

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.805/2016**  
(Shri Firoz Jamdar V/s. The State of Mah. & Ors.)

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

DATE : 20-02-2017

**ORAL ORDER:-**

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

2. Matter is heard at some length. Learned P.O. submits that he has not received some instruction from the Collector, Jalgaon as regards status of the matter. She assures to inform this Tribunal as regards present status of the matter as regards no objection certificate to be issued to the applicant. She sought time for the same. Time granted.

3. S.O.22-02-2017.

**MEMBER (J)**

YUK ORAL ORDER 20-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.01/2017  
WITH CAVEAT NO.01/2017 & 02/2017**  
(Shri D.B.Pande V/s. The State of Mah. & Ors.)

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

DATE : 20-02-2017

**ORAL ORDER:-**

Heard Shri Ajay S. Deshapnde learned Advocate for the applicant and Shri S.B.Talekar learned Special Counsel for respondent no.1, Shri Shamsundar Patil learned Advocate for respondent no.2 & 4 and Shri A.S.Deshmukh learned Advocate holding for Shri V.B.Wagh learned Advocate for respondent no.3.

2. Shri S.B.Talekar learned Special Counsel has filed affidavit in reply on behalf of respondent no.1. It is taken on record. Copy thereof has been served on the other side.

3. The matter is heard finally. It is reserved for order.

**MEMBER (J)**

YUK ORAL ORDER 20-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.562/2016**  
(Smt. Radhabai Gusinge V/s. The State of Mah. & Ors.)

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

DATE : 20-02-2017

**ORAL ORDER:-**

Heard Shri Y.K.Bobade learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for the respondent nos.1 and 2, and B.K.Dhabarde learned Advocate for respondent no.3.

2. Learned Advocate on instruction of the applicant prays for leave to withdraw the O.A. He has filed a purshis for withdrawal of O.A. It is taken on record and marked as document "X" for identification.

3. Leave as prayed for, is granted.

4. O.A. stands disposed of as withdrawn with no order as to costs.

**MEMBER (J)**

YUK ORAL ORDER 20-02-2017

**M.A. NO. 58/2017 IN CP ST. 15/2017 IN OA 16/2016**

{Shri Suresh S. Dolas & Ors. Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. Heard Shri Vivek Pingle, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. This misc. Application has been filed by the applicants seeking permission to file contempt petition against the erring respondents for non compliance of the order dated 8.12.2014 passed by this Tribunal passed in O.A. no. 16/2016.

3. Hence, issue notices to the respondents in M.A., returnable on, 22.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

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

{Shri Uttam R. Kshirsagar Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. Heard Shri V.B. Wagh, learned Advocate holding for Smt. Meera Kshirsagar, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22.2.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**M.A. NO. 69/2015 IN OA ST. 1103/2014**

{Shri Khan Muzfar Ali Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. None appears for the applicant. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, is present.

2. As none appears for the applicant, S.O. to 8.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**M.A. NO. 278/2015 IN OA ST. 1137/2014**

{Kalpana J. Shinde Ali Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. None appears for the applicant. Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

2. As none appears for the applicant, place the misc. Application either for hearing or passing order of dismissal in default, on 15.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**M.A. NO. 402/2015 IN CP ST. 1406/2015 IN OA 236/2014**

{Shri Adhikarao S. Mane Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

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

2. The learned P.O. submits that the connected matter i. e. review application St. No. 1432/2016 is fixed for hearing on 17.3.2017. Place the present misc. Application with the said review application on 17.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017



**M.A. NO. 192/2016 IN OA ST. 1940/2016**

{Bhalchandra H. Rampure & Anr. Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. Heard Shri B.K. Pawar, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file affidavit in reply in the misc. application. Time granted.
3. S.O. to 23.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**M.A. 63/2017 IN REV. APPLICATION 11/2017 IN OA  
2/2013**

{Kailas P. Bodkhe Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

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

2. At request of learned Advocate for the applicant, S.O. to 8.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**CP NO. 47/2003 IN OA 404/2002**

{Gangadhar G. Salve Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

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

2. Read the order of this Tribunal dated 3.2.2017. On that day also none appeared for the applicant. As already pointed para nos. 3 & 4 of the affidavit in reply filed by the Divisional Commissioner, Aurangabad Division in the present contempt petition, would show that after disposal of the writ petition no. 2474/2003 by the Hon'ble Bombay High Court, Bench at Aurangabad, the Departmental Promotion Committee has considered the case of the applicant on 13.4.2015 and on merit the applicant was not found fit for promotion.

3. In the circumstances, nothing survives in the present contempt petition and, therefore, the same is disposed of. There shall be no order as to costs.

**MEMBER (J)**

**M.A. NO. 71/2016 IN OA ST. 1053/2014**

{Govind B. Rathod Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. Heard Shri Y.P. Deshmukh, learned Advocate holding for Shri H.A. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By filing the present misc. application, the delay of 302 days caused in filing the original application is sought to be condoned by the applicant.

3. The record would show that the present applicant is claiming 60% disability due to amputation from both knees. The record would further show that the applicant was continuously persuading the respondents for his appointment from the said category and, therefore, the delay has occurred.

4. In my view, just and sufficient reasons are made out for condonation of delay. Accordingly the misc. application is allowed and the delay of 302 days caused in filing the original application is condoned. There shall be no order as to costs.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**OA ST. 1053/2014**

{Govind B. Rathod Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. Heard Shri Y.P. Deshmukh, learned Advocate holding for Shri H.A. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Today by passing separate order in the misc. application no. 71/2016 the delay caused in filing the present original application has been condoned.

3. The affidavit in reply is already filed in the original application. Arguable case is made out and, therefore, the original application is hereby admitted. Both the sides waive notice after admission.

3. The matter be heard expeditiously.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**ORIGINAL APPLICATION NO. 918 OF 2016**

{Shri Dipak B. Mahale Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

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

2. The record shows that since long none appeared for the applicant. In the circumstances, place the original application either for taking necessary steps or for passing necessary orders on 23.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**ORIGINAL APPLICATION NO. 08 OF 2017**

{Shri Aruna G. Dahiphle Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

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

2. No steps are taken by the applicant to serve the notices on the respondents. Hence, place the matter either for taking necessary steps by the learned Advocate for the applicant or for passing necessary orders, on 23.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**M.A. NO. 29/2017 IN OA 563/2014**

{Tushar @ Tusharsing Bapusing Rajpur Vs. The State of Mah.  
& Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. Heard Shri H.V. Tungar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.
2. The present misc. application has been filed by the applicant for restoration of original application to its original position. The record shows that the original application was dismissed by this Tribunal vide its order dated 4.12.2016 due to non service of notices upon the respondents.
3. Perused the misc. application. Considered the contentions.
4. For the reasons stated in the misc. application the same is allowed and the original application is restored to its original position. The misc. application is disposed of without any order as to costs.



5. The original application be placed for admission hearing on 21.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**M.A. NO. 433/2015 IN OA ST. 318/2015**

{Dr. Shivshankar C. Harlayya Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

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

2. S.O. to 21.4.2017 for filing affidavit in reply by the respondents in the misc. application.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**O.A. NOS. 488/2013, 01/2015, 626/2015, 627/2015, 635/2015, 21/2016, 618/2016, 619/2016**

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

**DATE :- 20.2.2017**

**Oral Order :-**

1. Shri J.S. Deshmukh, learned Advocates for the applicant in O.A. nos. 01/2015. None appears for the applicants in rest of the matters. Shri M.S. Mahajan, learned Chief Presenting Officer & S/shri M.P. Gude, I.S. Thorat, V.R. Bhumkar, Smt. D.S. Deshpande, Smt. Resha S. Deshmukh, Smt. P.R. Bharaswadkar, learned Presenting Officers for the respondents in all these matters.

2. Shri J.S. Deshmukh, learned Advocate for the applicant in O.A. no. 1/2015 submits that Original Application regarding similar challenge of G.R. was dismissed by this Tribunal and the said order was challenged by the applicant therein in the Hon'ble High Court and all the matters in the High Court are transferred to the principal seat and decision therein is awaited.

3. The learned P.Os. seek time to file affidavit in replies in O.A. nos. 627/2015, 635/2015, 618/2016 & 619/2016. The affidavit in replies in rest of the matters is already filed.

**O.A. NOS. 488/13, 01/15,  
626/15, 627/15, 635/15,  
21/16, 618/16, 619/16 (2)**

4. At the request of learned P.Os., S.O. to 21.4.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**M.A. NO. 515/2015 IN OA 243/2015**

{Shri Pandurang N. Solunke Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

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

2. The learned C.P.O. files on record affidavit in reply on behalf of res. no. 4. It is taken on record. He undertook to serve copy thereof upon the learned Advocate for the applicant.

3. S.O. to 16.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**M.A. NO. 562/2015 IN OA ST. 113/2015**

{Shri Ravindra K. Jadhav Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. Heard Shri N.P. Bangar, learned Advocate for the applicants and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant S.O. to 22.3.2017 to show as to whether the registry has wrongly objected for filing of original application on the ground of limitation.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**ORIGINAL APPLICATION NO. 134/2015**

{Shri Malu D. Pawar Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. Heard Shri D.M. Shinde, learned Advocate for the applicants and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

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

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017

**ORIGINAL APPLICATION NO. 545/2014**

{Vijayabai N. Suryawanshi Vs. The State of Mah. & Ors.}

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

**DATE :- 20.02.2017**

**Oral Order :-**

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant S.O. to 22.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 20.2.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 191 OF 2015**

**(Smt. Surekha C. Hazari & Ors. Vs. The State of  
Maharashtra and Others.)**

**CORAM : HON'BLE JUSTICE SHRI A.H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER:**

1. Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar – learned Advocate for the applicants and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.

2. Learned Presenting Officer states as follows:

The process of release of retirement dues and pension payable to the applicants is processed. The applicants' pension case would be processed and pursued and the payment would be made expeditiously.

3. The delay caused by the Respondents is grave and hence, case needs to be kept on board on every alternatively and to be monitored.

4. Learned Presenting Officer is directed to secure information and report the progress until entire payment is made to the applicants.

5. Hence, S.O. to 22<sup>nd</sup> February, 2017.

**CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 64 OF 2017**

**(Dr. Snehal S/o. Ishwarappa Nagre Vs. The State of  
Maharashtra and Others.)**

**CORAM : HON'BLE JUSTICE SHRI A.H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER:**

Heard Shri J.G. Toshniwal – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondent Nos. 1 to 4.

2. Learned Advocate Shri D.M. Shinde appears and states that he has instructions to appear for the Respondent No. 5 and he has filed **VAKALATNAMA** on his behalf and the same is taken on record. He prays for a week's time to file reply.

3. Learned Chief Presenting Officer also prays for two weeks' time.

4. Learned Advocate for the Applicant states that for the present he does not insist for reply because he wants to amend the O.A. and prays for leave to amend and to file additional documents and for that purpose prays for leave to substitute the O.A.

5. Leave to amend and substitute the O.A., annexures, index and synopsis is granted.

6. Learned Advocate for the Applicant undertakes to amend and substitute the O.A. within a period of one week's.

7. S.O. to 28<sup>th</sup> February, 2017 for admission hearing.

**CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. 388/15 WITH M.A.St.860/15 IN O.A.St.861/15  
M.A. 389/15 WITH M.A.St.864/15 IN O.A.St.865/15  
M.A. 390/15 WITH M.A.St.858/15 IN O.A.St.859/15  
M.A. 392/15 WITH M.A.St.871/15 IN O.A.St.872/15  
M.A. 393/15 WITH M.A.St.873/15 IN O.A.St.874/15  
M.A. 394/15 WITH M.A.St.875/15 IN O.A.St.876/15  
M.A. 395/15 WITH M.A.St.866/15 IN O.A.St.867/15  
M.A. 396/15 WITH M.A.St.862/15 IN O.A.St.863/15  
M.A. 397/15 WITH M.A.St.869/15 IN O.A.St.870/15  
M.A. 074/16 WITH M.A.St.217/16 IN O.A.St.218/16  
M.A. 075/16 WITH M.A.St.220/16 IN O.A.St.221/16  
M.A. 220/16 WITH M.A.St.785/16 IN O.A.St.786/16  
M.A. 221/16 WITH M.A.St.788/16 IN O.A.St.789/16**

(Maharashtra Rajya Rojandari Va Kayam Van Kamgar Kruti  
Samiti V/s. State of Maharashtra & Ors)

**CORAM : HON'BLE SHRI JUSTICE A. H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER :**

Heard Shri A.S.Shelke learned Advocate for the Applicants in all these cases, S/Shri M.P.Gude, V.R.Bhumkar, N.U. Yadav, I.S.Thorat, S.K. Shirase Smt. Sanjivani Ghate, Smt. Deepali Deshpande, Smt. Resha Deshmukh & Smt. Priya R. Bharaswadkar, learned Presenting Officers for respective Respondents in respective cases and Shri Vivek Bhavthankar learned Special Counsel for respondent no. 6 in M.A. 388 to 397 & M.A. 75/16 and for respondent Nos. 4 to 6 in M.A. No. 74/16 and for respondent Nos. 3 to 5 in M.A. Nos. 220 & 221/2016.

2. Learned Advocate for the Applicants prays for leave to amend and substitute the O.A. and, if necessary to substitute the index and synopsis too.

3. Leave to amend and substitute the O.A., index and synopsis is granted.
4. Learned Advocate for the Applicant undertakes to amend and substitute the O.A. on or before the next date.
5. Learned Special Counsel Shri Vivek Bhavthankar has filed affidavit in reply in M.A. No. 220/2016 & O.A.St.No. 786/2016, O.A. St. No. 789/2015, O.A. St. No. 867/2016 & M.A. No. 395/2015 and they are taken on record and the copies thereof have been served on the other side.
6. S.O. to 20<sup>th</sup> March, 2017 for admission hearing.

**CHAIRMAN**

ORAL ORDERS 20.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 574 OF 2015**

**(Shri Ajay Vishwanth Kolhe Vs. The State of Maharashtra  
and Others.)**

**CORAM : HON'BLE JUSTICE SHRI A.H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER:**

Heard Shri Y.P. Deshmukh, learned Advocate holding for Shri H.A. Joshi – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 9<sup>th</sup> March, 2017.

**CHAIRMAN**

ORAL ORDERS 20.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 707 OF 2015**

**(Shri Lahu Rama Dhage Vs. The State of Maharashtra and  
Others.)**

**CORAM : HON'BLE JUSTICE SHRI A.H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER:**

Heard Shri A.D. Gadekar – learned Advocate for the applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the Applicant, S.O. to 2<sup>nd</sup> March, 2017.

**CHAIRMAN**

ORAL ORDERS 20.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 202 OF 2016**

**(Shri Amol P. Purnapatre & Ors. Vs. The State of  
Maharashtra and Others.)**

**CORAM : HON'BLE JUSTICE SHRI A.H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER:**

Shri A.M. Kulkarni – learned Advocate for the applicant  
**(absent)**. Smt. Resha S. Deshmukh – learned Presenting  
Officer for the respondents.

2. Since nobody appears for the applicant, S.O. to 27<sup>th</sup>  
March, 2017.

**CHAIRMAN**

ORAL ORDERS 20.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 575 OF 2016**

**(Shri Aniket N. Mundhe Vs. The State of Maharashtra and  
Others.)**

**CORAM : HON'BLE JUSTICE SHRI A.H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER:**

Shri P.R. Kadam – learned Advocate for the applicant (**absent**). Smt. Resha S. Deshmukh – learned Presenting Officer for respondent Nos. 1 to 3 and Shri S.D. Joshi, learned Advocate holding for Shri Amit A. Savale – learned Advocate for respondent No. 4, were present

2. Since nobody appears for the applicant, S.O. to 23<sup>rd</sup> March, 2017.

**CHAIRMAN**

ORAL ORDERS 20.02.2017- HDD(DB)



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 602 OF 2016**

**(Shri Hari Shamrao Gawali Vs. The State of Maharashtra  
and Others.)**

**CORAM : HON'BLE JUSTICE SHRI A.H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER:**

Heard A.D. Gadekar – learned Advocate for the applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the Applicant, S.O. to 2<sup>nd</sup> March, 2017.

**CHAIRMAN**

ORAL ORDERS 20.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 929 OF 2016**

**(Shri Vinod A. Wagh Vs. The State of Maharashtra and  
Others.)**

**CORAM : HON'BLE JUSTICE SHRI A.H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER:**

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

2. At the request of learned Presenting Officer, S.O. to 7<sup>th</sup> March, 2017.

**CHAIRMAN**

ORAL ORDERS 20.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 941 OF 2016**

**(Shri Rambhau L. Kuskar Vs. The State of Maharashtra  
and Others.)**

**CORAM : HON'BLE JUSTICE SHRI A.H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER:**

Heard Shri Laxman K. Pradhan – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.

3. S.O. to 23<sup>rd</sup> March, 2017.

**CHAIRMAN**

ORAL ORDERS 20.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 34 OF 2017**

**(Shri Chandrakant B. Tayade Vs. The State of  
Maharashtra and Others.)**

**CORAM : HON'BLE JUSTICE SHRI A.H. JOSHI,  
CHAIRMAN  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench.)**

**DATE : 20.02. 2017.**

**ORAL ORDER:**

Heard Shri S.K. Mathpati – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply. Time granted.

3. S.O. to 23<sup>rd</sup> March, 2017.

**CHAIRMAN**

ORAL ORDERS 20.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. Mo. 69/17 in O.A. ST. No. 223/2017  
[Shri Bhaskar S. Patil Vs. The State of Mah. & Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

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

2. Issue notices to the respondents in M.A., returnable on 23.03.2017.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Respondents are 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 questions 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. Steno copy and Hamdast is allowed to both parties.

8. S.O. to 23.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 131/2017  
[Shaikh Khudbuddin Shaikh Bashoddin Vs. The State of  
Mah. & Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to file application for condonation of delay. Time granted.

3. S.O. to 17.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 175/2016  
[Shri Banaji Bhagwan Chilgar Vs. The State of Mah. & Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Shri K.G. Salunke, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 3, present. None present for respondent no. 4.

2. As none present for the applicant, S.O. to 30.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 544/2016  
[Dr. Seema A. Kulkarni & Ors. Vs. The State of Mah. &  
Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent Nos. 1 to 4. None present for respondent nos. 5 & 6.

2. The learned Advocate for the applicant sought leave of this Tribunal to amend the prayer clauses (b) and (c). Leave granted.

3. S.O. to 07.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 545/2016  
[Dr. Satish Radhakishan Runwal & Ors. Vs. The State of  
Mah. & Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent Nos. 1 to 4. None present for respondent nos. 5 & 6.

2. The learned Advocate for the applicant sought leave of this Tribunal to amend the prayer clauses (b) and (c).  
Leave granted.

3. S.O. to 07.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 305/2016  
[Shri Sandip Ashok Ban Vs. The State of Mah. & Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Shri N.P. Bangar, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, present.

2. The has not carried out the amendment as per order dated 11.04.2016.

3. S.O. to 30.03.2017 for further orders.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 421/2016  
[Shri Sachin V. Khillare Vs. The State of Mah. & Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent No. 1 and Shri Shamsundar B. Patil, learned Advocate for respondent no. 2.

2. The learned Advocate for the applicant submitted that the applicant has not completed his tenure on the post of Senior Clerk in the office of Executive Engineer, Minor Irrigation Division, Parbhani. Before completion of his tenure, he was transferred by respondent no. 2 in the year 2016 and therefore, it is in violation of Section 3, 4 and 4(4)(5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (for short the Transfer Act 2005). He has submitted that he has not completed his tenure of three years in the present posting and therefore, he cannot be transferred.

3. The learned Advocate for respondent no. 2 submits that the applicant has appointed on the post of Senior Clerk on 31.03.2010 in the office of Executive Engineer, Minor Irrigation Division, Parbhani and he joined duties on 3.4.2010 and on his request, he was transferred to Land Development (Civil) Sub Division No. 13, Gangakhed. The said Sub Division is under the control of Minor Irrigation, Parbhani. He has submitted that the applicant has completed his tenure in the year 2016 in the office of Executive Engineer, Minor Irrigation Division, Parbhani and therefore, he is due for transfer under Section 3(1) of the Transfer Act, 2005 and therefore, respondent no. 2 transferred him.

4. The learned Advocate for the applicant submitted that this Tribunal has decided similar cases and therefore, he wants to produce the copies of judgment in this case, in which the facts are identical in the present case, therefore he sought time. Time granted.

5. S.O. to 23.02.2017 for filing copy of judgment.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 584/2016  
[Shri Balaji Govindrao Aherkar Vs. The State of Mah. &  
Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Shri P.P. Uttarwar, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, present.

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

3. S.O. to 31.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 850/2016  
[Shri Anand Sheshrao Gavali Vs. The State of Mah. & Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

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

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

3. S.O. to 17.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 882/2016  
[Shri Pradeep Madhavro Koushike Vs. The State of Mah. &  
Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

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

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

3. Pleadings are complete. The O.A. is admitted and it be kept for final hearing with liberty to file rejoinder affidavit, if necessary.

4. S.O. to 24.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 886/2016  
[Shri Dinkar Ramrao Bhosrekar Vs. The State of Mah. &  
Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Heard Shri P.G. Rodge, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 4. Shri P.R. Tandale, learned Advocate for respondent no. 5, **absent**.

2. The learned Presenting officer has filed Affidavit in reply on behalf of respondent no. 4. It is taken on record and the copy thereof, has been served upon the learned Advocate for the applicant.

3. The learned Advocate for the applicant submits that he will go through the affidavit in reply and will file rejoinder affidavit, if necessary.

4. S.O. to 17.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 03/2017  
[Shri Ramesh Khemaji Gaikwad Vs. The State of Mah. &  
Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

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

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

3. S.O. to 06.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 910/2016  
[Shri Dattatraya P. More Vs. The State of Mah. & Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Shri M.S. Sonawane, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

2. The learned Advocate for the applicant has not filed service affidavit.

3. S.O. to 03.04.2017, for dismissal.

**MEMBER (J)**

ORAL ORDERS 20.02.2017-KPB(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 601/2015  
[Shri Shrimant Maroti Ture Vs. The State of Mah. & Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Heard Shri A.S. Deshmukh, learned Advocate holding for Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply to the amended O.A. Time granted.

3. S.O. to 06.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 278/2016  
[Shri Mohan Kacharu Devbone Vs. The State of Mah. &  
Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Heard Shri R.S. Shejul, learned Advocate holding for Shri Kiran M. Nagarkar, learned Advocate for the applicant and Smt. S.K. Dehsmukh-Ghate, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks last chance to file rejoinder affidavit, since he has already taken three chances for filing rejoinder affidavit. Time granted as a last chance.

3. S.O. to 17.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 754/2016  
[Shri Rahul Arun Vhatkar Vs. The State of Mah. & Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that the decision has been taken, in view of the order passed by the respondent no. 1 i.e. the Collector, Ahmednagar on 29.11.2016 on the representation made by the applicant on 20.05.2016. In view of the said order of the respondent no. 1, the applicant does not want to proceed with the matter and seeks permission to withdraw the O.A.

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

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 582/2016  
[Smt. Shobha Lahu Balleyya (Kutare) Vs. The State of Mah.  
& Ors.]**

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

**DATE : 20.02.2017.**

**ORAL ORDER:**

Shri H.A. Joshi, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, present.

2. As none present for the applicant, S.O. to 30.03.2017.

**MEMBER (J)**

**ORAL ORDERS 20.02.2017-KPB(SB)**