

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 234/2016 IN OA ST. 629/2016

(Chous Galeb Ahmed Amodi 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 : 04-07-2017

ORAL ORDER:-

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

2. The present misc. application has been filed by the applicant for condonation of 547 days caused in filing the accompanying original application before the Tribunal. The original application has been filed by the applicant for issuance of directions to the respondents to consider the case of the applicant for absorption from Class-IV post to the Class-III post in view of Govt. Resolution dated 30.1.2010.

3. Perused the misc. application. Considered the contentions.

4. For the reasons stated in the misc. application it is allowed and disposed of without any order as to costs and delay of 547 days caused in filing the accompanying O.A. is hereby condoned.

5. The Office to register the O.A. after due scrutiny.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA ST. 629/2016

(Chous Galeb Ahmed Amodi 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 : 04-07-2017

ORAL ORDER:-

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

2. Perused the submissions in the original application. The applicant is seeking compliance of communication dated 30.1.2010 (Annex. A-2 paper book page 16 of the O.A.). On the next date, the respondents shall either act on the line of said the G.R. or shall report as to why the said G.R. cannot be implemented more particularly when in para 6 of the said G.R. it is mentioned that, though the said G.R. is issued by the Rural Development Department, the same is issued with the concurrence from the General Administration Department.

3. S.O. to 2.8.2017 for compliance of above direction.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 317/2016 IN CP ST. 1419/2016 IN OA 554/2013

(Shri Dr. Ashok V. Biradar 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 : 04-07-2017

ORAL ORDER:-

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

2. the learned P.O. submits that, steps are taken for finalization of pension case of the applicant. At his request, S.O. to 10.8.2017 for submitting the report regarding further progress in the pension case of the applicant.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 11/2017 IN OA 245/2016

(Shri Satish P. Dhangar 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 : 04-07-2017

ORAL ORDER:-

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 4 and Shri S.R. Patil, learned Advocate for respondent no. 5.

2. At the request of learned Advocate for the applicant, present M.A., which is filed for condonation of 6 years' and 8 months' delay caused in filing original application and original application itself be placed before the Division Bench, whenever it is available.

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**MA NO. 210/2017 WITH MA 162/2017 WITH MA 139/2017
IN OA 136/2017**

(Shri Abhay M. Jage & 2 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 : 04-07-2017

ORAL ORDER:-

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

2. The present misc. application has been filed by the applicants for permission add them as co-applicants no. 2 to 4 in O.A. no. 136/2017.

3. Perused the misc. application. Considered the contentions.

4. For the reasons stated in the misc. application it is allowed and disposed of without any order as to costs and the applicants be added in the O.A. no. 136/2017 as co-applicants. The said amendment be carried out by the learned Advocate for the applicants in the O.A. within a period of 2 weeks.

::-2-::
MA NO. 210/2017 WITH MA
162/2017 WITH MA 139/2017 IN
OA 136/2017

5. The learned C.P.O. has placed on record the communication dated 3.5.2014, which is taken on record and marked as document 'X' for the purpose of identification.

6. Hearing of both the sides shows that while all the applicants were Clerk and some of them were promoted as Sr. Clerk. They were given ad-hoc promotions as Assistant Motor Vehicle Prosecutors and, therefore, the Transport Commissioner i. e. the res. no. 2 decided to discontinue their ad-hoc promotions and decided to appoint other candidates on contract basis.

7. Upon hearing both the sides, it is gathered that, while there is no provision for appointment on contract basis, the recruitment rules of the said post are yet to be finalized. In the circumstances, interim relief to continue till further orders with a direction to res. no. 1 to finalize the recruitment rules of the said post within 4 months from today and thereupon advertise, if any, may be issued. It is also hereby ordered that the present applicants / co-applicants also shall not be discontinued until further orders.

::-3-::
MA NO. 210/2017 WITH MA
162/2017 WITH MA 139/2017 IN
OA 136/2017

8. S.O. to 28.11.2017.
9. The learned C.P.O. to act upon the Steno copy of this order.

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**MA 220/2017 IN OA 268/2017 WITH
MA 221/2017 IN OA 269/2017 WITH
MA 222/2017 IN OA 270/2017 WITH
MA 223/2017 IN OA 271/2017**

**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 : 04-07-2017

ORAL ORDER:-

Heard Miss. Ashlesha Raut, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants in all these matters and S/shri V.R. Bhumkar, D.R. Patil, N.U. Yadav & I.S. Thorat, learned Presenting Officers for the respective respondents in respective matters.

2. For the reasons stated in these misc. applications, the same are hereby allowed and disposed of and the applicants in respective misc. applications are permitted to suitably amend the respective original applications. There shall be no order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**OA 268/2017 WITH OA 269/2017 WITH OA 270/2017
WITH OA 271/2017**

**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 : 04-07-2017

ORAL ORDER:-

Heard Miss. Ashlesha Raut, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants in all these matters and S/shri V.R. Bhumkar, D.R. Patil, N.U. Yadav & I.S. Thorat, learned Presenting Officers for the respective respondents in respective matters.

2. Issue notices to the respondents in these original applications, returnable on 27.8.2017.

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

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

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

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

7. S.O. 27.8.2017.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**O.A. NOS. 319, 321, 322, 323, 324, 330, 332, 744 ALL OF
2013 WITH O.A. NOS. 634, 682 BOTH OF 2014 WITH O.A.
NOS. 721, 722 BOTH OF 2015 AND O.A. NO. 340/2016**

**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 : 04-07-2017

ORAL ORDER:-

Shri Anant Devkate, learned Advocate for the applicants in all these matters (**absent**). Smt. Priya R. Bharaswadkar, Smt. Resha S. Deshmukh, Shri S.K. Shirse, Shri N.U. Yadav, Smt. Deepali S. Deshpande, Shri D.R. Patil, Shri I.S. Thorat, learned Presenting Officers for the respondents in respective matters.

2. In view of absence of learned Advocate for the applicants in all these matters, S.O. to 21.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION 545/2012

(Shri Namdeo S. Dhadge 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 : 04-07-2017

ORAL ORDER:-

Shri Anant Devkate, learned Advocate for the applicant
(absent). Shri V.R. Bhumkar, learned Presenting Officer for
the respondents, is present.

2. The learned P.O. files on record the decision rendered by
the Tribunal in O.A. no. 154/1999 dated 3.1.2008, which
would show that similar prayer as contained in those original
applications, were already rejected by the Tribunal by the said
order. The copy of the same is taken on record and marked as
document 'X' for the purpose of identification.

3. In view of absence of learned Advocate for the applicant,
S.O. to 21.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 710/2015

(Shri Dattatrya V. Kulkarni & Ors. Vs. The State of Mah. &
Ors.)

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

Date : 04-07-2017

ORAL ORDER:-

Heard Shri Mahesh Dhapate, learned Advocate holding
for Shri R.P. Bhumkar, learned Advocate for the applicants and
Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to file affidavit in reply in the
present original application. He submits that draft affidavit in
reply is received to him. At his request, S.O. to 17.7.2017 for
filing affidavit in reply and mentioning the other similar
matters which are pending before the Tribunal.

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A. NO. 343/2016 IN OA ST. 1570/2016
(Shri Datta A. Tumram Vs. The State of Mah. & Ors.)

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

Date : 04-07-2017

ORAL ORDER:-

Heard Shri S.N. Pagare, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Both the sides seek time to make submissions on the merit of the original application itself. At their request, S.O. to 1.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 382/2016 IN OA ST. 1750/2016

(Shri Bhagwat T. Chaudhari Vs. The State of Mah. & Ors.)

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

Date : 04-07-2017

ORAL ORDER:-

Heard Shri Vivek Pingle, learned Advocate holding for Shri A.D. Sugdare, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent no.

1. None appears for respondent nos. 2 & 3.

2. The learned P.O. seeks time to file affidavit in reply in the misc. application. At his request, S.O. to 28.7.2017 for filing reply by the respondents in the M.A.

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A. NO. 464/2016 IN OA ST. 2012/2016

(Shri Suresh V. Bharti Vs. The State of Mah. & Ors.)

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

Date : 04-07-2017

ORAL ORDER:-

Shri Subhas B. Ghule, learned Advocate for the applicant
(absent). Shri M.S. Mahajan, learned Chief Presenting Officer
for the respondents, is present.

2. The learned C.P.O. submits that, while as per the rules,
the posting of the village Police Patil remains only for 10 years,
the present applicant would have been discontinued in the year
2000 itself and, therefore, the present original application itself
has become infructuous.

3. However, in view of absence of learned Advocate for the
applicant, S.O. to 7.8.2017 to satisfy this Tribunal on the query
from the side of the applicant.

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 168/2017 in O.A. St. No. 404/2017
(Shri Mariba Yadav Kamble V/s. the State of Mah. & Ors.)**

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

DATE : 04.07.2017._

ORAL ORDER:-

Shri S.G. Kulkarni, learned Advocate holding for Shri S.D. Dhongde, 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 04.08.2017.

MEMBER (J)

KPB ORAL ORDER 04-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 716/2016
(Smt. Pradnya P. Jahurkar V/s. the State of Mah. & Ors.)

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

DATE : 04.07.2017._

ORAL ORDER:-

Shri K.G. Salunke, learned Advocate holding for Shri D.T. Devane, 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 27.07.2017.

KPB ORAL ORDER 04-07-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 307/2017
(Shri Prakash S. Gadekar V/s. the State of Mah. & Ors.)

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

DATE : 04.07.2017._

ORAL ORDER:-

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

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted.
3. S.O. to 27.07.2017. Interim relief granted earlier to continue till then.

KPB ORAL ORDER 04-07-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 390/2017
(Shri Vijay S. Tikole V/s. the State of Mah. & Ors.)

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

DATE : 04.07.2017._

ORAL ORDER:-

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

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted.
3. S.O. to 27.07.2017.

MEMBER (J)

KPB ORAL ORDER 04-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 391/2017
(Shri Sambhaji R. Patil V/s. the State of Mah. & Ors.)

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

DATE : 04.07.2017._

ORAL ORDER:-

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

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted.
3. S.O. to 27.07.2017.

MEMBER (J)

KPB ORAL ORDER 04-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 190/2017 in O.A. St. No. 505/2017
(Shri Trimbak D. Susar V/s. the State of Mah. & Ors.)**

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

DATE : 04.07.2017._

ORAL ORDER:-

Heard Shri S.P. Dhoble, learned Advocate holding for Shri N.L. Choudhary, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. A the request of learned Advocate for the applicant S.O. to 26.07.2017.

KPB ORAL ORDER 04-07-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 419/2017
(Shri Bhaskar v. Waghmare V/s. the State of Mah. & Ors.)

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

DATE : 04.07.2017._

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 07.07.2017.

KPB ORAL ORDER 04-07-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 36/2017
(Shri Kamalkar B. Vyawahare V/s. the State of Mah. & Ors.)

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

DATE : 04.07.2017._

ORAL ORDER:-

Heard Shri Sachin K. Vyawahare, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, 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 07.08.2017.

MEMBER (J)

KPB ORAL ORDER 04-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 135/2017
(Smt. Shital D/o Vithalrao Bhosale @ Shital W/o Shripati Mandle
V/s. the State of Mah. & Ors.)

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

DATE : 04.07.2017._

ORAL ORDER:-

Shri S.A. Wakure, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted as a last chance.

3. S.O. to 08.08.2017.

MEMBER (J)

KPB ORAL ORDER 04-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 188/2017
(Smt. Haphijabanu Sheikh Khaliliuddin V/s. the State of
Mah. & Ors.)**

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

DATE : 04.07.2017._

ORAL ORDER:-

Heard Shri Sumedha C. Thombre (Jagtap), learned Advocate holding for Shri C.V. Thombre, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant seeks time to file service affidavit. Time granted.

3. S.O. to 08.08.2017.

MEMBER (J)

KPB ORAL ORDER 04-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 208/2017
(Marathwada Sarva Shramik Sanghatana and Ors. V/s. the State
of Mah. & Ors.)

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

DATE : 04.07.2017._

ORAL ORDER:-

Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O. to 07.08.2017.

MEMBER (J)

KPB ORAL ORDER 04-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 209/2017
(Marathwada Sarva Shramik Sanghatana and Ors. V/s. the State
of Mah. & Ors.)

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

DATE : 04.07.2017._

ORAL ORDER:-

Shri Ganesh Jadhav, learned Advocate holding for
Shri A.S. Shelke, learned Advocate for the applicant and
Shri D.R. Patil, learned Presenting Officer for respondents.

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

3. S.O. to 07.08.2017.

KPB ORAL ORDER 04-07-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 235/2017
(Shri Krushana Pandurang Kotole & Anr. V/s. The State of
Mah.& Ors.)**

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

DATE : 04.07.2017._

ORAL ORDER:-

Shri A.S. Kulkarni, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 2. Same is taken on record and the copy thereof has been served upon the learned Advocate for the applicant.

3. S.O. to 04.08.2017.

MEMBER (J)

KPB ORAL ORDER 04-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 234/2017
(Shri Chandrakant B. Ghule & Ors. V/s. The State of Mah. &
Ors.)**

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

DATE : 04.07.2017._

ORAL ORDER:-

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 2. Same is taken on record and the copy thereof has been served upon the learned Advocate for the applicant.

3. S.O. to 04.08.2017.

MEMBER (J)

KPB ORAL ORDER 04-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION ST. NO. 2060/2016
(Shri Bebabai P. Koli (Sapkale) V/s. the State of Mah. & Ors.)

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

DATE : 04.07.2017._

ORAL ORDER:-

Shri Vinod P. Patil, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

2. Today, the present matter is fixed for argument on the point of maintainability, as the applicant has no *locus standi* to file the preset O.A. The applicant remained absent since long. It seems that the applicant is not interested in prosecuting the present Original Application. Hence, the matter be placed for order on 01.08.2017.

3. S.O. to 1.08.2017 for passing necessary order.

MEMBER (J)

KPB ORAL ORDER 04-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 418/2017
(Shri Syam B. Kaiwade V/s. the State of Mah. & Ors.)

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

DATE : 04.07.2017._

ORAL ORDER:-

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

2. The Learned Advocate for the applicant has submitted that the applicant is serving as Office Superintendent, District Hospital, Osmanabad, since 1.7.2015. He is suffering from various deceases and his wife is mentally sick. Therefore, he requested the respondents to transfer him in Beed district by filing request application dated 10.04.2017. He has submitted that his request application has not been considered by the respondents, while making transfers of the other employees. He has submitted that respondent no. 5 i.e. Shri B.B. Sanap, who is serving as Office Superintendent, Sub-District Hospital, Udgir, Dist. Latur since 17.05.2016 is transferred to Women's Hospital, Neknoor

on his request, though he served at Neknoor for 10 years previously. He has submitted that Shri B.B. Sanap has been transferred by order dated 31.05.2017 and therefore, he challenged the order of Shri B.B. Sanap. He has submitted that the request of the applicant has not been considered by the respondents. Therefore, in view of the provisions of Section 19 of the Administrative Tribunals Act, 1985 the application is maintainable and the applicant has a *locus standi* to challenge the impugned order.

3. Learned Chief Presenting Officer has submitted that the applicant was not due for transfer and he has not completed his normal tenure of posting at Osmanabad. He made request to transfer him at Beed district on 10.4.2017, but his request has not been considered by the respondents and therefore, he has not been transferred. He has submitted that it is not a mandatory on the part of the respondents to consider the request of all the employees and the respondents have to make transfers of the employees on the genuine request of the

employees. He has submitted that the applicant has no right to challenge the order dated 31.05.2017, by which Shri B.B. Sanap has been transferred, as he is not party in the said order and he is not aggrieved by the said order. In view of the provisions of section 19 of the Administrative Tribunals Act, 1985, a person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for the redressal of his grievance. He has submitted that the applicant has not been aggrieved by any order and therefore, the present O.A. is not maintainable.

4. On perusal of the record, it reveals that the some employees including respondent no. 5 Shri B.B. Sanap has been transferred by impugned order dated 31.05.2017. The grievance of the applicant is that his request has not been considered by the respondents and respondent no. 5 Shir B.B. Sanap has been transferred to Neknoor though he served there for 10 years' previously. There was malafidness on the part of respondents while issuing the order of transfer of Shri B.B. Sanap and

therefore, he filed present application. On perusal of the impugned order, it reveals that the applicant is not aggrieved by impugned order or any other order passed by the respondents. His request has not been considered by the respondents as they had not found that genuine reason therein for making his transfer. Merely because, his request has not been considered by the respondents, it will not give rise to him to challenge the order dated 31.05.2017. He is not aggrieved by the said order. Therefore, the O.A. is not maintainable in view of the provisions of Section 19 of the Administrative Tribunals Act, 1985. Therefore, it deserves to be rejected.

5. In view thereof, the present O.A. is rejected with no order as to costs.

MEMBER (J)

CHAMBER APPEAL NO. 03 OF 2017
(Shri Raghunath J. Mardode Vs. The State of Maharashtra and Others.)

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

DATE : 04.07. 2017.

ORAL ORDER:

Heard Shri R.M. Gaikwad – learned counsel for the applicant.

2. Vide order dated 19.06.2017 the Registrar of this Tribunal Bench at Aurangabad was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 6.5.2017 the office has raised the following office objections: -

- 1) Respondent No. 1 not properly described;
- 2) Page Nos. 17, 26 & 42 not legible;
- 3) Copies of letters dated 1.1.2014 and 14.01.2014 not annexed as Exhibit-D.
- 4) Applicant has not filed appeal against order of suspension.

3. The learned Advocate for the applicant appeared today and has undertaken to remove all the office objections today itself.

4. Technically the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objection in spite of repeated chances. The learned counsel for the applicant submits that he could not attend the Tribunal due to

CHAMBER APPEAL NO. 03 OF 2017

his personal difficulty and, therefore, the registration was refused. The fact that the O.A. is filed for direction to the concerned respondents to quash and set aside the impugned orders dated 26/06/2014, 24/3/2017 and 6/4/2017 passed by the respondent authorities and further the respondent No. 4 may be directed to give increment in July, 2014 & respondent No. 3 may be directed to release salary in April, 2016 and in order to give an opportunity to the applicant to prove his claim on merits, it will be in the interest of justice to allow the appeal as the applicant shall not suffer for the negligence of his Advocate.

5. In view of the above, I pass the following order:

ORDER

(i) Chamber Appeal No. 03/2017 is allowed as the learned Advocate for the applicant has undertaken to remove all the office objections. On removal of office objections, the Registrar of this Tribunal Bench at Aurangabad is directed to place this matter before the appropriate Bench for hearing.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 72/2017 IN O.A.ST.NO. 187/2017

**(Shri. Shankar D. Chaudhari Vs. The State of Maha. and
Ors.)**

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

DATE : 04.07. 2017.

ORAL ORDER:

1. Heard Shri A.D. Sugdare – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer for the respondents, S.O. to 31st July, 2017 for affidavit in reply.

MEMBER (J)

ORAL ORDERS 04.07.2017-HDD

**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 Maha. and
Ors.)**

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

DATE : 04.07. 2017.

ORAL ORDER:

1. Heard Shri Y.P. Deshmukh – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 4th August, 2017.

MEMBER (J)

ORAL ORDERS 04.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 25/2017 IN O.A.ST.NO. 3012/2016

**(Shri. Rajaram M. Kannewar Vs. The State of Maha. and
Ors.)**

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

DATE : 04.07. 2017.

ORAL ORDER:

1. Heard Ms. Preeti R. Wankhade – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer for the respondents, S.O. to 5th July, 2017 for filing affidavit in reply in M.A..

MEMBER (J)

ORAL ORDERS 04.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 317 OF 2017

**(Shri. Shatrughna P. Pailwad Vs. The State of Maha. and
Ors.)**

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

DATE : 04.07. 2017.

ORAL ORDER:

1. Heard Shri K.G. Salunke – learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondent Nos. 1 & 5.
2. Today, learned Advocate Shri Santosh.B. Mene appeared before this Tribunal and submitted that he is appearing on behalf of respondent Nos. 2, 3 & 4. He has filed separate **VAKALATNAMAs** on their behalf and they are taken on record.
3. Learned Advocate for the applicant has filed service affidavit and the same is taken on record.
4. At the request of learned Presenting Officer for respondent Nos. 1 & 5 and learned Advocate for respondent Nos. 2 to 4, S.O. to 26th July, 2017 for filing affidavit in reply.

MEMBER (J)

ORAL ORDERS 04.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 481 OF 2016

(Shri. Vijay R. Bangar Vs. The State of Maha. and Ors.)

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

DATE : 04.07. 2017.

ORAL ORDER:

1. Heard Shri M.R. Kulkarni – learned Advocate for the applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondent Nos. 1 to 4. Shri S.M. Kshirsagar – learned Advocate for respondent No. 5 (**absent**).

2. Learned Advocate for the applicant has submitted that his client i.e. the applicant wants to approach the respondent authorities by filing representation to consider their order dated 21.08.2015 in the light of the directions given by this Tribunal in O.A. No. 184/2005 decided on 3.5.2006. Therefore, he sought leave of this Tribunal to withdraw the present Original Application with liberty to the applicant to approach this Tribunal afresh after decision of the respondent authorities on his representation.

3. Since, the applicant does not want to proceed with the present Original Application and he intends to file fresh representation to the respondent authorities on the basis of decision given by this Tribunal in O.A. No. 184/2005 decided on 3.5.2006, leave to withdraw the present Original Application

:: - 2 - ::

O.A. NO. 481 OF 2016

is granted with liberty to the applicant to approach this Tribunal after decision of the respondent authorities, on his representation.

4. Accordingly, the present Original Application stands disposed of as withdrawn with liberty as sought by the applicant. There shall be no order as to costs.

MEMBER (J)

ORAL ORDERS 04.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 698 OF 2016

(Shri. Shriram M. Patil Vs. The State of Maha. and Ors.)

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

DATE : 04.07. 2017.

ORAL ORDER:

1. Heard Shri A.D. Sugdare – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant has submitted that the applicant has not taken into consideration temporary services rendered by the applicant as Technical Assistant while fixing the pay of the applicant and, therefore, he has wrongly fixed the date for first Assured Career Progression Scheme and second Assured Career Progression Scheme after 12 and 24 years of service. He has submitted that recently the Government has issued Government Resolution dated 7th October, 2016 and thereby resolved to extend the benefit of first and second Assured Progression Scheme to the employees, who had rendered temporary services and the period of temporary service rendered by them has to be taken into consideration for counting service.
3. Learned Presenting Officer has submitted that he has to take instructions from the respondents as to whether the said Government Resolution is applicable to the applicant.
4. On going through the record, it reveals that the applicant joined the service as Technical Assistant on 11.02.1982. Thereafter, he has absorbed as Civil Engineering Assistant w.e.f. 21.05.1994. Initially, he was granted benefit of first Assured Career Progression Scheme in the year 1994 and

O.A. NO. 698 OF 2016

second Career Assured Progression Scheme on 21.05.2006 by the respondents. But the respondents thereafter have decided to give him first benefit of Assured Career Progression Scheme w.e.f. 21.5.2006 by issuing impugned order. The respondents refused to grant benefit of second Assured Career Progression Scheme to the applicant, as he retired on 31.03.2016, before completion of 24 years' of service.

5. On perusal of the Government Resolution dated 7th October, 2016, it reveals that the Government has resolved to extend the benefit of first and second Assured Progression Scheme to the employees, who had rendered temporary services and the period of temporary service rendered by them has to be taken into consideration for counting service. Therefore, it is just and proper to direct the respondents to state on oath by filing affidavit as to whether the applicant is entitled to get the benefit of temporary service rendered by him for getting benefit of Assured Progression Scheme, in view of the Government Resolution dated 7th October, 2016. If he is entitled then the respondents have to fix his pay accordingly. The respondents are directed to file affidavit to that effect on or before 31st July, 2017.

6. The respondents are further directed to explain if any amount is due from the applicant, in case they are going to extend the benefit of G.R. dated 7.10.2016 to the applicant.

7. S.O. to 31st July, 2017.

8. The learned Presenting Officer to act upon the steno copy.

MEMBER (J)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.411/2017.
(Dr. G. H. Darade 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 : 04-07-2017

ORAL ORDER:-

Heard Shri S. K. Chavan learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents with consent.

2. The applicant is seeking direction for decision of his representation dated 22.7.2016 Annexure A-4 and other applications at Annexures A-5 & A-6 within stipulated time period.

3. Reading of the application would show that, all these communications are for request transfer.

4. In the circumstances, the application is disposed of with a direction to the Respondent no.2 to decide the representations within a period of six months from the

date of this order and communicate the same to the applicant.

5. Accordingly the application is disposed of with above directions without any order as to costs.

6. Steno copy allowed to both parties.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.197/2017 IN OA ST.NO.526/2017.
(Shri C. Y. Thakure 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 : 04-07-2017

ORAL ORDER:-

Heard Shri S. P. Dhobale learned Advocate holding
for Shri N. L. Choudhari learned Advocate for the
applicant and Smt P. R. Bharaswadkar learned
Presenting Officer for the respondents.

2. Shri S. P. Dhobale learned Advocate holding for
Shri N. L. Choudhari learned Advocate for the applicant
seeks time. At his request, S. O. to 02.08.2017.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.224/17 IN CP ST.839/17 IN OA 440/2016.
(Dr. C. S. Thokal 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 : 04-07-2017

ORAL ORDER:-

Heard Shri D. A. Bide learned Advocate for the applicant and Shri S. K. Shirse learned Presenting Officer for the respondents.

2. Issue notice to the respondents in MA No.224/2017, returnable on 26.07.2017.

3. It prima facie appears that, the Respondents have acted against the direction given in the O.A. No.440/2016 decided on 20.1.2017 (page 25). If such a decision is taken inadvertently the same shall be corrected on or before the due date and the report of the same shall be submitted on the next date.

4. S.O. to 26.07.2017.

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

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.690/2013.
(Shri V. G. Salunke 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 : 04-07-2017

ORAL ORDER:-

Heard Shri M. R. Kulkarni learned Advocate for the applicant and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents.

2. At the request of the learned P.O., S. O. to 10.08.2017 for filing affidavit in reply.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.576/2015.
(Shri C. M. Mahajan 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 : 04-07-2017

ORAL ORDER:-

Heard Shri S. P. Dhobale learned Advocate holding
for Shri S. D. Kotkar learned Advocate for the applicant
and Shri I. S. Thorat learned Presenting Officer for the
respondents.

2. Shri S. P. Dhobale learned Advocate holding for
Shri S. D. Kotkar learned Advocate for the applicant
submit that the issue involved in the present application
is pending before Hon'ble the Supreme Court and the
said proceeding is likely to be listed in the present month.

In view of the said submission, S. O. to 22.08.2017.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.813/2015.
(Miss Priyanka S. Bane 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 : 04-07-2017

ORAL ORDER:-

Heard Shri A. J. Deshpande learned Advocate holding for Shri V. D. Gunale learned Advocate for the applicant, Shri V. R. Bhumkar learned Presenting Officer for the respondents no.1 to 3 and Mrs. S. S. Pandit, learned Advocate for the Respondent no.4.

2. 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 be placed for final hearing as and when the Division Bench would be available.

6. The appointment of the Respondent no.4 shall be subject to the decision of the present original application.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.831/2016.
(Shri Pathan Hares Khan 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 : 04-07-2017

ORAL ORDER:-

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

2. Miss. Ashlesha Raut, learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicant seeks time to file affidavit in rejoinder. On the last date also she sought time. However, as a last chance time is granted.

3. S. O. to 8.8.2017 for filing rejoinder, if any.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.12/2017.
(Shri B. G. Kapale 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 : 04-07-2017

ORAL ORDER:-

Heard Shri S. G. Kulkarni learned Advocate for the applicant and Smt R. S. Deshmukh learned Presenting Officer for the respondent no.1.

2. It is reported that Shri G. N. Patil the learned Advocate for the Respondents no.2 & 3 has filed leave note. No reply is filed on behalf of Respondents no.2 & 3. On the earlier date i.e. on 6.6.2017 also the matter was adjourned, as Shri G. N. Patil learned Advocate for the Respondents no.2 & 3 had filed leave note.

3. In the circumstances, Shri G. N. Patil learned Advocate for the Respondents no.2 & 3 shall make an arrangement for filing reply. In case he will on leave, else the application would proceed without reply of Respondents no.2 & 3.

4. S. O. to 9.8.2017.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.88/2017.
(Dr. Shaikh Faiz Mohammad 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 : 04-07-2017

ORAL ORDER:-

Heard Shri I. D. Maniyar learned Advocate for the applicant and Shri D. R. Patil learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to file reply. Time to file reply is hereby granted with further direction that affidavit in reply shall contain the facts about the decision on the leave application of the present applicant regarding which the directions were given in earlier O.A. No.571/2016 wherein in the reply the Respondents no.1 & 2 shown their readiness to decide the leave application (page no.55).

3. S. O. to 26.7.2017.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.130/2017.
(Priyanka Appasaheb Dongre 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 : 04-07-2017

ORAL ORDER:-

Heard Shri S. K. Chavan learned Advocate for the applicant, Shri N. U. Yadav learned Presenting Officer for the respondents no.1 to 4 and Shri R. D. Khadap learned Advocate holding for Shri S. S. Thombre learned Advocate for the Respondent no.5.

2. In view of the order dated 15.6.2017 the learned Advocate for the applicant submit that, affidavit in rejoinder is necessary and therefore, he seeks time. The learned Advocate for the Respondent no.5 also seeks time for filing reply. At their request, S. O. to 28.07.2017. Interim relief to continue till then.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.156/2017.
(Shri Raufkhan Pathan 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 : 04-07-2017

ORAL ORDER:-

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

2. The learned P.O. seeks time to file reply on the line as directed in order dated 11.4.2017. At his request, as a last chance, S. O. to 27.7.2017.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.221/2017.
(Shri H. A. Khokale 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 : 04-07-2017

ORAL ORDER:-

Heard Shri Ashish Rajkar learned Advocate holding
for Shri S. D. Joshi learned Advocate for the applicant
and Smt R. S. Deshmukh learned Presenting Officer for
the respondents.

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

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 be placed for final
hearing as and when the Division Bench would be
available.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

O. A. Nos. 930 & 931 of 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 : 04-07-2017

ORAL ORDER:-

Heard Shri Shrikant Patil learned Advocate for the applicants and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicants submits that, amendment is now carried out. In the circumstances, the learned C.P.O. seeks time to file reply to the amended application. At his request, S. O. to 07.08.2017.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.340/16 IN CP ST.1574/16 IN OA 516/2003.
(Dr. V. B. Sarwade 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 : 04-07-2017

ORAL ORDER:-

Heard Shri V. B. Wagh learned Advocate for the applicant and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents with consent.

2. The learned Advocate for the applicant on instructions submits that, the compliance of the order in O.A. is now made and therefore, nothing survives in the present application. Accordingly the application is disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

1) MA NO. 277/2015 IN OA NO.419/2014.

2) MA NO.420/2015 IN OA NO.420/2014.

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 : 04-07-2017

ORAL ORDER:-

None appears for the applicants in both matters.
Smt D. S. Deshpande and Shri S. K. Shirse learned
Presenting Officers for the respondents in respective
matters are present.

2. The record would show that, on the last date also
nobody appeared for the applicants.

3. S. O. to 27.7.2017. In case if nobody appears on
that day the present applications shall stand dismissed
in default without any further reference to the Tribunal.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA No.258/2013 IN OA No.124/03 IN OA No.622/2003.
(Shri R. B. Virulkar 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 : 04-07-2017

ORAL ORDER:-

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

2. Shri S. G. Kulkarni learned Advocate holding for
Shri S. D. Dhongde learned Advocate for the applicant
seeks time. At his request, S. O. to 26.07.2017.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.441/2016 IN OA ST.NO.1841/2016.
(Shri Madhukar Dusane Vs. State of Mah. & Ors.)

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

DATE : 04-07-2017

ORAL ORDER:-

Heard Shri S. G. Kulkarni learned Advocate holding for Shri S. D. Dhongde learned Advocate for the applicant and Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. Shri S. G. Kulkarni learned Advocate holding for Shri S. D. Dhongde learned Advocate for the applicant seeks time. At his request, S. O. to 26.07.2017.

VICE CHAIRMAN.

ORAL ORDERS 04-07-2017-ATP