

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**

**MUMBAI**

**BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.83 OF 2017**

(Smt. Sayyad Jarinabi Raisoddin & Ors. Vs. State of Mah.  
& Ors.)

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

**DATE : 5.7.2017**  
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**O R D E R**

1. Heard Shri P.A. Kulkarni, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents, on the point of continuation of ad interim relief granted by the Tribunal earlier.

2. By the present original application, the applicants are seeking direction to the respondent to change a time calculation and deduction of marks for physical test of female candidates in the examination conducted by the res. no. 2 for the post of Police Sub Inspector from the cadre of Police Constables.

During the pendency of original application, the interim stay for announcement of result and appointment procedure was sought.

3. Vide order dated 12.4.2017, interim relief directing the respondents not to declare the result of recruitment process was granted. The same was modified vide order dated 3.5.2017. The res. no. 2 was allowed to declare the result of the recruitment process for the reasons discrimination, if exists in the said selection process would be manifest in the result. Appointment process was stayed. Accordingly, the results are published and it is filed on record by the respondents.

4. In the instant cases, challenge to the selection process is limited to the component of physical test. According to the applicants, there is discrimination in prescribing the standard for the physical test between Female candidates and Male candidates for the post of P.S.I. It is contended that, so far as Male candidate is concerned, the physical tests are less rigorous than the standard that was prescribed for their initial recruitment as of Male Police Constables. On the other hand, the standard of physical test prescribed for Female P.S.I. is

more rigorous than the standard of physical test provided for Female candidates when the applicants and other like candidates had entered as Police Constables.

5. The documents filed by the applicants would show that the advertisement was issued on 27.6.2016. The procedure regarding all the tests including physical test was placed on the Website of res. no. 2 as can be seen vide paper book page 30 of the original application. We have the standard of the physical test and marks allotted for the said test as under :-

पुरुषांसाठी		महिलांसाठी	
१	गोळाफेक-वजन-७.२६० कि.ग्रॅ. कमालगुण-१५	१	गोळाफेक-वजन-४ कि.ग्रॅ. कमालगुण-२०
२	पुलअप्स-कमाल गुण-२०	२	धावणे (२०० मीटर्स) कमाल गुण-४०
३	लांबउडी-कमालगुण-१५	३	चालणे (३ कि.मी.) कमालगुण- ४०
४	धावणे (८०० मीटर्स) कमालगुण- ५०		
	एकुणगुण-१००		एकुणगुण-१००

6. The res. no. 2 in the affidavit in reply (paper book page 60 of the O.A.) interalia has pointed out that, while the physical test for Male candidate was already rigorous by providing additionally pull-up and long jump, these standards were not made applicable for female candidates and only a walk was provided in place of these tests for them. So far as pull-up for Male candidates was concerned, rigorous standard is provided, which can be seen from paper book page 45 item no.2 therein.

7. In affidavit in rejoinder, it was submitted by the applicants that, in fact comparison between physical tests of Male Constable and Male P.S.I. on one hand Female Constable and Female P.S.I. on the other hand is not the issue but there is discrimination against the Female. The discriminatory treatment lies in dilution of standards of physical tests for male PSI candidates than those were prescribed for them at the time their initial entry as Police Constable, while making it more rigorous for female candidates. The comparison is placed by the applicants at Annex. R-1 paper book page 83 of the O.A. which is as under :-

<b>Lady Constable</b>	<b>Female PSI</b>
<b>200 meter running</b> <b>Timing-35 seconds</b> Deduction 2 marks per second & after 40 seconds 3 marks	<b>200 meter running</b> <b>Timing- 35 seconds</b> Deduction of 4 marks each & After 40 seconds 5 marks each <b>and</b> <b>Made more hard</b>
<b>Walking 3 Km</b> Per minute 4 marks deduction Till last within 28 minute only	<b>Walking 3 Km</b> Per minute 5 marks deduction & after 25 minute 7.5 marks are deducted <b>and made more hard</b>
<b>Shot-put</b> 4Kg 6 meter distance	<b>Shot-put</b> 4 Kg 6 meter distance (same) <b>and</b> <b>Made more hard</b>

**Difference of Ground for male Constable and male PSI**

<b>Male Constable</b>	<b>Male PSI</b>
800 meter running <b>Timing-2.15 minutes</b>	800 meter running <b>Timing-2.30</b> Here 15 seconds time is increased
<b>Shot-put</b> 7-260 Kg 8.50 meter	<b>Shot-put</b> 7.260 Kg 7.50 meter Here distance of 1 meter is reduced
<b>Long Jump 5 meter</b>	<b>Long Jump 4.50 Meter</b> Here .50 meter concession is given
<b>Pull ups</b> 10 pull ups	<b>Pull ups</b> 8 pull ups 2 pull ups concession is given

8. The learned Advocate for the applicants submits as under:-

That while considering the advancement of age for Male candidate, certain concession is given to such candidate, when he entered the service as Male candidate for promotion to the post of P.S.I., very opposite standard is applied for Female candidate as can be seen from the above chart. He further submits that, this discrimination is unreasonable. If Male candidate suffers physical degeneration due to age factor, giving him concession, the same standard ought to have been applied for a Female candidate. Reliance is placed by the learned Advocate for the applicants on the judgment in the case of **VASANTHA R. VS. UNION OF INDIA (UOI) and ORS. [(2001) IILLJ 843 Madras High Court]**.

9. On the other hand, the learned P.O. submitted that the applicants and all other candidates were made aware of the selection process by placing notification on the website of res. no. 2 – the M.P.S.C. The applicants have

not only fully aware of these conditions undergone the physical test, but after undergoing the selection process, is now challenging the said process and therefore, in view of the settled legal principle of Law, the applicants are not entitled to challenge the same.

The learned P.O. has relied on the judgment of Hon'ble Supreme Court in the case of **MADRAS INSTITUTE OF DEVELOPMENT STUDIES AND ANOTHER VS. DR. K SHIVASUBRAMANIYAN AND OTHERS**[Civil Appeal No. 6465/2015 arising out of **S.L.P. (Civil) No. 9266/2012**]to show that the candidate, who takes part in the selection process with full knowledge that the recruitment is being done against the certain procedure, cannot later on challenge the same.

It was further submitted that, the criteria of physical test for selection to the post of Female P.S.I. is already kept at lower standard than that of Male candidate. The respondents have considered all the pros and cons of the matter and have arrived at a reasonable decision and,

therefore, no interference is required in the matter at the hands of the Tribunal.

10. The learned P.O. further points out from documents placed on record by the respondents that, on earlier 3 occasions the present applicant no. 1 has passed the same physical test, but ultimately failed on another count. Further the following facts regarding the earlier results were placed on record regarding general result :-

Advertisement No. 35/2016

06/06/2017

MAHARASHTRA PUBLIC SERVICE COMMISSION  
PSI LIMITED DEPARTMENTAL EXAMINATION -2016  
STATISTICS OF FEMALE CANDIDATES

ADMITTED	3587
PRESENT	3145
QUALIFIED	132
PRESENT FOR PT	130
MERITORIOUS	124
RECOMMENDED	9



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**O.A. NO.83/17**

Advertisement No. 35/2016 06/06/2017  
MAHARASHTRA PUBLIC SERVICE COMMISSION  
PSI LIMITED DEPARTMENTAL EXAMINATION -2016

STATISTICS OF MALE CANDIDATES

ADMITTED	21821
PRESENT	20098
QUALIFIED	3256
PRESENT FOR PT	3040
MERITORIOUS	2859
RECOMMENDED	819

Advertisement No. 61/2013 06/06/2017  
MAHARASHTRA PUBLIC SERVICE COMMISSION  
PSI LIMITED DEPARTMENTAL EXAMINATION -2013

STATISTICS OF FEMALE CANDIDATES

ADMITTED	1393
PRESENT	1183
QUALIFIED	11
PRESENT FOR PT	10
MERITORIOUS	10
RECOMMENDED	2

Advertisement No. 61/2013 06/06/2017  
MAHARASHTRA PUBLIC SERVICE COMMISSION  
PSI LIMITED DEPARTMENTAL EXAMINATION -2013

STATISTICS OF MALE CANDIDATES

ADMITTED	12445
PRESENT	11019
QUALIFIED	656
PRESENT FOR PT	557
MERITORIOUS	543
RECOMMENDED	162

In the circumstances, it was submitted that these results would show that majority of female candidate had passed the same physical test. It was therefore submitted that the ad interim order be revoked.

11. Upon hearing both the sides, in my view, there is no discrimination made by the res. no. 2 in prescribing the standards of physical tests for Male & Female candidates. Though the physical test provided for Female P.S.I. are more rigorous than prescribed for Female Constables, the standard is diluted for the Female Constable or P.S.I candidates since inception in comparison to the Male candidates. In the circumstances if the “Wednesbury test” is applied, it would go to show that the res. no. 2 has taken into consideration all the relevant material. Further the results of the examinations of the earlier years of male or female candidates so also particularly of the present applicant no.1 also would show that there is no unreasonableness in fixing the criteria. The ratio laid down by the Hon’ble Madras High Court in the case of

**VASANTHA R. VS. UNION OF INDIA (UOI) and ORS.**

[supra]would not be applicable in the present case.

12. Further, the present applicants have undergone the said selection process having full knowledge about the conditions put therefor and, therefore, they cannot now take a somersault. Hence, the following order :-

**ORDER**

(A) The prayer of the applicants for continuation of interim relief already granted by the Tribunal is hereby rejected. The said ad interim relief is hereby withdrawn.

(B) At this juncture, the learned Advocate for the applicants seeks continuation of the interim relief granted by the Tribunal earlier for the period of next 15 days. At his request, it is hereby directed that the interim relief granted by the Tribunal in the present matter to continue till the next date.

(C) S.O. to 26.7.2017.

Both the sides to act upon the authentic copy of this order.

**VICE CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 55 OF 2017**

(Shri Narsing R. Thakur Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

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

2. Read the order of the Tribunal dated 6.4.2017. On that day the learned Advocate for the applicant has made a statement before the Tribunal that, he has to take instructions from the applicant as to whether in the list of promoted candidates, there is any other candidate, who is promoted and having similar offence already registered against him under the Prevention of Corruption Act. In view of absence of learned Advocate for the applicant, S.O. to 8.8.2017 for making submission.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 103 OF 2017**

(Shri Navnath A. Matsagar Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

Shri S.D. Joshi, learned Advocate for the applicant  
**(leave note)**. Shri V.R. Bhumkar, learned Presenting Officer  
for the respondents, is present.

2. In view of leave note of learned Advocate for the  
applicant, S.O. to 21.8.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 104 OF 2017**

(Shri Vitthal S. Pawal Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

Shri S.D. Joshi, learned Advocate for the applicant  
**(leave note)**. Shri N.U. Yadav, learned Presenting Officer for  
the respondents, is present.

2. In view of leave note of learned Advocate for the  
applicant, S.O. to 21.8.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 171 OF 2017**

(Smt. Deepali M. Tengare Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

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

2. The learned P.O. seeks time for satisfying this Tribunal on the line of submission made by him on 21.6.2017. In the circumstances, as a last chance, S.O. to 27.7.2017 for satisfying the Tribunal by the learned P.O.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 321 OF 2017**

(Smt. Manisha P. Jagtap Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

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

2. Upon hearing both the sides, it appears that the details of marks given in the physical test in each events, is under dispute in the present matter. In the circumstances, the res. no. 2 is directed to file copy of the actual event-wise physical test details on the next date. S.O. to 26.7.2017.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 336/2016 IN OA ST. 1567/2016**

(Shri Bhanudasbua P. Gosavi Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

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

2. The learned P.O. seeks time to take instructions from the Collector, Aurangabad as according to him, there is no response from the said authority till this date. At his request, as a last chance, S.O. to 11.7.2017 from taking instructions.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA NO. 402/2015 IN CP ST. 1406/2015 IN OA 236/2014**  
(Shri Adhikrao S. Mane Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

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

2. The learned P.O., on instructions from the respondents, submits that, in the meantime, the res. nos. 1 & 2 are retired from the service. It is deplorable that, when the present misc. application is filed by the applicant for seeking permission to proceed against the respondents in contempt for non compliance of the order dated 6.5.2015 passed in O.A. no. 236/2014, such pretexts are made by the present Superintending Engineer as well as Executive Engineer. It is to be noted here that this is a case for grant of pension to a superannuated employee.

3. In the circumstances, with a caveat that, in case no compliance is made by the present Officers by the next date, directly permission to proceed with the contempt petition would be granted to the applicant, S.O. to 26.7.2017.

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

**VICE CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 81/2017 IN MA ST. 153/2017 IN OA ST. 154/2017**  
(Shri Uttam T. Dabhade & Ors. Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that, the res. no. 3 – The Deputy Director, Health Department, Aurangabad – is wrongly arrayed in the matter and in his place 'The Dean, Government Medical College & Hospital, Aurangabad' is required to be made as a res. no. 3. He therefore seeks permission to make necessary amendment to that effect in the present M.A. and O.A. At his request permission to replace the name of res. no. 3 is hereby granted. The M.A. and O.A. be accordingly amended during the course of the day.

3. Upon making suitable amendment in the M.A., issue notices to the respondents in the M.A., returnable on 2.8.2017.

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

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**MA 81/2017 IN MA ST.**  
**153/2017 IN OA ST. 154/2017**

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 M.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. 2.8.2017.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 110/2017 IN OA ST. 233/2017**

(Shri (Dr.) Archana d/o Kartikrao Telumbde @ Archana w/o  
Anilkumar Wahurwagh Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

None appears for the applicant. Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 to 4 and Miss. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent no. 5.

2. The learned P.O. files affidavit in reply of res. no. 1 and it is taken on record. He undertakes to serve copy of the same upon the learned Advocate for the applicant.

3. Miss. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate has also filed affidavit in reply of respondent no. 5. She undertakes to serve copy of said reply upon the learned Advocate for the applicant.

4. In view of absence of learned Advocate for the applicant, S.O. to 8.8.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 159/2017 IN CP ST. 448/2017 IN OA 619/2015**

(Shri Anil S. Palekar Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

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

2. The learned P.O. seeks time to take instructions as to why the order of the Tribunal dated 23.1.2017 passed in O.A. no. 619/2015 is not complied with by the concerned respondents, till this date. At his request, S.O. to 8.8.2017 for making statement regarding compliance of the order of the Tribunal.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 461/2013**

(Smt. Varsha V. Paratwagh Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

Heard Miss. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos. 1 to 3. None appears for respondent nos. 4 & 5.

2. Upon hearing both the sides, it appears that, prime issue to be considered in the present matter may be of locus standi of the present applicant to seek relief against the res. no. 5 in the service matter. At the request of learned Advocate for the applicant, S.O. to 27.7.2017 to satisfy the Tribunal on the above issue.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 367/2013**

(Shri Bajirao S. Gore & Ors. Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

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

2. The learned Advocate for the applicant seeks time to take instructions from the applicants to find out as to whether any grievance is still continued. At his request, S.O. to 2.8.2017 for taking instructions.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 459/2013**

(Shri Girish V. Joshi Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

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

2. The learned Advocate, on instructions from the applicant, submits that the grievance of the applicant is already redressed and, therefore, nothing survives in the present original application for further adjudication. He, therefore, seeks permission to withdraw the present original application.

3. In view of the statement made by the learned Advocate for the applicant, the present original application stands disposed of as withdrawn without any order as to costs.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 445/2013**

(Shri Lahu P. Galgunde Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

Heard Shri U.S. Mote, learned Advocate holding for Shri M.B. Bharaswadkar , learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. Both the sides submit that, a search will have to be made to find as to whether the Circular as challenged in the present matter was also challenged in any other proceedings and result, if any, of the same. At the request of both the sides, S.O. to 8.8.2017 for taking instructions.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 480/2016 IN OA ST. 1607/2016**

(Shri Mahadeo K. Wankhede Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

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

2. The learned P.O. seeks time to file affidavit in reply of the respondents in the M.A. On merit, upon hearing both the sides, it has become clear that inter departmental proposals are already sent by the concerned authority for redressal of the grievance of the present applicant.

3. In the circumstances, without filing affidavit in reply in the present M.A., the learned P.O. is directed to seek instructions as to whether any decision is taken in the said matter till this date or if the decision is not taken, within how much period the same will be taken by the concerned respondents. At the request of learned P.O., S.O. to 9.8.2017 for filing report.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 419/2012**

(Shri Anilkumar Y. Baste Vs. The State of Mah. & Ors.)

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

**Date : 05.07.2017**

**ORAL ORDER:-**

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

2. None appeared for the applicant on the last date also. The learned P.O. submits that, after dropping of the departmental enquiry, the applicant is already promoted. However, in view of absence of applicant and his learned Advocate S.O. to 2.8.2017 either for appearance of the learned Advocate for the applicant or for passing necessary order of dismissing the matter in default.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 5.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.630/2016**

(Shri Mangal Barase V/s. The State of Mah. & Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

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

2. At the request of learned Advocate for the applicant,  
S.O.25-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.420/2017**

(Dr. Sandip Dawande V/s. The State of Mah. & Ors.)

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

DATE : 05-07-2017

**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. Issue notices to the respondents, returnable on 08-08-2017.

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 08-08-2017.

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

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.372/2017**  
(Chandrakala Gaikwad V/s. The State of Mah. & Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

Heard 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. 26-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017



**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 : 05-07-2017

**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. Learned Advocate for the applicant seeks time to file M.A. for condonation of delay caused in filing the O.A. Time granted.
3. S.O.25-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.714/2016**

(Shri Subhash Mahale V/s. The State of Mah. & Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

Heard Shri V.G.Pingle learned Advocate for the applicant, Shri I.S.Thorat learned Presenting Officer for the respondent no.1 and Shri Shamsundar B. Patil learned Advocate for respondent nos.2 and 3.

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 may be kept for final hearing on 08-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.789/2016**  
(Shri Rahul Jadhav V/s. The State of Mah. & Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

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. Since pleadings are complete, the matter is admitted. It may be kept for final hearing on 02-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.806/2016**  
(Ranjeeta S. Patil V/s. The State of Mah. & Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

Heard Shri V.P.Patil learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1, 2, 3 and 5. It is taken on record. He undertakes to serve copy of the reply on the learned Advocate for the applicant.

3. S.O.02-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.907/2016**

(Shri Sanjivkumar Sathe Patil & Ors. V/s. The State of  
Maharashtra & Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

Heard Shri R.N.Bharaswadkar learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for the respondents.

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

3. S.O.31-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.202/2017**

(Shri Ashok B. Wagh V/s. The State of Mah. & Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

Heard Shri Ganesh Jadhav learned Advocate holding for Shri A.S.Shelke learned Advocate for the applicant and Smt. Deepali Deshpande 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. 07-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD  
ORIGINAL APPLICATION NO.246/2017  
(Shri Deepak Shere V/s. The State of Mah. & Ors.)**

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

DATE : 05-07-2017

**ORAL ORDER:-**

Shri K.M.Nagarkar learned Advocate for the applicant is **absent**. Shri D.R.Patil learned Presenting Officer for the respondents is present.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted.
3. S.O. 07-08-2017.

YUK ORAL ORDER 05-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD  
ORIGINAL APPLICATION NO.247/2017  
(Dr. Mohammad Haq V/s. The State of Mah. & Ors.)**

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

DATE : 05-07-2017

**ORAL ORDER:-**

Heard Shri Asif Ali learned Advocate holding for Smt. A.N.Ansari learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

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

3. S.O.07-08-2017.

YUK ORAL ORDER 05-07-2017

**MEMBER (J)**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.252/2017**

(Shri Akbar Hussain V/s. The State of Mah. & Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

Heard Shri M.S.Taur learned Advocate holding for Shri A.N.Kakde 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. 07-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.275/2017**

(Shri Md. Asifoddin & Anr. V/s. The State of Mah. &  
Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

Heard Shri Ravi R. Bangar learned Advocate holding for Shri I.D.Maniyar learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondent nos.1 to 3. Shri S.E.Madne learned Advocate for respondent no.4 is **absent**.

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

3. S.O.09-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD  
ORIGINAL APPLICATION NO.315/2017  
(Shri Sambhaji Karle V/s. The State of Mah. & Ors.)**

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

DATE : 05-07-2017

**ORAL ORDER:-**

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant, Shri S.K.Shirse learned Presenting Officer for the respondents and Shri Ashwin Hon learned Advocate for respondent no.3.

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

3. Learned Advocate for the applicant on instruction states that applicant does not wish to proceed with the O.A. since he has been sent for training at Nagpur by Chief Officer, Kopargoan Municipal Council, Dist. Ahmednagar. Accordingly, applicant wants to withdraw the O.A.

=2=

O.A.No.315/17

4. In view of the above fact and as the applicant does not wish to proceed with the case, O.A. stands disposed of as withdrawn with no order as to costs.

YUK ORAL ORDER 05-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.371/2017**  
(Shri Vasant Patil V/s. The State of Mah. & Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

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

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

3. S.O.25-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.160/2017**

(Shri Shamsundar B. Tapase V/s. The State of Mah. &  
Ors.)

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

DATE : 05-07-2017

**ORAL ORDER:-**

Heard Shri S.G.Kulkarni learned Advocate holding for Smt. S.A.Dhongde learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for the respondent no.1 and Shri Shamsundar B. Patil learned Advocate for respondent nos.2 to 5.

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

3. S.O.09-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 05-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 49/2017 IN O.A.ST.NO. 160/2017**

**(Smt. Meena Ram Fattelashkari @ Meena Suraj  
Laknowale Vs. The State of Maha. and Ors.)**

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

**DATE : 05.07. 2017.**

**ORAL ORDER:**

1. Shri Kakasaheb B. Jadhav – learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents, present.
2. Since nobody appears for the applicant, S.O. to 31<sup>st</sup> July, 2017.

**MEMBER (J)**

ORAL ORDERS 05.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

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

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

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

**DATE : 05.07. 2017.**

**ORAL ORDER:**

1. Heard Ms. Preeti R. Wankhade – learned Advocate for the applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer for the respondents, S.O. to 11<sup>th</sup> July, 2017.

**MEMBER (J)**

ORAL ORDERS 05.07.2017-HDD



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 347 OF 2016**

**(Smt. Vaishali S. Patil Vs. The State of Maha. and Ors.)**

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

**DATE : 05.07. 2017.**

**ORAL ORDER:**

1. Heard Shri S.Y. Patil, learned Advocate holding for Shri U.L. Momale – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 9<sup>th</sup> August, 2017 as a last chance.

**MEMBER (J)**

ORAL ORDERS 05.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 496 OF 2016**

**(Shri Rangnath A. Mete Vs. The State of Maha. and Ors.)**

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

**DATE : 05.07. 2017.**

**ORAL ORDER:**

1. Shri B.N. Magar – learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar – learned Presenting Officer for respondent Nos. 1 & 2 and Shri S.B. Mene – learned Advocate for respondent No.3, were present.

2. Since nobody appears for the applicant, S.O. to 12<sup>th</sup> July, 2017.

**MEMBER (J)**

ORAL ORDERS 05.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 563 OF 2016**

**(Shri Devidas K. Kardule Vs. The State of Maha. and Ors.)**

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

**DATE : 05.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Avinash S. Deshmukh – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer, S.O. to 6.7.2017.

**MEMBER (J)**

ORAL ORDERS 05.07.2017-HDD

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

**ORIGINAL APPLICATION NO.329/2017.**  
**(Shri Karwar D. Balbhim Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 05-07-2017**

**ORAL ORDER:-**

Heard Shri U. S. Mote learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. The learned P. O. submits in reference to the order dated 9.6.2017 that, the advertisement is of the year 2013 and thereafter there was stay to the recruitment process in view of the certain orders passed by Principal Bench of this Tribunal. Now, the need is changed. She therefore, seeks time to file reply. In the circumstances, issue notices to the respondents, returnable on 9<sup>th</sup> of August, 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. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

7. S.O. to 9<sup>th</sup> August, 2017.

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

**VICE CHAIRMAN.**

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

**MA NO.788/2017 IN OA ST.NO.789/2017.**  
**(Shri K. A. Pardeshi Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 05-07-2017

**ORAL ORDER:-**

Heard Shri S. B. Mene learned Advocate holding for Shri Ajay Deshpande learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A., returnable on 14<sup>th</sup> of August, 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. Respondent is put to notice that the case

would be taken up for final disposal at the stage of admission hearing.

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

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

7. S.O. to 14<sup>th</sup> August, 2017.

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

**VICE CHAIRMAN.**

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

**ORIGINAL APPLICATION NO.81/2013.**  
**(Shri A. A. Hole Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 05-07-2017

**ORAL ORDER:-**

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

2. The learned P.O. seeks time to file affidavit in reply.  
At his request, S. O. to 10<sup>th</sup> August, 2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 05-07-2017-ATP**



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

**CP NO.4/2016 IN OA NO.610/2009.**

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

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

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

**DATE** : 05-07-2017

**ORAL ORDER:-**

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

2. The learned C. P. O. seeks time to file additional  
affidavit on the line as directed on 6.6.2017. At his  
request, S. O. to 2.8.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 05-07-2017-ATP**

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

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

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

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

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

**DATE** : 05-07-2017

**ORAL ORDER:-**

Heard Shri S. G. Kulkarni learned Advocate holding  
for Shri R. B. Bhumkar learned Advocate for the  
applicants and Smt P. R. Bharaswadkar learned  
Presenting Officer for the respondents.

2. Shri S. G. Kulkarni learned Advocate holding for  
Shri R. B. Bhumkar learned Advocate for the applicants  
seeks accommodation. The applicant is required to  
satisfy this Tribunal by taking instructions from the  
applicant on the line of the order passed on 22.2.2017.  
At his request, S. O. to 8.8.2017 for taking instructions  
from the applicant.

**VICE CHAIRMAN.**

**ORAL ORDERS 05-07-2017-ATP**

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

- 1) **O.A. No. 622/2016 &**
- 2) **O.A.No.643/2016**

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

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 05-07-2017

**ORAL ORDER:-**

Heard Shri S. G. Kulkarni learned Advocate holding for Shri R. B. Bhumkar learned Advocate for the applicants and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. Shri S. G. Kulkarni learned Advocate holding for Shri R. B. Bhumkar learned Advocate for the applicants files affidavit in rejoinder. The same is taken on record. Its copy is served on the other side.

3. S.O. to 8.8.2017 for hearing on admission.

**VICE CHAIRMAN.**

**ORAL ORDERS 05-07-2017-ATP**

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

**ORIGINAL APPLICATION NO.757/2016.**  
**(Shri D. R. Sirame Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 05-07-2017

**ORAL ORDER:-**

Heard Shri S. B. Mene learned Advocate holding for Shri Ajay Deshpande learned Advocate for the applicant, Shri M. P. Gude learned Presenting Officer for the respondents no.1 to 3 and Shri R. D. Sanap learned Advocate for the Respondents no.4 & 5.

2. The affidavit in reply is already filed by the learned P.O. The learned Advocate for the Respondents no.4 & 5 seeks time to file affidavit in reply. At his request, S. O. to 9.8.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 05-07-2017-ATP**

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

**O.A.Nos.825, 864, 865, 866 & 867 of 2016.**

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

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

**DATE** : 05-07-2017

**ORAL ORDER:-**

Heard Shri V. B. Jogdant Patil learned Advocate for the applicants and S/Shri V. R. Bhumkar, M. P. Gude, D.R. Patil, V.R. Bhumkar and Smt. D. S. Deshpande learned Presenting Officers for the respondents in the respective matters. None appears for the Respondent no.2.

2. Read order dated 07.06.2017. The learned Advocate Shri A. K. Tiwari for the Respondent no.2 is discharged. The applicant is at liberty to take necessary steps regarding Respondent no.2 otherwise necessary orders would be passed in default.

3. S. O. to 08.08.2017. All these matters be tagged together.

**VICE CHAIRMAN.**

**ORAL ORDERS 05-07-2017-ATP**

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

**ORIGINAL APPLICATION NO.872/2016.**

**(Shri S. S. Shaikh & Ors. Vs. State of Mah. & Ors.)**

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

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

**DATE** : 05-07-2017

**ORAL ORDER:-**

Heard Shri V. G. Pingale learned Advocate for the applicants and Shri N. U. Yadav learned Presenting Officer for the respondents.

2. The learned P.O. submits that, Mr. S. D. Dhongde learned Advocate is appearing for Respondents no.2 & 3. He therefore, seeks time for taking instructions on the line of the order dated 29.6.2017. At his request, S. O. to 28.7.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 05-07-2017-ATP**

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

**ORIGINAL APPLICATION NO.932/2016.**  
**(Shri S. A. Shisode Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 05-07-2017**

**ORAL ORDER:-**

None appears for the applicant. Heard Smt P. R. Bharaswadkar learned Presenting Officer for the respondents no.1 to 5 and Shri Shrikant Patil, learned Advocate for the Respondent no.6.

2. The learned Advocate for the Respondent no.6 submits that, during course of the day rejoinder would be filed. Copy be served on the other side.

3. The applicant was required to satisfy this Tribunal on the issue those were raised on 14.06.2017.

4. S. O. to 09.08.2017 for submissions from the side of the applicant on the line of the order dated 14.6.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 05-07-2017-ATP**

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

**ORIGINAL APPLICATION NO.814/2016.**  
**(Shri A. M. Sable Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 05-07-2017

**ORAL ORDER:-**

None appears for the applicant. Smt S. K. Ghate  
Deshmukh learned Presenting Officer for the respondents  
is present.

2. On the last date also on the request of the learned  
Advocate Shri P. G. Tambade holding for Shri S. S.  
Jadhavar learned Advocate for the applicant time was  
granted. However, in view of the absence of the  
applicant and/or his counsel S. O. to 22.8.2017 for  
hearing on admission.

**VICE CHAIRMAN.**

**ORAL ORDERS 05-07-2017-ATP**



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

**ORIGINAL APPLICATION NO.733/2016.**  
**(Shri V. L. Badhe Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 05-07-2017

**ORAL ORDER:-**

None appears for the applicant. Heard Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. In view of the fact that, the learned P.O. has already submitted that, the affidavit in reply of Respondents no.1 to 3 is not necessary. Place the present application for hearing on admission on 9.8.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 05-07-2017-ATP**