

MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.914/2016.

[Shri R. A. Jadhav 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 :- 06.04.2017

Oral Order :-

1. Heard Shri I. D. Maniyar, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the respondents.
2. At the request of the learned Advocate for the applicant, S.O. to 06.06.2017.

VICE CHAIRMAN

ORAL ORDERS 06.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.210/2017.

[Shri R. B. Pimple 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 :- 06.04.2017

Oral Order :-

1. Heard Shri B. B. Yenge, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Learned C.P.O. submit that, he would take the instructions from the State Excise regarding the fact as to why 15% reservation is not provided for the dependence of the Defence personnel as is provided by G.R. found at Exh. "B" & "C".
3. S.O. to 12.04.2017.
4. Learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.622 & 643 of 2016.

[Shri M. T. Takalkar & 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 :- 06.04.2017

Oral Order :-

1. Heard Shri R. P. Bhumkar, learned Advocate for the applicants and Smt P. R. Bharaswadkar & Smt. S. K. Ghate Deshmukh, learned Presenting Officers for the respondents in respective matters.

2. Learned P.O. seeks time to file affidavit in reply on behalf of Respondents no.1 to 3. Prima facie, upon hearing both sides it appears that, the reply of Respondents no.1 to 3 may not be required. These respondents may examine the matter in the light of averments made in the application and thereafter, if it considers that the reply is necessary the same shall be filed on 27.4.2017, as a last chance.

3. S.O. to 27.4.2017.

4. Learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.738/2016.

[Shri A. D. Bedse 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 :- 06.04.2017

Oral Order :-

1. Heard Shri Ashish Rajkar, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for the respondents.
2. Learned P.O. submit that, as per earlier direction dated 22.2.2017 the record is now with her. The counsel for the applicant is directed to take inspection of the same and thereafter both the sides to make their submissions on 10.04.2017.
3. S.O. to 10.4.2017
4. Original record be retained by the learned P.O.

VICE CHAIRMAN

ORAL ORDERS 06.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.801/2016.

[Shri S. B. 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 :- 06.04.2017

Oral Order :-

1. Heard Shri N. L. Chaudhari, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant on the instructions received from the applicant submit that, the grievance is redressed and therefore, the applicant does not wish to proceed with the application. The application is therefore, disposed of, without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 06.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.696/2016.

[Shri P. D. Ahirrao 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 :- 06.04.2017

Oral Order :-

1. Heard Shri M. R. Wagh, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the respondents.
2. The learned P.O. files on record the communication received from Respondent no.3. It is taken on record and marked as Exh.X-1 for the purpose of identification. The communication would show that, the Respondents upon re-appreciation of the facts has come to the conclusion that, upon absorbing of the employees the seniority is fixed correctly, which ultimately ended into disputed promotion. This fact however, is not specifically averred in the reply, as pointed out vide order dated 28.2.2017. The Respondents are therefore, directed to file additional affidavit in reply specifying the details in the pleadings.
3. The Office Superintendent from the office of Respondent no.3 Mr. P. R. Lohkare is present.
4. S.O. to 19.4.2017.
5. Learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN

ORAL ORDERS 06.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.55/2017.

[Shri N. 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 :- 06.04.2017

Oral Order :-

1. Heard Shri P. B. Salunke, learned Advocate for the applicant and Shri D. R. Patil, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant submits that, he has to take instructions from the applicant as to whether in the list of promoted candidate there is any other candidate, who is promoted and having similar offence already registered against him under the Prevention of Corruption Act. In the meantime the learned P.O. also seeks time to file affidavit in reply. Time to file affidavit in reply is granted. The reply also should cover the above issue.
3. S.O. to 06.06.2017.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

O.A. Nos. 132 and 133 of 2016.

[Smt Mandabai Thakur & Oth. 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 :- 06.04.2017

Oral Order :-

1. Heard Shri M. A. Golegaonkar, learned Advocate for the applicants and S/S D. R. Patil and V. R. Bhumkar, learned Presenting Officer for the respondents in respective matters.
2. Learned Advocate for the applicant seeks time to file rejoinder. At his request S.O. to 25.04.2017.

VICE CHAIRMAN

ORAL ORDERS 06.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.161/2017.

[Shri S. P. Kapure 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 :- 06.04.2017

Oral Order :-

1. Heard Shri Vivek G. Pingle, learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply. At his request, S.O. to 05.06.2017.

VICE CHAIRMAN

ORAL ORDERS 06.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.50/2017.

[Shri B. D. Bhandekar 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 :- 06.04.2017

Oral Order :-

1. Heard Miss Preeti R. Wankhade, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply. At her request, S.O. to 28.4.2017.

VICE CHAIRMAN

ORAL ORDERS 06.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.307/2016.

[Dr. N. R. Pawar 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 :- 06.04.2017

Oral Order :-

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

2. Learned P.O. seeks time to file affidavit in reply. At his request, S.O. to 04.05.2017.

VICE CHAIRMAN

ORAL ORDERS 06.04.2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.365/2016

(Shri Shriram Patil V/s. The State of Mah. & Ors.)

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

DATE : 06-04-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant submits that he has instruction from the applicant to withdraw the O.A. as the applicant does not wish to prosecute the matter. Applicant desires to withdraw the O.A. unconditionally. Accordingly, O.A. is disposed of as withdrawn with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 06-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.666/2016
(Shri Vikas Thorat V/s. The State of Mah. & Ors.)

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

DATE : 06-04-2017

ORAL ORDER:-

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

2. Heard arguments of both sides at length. Case is reserved for order.

YUK ORAL ORDER 06-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.698/2016
(Shri Shriram Patil V/s. The State of Mah. & Ors.)

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

DATE : 06-04-2017

ORAL ORDER:-

Heard Shri A.D.Sugdare learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to take some instruction from the respondents. Time granted.

3. S.O.20-04-2017.

YUK ORAL ORDER 06-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.891/2016
(Shri Anil Salve V/s. The State of Mah. & Ors.)**

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

DATE : 06-04-2017

ORAL ORDER:-

Heard Shri S.D.Dhongde learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant prays for leave of the Tribunal to will file certain documents on record and argue the matter finally. Leave granted.

3. S.O.13-04-2017.

YUK ORAL ORDER 06-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.03/2017

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

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

DATE : 06-04-2017

ORAL ORDER:-

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

2. Heard arguments of both sides at length. Case is reserved for order.

YUK ORAL ORDER 06-04-2017

MEMBER (J)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 358/2014 IN OA ST. 1184/2014

[Dr. Gangadhar D. Chate 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 :- 6.4.2017

Oral Order :-

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.V. Mundhe, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 to 3 and Shri A.R. Tapse, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for the respondent no. 4.

2. The learned P.O. submits that today only she has received e. mail from the concerned respondent requesting her to seek 2 weeks' time to explain the situation as has been highlighted by the Tribunal vide order dated 22.3.2017. On the last date itself, this Tribunal had made it clear that, since sufficient chances were already granted to the respondents and more particularly to the res. no. 2 in this regard and, therefore, in case no instructions are received to the learned P.O. till today, this Tribunal may be constrained

to call the res. no. 2 – the Director of Health Services, Mumbai
– personally before this Tribunal.

3. In the circumstances, as a last chance, S.O. to
24.4.2017 with the warning already issued vide order dated
22.3.2017.

4. The learned Presenting Officer to act upon the steno
copy of this order.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 389/2014 IN OA ST. 1385/2014

[Shri Sanjay 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 :- 6.4.2017

Oral Order :-

1. Heard Shri D.A. Bide, 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 25.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 254/2016 IN OA ST. 558/2016

[Shri Ramesh B. Kandke 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 :- 6.4.2017

Oral Order :-

1. None appears for the applicant. Shri Deepak R. Patil, learned Presenting Officer for respondent nos. 1 & 2 and Shri G.N. Patil, learned Advocate for respondent no. 3, are present.

2. In view of absence of learned Advocate for the applicant, S.O. to 6.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 395/2016 IN CP ST. 1801/2016 IN OA 536/2011

[Shri Digambar B. Jadhav 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 :- 6.4.2017

Oral Order :-

1. Heard Shri A.R. Tapse, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. The learned Presenting Officer files on record separate additional affidavit in replies on behalf of res. nos. 2 & 3 and the same are taken on record and copies thereof are already served upon the learned Advocate for the applicant. The learned Advocate for the applicant has also filed rejoinder to the said additional replies.

3. At the request of both the sides, S.O. to 25.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 426/2016 IN OA ST. 1824/2016

[Shri Krishna B. 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 :- 6.4.2017

Oral Order :-

1. Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri Deepak R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 26.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 430/2016 IN OA ST. 1778/2016

[Shri Shaligram M. Sonawane 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 :- 6.4.2017

Oral Order :-

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply in the misc. application. Time granted. S.O. to 26.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

**MA ST. 409/2017 WITH MA ST. 408/2017 IN OA
785/1998**

[Shri Bhatu H. Sonar 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 :- 6.4.2017

Oral Order :-

1. Heard Shri M.S. Golegaonkar, learned Advocate holding for Shri A.S. Golegaonkar, learned Advocate for the applicant and Shri Deepak R. Patil, learned Presenting Officer for respondents.

2. The office note dated 3.4.2017 annexed with the present misc. application would show that previously on many occasions the misc. applications for restoration of the original application were dismissed in default by the Tribunal. In the circumstances, to explain this fact, S.O. to 6.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 690 OF 2013

[Shri Vijay G. Salunke 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 :- 6.4.2017

Oral Order :-

1. None appears for the applicant. Shri M.P. Gude, learned Presenting Officer for respondents, is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 6.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 540 OF 2016

[Shri Raghunandan D. Sazpkale Vs. 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 :- 6.4.2017

Oral Order :-

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

2. The learned Advocate for the applicant seeks time to file rejoinder. Time granted. S.O. to 13.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 314/2016 IN OA 535/2013

[Smt. Shubhangi A. Shejul & Others Vs. State of Mah. & Ors.]

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

Date :- 6.4.2017

Oral Order :-

1. Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant seeks time to comply the earlier order of the Tribunal. Time granted. S.O. to 18.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 315/2016 IN OA 575/2013

[Shri Sharad E. Madne & Ors. Vs. the State of Mah. & Ors.]
Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman

Date :- 6.4.2017

Oral Order :-

1. Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant seeks time to comply the earlier order of the Tribunal. Time granted. S.O. to 18.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 322 OF 2015

[Shri Balasaheb M. Kulkarni Vs. the State of Mah. & Ors.]

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

Date :- 6.4.2017

Oral Order :-

1. Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to collect the relevant documents as directed by the Tribunal vide order dated 7.3.2017, if available in the office of the respondents. At his request, S.O. to 20.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 514 OF 2015

[Dr. Balaji S. BarureVs. the State of Mah. & Ors.]

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

Date :- 6.4.2017

Oral Order :-

1. Shri J.S. Deshmukh, learned Advocate for the applicant **(absent)**. Shri S.K. Shirse, learned Presenting Officer for respondents, is present.

2. In view of absence of the learned Advocate for the applicant, S.O. to 8.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 6.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**TRANSFER APPLICATION NO. 01 OF 2017
(WRIT PETITION NO. 3939 OF 2016)**

**(Shri Yogesh Dnyandeo Gonge Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri P.P. Kothari, learned Advocate holding for Shri Satyajit Bora – learned Advocate for the applicant, Shri S.K. Shirase – learned Presenting Officer for respondent Nos. 1 to 4 and Shri A.D. Sonar, learned Advocate holding for Shri V.B. Patil – learned Advocate for respondent No. 5.
2. At the request of learned Advocate for the applicant, S.O. to 13th April, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**TRANSFER APPLICATION NO. 02 OF 2017
(WRIT PETITION NO. 4838 OF 2016)**

**(Shri Yogesh Janardhan Patil Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri P.P. Kothari, learned Advocate holding for Shri Satyajit Bora – learned Advocate for the applicant and Shri I.S. Thorat – learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent No. 4.

2. At the request of learned Advocate for the applicant, S.O. to 13th April, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 13 OF 2016

**(Shri Laxman Radhakrushna Kulkarni Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri V.P. Golewar – learned Advocate for the applicant and Shri I.S. Thorat – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 27th April, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 69/2017 IN O.A.NO. 223/2017

**(Shri Bhaskar Sitaram Patil Vs. The State of Maharashtra
and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri A.D. Sugdare – learned Advocate for the applicant, Shri M.S. Mahajan – learned Presenting Officer for respondent Nos. 1 & 2 and Smt. S.D. Shelke, learned Advocate for respondent Nos. 3 & 4.

2. At the request of learned Chief Presenting Officer for respondent Nos. 1 & 2, S.O. to 12th June, 2017 for filing affidavit in reply, as a last chance.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

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

**(Shri Rajaram Maneji Kannewar Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Ms. Preeti R. Wankhade – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that he will file affidavit in reply on behalf of respondent No. 3 during the course of the day.
3. At the request of learned Presenting Officer, S.O. to 5th June, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 04/2017 WITH M.A.ST. NO.3014/2016 IN
O.A.ST.NO. 3015/2016**

**(Shri Ganesh Shankar Chopwad & Anr. Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Shri N.S. Kadam – learned Advocate for the applicants (**absent**). Shri M.P. Gude – learned Presenting Officer for the respondents, present.
2. Since nobody appeared for the applicants, S.O. to 8th June, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 142/2016 IN O.A.ST.NO.473/2016

**(Shri Mohammad Rahimullha Khan S/o. Ahmed Noorullh
Khan Vs. The State of Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri K.B. Jadhav – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer, S.O. to 5th May, 2017 for filing affidavit in reply, as a last chance.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 144 OF 2017

**(Shri Sharad Ramdas Pathak Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. 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. At the request of learned Chief Presenting Officer, S.O. to 28th April, 2017 for filing affidavit in reply, as a last chance.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 112 OF 2017

**(Shri Vasant Ramchandra Medhe Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri V.B. Wagh – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and the 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 sought time to make submission regarding enquiry and its stage. Time granted.
4. S.O. to 11th April, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 23 OF 2017

(Shri Bandu Badhuji Chavan Vs. The State of Maharashtra
and Others.)

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Shri Kiran G. Salunke – learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar – learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record.
3. Since nobody appeared for the applicant, S.O. to 7th June, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 890 OF 2016

**(Shri Subhash Pundlikrao Jaikar Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri A.M. Hajare – learned Advocate for the applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.
2. At the request and by consent of both the parties, S.O. to 8th June, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 936 OF 2016

**(Shri Tuljaram S/o. Shekaba Mane Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri A.D. Gadekar – learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.
2. It transpires from the proceeding that affidavit in reply on behalf of respondent No. 3 has already been filed on record.
3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1, 2 & 4. Time granted.
4. S.O. to 8th June, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 05 OF 2017

**(Shri Bhanudas Raghunath Pund Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri A.D. Gadekar – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 4 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.
4. S.O. to 8th June, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 06 OF 2017

**(Shri Zargar Abdul Saim Ahmed Abdul Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri A.D. Gadekar – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 4 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.
4. S.O. to 8th June, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 72 OF 2017

**(Shri Sitaram Thavrao Rathod Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri A.D. Gadekar – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1, 2 & 4. Time granted.
4. S.O. to 8th June, 2017.

MEMBER (J)

ORAL ORDERS 06.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 110 OF 2017

**(Shri Dinesh S/o. Ramchandra Kurekar Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

1. Heard Shri A.S. Deshmukh – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
3. Respondent Nos. 1 to 3 has submitted in their affidavit in reply and more particularly in paragraph No. 3 that now the Government of Maharashtra has issued Government Resolution No. ADR-2015/C.N.85/T.E.-6 dated 27th February, 2017 for applying the two/three tier pay scale to the teaching staff in the Government Art Institutions falling under the Directorate of Art.

The respondents have submitted that the applicant is squarely covered under the said Government Resolution and, therefore, the benefit of three tier pay scale will be extended to the applicant accordingly.

4. Learned Advocate for the applicant has submitted that as the applicant's case is covered under the aforesaid Government Resolution dated 27th February, 2017, which is

O.A. NO. 110 OF 2017

issued for applying the two/three tier pay scale to the teaching staff in the Government Art Institutions falling under the Directorate of Art and submitted that the present Original Application may be disposed of with the directions to the respondents to extend the benefit of three tier pay scale in view of the aforesaid Government Resolution dated 27th February, 2017.

5. In view of the aforesaid submissions made by both the parties and in view of the fact that the case of the applicant is covered under the Government Resolution dated 27th February, 2017, the present Original Application is disposed of with a direction to the respondents to consider the case of the applicant accordingly and to extend the benefit if applicable to the applicant in view of the Government Resolution dated 27th February, 2017 within a period of three months from the date of receipt of copy of this order.

There shall be no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 111 OF 2017

**(Shri Ramesh S/o. Ukhaji Baviskar Vs. The State of
Maharashtra and Others.)**

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

DATE : 06.04. 2017.

ORAL ORDER:

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

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

3. Respondent Nos. 1 to 3 has submitted in their affidavit in reply and more particularly in paragraph No. 3 that now the Government of Maharashtra has issued Government Resolution No. ADR-2015/C.N.85/T.E.-6 dated 27th February, 2017 for applying the two/three tier pay scale to the teaching staff in the Government Art Institutions falling under the Directorate of Art.

The respondents have submitted that the applicant is squarely covered under the said Government Resolution and, therefore, the benefit of three tier pay scale will be extended to the applicant accordingly.

4. Learned Advocate for the applicant has submitted that as the applicant's case is covered under the aforesaid Government Resolution dated 27th February, 2017, which is

O.A. NO. 111 OF 2017

issued for applying the two/three tier pay scale to the teaching staff in the Government Art Institutions falling under the Directorate of Art and submitted that the present Original Application may be disposed of with the directions to the respondents to extend the benefit of three tier pay scale in view of the aforesaid Government Resolution dated 27th February, 2017.

5. In view of the aforesaid submissions made by both the parties and in view of the fact that the case of the applicant is covered under the Government Resolution dated 27th February, 2017, the present Original Application is disposed of with a direction to the respondents to consider the case of the applicant accordingly and to extend the benefit if applicable to the applicant in view of the Government Resolution dated 27th February, 2017 within a period of three months from the date of receipt of copy of this order.

There shall be no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 677/2015
[Dr. Appasaheb S. Dhus Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Heard Shri J.S. Deshmukh, learned Advocate for the Applicant, Smt. Sanjiavani K. Deshmukh-Ghate, learned Presenting Officer for respondent nos. 1 to 3 and Shri V.B. Wagh, learned Advocate holding for Shri S.T. Shelke, learned Advocate for respondent no. 4.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing after summer vacation.

3. S.O.to 07.06.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 679/2015
[Dr. Annasaheb B. Masal Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Heard Shri J.S. Deshmukh, learned Advocate for the Applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1 to 3 and Shri V.B. Wagh, learned Advocate holding for Shri S.T. Shelke, learned Advocate for respondent no. 4.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing after summer vacation.

3. S.O.to 07.06.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 680/2015
[Dr. Sunita L. Tayde Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Heard Shri J.S. Deshmukh, learned Advocate for the Applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent nos. 1 to 3 and Shri V.B. Wagh, learned Advocate holding for Shri S.T. Shelke, learned Advocate for respondent no. 4.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing after summer vacation.

3. S.O.to 07.06.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 681/2015
[Dr. Ganesh B. Aadhbhai Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Heard Shri J.S. Deshmukh, learned Advocate for the Applicant, Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 to 3 and Shri V.B. Wagh, learned Advocate holding for Shri S.T. Shelke, learned Advocate for respondent no. 4.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing after summer vacation.

3. S.O.to 07.06.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 577/2016
[Dr. Baban L. Jadhav Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Heard Shri J.S. Deshmukh, learned Advocate for the Applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent nos. 1 to 3 and Shri H.P. Jadhav, learned Advocate for respondent no. 4.

2. Learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted.

3. S.O.to 17.04.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 709/2015
[Shri Bhagwantraya C. Hangargekar Vs. The State of Mah.
& Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Shri R.P. Bhumkar, learned Advocate for the Applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 to 3 and Shri S.D. Dhongde, learned Advocate for respondent no. 4.

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

3. S.O.to 04.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 710/2015
[Shri Dattatrya V. Kulkarni & Ors. Vs. The State of Mah. &
Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Shri R.P. Bhumkar, learned Advocate for the Applicant and Shri I.S. Thorat, 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 04.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 711/2015
[Shri Uttam B. Rajmane & Ors. Vs. The State of Mah. & Ors.]

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

DATE : 06.04.2017.

ORAL ORDER:

Shri R.P. Bhumkar, learned Advocate for the Applicant and Shri N.U. Yadav, 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 04.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 364/2016
[Shri Rudrappa L. Lungare & Ors. Vs. The State of Mah. &
Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Shri R.P. Bhumkar, learned Advocate for the Applicant, Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 to 4 & 6 and Shri G.N. Patil, learned Advocate for respondent no. 5.

2. At the request of learned Presenting Officer, S.O.to 04.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 768/2016
[Shri Seetaram D. Kamble & Ors. Vs. The State of Mah. &
Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Shri R.P. Bhumkar, learned Advocate for the Applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent no. 1, 3 & 4 and Shri S.D. Dhongde, learned Advocate for respondent no. 2 & 5.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1, 3 & 4. Time granted.

3. S.O.to 04.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 18/2016 in O.A. St. No. 1364/2015
[Shri Balaji G. Jadhav Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Shri R.P. Bhumkar, learned Advocate for the Applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for respondent nos. 1, 4 & 5 and Shri G.N. Patil, learned Advocate for respondent no. 2 & 3.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1, 4 & 5. Time granted.

3. S.O.to 04.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 895/2016
[Shri Manik U. Galphade Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Shri R.P. Bhumkar, learned Advocate for the Applicant, Smt. Deepali S. Deshpande, 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 04.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 904/2016
[Shri Digambar N. Mule & Ors. Vs. The State of Mah. &
Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Shri R.P. Bhumkar, learned Advocate for the Applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 to 3 and Shri S.D. Dhongde, learned Advocate for respondent no. 4.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1 to 3. Time granted.

3. S.O.to 04.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 908/2016
[Shri Tulshiram B. Jagtap Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Shri R.P. Bhumkar, learned Advocate for the Applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O.to 04.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A. No. 105/2017 in O.A. St. No. 325/2017
[Shri Babasaheb E. Jakate Vs. The State of Mah. & Ors.]

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

DATE : 06.04.2017.

ORAL ORDER:

Shri V.M. Maney, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents in M.A., returnable on 05.05.2017.

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

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

//2//

M.A. 105/2017 in
O.A. St. 325/2017

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

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

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

8. S.O. to 05.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 634/2016
[Dr. S. Shailaja Kuppaswamy Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Shri J.S. Deshmukh, 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 26.04.2017.

ORAL ORDERS 06.04.2017-KPB(SB)BPP

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 642/2016
[Dr. Sanjay Ghogre and Ors. Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

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

2. At the request of learned Advocate for the applicant, S.O.to 26.04.2017.

ORAL ORDERS 06.04.2017-KPB(SB)BPP

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 593/2016
[Shri Nimchand T. Chavan Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

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

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

3. S.O.to 03.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 632/2016
[Shri Narayan R. Nirval Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Miss Amruta Paranjape, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. At the request of both the parties, S.O.to 20.04.2017.

ORAL ORDERS 06.04.2017-KPB(SB)BPP

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 727/2016
[Shri Sadashiv M. Sawai Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Shri A.D. Gadekar, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

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

3. S.O.to 04.05.2017.

ORAL ORDERS 06.04.2017-KPB(SB)BPP

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 716/2016
[Mrs. Pradnya P. Jehurkar Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Heard Shri D.T. Devane, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant submitted that as on today the proposal sent by respondent no. 4 regarding revised family pension on the basis of grant of second time bound promotion is pending with the respondent no. 5 i.e. the Accountant General-II, Nagpur. The proposal has been sent to the Accountant General-II, Nagpur on 18.01.2017 (page no. 49 of paper book).

3. Learned Presenting Officer submitted that the Accountant General-II, Nagpur has not taken decision on the said proposal and therefore, he sought time to take instructions from Accountant General-II, Nagpur as regards the present status of the said proposal. Time granted.

4. S.O.to 04.05.2017.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 559/2016
[Shri Dagdu Waman Bansode Vs. The State of Mah. & Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Heard Shri A.D. Gadekar, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 1. It is taken on record and the copy thereof has been served upon the learned Advocate for the applicant.

3. Learned Advocate for the applicant submitted that the applicant has prayed for interest on delayed payment of gratuity amount of Rs. 1,49,495/- from the year 2011 onwards. He has further submitted that the respondents have sent proposal in that regard to the Government and the Government had sent the same to the Accountant General-II, Nagpur for sanction, but the same is pending before the Accountant General-II, Nagpur.

4. Learned Presenting Officer has submitted that the Government has sent the proposal to the Accountant General-II, Nagpur and the Accountant General-II, Nagpur has not taken decision thereon till today.

5. In view of this fact, the respondents are directed to pursue the matter pending with the Accountant General- II, Nagpur for taking decision on the proposal sent by the Government and intimate the decision taken by the Accountant General-II, Nagpur to the Tribunal by the next date.

6. S.O.to 05.05.2017.

7. Steno copy allowed to the learned P.O. at his request.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 662/2015
[Dr. Pandurang Bharmal & Ors. Vs. The State of Mah. &
Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

Heard Shri J.S. Deshmukh, learned Advocate for the Applicant, Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 to 4 and Shri V.B. Wagh, learned Advocate holding for Shri S.T. Shelke, learned Advocate for respondent no. 5.

2. Learned Advocate for the applicant submitted that the applicants were appointed as Medical Officer, Group-A on ad-hoc basis and thereafter, they have selected by M.P.S.C. in the year 1998 and since then they are working as a Medical Officer Group-A. The applicants are seeking condonation of technical breaks in the service prior to the ad-hoc appointment. It is their contention that this Tribunal has earlier decided the O.A. Nos. 240/2009, 531/2013, 513/2013 and directed the respondents therein to consider the cases of the applicants in those O.As. for extending benefits of

increments and leave for the period of ad-hoc service. He has submitted that the applicants are seeking similar relief as similarly situated persons are getting the said benefit. He has further submitted that the respondent no. 5 has sent a proposal in that regard in the year 2015 to the Government but the Government has not taken decision on it till today. Therefore, he prayed to allow the present Original Application.

3. The learned Advocate for respondent no. 5 submitted that the respondent no. 5 has sent proposal in the year 2015 to the Government but the Government has not taken decision on it. He has further submitted that the proposal is for extension of benefits to the applicant as prayed in the present O.A..

4. The learned Presenting Officer submitted that the proposal sent by respondent no. 5 is under consideration of respondent no. 1 and he will take proper decision within a stipulated time.

5. In view of the decision of this Tribunal in earlier O.As. as referred above, the cases of similarly situated Medical Officers have been considered by this Tribunal and it was directed to the respondents to consider the cases of the applicants for condonation of technical breaks and extending of benefits of increments and leave for the period of ad-hoc service.

6. In these circumstances, it would be just and proper to direct the respondents to decide the proposal sent by the respondent no. 5 within a stipulated time.

7. In view of this, the O.A. stands disposed of with a direction to respondent no. 1 to decide the proposal sent by the respondent no. 5 in the year 2015 as regards extension of benefits of increments and leave to the applicants for the period of ad-hoc service, within a period of three months from the date of this order. There shall be no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 741/2016
[Dr. Varsha d/o Vishwanath Rote Vs. The State of Mah. &
Ors.]**

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

DATE : 06.04.2017.

ORAL ORDER:

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

2. The applicant is seeking relief of direction to the respondents to give benefits of service continuity to her, since the date of her initial appointment i.e. from the year 1998 by condoning the technical breaks prior to selection by the M.P.S.C.

3. Learned Advocate for the applicant submitted that the applicant was appointed as Lecturer in Radiology on ad-hoc basis on 2.6.1998. Thereafter, she was selected by M.P.S.C. w.e.f. 30.09.2000 and since then, she is serving as a Medical Officer. He has submitted that this Tribunal in O.A. No. 676/2014 has decided to extend the benefits to the similarly situated persons for grant of increments as well as

Earned Leave. He has submitted that as the case of the present applicant is similar to that of applicants in O.A. No. 676/2014 it is necessary to give direction to the respondents to extend the said benefit. He has further submitted that this Tribunal in various cases extended the benefits to the similarly situated persons. He has also submitted that the applicant has filed representation with the respondent no. 1 on 24.11.2014 (Annexure A-5) and it is still pending and the respondent no. 1 has not taken decision on it. He prayed that the direction be given to the respondent no. 1 to take decision in view of the earlier decision of this Tribunal and to consider the representation of the applicant.

4. Learned Presenting Officer submitted that the representation made by the applicant with the respondent no. 1 is still pending and he has no objection to dispose of the present O.A. with a direction to the respondent no. 1 to decide the representation dated 24.11.2014 made by the applicant in view of the decision of this Tribunal in O.A. No. 676/2014 & others.

5. In view of these circumstances, it would be just and proper to dispose of the present O.A. with a direction to the respondent no. 1 to decide the representation made by the applicant pending with respondent no. 1 in view of the direction of this Tribunal in O.A. No. 676/2014 within a period of three months from the date of this order.

6. Accordingly, the O.A. stands disposed of with above directions. There shall be no order as to costs.

MEMBER (J)

ORAL ORDERS 06.04.2017-KPB(SB)BPP