

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 176/2017
[Shri Jalindar G. Ubale Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Heard Shri A.D. Gadekar, learned Advocate holding for Shri K.G. Salunke, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 27.04.2017.

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

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

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O.A. No. 176/2017

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 27.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. St. No. 18/2017 in O.A. St. No. 19/2017
[Shri Gopal A. Kulkarni & Ors. Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

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

2. The learned Advocate for the applicant sought leave of this Tribunal to amend the petition. Leave granted.

3. S.O. to 11.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 265/2017
[Smt. Shakuntala N. Revankar Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Heard Shri Sanjay A. Wakure, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 27.04.2017.

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

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

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O.A. St. No. 265/2017

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 27.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 660/2015
[Dr. Satish D. Londhe Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Shri J.S. Deshmukh, learned Advocate for the Applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 to 3, present. Shri S.T. Shelke, learned Advocate for respondent no. 4, **absent**.

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 27.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 387/2015
[Dr. Nomani Muhammed Mufti Tahair Vs. The State of Mah. &
Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Smt. Vinaya Muley-Dharurkar, learned Advocate for the Applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 27.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 648/2015
[Ahmednagar Zilla Van Kamgar Union Vs. The State of Mah. &
Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Heard Shri A.S. Shelke, learned Advocate for the Applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for respondent nos. 1 & 2 and Shri Vivek Bhavthankar, learned special counsel for respondent nos. 3 & 4.

2. The learned Special counsel for respondent nos. 3 and 4 submitted that the proposal for payment of arrears of the wages has been moved to the higher authority and it is under consideration. He has also submitted that the concerned department is making arrangement to pay arrears of wages on or before 31.3.2017 to the applicant and therefore, he seeks time. Time granted.

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

4. S.O. to 30.03.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 802/2016
[Shri Dattu T. Sable Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

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

3. S.O. to 27.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 819/2016
[Shri Vishal B. Goje Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

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

2. As none present for the applicant, S.O. to 21.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

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

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

DATE : 23.03.2017.

ORAL ORDER:

Heard Shri Shamsundar B. Patil, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the Applicant, Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 to 3 and Shri S.D. Joshi, learned Advocate for respondent no. 5. None present for respondent no. 4.

2. After hearing the matter for considerable time, it is closed for orders.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 878/2016
[Shri Nitinkumar T. Adhe Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Shri A.D. Sugdare, learned Advocate for the Applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 & 2 and Smt. S.D. Shelke, learned Advocate for respondent nos. 3 & 4.

2. The learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1 & 2. Time granted.

3. S.O. to 18.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 913/2016
[Shri Rameshwar S. Waghmare Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Heard Shri S.D. Hiwrekar, learned Advocate for the Applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 & 3 and Shri A.K. Tiwari, learned Advocate for respondent no. 2.

2. Learned Advocate Shri A.K. Tiwari, has submitted that the Municipal Commissioner of Municipal Corporation of Greater Mumbai is not a party to this O.A. but the service of notice has been wrongly served on the Municipal Commissioner of Municipal Corporation of Greater Mumbai. He has submitted that after service of notice, he appeared on behalf of Municipal Commissioner of Municipal Corporation of Greater Mumbai but after verification of O.A. he found that the Municipal Commissioner of Municipal Corporation of Greater Mumbai is not a party to the Original Application.

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O.A. No. 913/2016

3. The learned Advocate for the applicant submitted that the notice of the respondent no. 2 has been properly served on the respondent no. 2 and he has placed on record the service affidavit with acknowledgment in that regard.

4. On going through the record, it reveals that the notice of O.A. has been correctly served on respondent no. 2 and it had not been served on B.M.C. Therefore, appearance of B.M.C. in this matter is redundant.

5. The learned C.P.O. submits that he is going to appear on behalf of respondent no. 2 also and he seeks time to file affidavit in reply on behalf of all respondents. Time granted.

6. S.O. to 20.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 926/2016
[Shri Bhagwat A. Phulsundar Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Shri Avinash D. Hande, learned Advocate holding for Shri V.P. Savant, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

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

3. S.O. to 21.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 939/2016
[Shri Rajendra B. Salvi Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Shri Prafulla Bodade, learned Advocate holding for Shri J.B. Chaudhary, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

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

3. S.O. to 27.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

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

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

DATE : 23.03.2017.

ORAL ORDER:

Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit. It is taken on record and the copy thereof has been served upon the learned Presenting Officer for the respondents.

3. Learned Presenting Officer seeks time to go through the rejoinder affidavit. Time granted.

4. S.O. to 07.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 40/2017
[Smt. Sushilabai G. Kalaskar & Ors. Vs. The State of Mah. &
Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Heard Shri P.V. Suryawanshi, learned Advocate for the Applicants and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent no. 5. Time granted.

3. S.O. to 24.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 246/2016
[Shri Raju M. Dabhade & Ors. Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Heard Shri P.V. Suryawanshi, learned Advocate for the Applicants and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of both sides, S.O. to 24.04.2017 for final hearing.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 572/2016
[Shri Shivrajappa M. Sulfule & Ors. Vs. The State of Mah. &
Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Heard Shri P.V. Suryawanshi, learned Advocate for the Applicants and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of both sides, S.O. to 24.04.2017 for final hearing.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 765/2016
[Shri Bansilal H. Tarte & Ors. Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Heard Shri P.V. Suryawanshi, learned Advocate for the Applicants and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of both sides, S.O. to 24.04.2017 for final hearing.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 54/2017
[Shri Balaji V. Malchpure Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Shri S.D. Hiwrekar, learned Advocate for the Applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The learned C.P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 20.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 71/2017
[Shri Mahadeo G. Kandalgaonkar Vs. The State of Mah. & Ors.]**

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

DATE : 23.03.2017.

ORAL ORDER:

Shri V.G. Pingle, learned Advocate for the Applicants and Shri D.R. Patil, learned Presenting Officer for respondents.

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

3. S.O. to 20.04.2017.

MEMBER (J)

ORAL ORDERS 23.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.27/2016 IN O.A.St.No.80/2016
(Shri Mahadu Bangale V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

Heard Shri S.K.Mathpati 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.17-04-2017.

MEMBER (J)

YUK ORAL ORDER 23-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.434/2016 IN O.A.No.333/2016
(Shri Janardhan Borade V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

Heard Shri A.P.Ghule Patil learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for the respondents. Shri B.N.Magar Patil learned Advocate for the respondent no.4 is **absent**.

2. Learned Advocate for the applicant submits that the applicant does not wish to proceed with M.A. as well as the O.A. and wants to withdraw cases, unconditionally. Hence, M.A. as well as the O.A. both are disposed of as withdrawn with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 23-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.106/2017 IN O.A.No.148/2017
(Shri Kailash Goswami V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant submits that he is not pressing the M.A.No.106/2017 since charge of the post of Deputy Director of Education, Latur has been given to Shri Telang in view of the order dated 01-03-2017.

3. As the applicant does not wish to proceed with the M.A., it is disposed of accordingly with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

Original Application No.148/2017
(Shri Kailash Goswami V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

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

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

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

MEMBER (J)

YUK ORAL ORDER 23-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.161/2017
(Shri Maroti Jadhav V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant submits that applicant is not interested in prosecuting the O.A. However, he sought time to file withdrawal purshis of the applicant. Time granted.

3. S.O.31-03-2017.

MEMBER (J)

YUK ORAL ORDER 23-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.31/2016
(Shri Sandip Gaikwad V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

Heard Shri S.D.Joshi learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondent nos.1 and 2 and Shri Rahul Awsarmal learned Advocate for respondent no.3.

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

3. Learned P.O. seeks time to take some instructions from the respondents. Time granted.

4. S.O.31-03-2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.285/2016
(Shri Devidas Salgarkar V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

Heard Shri S.B.Mene learned Advocate holding for Shri Ajay Deshpande learned Advocate for the applicant, Shri I.S.Thorat learned Presenting Officer for the respondent nos.1 and 2 and Shri S.D.Dhongde learned Advocate for the respondent no.3.

2. At the request of learned Advocate for the applicant, S.O. 21-04-2017.

MEMBER (J)

YUK ORAL ORDER 23-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.712/2016
(Shri Ashok Dahiwal V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

Shri S.M.Mandlik learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for the respondents is present.

2. Since nobody remained present for the applicant, matter be kept for dismissal on 17-04-2017.

MEMBER (J)

YUK ORAL ORDER 23-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.535/2016
(Shri Ravindra Salve V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

Shri R.M.Deshmukh learned Advocate for the applicant is **absent**. Shri I.S.Thorat learned Presenting Officer for the respondents is present.

2. Since none is present for the applicant,
S.O. 24-04-2017.

MEMBER (J)

YUK ORAL ORDER 23-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.792/2016
(Shri Sarika Wandhekar V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

Heard Shri V.B.Wagh learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for the respondents.

2. Arguments of both parties are heard at length.
Case is reserved for order.

MEMBER (J)

YUK ORAL ORDER 23-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

Original Application No.826/2016
(Shri Laxman Parandkar V/s. The State of Mah. & Ors.)

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

DATE : 23-03-2017

ORAL ORDER:-

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

2. Since pleadings are complete, matter is admitted.

It may be kept for final hearing on **25-04-2017**.

MEMBER (J)

YUK ORAL ORDER 23-03-2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO. 121/2017 IN OA ST. 364/2017

[Shri Sachin R. Salve 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 :- 23.03.2017

Oral Order :-

1. Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Issue notices to the respondents in M.A. no. 121/2017, returnable on 25.4.2017.
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 M.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. 25.4.2017.
8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION ST. NO. 360 OF 2017

[Shri Raju R. Shirsath 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 :- 23.03.2017

Oral Order :-

1. Heard Mrs. M.S. Jagtap, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. For time being the matter is removed from the board.

VICE CHAIRMAN

ARJ ORAL ORDERS 23.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 227 OF 2014

[Shri Jijabrao D. Khairnar 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 :- 23.03.2017

Oral Order :-

1. None appears for the applicant. Shri D.R. Patil, learned Presenting Officer for the respondent nos. 1 to 3 and Shri P.B. Patil, learned Advocate for respondent no. 4 are present.

2. At the request of learned Presenting Officer, S.O. to 21.4.2017 for filing affidavit in reply of res. nos. 1 to 3.

VICE CHAIRMAN

ARJ ORAL ORDERS 23.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

CP NO. 02/2016 IN OA 344/2014

[The Association of the Technical Assistant through its
President Shri Tukaram D. Patil 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 :- 23.03.2017

Oral Order :-

1. Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri Vivek Dhage, learned special Counsel for respondent no. 1 and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent no. 2.

2. Shri Dhage, learned Special Counsel for res. no. 1 files on record the communication received to him along with annexures, which would show that the steps are already undertaken for implementation of the order of this Tribunal dated 5.12.2014 in O.A. no. 344/2014. He submits that even the entire exercise would be completed within a period of next 3 months and, therefore, this case may be adjourned to 3 months. At his request, S.O. to 20.6.2017.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 476 OF 2016

[Shri Ashvini P. Ganage 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 :- 23.03.2017

Oral Order :-

1. Heard Shri S.P. Dhobale, learned Advocate holding for Shri A.V. Patil (Indrale), learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. The learned Advocate for the applicant seeks time to file affidavit in rejoinder of the applicant. Time granted.
3. S.O. to 2.5.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 23.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 525 OF 2016

[Shri Manohar K. Borse 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 :- 23.03.2017

Oral Order :-

1. Heard Shri S.S. Dambe, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file affidavit in reply.
Time granted.
3. S.O. to 24.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 23.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 541 OF 2016

[Shri Ashish V. Vangwar 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 :- 23.03.2017

Oral Order :-

1. Heard Shri S.S. Suvarna, learned Advocate holding for Shri N.L. Choudhary, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. The learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted.
3. S.O. to 18.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 23.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

OA NO. 567/2016 WITH MA 39/2017

[Shri Vijay K. Shirsat 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 :- 23.03.2017

Oral Order :-

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

2. The learned P.O. seeks time to file affidavit in reply of the respondents. Upon hearing both the sides, it appears that the present applicant was already selected by the Departmental Promotion Committee for promotion, however, thereafter no action was taken for issuing order of promotion.

3. In view of above situation, the concerned respondents are directed to file short reply explaining as to why the decision of the D.P.C. is not executed and in case no valid reason is found therefor, the respondents to take corrective measure and file report. In case of failure necessary orders like calling the responsible Officer before the Tribunal may be passed.

4. S.O. to 25.4.2017.

5. The learned P.O. to act upon the steno copy of this order.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 872 OF 2016

[Salim Shagir Shaikh & Another 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 :- 23.03.2017

Oral Order :-

1. Heard Shri Vivek Pingle, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file affidavit in reply.
Time granted.
3. S.O. to 27.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 23.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 918 OF 2016

[Shri Dipak B. Mahale 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 :- 23.03.2017

Oral Order :-

1. None appears for the applicant. Shri M.S. Mahajan, learned Chief resenting Officer for the respondents, is present.
2. The learned C.P.O. seeks time to file affidavit in reply. Time granted.
3. S.O. to 3.5.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 23.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 941 OF 2016

[Shri Rambhau L. Kuskar 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 :- 23.03.2017

Oral Order :-

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

2. The learned P.O. seeks time to file affidavit in reply. Time granted.

3. S.O. to 28.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 23.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 08 OF 2017

[Dr. Aruna G. Dahiphale 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 :- 23.03.2017

Oral Order :-

1. None appears for the applicant. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.
2. The learned P.O. seeks time to file affidavit in reply.
Time granted.
3. S.O. to 3.5.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 23.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 34 OF 2017

[Shri Chandrakant B. Tayade 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 :- 23.03.2017

Oral Order :-

1. Heard Shri B.R. Kedar with Shri S.K. Mathpati, learned Advocates for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.
2. The learned P.O. files on record affidavit in reply of res. no. 2. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.
3. Upon hearing both the sides, it appears that, the relevant rules and provisions are material in the present case. The learned P.O. submits that affidavit in reply of rest of the respondents is not necessary.
4. In the circumstances, place the matter for admission hearing on 20.4.2017.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NOS. 84 & 47 BOTH OF 2017

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 :- 23.03.2017

Oral Order :-

1. Heard Shri A.S. Deshmukh, learned Advocate for himself and holding for Shri V.B. Dhage, learned Advocate for the applicants in both the matters and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in both the matters.

2. The learned P.O. seeks time to file affidavit in reply. It is to be noted that in both the matters one post is remained vacant due to interim order of this Tribunal. It appears from the record that from time to time, adjournments were granted to the respondents for filing affidavit in reply but till today the same is not filed on record. In view thereof, as a last chance time is granted till 20.4.2017. It is, however, made clear that, in case the affidavit in reply is not filed by the next date, necessary orders like calling the responsible officer from the office of answering respondents before the Tribunal will be passed.

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

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 108 OF 2017

[Shri Kishor P. 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 :- 23.03.2017

Oral Order :-

1. Heard Shri B.R. Kedar, learned Advocate holding for Shri R.B. Bhosale, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant argued that this Tribunal has raised query regarding tenability of the application on the last date in view of the fact that the grievance of the applicant regarding correction in the gradation list regarding his age was redressed by the respondents. He, however, points out that besides the issue of his age in the gradation list, the another issue of non implementation of roster is raised in the present original application vide para no. 11 and, therefore, the present original application is tenable.

3. The learned Advocate for the applicant seeks leave of this Tribunal to file misc. application for amendment in the original application. Leave as prayed for is granted.

4. S.O. to 5.4.2017.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 64 OF 2017

[Dr. Snehal I. NagreVs. 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 :- 23.03.2017

Oral Order :-

1. Heard Shri J.G. Toshniwal, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 4 and Shri D.M. Shinde, learned Advocate for respondent no. 5.
2. The learned P.O. seeks time to file affidavit in reply of res. nos. 1 to 4. Time granted as a last chance.
3. S.O. to 12.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 23.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINLA APPLICATION NO. 186/2015.

[Dr. Avinash R. Magre Vs. The State of Mah. & Ors.]

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

Date :- 23.03.2017

Oral Order :-

1. Heard Shri A. S. Deshmukh, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for the respondents.
2. During hearing the issue is crystalized that, whether the post of Curator, who has also to carry the duty of giving tutorials falls within the category of the cadre of teaching staff.
3. Both the sides seek time to go through the relevant recruitment rules.
4. S.O. to 19.4.2017.
5. Be treated as Part Heard.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINLA APPLICATION NO.583/2015.

[Shri S. S. Khaladkar Vs. The State of Mah. & Ors.]

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

Date :- 23.03.2017

Oral Order :-

1. Heard Shri S.B. Mene, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Smt S.K. Ghate Deshmukh, learned Presenting Officer for the respondents.

2. Shri S.B. Mene, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant seeks time to file rejoinder and/or hearing with the O.A. At his request, S.O. to 18.4.2017.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINLA APPLICATION NO.935/2016.

[Shri A. R. Raykar 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 :- 23.03.2017

Oral Order :-

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

2. Time to serve the notices is hereby extended. It is now returnable on 5.5.2017.

3. S.O. to 5.5.2017.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO.192/2016 IN OA ST.NO.1940/2015.

[Shri B. H. Rampure 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 :- 23.03.2017

Oral Order :-

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

2. Learned P.O. seeks time to file affidavit in reply. Time to file reply is hereby granted.

3. S.O. to 3.5.2017.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO. 386/16 IN CP ST.1771/16 IN OA 614/15.

[Shri Bhanudas Waghmare 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 :- 23.03.2017

Oral Order :-

1. Heard Shri Asif Ali, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for the respondents.
time may be granted for
2. S.O. to 26.4.2017 for compliance.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO.419/16 WITH MA 377/16 IN OA ST.1693/16.

[Shri A.B. Pawar & 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 :- 23.03.2017

Oral Order :-

1. Heard Shri M. G. Deokate, learned Advocate for the applicants and Smt R.S. Deshmukh, learned Presenting Officer for the respondents.

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

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINLA APPLICATION NO.192/2016.

[Shri M. S. Koli 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 :- 23.03.2017

Oral Order :-

1. None present for the applicant. Heard Shri N. U. Yadav, learned Presenting Officer for the respondents.

2. The record also show that, for last two dates nobody has appeared. Learned P.O. marks a statement that, in view of the decision of the Committee the present grievance would not survive. Without any comment on merit, in view of the absence of the learned Advocate for the applicant the application is dismissed in default, without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINLA APPLICATION NO.206/2016.

[Shri D. K. Salve & 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 :- 23.03.2017

Oral Order :-

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

2. S.O. to 25.4.2017 either for hearing or for passing necessary orders.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINLA APPLICATION NO.211/2016.

[Smt Jayshri N. More & 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 :- 23.03.2017

Oral Order :-

1. 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. Learned P.O. files on record the communication received to him, which would show that, the compliance as regards the grievance of the applicant is made. The same is taken on record and marked as Exh.X for the purpose of identification.
3. Shri S.A. Nandure, learned Advocate holding for Shri V. B. Anjanwatikar, learned Advocate for the applicant submit that, Advocate Shri Anjanwatikar is busy in his family problem. At his request, S.O. to 12.4.2017.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINLA APPLICATION NO.575/2016.

[Shri A. M. Munde 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 :- 23.03.2017

Oral Order :-

1. Heard Shri K. J. Ghute learned Advocate holding for Shri P. R. Kadam, learned Advocate for the applicant, Smt R.S. Deshmukh, learned Presenting Officer for the Respondents no.1 to 3 and Shri A. M. Savale, learned Advocate for the Respondent no.4.

2. At the request of the Shri K. J. Ghute learned Advocate holding for Shri P. R. Kadam, learned Advocate for the applicant, S.O. to 7.4.2017.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINLA APPLICATION NO. 869/2016.

[Shri D. T. Lazade 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 :- 23.03.2017

Oral Order :-

1. Heard S/Shri A.K. Tiwari and H.P. Jadhav, learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned P.O. files affidavit in reply on behalf of Respondent no.1. The same is taken on record. Its copy is served on the other side.

3. Pleadings are complete.

4. Fix the application for hearing/admission on 20.4.2017.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 28/2016 IN CP ST.77/16 IN OA 71/12.

[Shri R. H. Kulkarni & 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 :- 23.03.2017

Oral Order :-

1. Heard Shri C. R. Thorat, learned Advocate for the applicants and Shri I. S. Thorat, learned Presenting Officer for the respondents.
2. Learned P.O. points towards the communication already filed on record as referred in order dated 28.2.2017 and submit that, no sooner grant would be available the arrears would be paid as is undertaken vide letter dated 8.2.2017
3. Considering all these facts learned Advocate for the applicant submit that, the present application may be disposed of.
4. Accordingly M.A. as well as C.P. stand disposed of without any order as to costs.
5. Steno copy is allowed.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

Original Application No. 842/16.

[Shri A. F. Kasbekar & 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 :- 23.03.2017

Oral Order :-

1. Heard Shri C. R. Thorat, learned Advocate for the applicants and Shri I. S. Thorat, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 25.4.2017.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO.91/17 IN CP ST.199/17 IN OA 604/14.

[Smt. Vaishali P. Kadam 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 :- 23.03.2017

Oral Order :-

1. Heard Shri S. D. Dhongde, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submit that, the grievance is redressed and therefore, the application may be disposed of. Accordingly, the application is disposed of without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 23.3.2017.ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINLA APPLICATION NO. 325/2015.

Shri Subhash Prakashrao Shelke R/o Nanded.

Versus.

The State of Maharashtra and others.

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

Date :- 23.03.2017

Oral Order :-

1. Heard Shri S. D. Joshi, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the respondents.
2. Learned P.O. files additional short affidavit in reply on behalf of Respondents no.1,2 and 3. The same is taken on record. Its copy is served on the other side.
3. Though the present O.A. pertains to the hearing before the Division Bench with consent of both the sides, the present O.A. is heard.
4. The applicant is seeking appointment / promotion to the post of Telephone Operator on the ground that, though he is appointed in Class IV post he was required to work for the superior post as mentioned above.

5. He further submits that, the recruitment rules for Telephone Operator show that, the present applicant possesses the said qualification and therefore, necessary direction may be issued.

6. The learned P.O. opposed the plea. She submits that, there cannot be any appointment/promotion even if for the sake of argument it is assumed that, the present applicant was required to work as a Telephone Operator.

7. Since the Rules does not provide for regular appointment/promotion for the post, which the employee has worked to which he is not appointed, present application is dismissed with liberty to the applicant to avail such remedy as may be available to him to claim salary, remuneration etc. for the post to which he allegedly had worked. There shall be no order as to costs.

VICE CHAIRMAN

