

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reply of Respondent no.1 and in O.A. Nos. 148, 149 and 150 of 2016 learned Advocate Shri Shamsunder Patil appearing for Respondent nos. 2 to 4 has already filed reply on their behalf.

3. The learned Presenting Officers seek time to file affidavit in replies in OA Nos. 148, 149 and 150 of 2016. At their request, S. O. to 28.7.2017.

VICE CHAIRMAN.

ORAL ORDERS 19-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.697/2016.

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 : 19-06-2017

ORAL ORDER:-

None appears for the applicant. Heard Smt R. S. Deshmukh learned Presenting Officer for the respondents.

2. Read the order dated 22.2.2017. In view of absence of the learned Advocate for the applicant dismissed in default.

VICE CHAIRMAN.

ORAL ORDERS 19-06-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 772 OF 2016

**(Shri. Rajan S/o. Baburao Darange Vs. The State of Maharashtra and
Others.)**

**CORAM : HON'BLE JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 19.06. 2017.

ORAL ORDER:

1. Shri V.B. Wagh – learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant on the strength of letter dated 7.4.2017 issued by the Assistant Superintending Engineer, Small Scale Irrigation (Water Conservation), Circle Nahik, District Nasik to the respondent No. 3 i.e. Executive Engineer, Small Scale Irrigation (Water Conservation), Circle Nasik, Dist. Nasik, prays that the present Original Application may be disposed of with a direction to the Executive Engineer i.e. Respondent No. 3 to take action immediately and see in any case the remaining dues are paid to the applicant within a period of six weeks. The copy of the aforesaid letter dated 7.4.2017 has been taken on record at p.b. page-130 of the O.A. and marked as document 'X' for the purposes of identification.

3. The aforesaid submissions made on behalf of the applicant appear to be reasonable. In the circumstances the present Original Application is disposed of without any order as to costs with a direction as detailed above.

VICE CHAIRMAN

ORAL ORDERS 19.06.2017-HDD