

**MA 323/2015 IN CP ST. 1048/2015 IN OA 581/2014**

{Shri Sham T. Satpute Vs. The State of Mah. & Ors.}

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

**DATE :- 27.02.2017**

**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. The learned Advocate for the applicant to make necessary correction to the pages of the matter and it be arranged chronologically.
3. S.O. to 3.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017

**MA 371/2015 IN OA 326/2012 WITH O.A. NO. 555/2015**

{Shri Madhav C. Padvi Vs. The State of Mah. & Ors.}

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

**DATE :- 27.02.2017**

**Oral Order :-**

1. Heard Shri F.R. Tandale, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that subsequent events occurred after filing the original application are sought to be brought on record by the present misc. application.

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

4. For the reasons stated in the misc. application, the same is allowed and disposed of without any order as to costs.

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**MA 371/2015 IN OA 326/2012**  
**WITH O.A. NO. 555/2015**

5. The amendment be carried out by the learned Advocate for the applicant in the original application on or before 2.3.2017.

6. The office is directed to tag O.A. no. 555/2015 filed by the present applicant to the present matter.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017

**MA 108/2016 IN OA ST. 103/2016**

{Shri Bhajandas J. Kanhekar Vs. The State of Mah. & Ors.}

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

**DATE :- 27.02.2017**

**Oral Order :-**

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

2. The present applicant is seeking condonation of delay of 23 years' caused in approaching this Tribunal against his order of termination after holding of regular departmental enquiry.

The applicant was employed with res. no. 2 – the District Collector, Aurangabad. In the year 1991 a crime for the offences punishable U/s 409 of the Indian Penal Code was registered against him. Since then he was put under suspension and thereafter departmental enquiry was held against him. He was terminated by the res. no. 2 on 19.6.1993. He thereafter filed original application in this Tribunal bearing No. 703/1993. He withdrew the same.

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**MA 108/2016 IN**  
**OA ST. 103/2016**

Later on, on 1.4.2014 the applicant was acquitted by the learned Chief Judicial Magistrate, Aurangabad in the said crime. After the said order, the applicant filed appeal to the appellate authorities of the disciplinary authority on 28.4.2014 i. e. the res. nos. 3 & 4. The same was rejected on 30.7.2015 and in the circumstances the original application came to be filed on 18.1.2016. As delay is caused in filing the original application, the present misc. application for condonation of delay is filed.

3. The learned Advocate for the applicant submits that after recording the order of acquittal by the learned C.J.M., Aurangabad, the present applicant has approached the res. nos. 3 & 4 and as the said representation came to be rejected the applicant has filed the accompanying original application before this Tribunal. The learned Advocate fairly submits that the delay is in fact of 23 years, however, since the acquittal order came to be recorded on 1.4.2014, the delay may be condoned. He submits that the applicant in fact was waiting for the order from the competent criminal Court and after acquittal he approached the departmental appellate authority.

4. The learned Advocate for the applicant relied on the provisions of sec. 20 of the Administrative Tribunals Act, 1985, which runs as under :-

**“20. Application not to be admitted unless other remedies exhausted :-**

(1) A Tribunal shall not ordinarily admit an application unless it is satisfied that the applicant had availed of all the remedies available to him under the relevant service rules as to redressal of grievances,-

(2) For the purposes of sub-section (1), a person shall be deemed to have availed of all the remedies available to him under the relevant service rules as to redressal of grievances,-

(a) if a final order has been made by Government or other authority or officer or other person competent to pass such order under such rules, rejecting any appeal preferred or representation made by such person in connection with the grievance; or

(b) where no final order has been made by the Government or other authority or officer or other person competent to pass such order with regard to the appeal preferred or representation made by such person, if a period of six months from the date on which such appeal was preferred or representation was made has expired.

(3) For the purposes of sub-sections (1) and (2), any remedy available to an applicant by way of submission of a memorial to the President or to the Governor of a State or to any other functionary shall not be deemed to be one of the remedies which are available unless the applicant had elected to submit such memorial.”

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**MA 108/2016 IN**  
**OA ST. 103/2016**

5. The submissions of the learned Advocate for the applicant would show that the applicant has approached this Tribunal vide original application no. 703/1993, which came to be withdrawn. Thereupon the applicant could have very well filed appeal with the departmental appellate authorities and thereafter, if any adverse order would have been passed he could have approached this Tribunal. Mere recording of the order of acquittal later on would not entitle the present applicant to file departmental appeal later on and by no stretch of imagination it cannot be called as sufficient cause. The learned Advocate rightly submits that the Tribunal should be liberal in considering the provisions of limitation and sufficient cause should be interpreted accordingly.

6. It is, however, to be noted that the applicant was well aware that this Tribunal can be approached as he has filed earlier original application in the year 1993 and withdrew the same. The order of the disciplinary authority could have been very well challenged before the appellate authority at that time only. Mere recording of acquittal by the criminal

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**MA 108/2016 IN**  
**OA ST. 103/2016**

Court later on would not amount to a sufficient cause and after a gap of 23 years the old cause of action cannot be reopened.

7. Unfortunately, the misc. application filed for condonation of 23 years' delay caused in filing the accompanying original application deserves to be dismissed and the same is dismissed accordingly without any order as to costs. In view of dismissal of misc. application, the registration of original application is refused.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017



**MA 110/2016 WITH MA 287/2016 IN OA 444/2014**

{Shri Sk. Tajoddin Sk. Manikji Kasar & Ors. Vs. The State of Mah. & Ors.}

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

**DATE :- 27.02.2017**

**Oral Order :-**

1. None appears for the applicants. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.

2. The learned Presenting Officer points out that the present misc. application is filed by the applicants for restoration of M.A. No. 287/2015 in O.A. no. 444/2014 to its original position, which was dismissed by this Tribunal due to non compliance of the directions of the Tribunal and due to non service of notices upon the respondents in the said matter.

3. In view of the absence of the learned Advocate for the applicants, as a last chance, S.O. to 16.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017

**MA ST. 2084/2016 WITH MA 282/2016 WITH MA 127/2016 IN T.A. NO. 3/2016 (W.P. 12032/2015)**

{Kum. Kiran S. Tidke Vs. The State of Mah. & Ors.}

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

**DATE :- 27.02.2017**

**Oral Order :-**

1. Heard Shri R.G. Tambole, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The present M.A. has been filed by the applicant for restoration of T.A. NO. 3/2016 (W.P. 12032/2015) to its original position.

3. It reveals from the order dated 5.12.2016 passed by this Tribunal in M.A. no. 282/2016 in T.A. no. 3/2016 that due to non compliance of the order dated 21.10.2016 by which leave to amend the T.A. was granted to the applicant with a direction to carry out the said amendment within a period of six weeks therefrom and in default the matter shall stand dismissed without reference to the Tribunal. As the said order was not complied with within the time given, this

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**MA ST. 2084/2016 WITH MA**  
**282/2016 WITH MA**  
**127/2016 IN T.A. NO.**  
**3/2016 (W.P. 12032/2015)**

Tribunal dismissed the M.A. 282/2016 and T.A. no. 3/2016 vide its order dated 5.12.2016 passed therein.

4. For the reasons stated in the present misc. application st. No. 2084/2016, the same is allowed without any order as to costs and the MA 282/2016 WITH MA 127/2016 and T.A. NO. 3/2016 (W.P. 12032/2015) are restored to its original position.

5. The T.A. No. 3/2016 (W.P. no. 12032/2015) along with MA 282/2016 WITH MA 127/2016 be placed on board on 15.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017

**MA 394/2016 IN CP ST. 1810/2016 IN OA 162/2014**

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

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

**DATE :- 27.02.2017**

**Oral Order :-**

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

2. The record would show that notices are not served by the applicant upon the respondents since long. In the circumstances, S.O. to 15.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017

**MA 395/2016 IN CP ST. 1801/2016 IN OA 556/2011**

{Shri Digambur B. Jadhav Vs. The State of Mah. & Ors.}

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

**DATE :- 27.02.2017**

**Oral Order :-**

1. Heard Shri A.R. Tapse, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. The learned P.O. submits that the compliance of the order dated 14-9-2015 passed by this Tribunal in the original application is made by the respondents. He files on record the communication dated 29.12.2016 received to him from the respondents in that regard. It is taken on record and marked as document 'X' for the purpose of identification. Copy of the same communication is also served upon the learned Advocate for the applicant.
3. The learned Advocate for the applicant seeks time to go through the said communication. At his request, S.O. to 9.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017

**MA 201/2016 IN CP ST. 765/2016 IN OA 918/2010**

{Smt. Gayabai Gorakh Pokale Vs. The State of Mah. & Ors.}

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

**DATE :- 27.02.2017**

**Oral Order :-**

1. None appears for the applicant. Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

2. The learned P.O. submits that the writ petition challenging the order dated 18.3.2016 passed by this Tribunal in the original application no. 918/2010 is pending in the Hon'ble Bombay High Court, Bench at Aurangabad. He seeks time to take instructions regarding the present status of the said writ petition. At his request, S.O. to 20.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017

**MA 89/2016 IN OA 704/2012**

{Shri Parmeshwar D. Kandlikar Vs. The State of Mah. & Ors.}

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

**DATE :- 27.02.2017**

**Oral Order :-**

1. None appears for the applicant in the misc. application. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos. 1 to 3 is present in the present M.A.. None appears for respondent nos. 4 & 5 in the misc. application / applicants in the O.A.
2. In view of absence of the learned Advocate for the applicant, S.O. to 22.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017

**ORIGINAL APPLICATION NO. 322/2015**

{Shri Balasaheb M. Kulkarni Vs. The State of Mah. & Ors.}

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

**DATE :- 27.02.2017**

**Oral Order :-**

1. Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Smt. Taksal, learned Advocate states that Shri Deshmukh, learned Advocate for the applicant has filed leave note for today. She requests for time. At her request, S.O. to 2.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017



**MA 452/2016 IN OA ST. 1954/2016**

{Shri Sk. Shakil s/o Sk. Mohammed Vs. The State of Mah. & Ors.}

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

**DATE :- 27.02.2017**

**Oral Order :-**

1. Heard Shri Asif Ali, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present applicant is seeking condonation of delay caused in filing the accompanying original application against the order of termination. The applicant claims that only 6 months' delay is caused in filing the original application. The present misc. application is filed on 30.11.2016.

3. The facts of the original application would show that the applicant was appointed vide order dated 24.2.2009 in Class – IV category. It was later on disclosed that the present applicant has not revealed in his recruitment application that two criminal cases were already pending against him. In the circumstances, when the appointing

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**MA 452/2016 IN**  
**OA \_\_\_\_\_ ST.**  
**1954/2016**

authority came to know about the fact that false representation was made by the applicant, he was terminated by the appointing authority vide order dated 2.9.2009.

The said order was challenged by the applicant in this Tribunal vide original application no. 196/2010. This Tribunal held that the pendency of the criminal cases against the applicant is a valid ground as there was a breach of condition no. 5 of the appointment order. Accordingly, the said original application was dismissed on 23.7.2010.

Later on, the applicant came to be acquitted in both the criminal cases vide orders dated 28.8.2014 and 14.3.2016. Thereafter the applicant made representations to his appointing authority from the month of October, 2014 onwards and ultimately he approached this Tribunal vide accompanying original application. As there was delay in filing the accompanying original application, the applicant has filed the present misc. application for condonation of delay caused in filing the accompanying original application.

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**MA 452/2016 IN**  
**OA \_\_\_\_\_ ST.**  
**1954/2016**

4. The learned Advocate for the applicant submits that upon acquittal of the applicant in both the criminal cases, the applicant became entitled for reinstatement.

He further submits that, one Shri Umesh Bayaji Bangar came to be appointed by the respondents on 1.8.2009 (Annex. A. 8 paper book page 81 of the original application). He was also suspended due to registration of a criminal case. Later on, upon his acquittal he came to be reinstated. In the circumstances, he submits that delay caused in filing the accompanying original application may be condoned.

The learned Advocate also placed reliance on the 'Annex. A' to the Circular dated 26.8.2014 (paper book page 78), which provides disqualification for appointment in case of registration of only certain types of crimes.

5. The learned P.O., however, opposed the plea of the learned Advocate for the applicant. He points out the fact that the present applicant was discharged from the services for the reasons of false representation in the application for seeking employment, whereas Shri Bangar was suspended

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**MA 452/2016 IN**  
**OA \_\_\_\_\_ ST.**  
**1954/2016**

from the services as after his joining of services a criminal case was registered against him. As Shri Bangar came to be acquitted and, therefore, he was reinstated in service. Thus, there is no similarity in the case of the present applicant and of Shri Bangar.

6. The learned P.O. further submits that the present applicant become unsuccessful in the earlier original application for the reasons mentioned hereinabove and, therefore, now for the same cause of action fresh original application cannot be filed.

7. It is to be noted that the present applicant was not terminated after any regular departmental enquiry but he was simplicitor discharged during the probation period finding that he has made false representation in his application for seeking employment. Therefore, this Tribunal on merit dismissed the original application of the present applicant. In that view of the matter, the present misc. application for condonation of delay is *non est*.

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**MA 452/2016 IN**  
**OA ST.**  
**1954/2016**

8. Accordingly, the misc. application for condonation of delay caused in filing the accompanying original application is dismissed. As the misc. application is dismissed the registration of original application is refused. There shall be no order as to costs.

**MEMBER (J)**

ARJ ORAL ORDERS 27.2.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**CP NO.122/03 IN TA NO.2285/91 (WP NO.1231/90)**

(Shri N. K. Vyas Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Shri Ajay Deshpande, learned Advocate for the applicant (Absent). Heard Shri N. U. Yadav, learned Presenting Officer for the Respondents no.1 & 2. None present for the Respondent no.3.

2. The learned P.O. files on record true copy of the order passed by the Hon'ble High Court in Writ Petition 2102/2003. The same is accepted and taken on record, which show that, the order passed in O.A. by this Tribunal is complied with. In the circumstances nothing survives in the present application. The application is disposed of.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**CP NO.102/07 IN OA NO.631/2003)**

(Shri B. V. Wable & Ors. Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Heard Shri R. R. Bangar, learned Advocate for the applicants. Shri Ajay Deshpande, learned Special Counsel for the Respondents (Absent).

2. The learned Advocate for the applicants submits that, though affidavit of compliance is filed by the Respondents, in fact there is no compliance of the order passed by this Tribunal in OA No.631/2003 dated 26.09.2006.

3. Para no.38 of the O.A.No.631/2003 (page no.29 of the paper book) avers as under :-

“38. The respondents are directed to consider favourably the claim of the applicants for getting next scale in the higher post of Junior Engineer on their completing continuous service of 12 years in the cadre of Civil Engineering Assistants if they fulfill other criteria enumerated in Govt. Resolution dated 8.6.1995. With these directions, the original applications are disposed of with no order as to costs.”

4. The affidavit of compliance filed by the Respondents para no.1 onwards avers as under :-

“1. ----

2. -----

A) Shri B. V. Wable i.e. applicant No.1 was appointed as Technical Assistant on 20.5.1980 and he was granted exemption from passing the professional examination on 31.5.1998, on account of having attained the age of 45 years. He thus became eligible for getting benefits under Time Scale Promotion Scheme from the date on which he has been granted exemption from passing the Departmental Examination. He was drawing the salary in the scale of Rs.4000-100-6000/- and by extending the benefits under Time Scale Promotion Scheme, he is held to be eligible for the promotional pay scale of the immediately next post of Junior Engineer of Rs.5,500 -175 – 9000/-, which he has been sanctioned and paid w.e.f. 1.6.1998. -----.”

Similar averments are made about other applicants.

5. The learned Advocate for the applicants submits that, in fact as this Tribunal has directed for grant of time bound promotion upon completion of 12 years in the cadre of Civil Engineering Assistants, there is no compliance of this order.



6. Upon hearing the learned Advocate for the applicants it is clear that, the order of this Tribunal was very specific that, the benefit should be granted if the applicants “fulfill other criteria enumerated in G.R. dated 8.6.1995”. (Emphasis supplied).

7. Thus, since the present applicants did not fulfill one of the criteria (passing of the Departmental Examination) enumerated in G.R. dated 8.6.1995, the compliance of the order is made from the date of grant of exemption from passing of the Departmental Examination. In the circumstances nothing survives in the present application. The application is therefore, disposed of.

**MEMBER (J).**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**MA NO.82/2017 IN OA NO.622/2015.**

(Shri R. K. Munde Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Heard Shri Vivek Deshmukh, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for the Respondents.

2. For the reasons mentioned in the Misc. Application, the application is hereby allowed and applicant is permitted to correct his name in the O.A.No.622/2015. Accordingly, M.A. stands disposed of.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**OA NO.622/2015.**

(Shri R. K. Munde Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Heard Shri Vivek Deshmukh, learned Advocate for the  
applicant and Shri M. P. Gude, learned Presenting Officer for  
the Respondents.

2. At the request of the learned Advocate for the applicant,  
S.O. to 12.4.2017.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.259/2016.**

(Shri R. M. Shete Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Heard Shri S. T. Veer, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the Respondents.

2. Affidavit in reply filed on behalf of Respondents no.1 to 3 is taken on record. The copy of the same is supplied to the other side.

3. S.O. to 22.3.2017 for hearing on admission.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.357/2016.**

(Shri S. N. Anpat Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Shri R. P. Bhumkar, learned Advocate for the applicant has filed leave note. Shri D. R. Patil, learned Presenting Officer for the Respondents.

2. In view of the leave note filed by the learned Advocate for the applicant, S.O. to 29.3.2017.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.604/2016.**

(Shri A. L. Bhosale & Ors. Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Shri R. P. Bhumkar, learned Advocate for the applicant  
has filed leave note. Smt P. R. Bharaswadkar, learned  
Presenting Officer for the Respondents.

2. In view of the leave note filed by the learned Advocate  
for the applicant, S.O. to 29.3.2017.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.726/2016.**

(Shri D. B. Kharat Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Shri K. B. Jadhav, learned Advocate for the applicant (Absent). Shri S. K. Shirse, learned Presenting Officer for the Respondents is present.

2. Learned P.O. files on record the affidavit in reply on behalf of Respondent no.1. The same is taken on record.
3. Liberty to file affidavit in rejoinder, if any, is hereby granted.
4. S.O. to 5.4.2017.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.747/2016.**

(Shri V. B. Thakur Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

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

2. Learned P.O. files on record the affidavit in reply on behalf of Respondents no.1 & 2 to the effect that, the grievance of the present applicant is already redressed. The same is taken on record.

3. In view of the absence of the learned Advocate for the applicant, S.O. to 22.3.2017.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.48/2017.**

(Shri B. D. Sonwane Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

None present for the applicant. Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents is present.

2. Learned P.O. prays for time to file affidavit in reply.

Time granted.

3. S.O. to 30.3.2017.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.733/2016.**

(Shri V. L. Badhe Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Heard Shri Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 2.3.2017.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.825/2016.**

(Shri P. A. Gaikwad Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Heard Shri V. B. Jogdant Patil, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the Respondents. S/Shri A.K. Tiwari, H. P. Jadhav, learned Advocate for the Respondent no.2 (Absent).

2. At the request of the learned P.O., S.O. to 29.3.2017 for filing affidavit in reply.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.864/2016.**

(Shri V. S. Londhe Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Heard Shri V. B. Jogdant Patil, learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O., S.O. to 29.3.2017 for filing affidavit in reply.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.865/2016.**

(Shri V. E. Jogdand Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Heard Shri V. B. Jogdant Patil, learned Advocate for the applicant and Shri I. S. Thorat, learned Presenting Officer for the Respondents. S/Shri Satyajit Bora, P. P. Kothari, learned Advocate for the Respondent no.5 (Absent).

2. At the request of the learned P.O., S.O. to 29.3.2017 for filing affidavit in reply.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.866/2016.**

(Shri V. G. Deshmukh Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Heard Shri V. B. Jogdant Patil, learned Advocate for the applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents. S/Shri Satyajit Bora, P. P. Kothari, learned Advocate for the Respondent no.5 (Absent).

2. At the request of the learned P.O., S.O. to 29.3.2017 for filing affidavit in reply.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,  
BENCH AT AURANGABAD.**

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**ORIGINAL APPLICATION NO.867/2016.**

(Shri S. S. Solanke Vs. State of Mah.& Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

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

**DATE** :27.02.2017.

**ORAL ORDER:-**

Heard Shri V. B. Jogdant Patil, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for the Respondents. S/Shri Satyajit Bora, P. P. Kothari, learned Advocate for the Respondent no.5 (Absent).

2. At the request of the learned P.O., S.O. to 29.3.2017 for filing affidavit in reply.

**MEMBER (J).**

ORAL ORDERS 27-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.500/2016**  
(Shri Saleem Khan V/s. The State of Mah. & Ors.)

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

DATE : 27-02-2017

**ORAL ORDER:-**

Heard Shri Kakasaheb B. Jadhav learned Advocate for the applicant, Smt. Resha Deshmukh learned Presenting Officer for the respondent nos.1 and 2 and Shri S.B.Mene learned Advocate for respondent no.3.

2. Today, matter is kept for final hearing. Learned Advocate for respondent no.3 submitted that respondent no.3 is not present today but he intends to file affidavit in reply. He sought time for the same.

3. Earlier ample opportunities were given to respondent no.3 to file his reply but he failed to do so and matter is kept for final hearing.

4. Time granted to respondent no.3 as a last chance to file reply on record on depositing costs of Rs.2000/- with Registry.

5. S.O.29-03-2017.

**MEMBER (J)**

YUK ORAL ORDER 27-02-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.609/2016**  
(Shri D.R.Pawar V/s. The State of Mah. & Ors.)

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

DATE : 27-02-2017

**ORAL ORDER:-**

Heard Shri V.B.Wagh learned Advocate for the applicant, Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Arguments of both sides are heard at some length. During the course of arguments it is brought to the notice of the Tribunal that respondents have not produced necessary documents alongwith reply though mentioned the same in the reply.
3. Learned P.O. sought time to produce those documents on record.
4. Learned P.O. shall produce the documents on the next date.
5. This case be treated as part heard.
6. S.O.17-03-2017.

YUK ORAL ORDER 27-02-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.610/2016**  
(Shri J.J.Aglave V/s. The State of Mah. & Ors.)

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

DATE : 27-02-2017

**ORAL ORDER:-**

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant requested for adjournment. Adjournment granted.

3. S.O.24-03-2017.

YUK ORAL ORDER 27-02-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.633/2016**

**DISTRICT: AHMEDNAGAR**

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Rishiraj s/o Shriniwas Goski,  
Age : 42 years, Occ : Service,  
Presently working as Senior Geologist,  
Ground Water Survey Development Agency,  
Hatampura, Collector Office Campus,  
Ahmednagar, Dist. Ahmednagar. ...APPLICANT

V/s.

1. The Principal Secretary,  
Water Supply and Sanitation Department,  
Mantralaya, Mumbai.

2. The Senior Geologist,  
Ground Water Survey Development Agency,  
Hatampura, Collector Office Campus,  
Ahmednagar, Dist. Ahmednagar. ...RESPONDETNES

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APPEARANCE : Shri V.B.Wagh learned Advocate for the  
Applicant.

Shri V.R.Bhumkar learned Presenting  
Officer for the respondents.

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

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DATE : 27-02-2017  
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**ORAL ORDER:-**

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

2. Applicant has challenged his transfer as Senior Geologist, Latur from Ahmednagar. It is his contention that his daughter is studying in 5<sup>th</sup> Standard of CBSE Board and because of the transfer she will not be able to get admission in a school at Latur. Therefore, the applicant has prayed for quashing the transfer order dated 31-05-2016. By virtue of interim relief granted by the Tribunal, applicant continued to work on the post at Ahmednagar.

3. On 15-02-2017, learned P.O. prayed for time to get instruction from the concerned authority as to whether it can accommodate the applicant till completion of the academic year.

=3=

O.A.No.633/2016

4. Today, learned P.O. has filed a letter issued by the Additional Secretary, Water Supply and Sanitation Department, Government of Maharashtra dated 20-02-2017, which is marked as document X for identification, which was addressed to Director, GSDA by which the concerned authority has given no objection to accommodate the applicant on the post till 30-04-2017. Learned P.O. submits that effect of the impugned order will be given from 01-05-2017.

5. Learned Advocate for the applicant has submitted that the applicant does not wish to proceed with the O.A. in view of the communication dated 20-02-2017. He, therefore, prays for disposal of the O.A. Accordingly, O.A. stands disposed of. There shall be no order as to cost.

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 945/2016  
[Shri Desai C. Rathod Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri D.R. Irale Patil, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O to 15.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 891/2016  
[Shri Anil P. Salve Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Smt. S.A. Dhongde, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O to 06.04.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 51/2016 in O.A. St. No. 3038/2016  
[Shri Pandurang R. Gaikwad Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri D.K. Rajput, learned Advocate holding for  
Shri U.S. Sawji, learned Advocate for the Applicant and Shri  
S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the  
applicant, S.O to 07.04.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 80/2017 in O.A. St. No. 109/2017  
[Shri Shashikant T. Dive Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Heard Ms. Preeti R. Wankhade, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Issue notices to the respondents in M.A., returnable on 07.04.2017.

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 O.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.

//2//

MA 80/17 in  
OA St. 109/17

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.07.04.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 3049/2016  
[Shri Uttam Ramrao Patil Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri S.G. Chapalgaonkar, learned Advocate for the Applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents, present.

2. As none appeared for the applicant, S.O to 29.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 130/2016  
[Shri Vinayak B. Kulkarni Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Heard Shri M.C. Ghode, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. The learned Presenting Officer submits that he will file affidavit in reply during the course of the day.

3. S.O to 09.03.2017.

**MEMBER (J)**

**Later on :**

4. The learned Presenting Officer submits that the reply of the respondents is ready but some documents are yet to be received from the concerned authority, therefore, he sought time. He has also submitted that the respondents deposited Cost of Rs. 5000/- (Five thousand only) imposed by this Tribunal on previous date i.e. on 18.01.2017.

5. S.O. to 09.03.2017, for filing affidavit in reply.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 195/2016  
[Smt. Gita B. Shejwal Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri A.D. Sonar, learned Advocate holding for Shri V.B. Patil, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O to 09.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 434/2016  
[Dr. Abdul Salim Karim Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri J.B. Choudhary, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

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

3. S.O to 16.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 473/2016  
[Dr. Govind K. Reddy Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Heard Shri Shamsundar B. Patil, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the Applicant, Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 to 3 and Shri S.S. Manale, learned Advocate for respondent nos. 4 & 5.

2. The learned Advocate for the applicant argued the matter at length. During the course of the arguments, he submitted that the applicant is intending to amend the O.A. in view of posting of one Dr. D.D. Gurme as Taluka Health Officer, Tq. Devni, Dist. Latur. The applicant intends to join Dr. D.D. Gurme as a party respondent and therefore, he sought leave of this Tribunal to amend the O.A.

3. Leave to amend the O.A. is granted. The applicant shall carry out the necessary amendment on or before the next date.

4. S.O to 06.03.2017.

5. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 429/2016  
[Dr. Shripati K. Shinde Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Heard Shri V.B. Wagh, learned Advocate for the Applicant, Shri S.K. Shirse, learned Presenting Officer for respondent nos. 1 to 3, Shri S.S. Manale, learned Advocate for respondent nos. 4 & 5 and Shri D.T. Devane, learned Advocate for respondent no. 6.

2. The matter is heard at length. The learned Advocate for the applicant submitted that the post of Taluka Health Officer has been created by the Government by G.R. dated 30.12.2006 and it is separate cadre, but the applicant has not placed on record the copy of said G.R. and therefore, he sought time to produce the copy of G.R. dated 30.12.2006. Time granted.

3. The matter is to be treated as part heard.

4. S.O. to 6.3.2017

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 600/2016  
[Shri Sadashiv Jairam Daware Vs. The State of Mah. &  
Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri K.M. Nagarkar, learned Advocate for the Applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

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

3. S.O to 17.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 723/2016  
[Shri Sandeep S. Kulkarni Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Heard Shri R.N. Bharaswadkar, learned Advocate for the Applicant and Shri M.P. Gude, 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 16.03.2017.

4. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 724/2016  
[Shri Sirajoddin K. Ansari Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Heard Shri Shamsundar B. Patil, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, 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 17.03.2017.
4. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 782/2016  
[Shri Sakharam S. Kude Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the Applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent no. 3.

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

3. The learned Advocate for respondent no. 3 has filed affidavit in reply. It is taken on record and the copy thereof has been served upon the other side.

4. At the request of learned Advocate for the applicant, S.O to 09.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 783/2016  
[Shri Subhash Pandharinath Thorat Vs. The State of Mah.  
& Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. At the request of learned Advocate for the applicant, S.O to 09.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 794/2016  
[Shri Vishnu D. Bidwe & Ors. Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. It transpires from the proceedings that the affidavit in reply has already been filed on behalf of the respondents.

3. At the request of learned Advocate for the applicant, S.O to 09.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 795/2016  
[Shri B.S. Gawande & Ors. Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. It transpires from the proceedings that the affidavit in reply has already been filed on behalf of the respondents.

3. At the request of learned Advocate for the applicant, S.O to 09.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 870/2016  
[Shri Maharudra Namdeo Dorle Vs. The State of Mah. &  
Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the Applicant, Shri D.R. Patil, learned Presenting Officer for respondent Nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent no. 3.

2. At the request of learned Advocate for the applicant, S.O to 09.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 871/2016  
[Shri Satish P. Dhaktode Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the Applicant, Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent no. 3.

2. At the request of learned Advocate for the applicant, S.O to 09.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 849/2016  
[Shri Ratnakar T. Kahat Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri R.N. Bharaswadkar, learned Advocate holding for Shri A.G. Deshmukh, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 5. It is taken on record and the copy thereof has been served upon the learned Advocate for the applicant.

3. The learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1 to 4. Time granted.

4. S.O to 05.04.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 930/2016  
[Shri Chudaman Daga Pawar Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri Shrikant Patil, learned Advocate for the Applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 to 6. It is taken on record.

3. S.O to 03.04.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 23/2017  
[Shri Bandu Badhuji Chavan Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri Kiran G. Salunke, learned Advocate for the Applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondents, present.

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

3. S.O to 06.04.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 27/2017  
[Dr. Ashwamedh B. Jagtap Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri V.B. Wagh, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 to 3.

2. Today Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for respondent no. 4 has filed VAKALATNAMA. It is taken on record.

3. The learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1 to 3. Time granted.

4. S.O to 27.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 445/2016 in O.A. St. No. 1876/2016  
[Smt. Surekha J. Pawar Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri Deepak K. Rajput, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

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

3. S.O to 20.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 666/2016  
[Shri Vikas Ramlal Thorat Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Smt. Viday Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O to 09.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 785/2015  
[Shri Chhagan D. Nerkar Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri L.M. Kulkarni, learned Advocate for the Applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for respondents, present.

2. The applicant and his Advocate are absent on previous date.

3. Hence, S.O to 24.03.2017, for dismissal.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 336/2016  
[Shri Gokulsing E. Patil Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri Chetan Jadhav, learned Advocate for the Applicant, Smt. S.K. Deshmukh Ghate-Deshmukh, learned Presenting Officer for respondent nos. 1 to 3 and Shri S.S. Kulkarni, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for respondent no. 4, S.O to 24.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 337/2016  
[Shri Shriram J. Shelke Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

Shri Chetan Jadhav, learned Advocate for the Applicant, Smt. S.K. Deshmukh Ghate-Deshmukh, learned Presenting Officer for respondent nos. 1 to 3 and Shri Girish Nagori, learned Advocate for respondent no. 4.

2. Since similar matter is fixed on 24.03.2017, the present matter be fixed on 24.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 933/2016  
[Dr. Pravin P. Bodewar Vs. The State of Mah. & Ors.]**

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

**DATE : 27.02.2017.**

**ORAL ORDER:**

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

2. The learned Advocate for the applicant submits that the respondents have not given posting to the applicant in view of the direction given by this Tribunal on 15.02.2017 within stipulated time.

3. The learned P.O. submitted that the proposal for transfer of applicant in view of the direction given by this Tribunal dated 15.02.2017 has been sent to the Civil Service Board and thereafter, it will be forwarded to the Chief Minister for approval, as per letter dated 23.02.2017 of Additional Secretary, Maharashtra State. The learned P.O. has placed on record the copy of said letter. It is taken on record and marked as Exhibit 'X' for the purposes of identification. P.O. has submitted that the corrective measures as per the direction of this Tribunal have been taken and decision of the competent authority is awaiting and therefore, he seeks time. Time granted.

4. S.O to 20.03.2017.

**MEMBER (J)**

**ORAL ORDERS 27.2.2017-KPB(SB)BPP**