

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 114/2017 IN CP ST. 358/2017 IN OA 254/2015

(Shri Babu S. Shinde 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 : 22-06-2017

ORAL ORDER:-

Heard Smt. Vidhya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned P.O. files on record the copy of the communication dated 20.6.2017 received from the respondents, which is taken on record and marked as document 'X' for the purpose of identification. It appears from the said communication that, by the said communication the respondents are seeking 3 months time for compliance of the order dated 26.4.2016 in O.A. no. 254/2015. In the circumstances, S.O. to 28.9.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 124/2017 IN OA ST. 385/2017

(Shri Janardhan V. Ghasing 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 : 22-06-2017

ORAL ORDER:-

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

2. The applicant has filed the present misc. application for condonation of 2 years' & 6 months' delay caused in filing the accompanying original application before the Tribunal.

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

4. For the reasons stated in the misc. application, it is allowed and disposed of without any order as to costs and the delay of 2 years' and 6 months' caused in filing the accompanying original application is condoned.

5. The Office to register the original application after due scrutiny.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION ST. 385/2017

(Shri Janardhan V. Ghasing 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 : 22-06-2017

ORAL ORDER:-

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

2. Issue notices to the respondents in the original application, returnable on 2.8.2017.
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. 2.8.2017.
8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 148/2016 WITH MA ST. 534/2016 IN OA 167/2016
(Kamel K. Inamdar Vs. The State of Mah. & Ors.)

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

Date : 22-06-2017

ORAL ORDER:-

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent no. 1. None appears for respondent nos. 2 to 4.

2. The learned Advocate for the applicant submits that while disposing of M.A. no. 534/2016 on 27.4.2017, the applicant was permitted by the Tribunal to amend the original application suitably, within a period of 2 weeks therefrom, but inadvertently the original application is not amended till today. He seeks permission to amend the O.A. during the course of the day. Permission as sought for is hereby granted. The amended copy of the O.A. be served on the respondents.

3. S.O. to 13.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 140/2017 IN CP ST. 472/2017 IN OA 63/2015

(Saylu P. Nawod 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 : 22-06-2017

ORAL ORDER:-

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned P.O. files on record the communication dated 21.6.2017 received to him from the respondents, which is taken on record and marked as document 'X' for the purpose of identification. It appears from the said communication that the Accountant General – II, Nagpur has now sanctioned the proposal regarding retiral benefits of the applicant and some time is required to the respondents for its actual disbursement. In the circumstances, S.O. to 28.7.2017 for compliance.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 176/2017 IN OA 154/2017

(Naseem B. Patel 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 : 22-06-2017

ORAL ORDER:-

Heard Shri V.Y. Deshmukh, learned Advocate holding for Shri A.N. Nagargoje, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned P.O. files on record the copy of the charge taking report, which would show that Shri Satish Yadavrao Bhosale has taken the charge of the post on 13.6.2017. The same is taken on record and marked as document 'X' for the purpose of identification. The learned Advocate for the applicant seeks time to take necessary instructions from the applicant in this regard. At his request, S.O. to 3.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 408/2017 WITH MA ST. 409/2017 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 : 22-06-2017

ORAL ORDER:-

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

2. The learned Advocate for the applicant seeks time to take instructions from the applicant regarding filing of misc. application earlier including M.A. no. 318/2015, which is pointed out at paper book page 7 of the present misc. application st. no. 409/2017. At his request, S.O. to 7.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A. NOS. 488/13 WITH O.A. NOS. 01, 626 & 627 / 2015

**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 : 22-06-2017

ORAL ORDER:-

Heard Shri J.S. Deshmukh, learned Advocate for himself and Shri Milind Patil, learned Advocate for the applicants in all these matters and Smt. Deepali S. Deshpande, Smt. Resha S. Deshmukh and Shri I.S. Thorat, learned Presenting Officers for the respective respondents in respective matters.

2. The learned Advocate for the applicants submits that all the present original applications are wrongly clubbed together, while rest of the original applications, which are transferred to the principal seat of this Tribunal at Mumbai, are on different issues and, therefore, there is no need to wait for the decision of the principal seat in the said matters as has been recorded by the Tribunal vide its order dated 22.2.2017. He submits that, on 22.2.2017 mistakenly he had made such a statement before the Tribunal that the matters transferred at principal seat are similar with the present matters. In view of this submission of the learned Advocate for the applicant, the order dated 22.2.2017 is hereby withdrawn.

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O.A. NOS. 488/13 WITH O.A.
NOS. 01, 626 & 627 / 2015

3. The present original applications be kept for hearing / for filing affidavit in reply by the respondents, in the matters in which it is not filed on 11.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A. NOS. 635/2015 WITH O.A. NOS. 21, 618 & 619/2016

**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 : 22-06-2017

ORAL ORDER:-

Heard Shri M.R. Kulkarni, learned Advocate for himself and holding for Shri R.P. Bhumkar, learned Advocate for the applicants in all these matters and Smt. Sanjivani Deshmukh Ghate, Smt. Resha S. Deshmukh and Shri I.S. Thorat, learned Presenting Officer for the respective respondents in respective matters.

2. With consent of both the sides, awaiting the decision from the principal seat of the Tribunal at Mumbai in the similar matters, S.O. to 4.10.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION ST. NO. 1004/2015

((Dr.) Jaibunbee R. Phadnis Vs. The State of Mah. & Ors.)

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

Date : 22-06-2017

ORAL ORDER:-

Heard Shri K.B. Jadhav, learned Advocate holding for Shri H.U. Dhage, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIG. APPLICATION NOS. 666, 667 & 668 ALL OF 2015

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

Date : 22-06-2017

ORAL ORDER:-

Heard Shri Vivek Pingle, learned Advocate for the applicants in all these three matters and Smt. Resha S. Deshmukh, S/shri S.K. Shirse & D.R. Patil, learned Presenting Officers for the respondents in all these matters.

2. Smt. Resha S. Deshmukh, learned P.O. undertook to file affidavit in reply of res. no. 2 in O.A. no. 667/2015, during the course of the day. She is permitted to do so.

3. The learned P.Os. submit that, in fact the S.L.P. nos. 6186-6191 of 2015 are still pending before the Hon'ble Supreme Court and stay in the said S.L.Ps. is also continued. In the circumstances, S.O. to 12.9.2017 awaiting the decision in the S.L.Ps.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 345/2016 IN OA ST. 1511/2016

(Shri Prabhakar N. Mule Vs. The State of Mah. & Ors.)

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

Date : 22-06-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, S.O. to 24.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA NO. 388/2016 IN OA ST. 1682/2016

(Smt. Shobha R. Pathak Vs. The State of Mah. & Ors.)

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

Date : 22-06-2017

ORAL ORDER:-

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

2. The present misc. application has been filed by the applicant for condonation of 3 years', 10 months' and 26 days' delay caused in filing the accompanying original application before the Tribunal.

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

4. As the learned Advocate for the applicant has specifically averred in the matter that the communication dated 19.10.2012 was never served upon the applicant and as the respondents in their affidavit in reply in the original application at para 5 did not answer the said statement, the delay of 3 years', 10 months' and 26 days' caused in filing accompanying original application is hereby condoned. Accordingly the misc. application stands disposed of without any order as to costs.

5. The Office is directed to register the original application after due scrutiny.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA ST. 1682/2016

(Smt. Shobha R. Pathak Vs. The State of Mah. & Ors.)

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

Date : 22-06-2017

ORAL ORDER:-

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

2. Issue notices to the respondents in the original application, returnable on 8.8.2017.
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. 8.8.2017.
8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 965/1996

(Shri Shivdar K. Mangle Vs. The State of Mah. & Ors.)

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

Date : 22-06-2017

ORAL ORDER:-

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

2. The learned Advocate for the applicant seeks time for filing some documents in the matter. At his request, S.O. to 3.7.2017, as a last chance. The matter will be taken up for hearing with or without having documents on record, thereafter.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.850/2016

(Shri Anand Gavali V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Heard Shri S.D.Joshi 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.13-07-2017 for filing affidavit in rejoinder.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.770/2016

(Shri Manchakrao Paratwath & Ors. V/s. The State of
Maharashtra & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Heard Shri S.D.Joshi 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.13-07-2017 for filing affidavit in rejoinder.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.894/2016

(Dr. Narhari Shelke V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Heard Shri S.D.Joshi 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.13-07-2017 for filing affidavit in rejoinder.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.389/2017

(Shri Surendra Deshpande V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Heard Shri S.D.Joshi 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 03-07-2017.

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

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

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

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O.A.No.389/17

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

7. S.O.to 03-07-2017.

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

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.390/2017
(Shri Vijay Tikole V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

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

2. At the request of learned CPO, S.O.23-06-2017 for taking instructions from the respondents.

YUK ORAL ORDER 22-06-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.391/2017
(Shri Sambhaji Patil V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

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

2. At the request of learned CPO, S.O.23-06-2017 for taking instructions from the respondents.

YUK ORAL ORDER 22-06-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.225/2016

(Rukhmin Dudhate V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Heard Shri Vivek Deshmukh learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that the applicant wants to amend the O.A. since respondent nos.1 and 2 have given appointment letter to respondent no.3. He sought time for the same. Time granted.

3. S.O.21-07-2017

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.328/2017

(Shri Kalidas Jadhav V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Shri G.J.Kore learned Advocate for the applicant is **absent**. Shri N.U.Yadav 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.27-07-2017.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.387/2016

(Dr. Nomani Md. Tahir V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Heard Smt. Vinaya Muley learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

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

3. Already last chance was granted on imposing costs of Rs.5000/-, which is not paid by the respondents till today.

4. Today also respondents failed to file reply and are seeking time to file reply. In the interest of justice short time is granted on payment of costs of Rs.5000/- in addition to costs of Rs.5000/- imposed on 27-04-2017 . Hence, respondents shall pay costs of total Rs.10,000/- on 28-07-2017.

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O.A.No.387/16

5. Learned P.O. shall serve copy of this order on the concerned respondents and file proof of service on the next date.

6. Steno copy is granted to the learned P.O.

7. S.O.28-07-2017.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.493/2016
(Dr. Amol Kakad V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Shri V.R.Bhumkar learned Presenting Officer for the respondent nos.1 to 3 and Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent nos.4 and 5.

2. Respondent nos.4 and 5 have already filed reply on record.
3. Respondent nos.1 to 3 have not filed reply.
4. S.O.18-07-2017.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.600/2016

(Shri Sadashiv Daware V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Heard Ku. Ashlesha Raut learned Advocate holding for Shri K.M.Nagarkar 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.27-07-2017.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.615/2016

(Shri Manohar Adhikar V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Shri V.S.Kadam learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for the respondents is present. Shri G.N.Patil learned Advocate for respondent no.3 has filed **leave note** on record.

2. Learned P.O. has filed affidavit in reply on behalf of respondent no.1. It is taken on record. He undertakes to serve copy thereof on the other side.

3. S.O.26-07-2017.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.767/2016

(Shri Lalasaheb Pawar V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Shri M.M.Kadtu learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for the respondents is present.

2. Since none present for the applicant,
S.O.19-07-2017.

YUK ORAL ORDER 22-06-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.878/2016

(Shri Nitinkumar Adhe V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

A.D.Sugdare learned Advocate for the applicant has filed **leave note** on record. Smt. Deepali Deshpande learned Presenting Officer for the respondents is present. Shri S.D.Shelke learned Advocate for respondent nos.3 and 4 is **absent**.

2. In view of leave note of learned Advocate for the applicant, S.O.20-07-2017.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.381/2017

(Shri Madhukar Bidwai V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

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

2. Learned Advocate has filed withdrawal purshis signed by the applicant. Applicant does not wish to proceed with the O.A. and he wants to withdraw the O.A. unconditionally. Therefore, he sought leave to withdraw the O.A.

3. In view of above, O.A. stands disposed of as withdrawn unconditionally. There shall be no order as to costs.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.382/2017

(Shri Syed Ayub Ali V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Heard Shri M.R.Kulkarni learned Advocate for the applicant and Shri S.K.Shirse learned Chief Presenting Officer for the respondents.

2. Learned Advocate has filed withdrawal purshis signed by the applicant. Applicant does not wish to proceed with the O.A. and he wants to withdraw the O.A. unconditionally. Therefore, he sought leave to withdraw the O.A.

3. In view of above, O.A. stands disposed of as withdrawn unconditionally. There shall be no order as to costs.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.921/2016
(Shri Sanjay Mali V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Shri A.D.Sugdare learned Advocate for the applicant has filed **leave note** on record. Smt. Deepali Deshpande learned Presenting Officer for the respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O.20-07-2017.

YUK ORAL ORDER 22-06-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.76/2017

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

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

DATE : 22-06-2017

ORAL ORDER:-

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

2. Learned CPO has submitted that he requires one week's time to take instruction from the respondents as to whether they have decided representations dated 20-07-2016 and 08-10-2017 filed by the respondents.

3. S.O.29-06-2017.

MEMBER (J)

YUK ORAL ORDER 22-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION ST. NO.790/2017
(Shri Santosh Swami V/s. The State of Mah. & Ors.)

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

DATE : 22-06-2017

ORAL ORDER:-

Heard Shri Ganesh Gadhe learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that the applicant has been absorbed in the State Service in Group "C-2" category on the basis of option given by him in view of provisions of Maharashtra Municipal Councils, Nagar Panchayat and Industrial Township State Services (Absorption, Recruitment and Conditions of Service), Rules, 2006. He has submitted that since year 2010, applicant is working in Municipal Council, Vasmat but he has been transferred by the impugned order and posted in Himayatnagar, Dist. Nanded. He has submitted that the applicant has been relieved on 14-06-2017 (page 30). He has submitted that the

applicant has personal difficulty and he made representation to the respondents to cancel his transfer by filing representation dated 02-05-2017 (page 28). He has submitted that the transfer of the applicant is in contravention of provisions of the above said rules as well as the amended Rules of 2010. Therefore, he prayed to stay the impugned order dated 26-04-2017 to the extent of applicant only.

3. Learned P.O. has submitted that the applicant's transfer has been made in view of the provisions of the abovesaid Rules and he has already been relieved by the Municipal Council, Vasmat, therefore no question of staying said order arises. He has, therefore, submitted that respondents want some time to file detailed reply.

4. On going through the record, it reveals that the applicant opted for absorption in State Service Group "C-2" by giving option in 2010 and since then he has been absorbed in State Service Cadre. He has been

transferred and relieved in view of the impugned order on the basis of order dated 26-04-2017. Therefore, at this juncture, no question of staying execution of impugned arises. In these circumstances, in my view, it is not a fit case to grant interim relief. Hence, interim relief is rejected.

5. Issue notices to the respondents, returnable on 21-07-2017.

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

7. 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.

8. 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.

9. 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.

10. S.O.to 21-07-2017.

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

MEMBER (J)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

OA Nos.281, 84 & 47 all of 2017.

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 : 22-06-2017

ORAL ORDER:-

Heard Shri R. B. Gaikwad learned Advocate holding for Shri V. B. Dhage learned Advocate for the applicants in OA Nos.281 & 84 of 2017 & Shri A.S. Deshmukh learned Advocate for the applicant in OA No.47 of 2017 and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents in all the matters.

2. Perused the reply. The submission from the side of the Respondents would show that, in enquiry made by the learned Collector these applicants have not appeared. The submissions of all the applicants would show that, in fact they had approached to the Collector on the given date but he was out of station and therefore, written submissions were placed in the office.

3. Without going into the controversy as to whether these applicants appeared before the Collector, it is hereby directed that the applicants in the present O.As.

shall appear before the Respondent no.2 the Collector on 4.7.2017 at 11.30 a.m. and shall abide by the directions that may be given by Respondent no.2 the Collector in connection with the inquiry.

4. In case Respondent no.2 the Collector would not be able to remain present in the office on the said date and time, he shall intimate through his staff about the next date and time of the appearance to the applicants in writing and shall arrange for marking the attendance of the present applicants on the due date and next dates of enquiry.

5. S. O. to 18.7.2017.

6. The learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.383/217.
(Shri U. S. Mundhe 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 : 22-06-2017

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 notice to the respondents, returnable on 9th August, 2017.
3. Applicant is authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.
4. Authorization for service of 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.
5. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained and produced along with

affidavit of compliance in the Registry as far as possible before the due date.

6. Affidavit of service be filed one week before due date.
7. Learned P.O. is directed to communicate this order.
8. Affidavit in reply be filed before due date.
9. Steno copy and Hamdast is allowed to both parties.
10. S. O. to 9th August, 2017.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.177/17 WITH MAST.562/17 IN OA ST.551/2017.
(Shri D. G. Thengade & 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 : 22-06-2017

ORAL ORDER:-

Heard with consent Shri S. D. Dhongde learned Advocate for the applicants and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. By the present applications the applicants seek declaration that there is no delay in filing Original Application.

3. It is an admitted fact that earlier the applicants have filed similar O.As. which were dismissed on merit and even Hon'ble High Court in W. P. No.217/2015 upheld the said order.

4. The arguments now being canvassed that the similarly situated employees were given time scale promotion was also canvassed in the said proceeding as is clear from the order of Hon'ble High Court.

5. The Hon'ble High Court had also pointed out that not only present applicants gave an undertaking that the Resolution dated 22.7.1997 would bind them, it was pointed out by the Hon'ble High Court that the said G.R. is not challenged.

6. Taking clue from the said defect pointed out by Hon'ble High Court applicants now wants to prefer present O.A. for challenging the G.R. It is claimed that, there is no delay in filing the same. In fact ex facie, the challenge is not within time. In the circumstances, the application is dismissed without any order as to costs.

VICE CHAIRMAN.

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.227/2014.
(Shri J. D. Khairnar 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 : 22-06-2017

ORAL ORDER:-

Heard Shri N. B. Jadhav learned Advocate for the applicant, Shri D. R. Patil learned Presenting Officer for the respondents no.1 to 3 and Shri P. B. Patil learned Advocate for the Respondent no.4.

2. The learned Advocate for the applicant seeks permission to carry out correction in the prayer clause (C)in the O.A. He is permitted to do so. Correction be carried out forthwith.

3. S. O. to 8.8.2017.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.152/2017.
(Shri H. J. Chatre Vs. State of Mah. & Oers.)

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 : 22-06-2017

ORAL ORDER:-

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

2. Learned P.O. files affidavit in reply on behalf of
Respondent. The same is accepted.

3. S. O. to 12.7.2017 for hearing on admission.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.80/2017.
(Shri S. S. Chavan 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 : 22-06-2017

ORAL ORDER:-

Heard Shri K. B. Jadhav learned Advocate for the applicant and Shri D. R. Patil learned Presenting Officer for the respondents no.1 to 3. None appears for the Respondent no.4.

2. Learned P.O. submits that he will file affidavit in reply during the course of the day and will serve its copy to the other side. The reply shall include as to in which circumstances in the midst of the selection process the selection Committee decide for reservation in VJNT -A category and also when the said decision is taken and why the time was not granted to the applicant for submitting Non Creamy Layer certificate in this regard.

3. S. O. to 13.7.2017.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.211/2016.

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 : 22-06-2017

ORAL ORDER:-

Heard Shri S. A. Nandure learned Advocate holding
for Shri V. B. Anjanwatikar learned Advocate for the
applicant and Shri I. S. Thorat learned Presenting Officer
for the respondents.

2. Shri S. A. Nandure learned Advocate holding for
Shri V. B. Anjanwatikar learned Advocate for the
applicant seeks time. Time granted as a last chance.

3. S. O. to 27.6.2017.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.249/2016.

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 : 22-06-2017

ORAL ORDER:-

Heard Shri Sham Patil learned Advocate for the applicant and Shri S. K. Shirse learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant on instructions from the applicant submit that, the grievance of the applicant is redressed and therefore, the applicant may be allowed to withdraw the application. Allowed to withdraw and disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.816/2016.

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 : 22-06-2017

ORAL ORDER:-

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

2. Learned P.O. seeks time for hearing. At his request,
S. O. to 26.7.2017.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.872/2016.

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 : 22-06-2017

ORAL ORDER:-

Heard Shri Vivek Pingle learned Advocate for the applicant and Shri N. U. Yadav learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to make statement on the issue of interchangeability between the post of Daptar Karkun and Civil Engineering Assistant. At his request S. O. to 29.6.2017.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.918/2016.

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 : 22-06-2017

ORAL ORDER:-

None present for the applicant. Shri M. S. Mahajan_ learned Chief Presenting Officer for the respondents is present

2. The notice is not issued since 8.12.2016. None has appeared for last three date also for taking steps. In the circumstances, dismissed in default.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.906/2016.

(Dr. A. R. Ladwanjari & 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 : 22-06-2017

ORAL ORDER:-

Heard Smt. Seema T. Pawar learned Advocate holding for Shri A. J. Talhar learned Advocate for the applicant, Shri V. R. Bhumkar learned Presenting Officer for the respondents no.1 to 3 and Shri H. P. Kshirsagar, learned Advocate for the Respondent no.4.

2. Learned P.O. files affidavit in reply on behalf of Respondents no.3 to 4. The same is taken on record. Its copy is served on the other side.

3. Smt. Seema T. Pawar learned Advocate holding for Shri A. J. Talhar learned Advocate for the applicant seeks time. The proceeding appears to have become infructuous in view of the appointments already made by the State.

4. S. O. to 11.7.2017 for advancing argument on the point of tenability of the present application.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.925/2016.
(Shri K. R. Tharewal 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 : 22-06-2017

ORAL ORDER:-

Heard Shri N. S. Tekale learned Advocate for the applicant, Shri S. K. Shirse learned Presenting Officer for the respondents no.1 to 4 and Shri P. A. Bhosale, learned Advocate for the Respondent no.5.

2. Learned P.O. seeks time to file affidavit in reply. At his request, S. O. to 19.7.2017.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.935/2016.
(Shri A. R. Raykar 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 : 22-06-2017

ORAL ORDER:-

Heard Smt. Vidya Taksal learned Advocate holding
for Shri A. S. Deshmukh learned Advocate for the
applicant and Shri S. K. Shirse learned Presenting Officer
for the respondents.

2. Learned Advocate for the applicant seeks time for
complying the order dated 5.5.2017 i.e. issue notices to
the Respondent no.1 & Respondent no.4. At her
request, S. O. to 22.8.2017. In the mean time notices be
issued and served upon these Respondents.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.30/2017.
(Shri S. B. Bharade 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 : 22-06-2017

ORAL ORDER:-

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

2. The learned Advocate for the applicant on instructions of the applicant submit that, since the grievance of the present applicant is redressed and the applicant does not wish to proceed with the application. In the circumstances, the application is disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.37/2017.
(Shri B. N. Raut & 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 : 22-06-2017

ORAL ORDER:-

Heard Shri S. S. Dambe learned Advocate for the applicants and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply. At his request, S. O. to 25.7.2017 for filing affidavit in reply.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.74/2017.
(Shri V. K. Wagh & 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 : 22-06-2017

ORAL ORDER:-

Heard Shri D. J. Patil learned Advocate for the applicants and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. The learned P.O. submit that, similar issue which is raised in the present application is under consideration by the Hon'ble High Court in Writ Petition No.7395/2016 and therefore, the present application be adjourned. At her request, S. O. to 2.8.2017, till then no steps in the D.E. shall be taken.

3. The learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.153/2017.
(Dr. R. B. Hemke 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 : 22-06-2017

ORAL ORDER:-

Heard Shri J. S. Deshmukh learned Advocate for the applicant, Smt P. R. Bharaswadkar learned Presenting Officer for the respondents no.1 to 3 and Shri A. D. Aghav, learned Advocate for the Respondents no.4 & 5.

2. The learned counsel for the respondents seek time to file respective affidavit in replies. At their request, S. O. to 18.7.2017.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.254/2017.
(Shri R. R. More 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 : 22-06-2017

ORAL ORDER:-

None present for the applicant. Smt D. S. Deshpande learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply. At his request S. O. to 1st August, 2017.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.118/2016 IN CP ST.NO.94/2016 IN OA NO.465/2012.

**(Shri Md. Zakiyoddin S/o Md. Anisoddin Vs.
The State of Maharashtra & 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 : 22-06-2017

ORAL ORDER:-

It is reported that Smt A. N. Ansari learned Advocate for the applicant has filed leave note. Heard Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents.

2. The learned P.O. files on record copy of the communication dated 29.4.2017. The same is accepted. It is marked as "X" for the purpose of identification. Besides the communication read the order dated 2.5.2017.

3. In view of the above fact nothing survives in the present application. The same is therefore, disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.660/2015.
(Dr. S. D. Londhe 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 : 22-06-2017

ORAL ORDER:-

Heard Shri J. S. Deshmukh learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents no.1 to 3. None appears on behalf of Respondent no.4.

2. Shri J. S. Deshmukh learned Advocate for the applicant makes a statement that similar issue of similarly situated employees are pending in the nature of O.A. before the Single Bench. In the circumstances, the present O.A. also be placed before the Single Bench.

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.466/2016.
(Shri S. B. Kakandikar & 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 : 22-06-2017

ORAL ORDER:-

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

2. The learned P.O. seeks time for filing affidavit in reply. He submit that, in spite of many reminders the concerned Respondents are not responding. In the circumstances, the affidavit in reply be filed on or before 28.7.2017, failing which the Tribunal would be constrained to take coercive action like calling of responsible Officer before the Tribunal and / or saddle exemplary costs.

3. S. O. to 28.7.2017.

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

VICE CHAIRMAN.

ORAL ORDERS 22-06-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 542 OF 2016

**(Smt. Vaishali W/o Ashok Kathar Vs. The State of
Maharashtra and Others.)**

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

DATE : 22.06. 2017.

ORAL ORDER:

1. Heard Shri A.D. Gadekar – learned Advocate for the applicant, Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for respondent Nos. 1 to 3 and Shri D.T. Devane – learned Advocate for respondent No. 4.
2. Learned Advocate for respondent No. 4 has submitted that he has received copy of affidavit in rejoinder filed by the applicant, today and seeks time. Time granted.
3. S.O. to 19th July, 2017.

MEMBER (J)

ORAL ORDERS 22.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 97/2017 IN O.A.ST.NO. 162/2017

**(Shri. Bhaudas S/o. Dhannodas Vaishnav Vs. The State of
Maharashtra and Others.)**

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

DATE : 22.06. 2017.

ORAL ORDER:

1. Heard Ms. Ashlesha Raut, learned Advocate holding for Shri S.B. Talekar – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Learned Chief Presenting Officer prays for time for filing affidavit in reply in M.A. No. 97/2017. Time granted as a last chance.
3. S.O. to 21st July, 2017.

MEMBER (J)

ORAL ORDERS 22.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 276 OF 2017

**(Shri Prashant S/o. Ram Bibrle Vs. The State of
Maharashtra and Others.)**

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

DATE : 22.06. 2017.

ORAL ORDER:

1. Shri K.J. Suryawanshi – learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents, present.
2. Learned Chief Presenting Officer prays for time for filing affidavit in reply. Time granted.
3. S.O. to 28th July, 2017.

MEMBER (J)

ORAL ORDERS 22.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 197 OF 2017

**(Shakuntala Navnath Revankar Vs. The State of
Maharashtra and Others.)**

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

DATE : 22.06. 2017.

ORAL ORDER:

1. Heard Shri Sanjay A. Wakure – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.
2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted as a last chance.
3. S.O. to 27th July, 2017.

MEMBER (J)

ORAL ORDERS 22.06.2017-HDD