

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.228/2017**

(Shri Maroti Nilewad V/s. The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

Heard Shri E.M.Shinde learned Advocate holding for Shri V.U.Jadhav learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant,  
S.O.04-05-2017.

**MEMBER (J)**

YUK ORAL ORDER 03-05-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.258/2017**

(Dr. Deepashri Choudhary V/s.  
The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant has prayed for granting stay to the impugned order dated 29-03-2017 during the pendency of the O.A. Said order has been issued in the month of March, 2017. Till today no recovery has been started.

3. In such circumstances, there is no urgency in the O.A. and it is not a fit case for grant of interim relief in favour of the applicant.

4. Hence, issue notice to the respondents, returnable on 06-07-2017.

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

6. 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 the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. 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.

8. 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.

9. S.O.to 06-07-2017.

10. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A.No.163/2017 IN O.A.St.No.487/2017**  
(Shri Revaji Sonawane V/s. The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

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

2. Issue notice to the respondents in the M.A., returnable on 06-07-2017.

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 the case. 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. S.O.to 06-07-2017.

8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

YUK ORAL ORDER 03-05-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A.No.167/2017 IN O.A.No.647/2013**  
(The State of Mah. & Ors. V/s. Shri D.M.Kulkarni)

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

DATE : 03-05-2017

**ORAL ORDER:-**

Heard Shri V.R.Bhumkar learned Presenting Officer for the applicants (original respondents) and Shri V.B.Wagh learned Advocate for the respondent (original applicant).

2. Shri Wagh learned Advocate appeared on behalf of the respondent (original applicant).

3. Learned P.O. has prayed for extension of time to take decision on the proposal submitted by the original respondent no.2 on 15-01-2014. He has submitted that the Tribunal had disposed of O.A.No.647/2013 on 27-01-2017 with direction to respondent no.1 to take decision on the proposal submitted by respondent no.2 on 15-01-2014 in respect of approval of the deemed date of promotion in favor of the applicant namely Shri D.M.Kulkarni and shall grant deemed date of

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M.A.No.167/2017 IN O.A.No.647/2013

promotion and all consequential reliefs that maybe admissible to him within 3 months from the date of order.

4. Learned P.O. has submitted that the proposal is under consideration and respondent no.1 has not taken any decision on the proposal till today.

5. Learned P.O. shall file a short affidavit of the responsible officer of respondent no.1 explaining reason as to why decision has not been taken till date.

6. S.O. 06-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 03-05-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

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

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

DATE : 03-05-2017

**ORAL ORDER:-**

Shri S.D.Dhongde learned Advocate for the applicant has filed **leave note** on record. Shri M.P.Gude learned Presenting Officer for the respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O.04-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 03-05-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A.No.169/2017 IN O.A.St.No.554/2017**  
(Shri Rajnikant Dure V/s. The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

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

2. Issue notice to the respondents in the M.A., returnable on 07-07-2017.
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 the case. 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. S.O.to 07-07-2017.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

YUK ORAL ORDER 03-05-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.372/2017**

(Shri Chandrakala Gaikwad  
V/s. The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

Heard Shri Shamsundar Patil learned Advocate holding for Shri D.T.Devane learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O.05-07-2017.

YUK ORAL ORDER 03-05-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.521/2017**

(Shri Rajendra Jagdale V/s. The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

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

2. At the request of learned Advocate for the applicant,

S.O.05-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 03-05-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.264/2017**  
(Mohini Rathod V/s. The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant has submitted that the applicant has been appointed on temporary basis for 11 months or subject to the decision of the Hon'ble High Court in Writ Petition No.3151/2014 whichever occurs earlier. He has submitted that tenure of 11 months comes to an end on 06-05-2017. The applicant is undergoing training, period of which is up to 14-07-2017. He has submitted that other persons appointed on the same terms and conditions have been terminated, and therefore, the applicant apprehends that her services will be terminated after expiry of 11 months' service.

3. There is no order or nothing on the record to show that due to which the applicant has apprehension that her services will be terminated. Hence, it is not a fit case for grant of interim relief in her favor.

4. Issue notice to the respondents returnable on 01-07-2017.

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

6. 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 the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. 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.

8. 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.

9. S.O.to 01-07-2017.

10. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NOS.131/2016, 157/2016,  
218/2016, 351/2016, 254/2016, 279/2016, AND  
861/2016**

(Shri Narayan Jadhav & Ors. V/s.  
The State of Maharashtra & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

Heard Shri A.S.Shelke learned Advocate for the applicants in 131/2016, 157/2016, 218/2016, 351/2016 and Shri Vivek Pingle learned Advocate for applicant in O.A.Nos.254/2016, 279/2016, 861/2016 and S/Shri V.R.Bhumkar, M.P.Gude, D.R.Patil and S/Smt. Resha Deshmukh, Deepali Deshpande and Sanjivani Ghate learned Presenting Officers for the respondents in the matters.

2. Learned P.O. Shri Gude has filed affidavit in reply on behalf of respondent nos.1 to 5 in O.A.No.254/2016. It is taken on record. Copy thereof has been served on the other side.

3. Learned P.Os. seek time to file reply on behalf of the respondents in other O.A. Time granted.

4. S.O.07-07-2017.

5. Since similar issues are involved, these matters are clubbed together.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.235/2016**

(Shri Balasaheb Ghodke V/s. The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

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

2. Learned P.O. has submitted that he has received a communication dated 02-05-2017 from Divisional Forest Officer, Social Forestry, Beed informing that the impugned order challenged in the O.A. for recovery of an amount of Rs.88,019/- has been cancelled and hence no recovery from the applicant can be made accordingly. Communication dated 02-05-2017 is marked as document "X" for identification.

3. Learned Advocate for the applicant has submitted that the purpose of filing the O.A. is served, and therefore, the applicant does not wish to proceed with the matter. He prayed to dispose of the O.A. accordingly.

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O.A.No.235/2016

4. In view of the above facts and circumstances of the case, as the impugned order has been cancelled by the respondent no.2, O.A. does not survive as the purpose is served. O.A. is disposed of. There shall be no order as to costs.

**MEMBER (J)**

YUK ORAL ORDER 03-05-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.240/2016**

(Shri Ramkisan Khajekar V/s. The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

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

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

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

**MEMBER (J)**

YUK ORAL ORDER 03-05-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.593/2016**

(Shri Nemchand Chavan & Ors. V/s.  
The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

Heard Shri A.S.Shelke learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. Since pleadings are complete, matter is admitted. It shall be kept for final hearing on 10-07-2017.

4. Interim relief granted earlier to continue.

**MEMBER (J)**

YUK ORAL ORDER 03-05-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.651/2016**

(Shri Sakharam Mule & Ors. V/s.  
The State of Mah. & Ors.)

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

DATE : 03-05-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. Since pleadings are complete, matter is admitted. It shall be kept for final hearing on 10-07-2017.

4. Interim relief granted earlier to continue.

**MEMBER (J)**

YUK ORAL ORDER 03-05-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.736/2016**

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

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

DATE : 03-05-2017

**ORAL ORDER:-**

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

2. Learned P.O. has filed affidavit in reply on behalf of the respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant has submitted that the applicant has made a fresh representation to the respondents with a request to transfer him at Manjilegaon (Rural), Talkhed or Dharur on the ground of illness of father. Learned Advocate for the applicant submits that applicant does not wish to press prayer clauses "A" and "B". Therefore, he prayed to dispose of the O.A. with direction to the respondent no.1 to consider his representation dated 27-02-2017 as per rules.

4. Learned P.O. has submitted that the respondents will consider the representation of the applicant for request transfer as per rules.

5. In view of the above facts and circumstances and as the applicant does not wish to proceed with the prayer clauses "A" and "B" O.A. stands disposed of with direction to the respondent no.1 to consider representation dated 27-02-2017 filed by the applicant on the ground of illness of father, as per rules, on or before 31<sup>st</sup> May, 2017. There shall be no order as to costs.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 165/2017 IN O.A.ST.NO. 559/2017**

**(Shri Anil S/o. Abarao Beedkar & Others Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri Yogesh P. Deshmukh – learned Advocate for the applicants and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. This is an application preferred by the applicants seeking leave to sue jointly.
3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid, and accompanying O.A. be registered and numbered, and the present M.A. stands disposed of accordingly. No order as to costs.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST.NO. 559 OF 2017**

**(Shri Anil S/o. Abarao Beedkar & Others Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri Yogesh P. Deshmukh – learned Advocate for the applicants and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 6<sup>th</sup> June, 2017.
3. Tribunal may take the case/s for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.

**O.A. ST.NO. 559 OF 2017**

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

7. S.O. to 6<sup>th</sup> June, 2017.

8. Steno copy and hamdust is allowed to both the parties.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. 170/17 IN C.P.ST. 586/17 O.A.NO. 811/2015**

**(Shri Shahadeo Sahebrao Bangar Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri J.S. Deshmukh – learned Advocate for the applicants and Mrs. Deepali Shripad Dshpande – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant, on instructions, submits that sanction for disbursement of amount is given by the Accountant General still the payment is not being made.
3. In the circumstances, the learned Presenting Officer is directed to take instructions from the respondents to find out as to what is the problem to disburse the amount, when Accountant General has already given sanction, on or before 7<sup>th</sup> June, 2017.
4. Learned Presenting Officer to act upon the steno copy of this order.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 575 OF 2016**

**(Shri Aniket S/o. Nagnath Mundhe Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri K.J. Ghute Patil, learned Advocate holding for Shri P.R. Kadam – learned Advocate for the applicant, Smt. Resha S. Deshmukh – learned Presenting Officer for respondent Nos. 1 to 3 and Shri Amit S. Savale – learned Advocate for respondent No. 4.
2. Upon hearing both the parties, it would show that the arguable case is made out. Admit.
3. The present Original Application be removed from the board and it be fixed for final hearing before the Division Bench as and when the same is available.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 738 OF 2016**

**(Shri Amol Devidas Bedse Vs. The State of Maharashtra  
and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri Manish P. Tripathi – learned Advocate for the applicant, Smt. Resha S. Deshmukh – learned Presenting Officer for respondent Nos. 1 to 3. Shri N.K. Bhadane – learned Advocate for respondent No. 4 (**absent**). None appears for respondent No. 5.
2. Upon hearing both the parties, it would show that the arguable case is made out. Admit.
3. The present Original Application be removed from the board and it be fixed for final hearing before the Division Bench as and when the same is available.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 599 OF 2016**

**(Smt. Sunita Ramdas Bahiram Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri D.J. Patial – learned Advocate for the applicant and N.U. Yadav - learned Presenting Officer for respondent Nos. 1, 2 & 4. Shri Vivek Bhavthankar – learned Advocate for respondent No. 3 (**absent**).

2. S.O. to 8<sup>th</sup> June, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 664 OF 2016**

**(Shri Sambhaji S/o. Waghoji Asole Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Shri A.S. Bangar – learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar – learned Presenting Officer for respondents, present.
2. Learned Presenting Officer for the respondents seeks time to file affidavit in reply. Time granted.
3. S.O. to 8<sup>th</sup> June, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 835 OF 2016**

**(Shri Harihar S/o. Ganpatrao Shinde Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri Avinash Deshmukh – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer, S.O. to 5<sup>th</sup> May, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 857 OF 2016**

**(Shri Bhikan Pitamar Sonar & Others Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Shri S.D. Dhongde – learned Advocate for the applicants has filed leave note. Shri D.R. Patil – learned Presenting Officer for respondents, present.
2. In view of leave note filed by the learned Advocate for the applicants, S.O. to 13<sup>th</sup> June, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 874 OF 2016**

**(Shri Shrikant Trimbak Mahajan Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri Trupti Mahajan – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. During the course of the arguments it transpires that there is incorrect pagination in the Original Application, which causes wastage of valuable time of all the concerned. Applicant is, therefore, directed to do correct paging of the O.A., as well as, the relevant documents, annexures etc.
3. S.O. to 20<sup>th</sup> June, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 918 OF 2016**

**(Shri Dipak S/o. Brijlal Mahale and Others Vs. The State  
of Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Shri Y.B. Bolkar – learned Advocate for the applicants (**absent**). Shri M.S. Mahajan – learned Chief Presenting Officer for respondents, present.
2. Record shows that even for removing office objection nobody appeared on behalf of the applicants. Thereafter, the present case was kept for hearing on 20.02.2017 & 23.03.2017. However, on that dates also nobody appeared on behalf of the applicants.
3. In the circumstances, as a last chance S.O. to 22<sup>nd</sup> June, 2017 either for hearing the present case on admission stage or for passing necessary orders.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 08 OF 2017**

**(Dr. Aruna G. Dahiphale Vs. The State of Maharashtra and  
Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Shri P.P. Dama – learned Advocate for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents, present.
2. Learned Presenting Officer for the respondents seeks time for filing affidavit in reply. Time granted.
3. S.O. to 26<sup>th</sup> June, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 79 OF 2017**

**(Md. Kamran Md. Abrar Shaikh Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Shri S.D. Dongde – learned Advocate for the applicant has filed leave note. Shri I.S. Thorat – learned Presenting Officer for the respondents, present.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record.
3. In view of leave note filed by the learned Advocate for the applicant, S.O. to 13<sup>th</sup> June, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 37 OF 2017**

**(Shri Balasaheb S/o. Nagorao Raut & Others Vs. The State  
of Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri S.S. Dambe – learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for respondents.
2. Learned Presenting Officer submits that no affidavit in reply is received regarding interim relief and she is received communication from the concerned respondents for seeking time.
3. It is to be noted that the recovery has already started from the month of March, 2017. Learned Advocate for the applicants points out that order dated 31<sup>st</sup> December, 2016 (Annexure 'A-10' page-78) does not give any reason as to why the pay is reduced.
4. Considering the fact that the reply is yet to be received, presently ad interim relief, in terms of prayer clause D2 of the O.A. is granted, until further orders.
5. At the request of learned Presenting Officer S.O. to 22<sup>nd</sup> June, 2017 for filing affidavit in reply.

**:: - 2 - ::**

**O.A. NO. 37 OF 2017**

6. Learned Presenting Officer shall act upon the steno copy of this order.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 575 OF 2016**

**(Shri Aniket S/o. Nagnath Mundhe Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri K.J. Ghute Patil, learned Advocate holding for Shri P.R. Kadam – learned Advocate for the applicant, Smt. Resha S. Deshmukh – learned Presenting Officer for respondent Nos. 1 to 3 and Shri Amit S. Savale – learned Advocate for respondent No. 4.
2. Upon hearing both the parties, it would show that the arguable case is made out. Admit.
3. The present Original Application be removed from the board and it be fixed for final hearing before the Division Bench as and when the same is available.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 846/2016  
[Shri Kishor A. Bagul Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Shri A.B. Katkar, learned Advocate for the Applicant  
(**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned  
Presenting Officer for respondents, present.

2. Learned Presenting Officer submitted that the reply  
of respondent nos. 2 and 3 has already been filed on  
15.3.2017.
3. S.O. to 10.07.2017.

**MEMBER (J)**

ORAL ORDERS 03.05.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 193/2017**

**[Shri Dnyaneshwar K. Sanap & Ors. Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Shri V.G. Pingle, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

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

3. S.O. to 10.07.2017.

**MEMBER (J)**

ORAL ORDERS 03.05.2017-KPB(SB)BPP



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 205/2017**  
**[Shri Sanjaykumar A. Rathod Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

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

2. At the request of both the parties, S.O. to 04.05.2017.

**MEMBER (J)**

ORAL ORDERS 03.05.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 206/2017  
[Shri Santosh V. Hange Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

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

2. At the request of both the parties, S.O. to 04.05.2017.

**MEMBER (J)**

ORAL ORDERS 03.05.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 69/2017**  
**[Shri Amarsingh S. Kamthekar Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Shri H.B. Pawar, learned Advocate holding for Shri H.V. Tungar, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

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

3. Learned Advocate for the applicant seeks time to file service affidavit. Time granted.

4. S.O. to 10.07.2017.

**MEMBER (J)**

**ORAL ORDERS 03.05.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 209/2015 in O.A. St. No. 550/2015  
[Shri Pradeep B. Kokate Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Heard Ms. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to amend the M.A. Time granted.

3. S.O. to 01.07.2017.

**MEMBER (J)**

**ORAL ORDERS 03.05.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 396/2016 in O.A. No. 691/2016  
[Shri Pravin V. Gaikwad Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Shri Vinod Patil, learned Advocate holding for Shri V.A. Dhakne, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

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

3. S.O. to 01.07.2017.

**MEMBER (J)**

**ORAL ORDERS 03.05.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 480/2016 in O.A. St. No. 167/2016  
[Shri Mahadeo K. Wankhede Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Shri S.P. Landge, learned Advocate holding for Shri S.R. Pande, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

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

3. S.O. to 05.07.2017.

**MEMBER (J)**

**ORAL ORDERS 03.05.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 322/2017  
[Shri Venkat Marutirao Methe Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Heard Shri Ajay Deshpande, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant is going to file application for condonation of delay in filing O.A. and therefore, he seeks time. Time granted.

3. S.O. to 15.06.2017.

**MEMBER (J)**

**ORAL ORDERS 03.05.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 35/2017  
[Shri Rajendra S. Raising Vs. The State of Mah. &  
Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Heard Shri Ajay Deshpande, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer has submitted that during the pendency of the O.A., the applicant has been transferred to Fajipur, Dist. Jalgaon as per the transfer order dated 29.04.2017 and a copy of the said transfer order dated 29.04.2017 is also placed on record.

3. Learned Advocate for the applicant submitted that he will take instructions from his client i.e. the applicant and make submissions on the next date and therefore, he seeks time. Time granted.

4. S.O. to 05.06.2017.

**MEMBER (J)**

**ORAL ORDERS 03.05.2017-KPB(SB)BPP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 623/2016  
[Shri Anil P. Katkar Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Heard Shri Ajay Deshpande, learned Advocate for the Applicant, Shri N.U. Yadav, learned Presenting Officer for respondent no. 1 and Shri G.N. Patil, learned Advocate for respondent no. 2.

2. At the request of learned Advocate for the applicant, S.O. to 05.05.2017.

**MEMBER (J)**

**ORAL ORDERS 03.05.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 347/2016  
[Smt. Vaishali S. Kameer Patil Vs. The State of Mah. &  
Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Shri P.A. Bharat, learned Advocate holding for Shri U.L. Momale, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05.07.2017.

**MEMBER (J)**

ORAL ORDERS 03.05.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 735/2016  
[Shri Kisanrao G. Shinde Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

Shri V.G. Pingle, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 15.06.2017.

**MEMBER (J)**

**ORAL ORDERS 03.05.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 790/2016  
[Shri Pitambar T. Khairnar Vs. The State of Mah. & Ors.]**

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

**DATE : 03.05.2017.**

**ORAL ORDER:**

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

2. Learned Advocate for the applicant has submitted that the applicant has been suspended by impugned order dated 25.01.2016 w.e.f. 16.03.2014, as he was in police custody from 16.03.2014 to 18.03.2014. It is contention of the applicant that he has preferred appeal with the appellate authority but it was rejected by order dated 16.08.2016, as the appeal was not within limitation. The learned Advocate for the applicant submitted that the applicant is going to retire on superannuation on 31.05.2017 and therefore, he prayed to set aside the impugned order of suspension dated 25.01.2016 passed against the applicant.

3. Learned Advocate for the applicant has further submitted that the applicant is going to retire

on 31.05.2017 and he was placed under suspension w.e.f. 16.03.2014 on the ground that he was arrested and sent to police custody in C.R. No. 77/2014 for offence punishable under Section 406, 408, 420, 467, 468, 471 and 506 read with 34 of Indian Penal Code on private complaint. He has submitted that no Departmental Enquiry has been initiated against the applicant and therefore, it is just to set aside the impugned order of suspension dated 25.01.2016 and to revoke his suspension.

4. Learned Presenting Officer has submitted that the charge sheet has been issued to the applicant on 13.04.2017 in the Departmental enquiry. He has submitted that one of the charges against the applicant is that he was in police custody for more than 48 hours i.e. from 16.03.2014 to 18.03.2014 and therefore, he was placed under suspension. He has submitted that there are other charges of misconduct against the applicant and therefore, enquiry has been initiated against him. He has submitted that the enquiry is in progress and the applicant is to file reply to the charges leveled against

him. Learned Presenting Officer has further submitted that the Departmental Enquiry is to be concluded within a period of three months and therefore, the suspension of the applicant cannot be revoked till the completion of Departmental Enquiry.

5. Since, the Departmental Enquiry is initiated against the applicant and it is pending, it would be just and proper to direct the disciplinary authority as well as Enquiry Officer to conclude the Departmental Enquiry within a period of three months. The applicant shall co-operate the Enquiry Officer.

6. The respondents are further directed to place the case of the applicant before review committee to consider whether the suspension of the applicant be continued or revoked and to take decision within a period of three weeks.

7. S.O. to 5.6.2017.

8. Steno copy allowed to the learned Presenting Officer at his request.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 199/2015 IN OA ST. 780/2015**

(Shri Devendra S. Jade V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Heard Smt. Pratibha Bharad, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to go through the extract of Stamp Register produced by the office as per direction issued by the Tribunal vide order dated 21.3.2017. At her request, S.O. to 16.6.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 21/2016 IN OA 421/2015**

(Shri Sd. Gaus Sd. Pasha V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Smt. S.A. Dhongde (Upadhyay), learned Advocate for the applicant has filed leave note. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 16.6.2017. The interim relief granted earlier to continue.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 192/2016 IN OA ST. 1940/2016**

(Shri Balchandra H. Rampure V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

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

2. The learned C.P.O. seeks time to file affidavit in reply in the misc. application. At his request, S.O. to 21.6.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 328/16 WITH MA ST. 1353/16 IN OA ST. 1354/16**  
(Mah. Rajay Rojandari Va Kayam Vankamgar Kruti Samiti &  
Ors. V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

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

2. With consent of both the sides, S.O. to 9.6.2017 along with other similar matters.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

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

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

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

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

2. The learned C.P.O. files on record affidavit in reply on behalf of res. no. 3. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. The learned Advocate for the applicant seeks time to go through the said reply. At his request, S.O. to 13.6.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 360/2016 IN OA ST. 1544/2016**  
(Shri Ram B. Pawar V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Heard Shri C.R. Thorat, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent no. 1 and Shri O.D. Mane, learned Advocate holding for Shri S.D. Joshi, learned Advocate for respondent no. 2.

2. The learned P.O. files on record affidavit in reply of res. no. 1 in the misc. application. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. The learned Advocate for the res. no. 2 seeks time to file affidavit in reply. At his request, S.O. to 16.6.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 135/2017 IN OA 851/2016**

(Shri Jagdish B. Pardeshi V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

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

2. The present M.A. has been filed by the applicant for permission to bring on record the subsequent developments occurred during the pendency of the O.A.

3. As by the present M.A. the applicant wants to bring on record the subsequent developments occurred during the pendency of the O.A., the same is hereby allowed without any order as to costs.

4. The applicant to carry out the said amendment in the O.A. on or before 5.5.2017 and to serve the copy of amended O.A. upon the respondents by the next date. The O.A. to come up on board on 16.6.2017.

**VICE CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 166/2017 IN OA 108/2016**

(Shri Vijay N. Pawar V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

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

2. The present M.A. has been filed by the applicant for permission to bring on record the subsequent developments occurred during the pendency of the O.A.

3. As by the present M.A. the applicant wants to bring on record the subsequent developments occurred during the pendency of the O.A., the same is hereby allowed without any order as to costs and the applicant is permitted to amend the O.A. suitably.

4. The applicant to carry out the said amendment in the O.A. on or before 5.5.2017 and to serve the copy of amended O.A. upon the respondents by the next date.

5. The O.A. to come up on board on 16.6.2017. The respondents to file affidavit in reply to the amended O.A. by the next date.

**VICE CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 602 OF 2016**

(Shri Hari S. Gawali V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

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

2. The learned P.O. seeks time to take steps in view of the order dated 2.3.2017 of the Tribunal passed in the present O.A. At his request, S.O. to 13.6.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 47 OF 2017**  
(Shri Abhijeet B. Patil V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

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

2. The learned P.O. files on record affidavit in reply on behalf of res. no. 2. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. The learned Advocate for the applicant submits that, he will have to take instructions from the applicant as to whether the letter dated 15.2.2017 issued by the Dist. Collector, Parbhani to the applicant, copy of which is annexed with the reply of res. no. 2 at paper book page 60, has been served upon the applicant. At his request, S.O. to 16.6.2017 alongwith O.A. no. 84/2017.

**VICE CHAIRMAN**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 84 OF 2017**  
(Shri Sagar B. Maske V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

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

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

3. In view of absence of learned Advocate for the applicant, S.O. to 16.6.2017 along with O.A. no. 47/2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 171/2017 IN OA ST. 500/2017**  
(Shri B.R. Lad V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Heard S/shri Yogeshkumar S. Gorle with S.A. Deshmukh, learned Advocates for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The present M.A. has been filed by the applicant for permission to bring on record the subsequent developments occurred after filing of the O.A.

3. For the reasons stated in the M.A. the same is allowed without any order as to costs and the applicant is permitted to amend the O.A. suitably. The said amendment be carried out in the O.A. by 5.5.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**OA ST. 500/2017**

(Shri B.R. Lad V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Heard S/shri Yogeshkumar S. Gorle with S.A. Deshmukh, learned Advocates for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Today by passing separate order in M.A. no. 171/2017 the applicant is permitted to amend the O.A. suitably and bring the subsequent developments on record by 5.5.2017.

3. Issue notices to the respondents in the O.A. after amendment, returnable on 23.6.2017.

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

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

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

7. 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.
8. S.O. 23.6.2017.
9. Steno copy & hamdust allowed to both the parties.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 172/2017 IN OA ST. 501/2017**  
(Shri R.G. Jute V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Heard S/shri Yogeshkumar S. Gorle with S.A. Deshmukh, learned Advocates for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The present M.A. has been filed by the applicant for permission to bring on record the subsequent developments occurred after filing of the O.A.

3. For the reasons stated in the M.A. the same is allowed without any order as to costs and the applicant is permitted to amend the O.A. suitably. The said amendment be carried out in the O.A. by 5.5.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**OA ST. 501/2017**

(Shri R.G. Jute V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Heard S/shri Yogeshkumar S. Gorle with S.A. Deshmukh, learned Advocates for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Today by passing separate order in M.A. no. 172/2017 the applicant is permitted to amend the O.A. suitably and bring the subsequent developments on record by 5.5.2017.

3. Issue notices to the respondents in the O.A. after amendment, returnable on 23.6.2017.

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

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

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

7. 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.
8. S.O. 23.6.2017.
9. Steno copy & hamdust allowed to both the parties.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**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 RajyaRojandariVaKayam Van  
KamgarKrutiSamiti V/s. State of Maharashtra &Ors)**

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Shri A.S. Shelke, learned Advocate for the applicants in all these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. With consent of both the sides, S.O. to 9.6.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 31/2017 IN CP ST. 77/2017 IN OA 500/2014**  
(Shri Dattatraya D. Parte V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Heard Shri P.V. Suryawanshi, learned Advocates for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. This Tribunal vide order dated 22.6.2016 in O.A. no. 500/2014 has passed following order :-

**"O R D E R**

1. The Original Application is allowed in terms of prayer clause 8(E).
2. The impugned communication issued by the respondent no. 3, dated 25.07.2014 is quashed and set aside.
3. The respondent no. 3 is directed to consider the applicant's claim for appointment on compassionate ground on its own merit.
4. Requisite decision on the applicant's case on appointment on compassionate ground shall be taken within three months from the date of this

order and the same shall be communicate to the applicant in writing by R.P.A.D.

There shall be no order as to costs.”

3. Perusal of the judgment of this Tribunal in O.A. would show that this Tribunal has heard both the parties to find out as to whether the retirement of the present applicant's father was voluntary retirement or it was retirement on the basis of medical ground. In the said judgment this Tribunal held that the said retirement of the applicant's father was retirement on medical ground and, therefore, the applicant was held entitled for appointment on compassionate ground.

4. In para nos. 2, 3 & 4 of the reply to the present M.A. the res. no. 3 averred as follows :-

“2. I say and submit that the Applicant's father Deoram Raghu Parte was in service of Maharashtra Police. The father of Applicant was working as a Police Constable since 1/11/1976 to till 06/10/2003. The father of Applicant has taken voluntary retirement from the service by showing the reason of illness. After the retirement father of Applicant died on 17.02.2004. Applicant's father was not retired on the medial ground

hence benefits under the voluntary retirement were given to him.

3. I further say and submit that as claim of Applicant for appointment on the compassionate ground was rejected by the respondent, Applicant has filed Original Application No. 500/2014. The Hon'ble Tribunal while allowing the application on 22.07.2016 directed respondent no. 3 to consider the Applicant's claim for the appointment on compassionate ground on its own merit within three months from the date of order i.e. 22.07.2016.

4. I say and submits that as per direction given by the Hon'ble Court the claim of Applicant is considered on merit on 1.10.2016 the application of Applicant was disposed off as applicant is not entitled to get the appointment on compassionate ground as per G.R. SRV-14076/Roman-12, dt. 23.4.1976. The said decision was also communicated to the Applicant on 15.11.2016."

5. It is to be noted that, this Tribunal has already held that the retirement of the father of the applicant was in fact on medical ground and the applicant is entitled for appointment on compassionate ground. The res. no. 3 without challenging the legality of the order passed by the Tribunal in the O.A. at

**::-4-::**

**MA 31/2017 IN**  
**CP ST. 77/2017**  
**IN OA 500/2014**

proper forum has taken the same ground as was taken in the O.A. and has rejected the claim of the present applicant for compassionate appointment. This is in breach of the directions issued by the Tribunal.

6. In the circumstances, the misc. application for permission to file contempt petition against the respondents for non compliance of the order of the Tribunal passed in O.A. is hereby allowed without any order as to costs and the applicant is permitted to file contempt petition against the res. no. 3 only. He shall delete the name of res. nos. 1 & 2 from the array of respondents in the contempt petition.

7. The office is directed to register the Contempt Petition after due scrutiny.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**CP ST. 77/2017 IN OA 500/2014**

(Shri Dattatraya D. Parte V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Heard Shri P.V. Suryawanshi, learned Advocates for the petitioner and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Today by passing separate order in M.A. no. 31/2014, this Tribunal permitted the petitioner to file contempt petition against the res. no. 3.

3. Issue regular notice to the res. no. 3 in the contempt petition, returnable on 20.6.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 707 OF 2013**

(Smt. (Dr) Rekha A. Salunkhe V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

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

2. The learned P.O. files on record the communication dated 3.5.2017 received to her, which would show that some steps are taken by the respondents as per the order of this Tribunal dated 8.3.2017. The learned P.O. seeks time for reporting further progress in the matter. At his request, S.O. to 16.6.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 3.5.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 324 OF 2015**

(Shri Bhaskar Kathu Shinde V/s. State of Mah. & Ors.)

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

**DATE : 03-05-2017**

**ORAL ORDER:-**

Heard Shri D.J. Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, it appears that, there is factual dispute between the parties regarding service of Annual Confidential Reports of the concerned period upon the applicant. As per the stand taken by the respondents, the Annual Confidential Reports of the relevant period were served upon the applicant, while the learned Advocate for the applicant has submitted that the said A.C.Rs. were not served upon the applicant. The respondents have also come with a stand that in fact those reports were served upon the applicant, however, original record of proof of the service of the same is not available with them.

3. Upon hearing both the sides and finding that this Tribunal cannot go into the factual dispute, the present O.A. is disposed of without any order as to costs, with a direction to the applicant to file representation to the concerned

respondents within 2 weeks from the date of this order against the adverse A.C.Rs. and the concerned respondents shall decide the said representation of the applicant within a period of 2 months from the date of receipt thereof and in the light of decision on the representation they shall take further suitable action in the matter.

4. Both the sides to act upon the Steno copy of this order.

**VICE CHAIRMAN**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 83 OF 2017**

**(Smt. Sayyad Jarinabi Raisoddin & Others Vs. The State  
of Maharashtra and Others.)**

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

**DATE : 03.05. 2017.**

**ORAL ORDER:**

1. Heard Shri P.A. Kulkarni – learned Advocate for the applicants and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. Upon hearing both the sides, it appears that the selection process is completed and selection list is to be notified. However, the same is stopped in view of interim order passed by this Tribunal on 12.04.2017. There is disputed question of fact as to whether there is discrimination between male and female candidates regarding the physical test. All the tests are already held. It was submitted by the learned Advocate for the applicants that due to the discriminatory physical test, the female candidates like the applicants may not be selected or percentage of the selection would be very small.

**O.A. NO. 83 OF 2017**

3. Presently, without going into the merit or demerit of the submissions made by both the sides, in my view the clear answer would be provided by the selection list itself. In the circumstances, interim relief granted earlier is hereby modified. It is hereby directed that the selection list shall be published or notified as per the rules. However, no appointment shall be made until further orders.

4. With this modified order, S.O. to 7<sup>th</sup> June, 2017.

5. Learned Presenting Officer shall act upon the steno copy of this order.

**VICE CHAIRMAN**

ORAL ORDERS 03.05.2017-HDD