

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A. NOS. 652, 682 AND 683 ALL OF 2009

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

Date : 19.07.2017

ORAL ORDER:-

Heard Shri Ajay S. Deshpande, learned Advocate for the applicants in all these matters and Smt. Sanjivani Deshmukh Ghate and Shri I.S. Thorat, learned Presenting Officers for the respective respondents in respective matters.

2. Both the sides submit that the submissions will have to be made in these matters on the issue of pendency of certain proceedings before other Courts or the Honourable Supreme Court and as to whether the cause of action still subsists more particularly in view of the speaking order of the Tribunal dated 22.3.2010 in the present matters. At the request of both the sides, S.O. to 4.8.2017 for making submissions.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 572/2015

(Shri Subhash G. Ghavan Vs. The State of Mah. & Ors.)

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

Date : 19.07.2017

ORAL ORDER:-

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

2. The learned P.O. seeks time to take instructions on the line of the order of this Tribunal dated 29.6.2017. At his request, S.O. to 4.8.2017 for taking instructions from the respondents.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 19.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 176/2016 IN OA ST. 594/2016

(Shri Amol Chandrakant @ Kanta Dhekale Vs. The State of
Mah. & Ors.)

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

Date : 19.07.2017

ORAL ORDER:-

Heard Shri Amol Kurangal, learned Advocate holding for Shri C.R. Thorat, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that the applicant wishes to file Misc. Application for permission to amend the Original Application suitably. At his request, S.O. to 27.7.2017 for filing M.A. for amendment.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 381/16 IN MA ST. 1714/2016 WITH OA ST. 761/2015

(Shri Laxmikant P. Ratnaparkhi Vs. The State of Mah. & Ors.)

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

Date : 19.07.2017

ORAL ORDER:-

Heard Shri G.J. Kore, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, on all the applications.

2. The present M.A. 381/2016 has been filed by the applicant for condonation 127 days delay caused in filing M.A. st. no. 1714/2016 for restoration of O.A. st. no. 761/2015.

3. On perusal of the order dated 19.6.2015 passed by the Tribunal in O.A., it appears that, by the said order the learned Advocate for the applicant was directed to make his submissions regarding delay caused in filing the original application. Thereafter by the order dated 27.7.2015 this Tribunal has issued notices to the respondents, but the same were not collected by the learned Advocate for the applicant till 27.11.2015. Thereafter by the order dated 27.11.2015 it was further observed by the Tribunal that, if the notices are not collected by the learned Advocate for the applicant within two weeks from the date of that order, the O.A. shall stand dismissed, without reference to the Tribunal. As the learned

::-2-::
MA 381/16 IN MA ST. 1714/2016
WITH OA ST. 761/2015

applicant for the applicant has not collected the notice in spite of above order and, therefore, by the order dated 22.2.2016 the O.A. was dismissed in default.

4. Para 6 of the O.A. reads as under :-

“6. That the applicant says and submits that the applicant was completed his 24 year service in the year 1995 but the respondent authority did not grant him benefit of revised time bond promotion scheme. That the applicant was retired from service on 30.5.2012. The copy of service book of applicant is annexed herewith and marked annexure A.4.”

5. It is thus clear that the O.A., which is filed by the applicant on 1.4.2015, is hopelessly barred by limitation. In that view of the matter, the M.A. 381/2016 filed by the applicant for condonation of 127 days delay in filing M.A. st. no. 1714/2016 for restoration of O.A. and the M.A. st. 1714/2016 itself for restoration of original application are allowed and the original application is dismissed in limine. There shall be no order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 456/2016 IN OA ST. 2031/2016

(Shri Syed Abdul Wahid s/o Sayed Abdul Hakim Vs. The State
of Mah. & Ors.)

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

Date : 19.07.2017

ORAL ORDER:-

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 in the M.A. At his request, time granted as a last chance with a caveat that, in case no affidavit in reply in the M.A. for condonation of delay in filing O.A. is filed by the respondents by the next date, the same would be decided on its own merit.

3. S.O. to 10.8.2017 either for filing reply by the respondents in M.A. or for deciding the M.A. without reply.

VICE CHAIRMAN

ARJ ORAL ORDERS 19.7.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.925/2016.
(Shri K. R. Tharewali 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 : 19-07-2017

ORAL ORDER:-

None present for the applicant. Heard Shri N. U. Yadav learned Presenting Officer for the respondents no.1 to 4. None present for the Respondent no.5.

2. The learned P. O. files on record affidavit in reply on behalf of Respondent no.3. The same is taken on record.

3. Read order dated 7.2.2017 Applicant was required to satisfy this Tribunal regarding the effect of exemption from passing the Departmental Examination on the seniority list.

4. S. O. to 10.8.2017 for compliance of the order dated 7.2.2017.

VICE CHAIRMAN.

ORAL ORDERS 19-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

REV. NO.11/2016 IN OA NO.3/2012..
(Shri K. P. Bodke 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 : 19-07-2017

ORAL ORDER:-

Heard Shri K. B. Jadhav learned Advocate for the applicant and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents.

2. Since the Division Bench would be available place the present application for hearing on 2/8/2017 before the Division Bench.

VICE CHAIRMAN.

ORAL ORDERS 19-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO. 738/2012.

(Shri C. S. Jadhav 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 : 19-07-2017

ORAL ORDER:-

Heard Shri Sudhir Patil learned Advocate for the applicant and Shri I. S. Thorat learned Presenting Officer for the respondents.

2. The learned P.O. points towards additional affidavit in reply filed in pursuance of the order passed by this Tribunal on 27.6.2017. Para no.5 of the said affidavit in reply (page 130) would show that, no fresh Departmental Enquiry is proposed against the present applicant. In that view of the matter the submission made by the learned Advocate for the applicant earlier on instructions that, he was orally told that certain D.E. would be initiated can not survive.

3. In the circumstances, place the present O.A. for hearing on admission on 08/08/2017.

VICE CHAIRMAN.

ORAL ORDERS 19-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.678/2013.
(Shri 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 : 19-07-2017

ORAL ORDER:-

None present for the applicant. Heard Shri I. S. Thorat learned Presenting Officer for the respondents.

2. The learned P.O. files on record the communication received to him from Dy. S. P. Ahmednagar. The same is accepted and marked as "X" for the purpose of identification.

3. While the present application is filed by the applicant against the rejection of his request for voluntary retirement vide order dated 2/3rd February, 2012, the present communication would show that thereafter during the pendency of the application the present applicant has been retired on the ground of medical disability on 24.4.2017 and as such the present application has become infructuous.

-2- **ORIGINAL APPLICATION NO.678/2013**

4. In absence of the learned Advocate for the applicant, S. O. to 07.08.2017 either for making submission by the applicant or for passing necessary orders.

VICE CHAIRMAN.

ORAL ORDERS 19-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.573/2015.
(Shri A. K. Kharat Vs. State of Mah. & Ors.)

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

DATE : 19-07-2017

ORAL ORDER:-

Heard Miss. Ashlesha Raut learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicant and Shri N. U. Yadav learned Presenting Officer for the respondents.

2. Miss. Ashlesha Raut learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicant submits that, Advocate Shri Talekar is busy in the Hon'ble High court, however, positively he would make submission in the matter on the next Friday. Therefore, at his request, S. O. to 28.07.2017.

VICE CHAIRMAN.

ORAL ORDERS 19-07-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

MA NO. 316/2015 IN OA ST.NO.709/2015.

(Dr. Pralhad Mariappa Kamble Vs. State of Mah. & Ors.)

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

DATE : 19-07-2017

ORAL ORDER:-

Heard Shri M. N. Deshmukh learned Advocate for the applicant and Shri I. S. Thorat learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant on instructions submits that, the grievance of the applicant is redressed and he does not want to proceed with the application. He submits that, the applicant may be permitted to withdraw the application. Allowed to withdraw the same. MA No. 316/2015 stands disposed of as withdrawn without any order as to costs. Consequently O.A. St. No. 709/2015 is also disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 19-07-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 542/ 2016
(Smt. Vaishali A. Kathar Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Heard Shri A.D. Gadekar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1 to 3 and Shri D.T. Devane, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for the applicant, S.O. to 11.08.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 16/ 2017
(Shri Sk. Mukhtyar Sk. Noor Ali Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Shri S.G. Magre, learned Advocate holding for Shri M.D. Godamgaonkar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 20.07.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 654/ 2016
(Shri Murlidhar H. Suryawanshi Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Shri Ashish Rajkar, learned Advocate holding for Shri R.P. Adgaonkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 24.07.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 147/ 2017
(Shri Ajitkumar R. Saswade Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

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

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

3. Pleadings are complete. The O.A. is admitted and it be kept for final hearing.

4. S.O. to 24.08.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 892/ 2016
(Smt. Babita U. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Shri S.D. Joshi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 11.08.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 65/ 2017
(Shri Kundan V. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Shri S.D. Joshi, 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 03.08.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 122/ 2017

(Shri Chandrashekar R. Chopdar Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Shri S.D. Joshi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 11.08.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 946/ 2016
(Shri Krushna S. Edke Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, S.O. to 27.07.2017. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 914/ 2016
(Smt. Babita U. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 19.07.2017.

ORAL ORDER:-

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

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

3. S.O. to 11.08.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 479/ 2017
(Smt. Sujata H. Lasure Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Heard Shri A.D. Gadekar, 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 24.07.2017.

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

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

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

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

7. S.O.to 24.07.2017.

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

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 767/ 2016
(Shri Lalasaheb N. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Shri M.M. Kadtu, learned Advocate for the applicant
(**Absent**). Shri S.K. Shirse, learned Presenting Officer for
the respondents, present.

2. As none present for the applicant, S.O. to
16.08.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 934/ 2016
(Shri Amol V. Mane Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Heard Shri K.J. Suryawanshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 243/ 2017
(Shri Pralhad T. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Shri T.R. Daware, learned Advocate holding for Shri D.B. Thoke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply. Time granted.

3. S.O. to 8.8.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 304/ 2017
(Shri Arun R. Naik Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 03.08.2017. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 328/ 2017
(Sou. Megha S. Shevgan Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Heard Shri C.T. Jadhav, learned Advocate holding for Shri K.M. Nagarkar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3 and Shri S.R. Dheple, learned Advocate for respondent no. 4.

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

3. S.O. to 11.08.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 366/ 2017
(Shri Kumar H. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

Shri A.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent no. 1 and Shri D.T. Devane, learned Advocate for respondent nos. 2 & 3.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent no. 1. Same is taken on record and the copy thereof has been served on the other side.

3. Learned Advocate for respondent nos. 2 & 3 has filed affidavit in reply. Same is taken on record and the copy thereof has been served on the other side.

4. S.O. to 4.8.2017. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NOS. 293, 294 & 295 ALL OF 2017
(Smt. Lata B. SaOrode & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 19.07.2017.

ORAL ORDER:-

Heard Shri C.T. Jadhav, learned Advocate for the applicants in all these O.As., Shri M.S. Mahajan and Smt. Priya R. Bharaswadkar, learned Chief Presenting Officer and Presenting Officer for the respective respondents in respective O.As.

2. Issue fresh notices to the respondents, returnable on 24.08.2017.

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

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

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

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

7. S.O.to 24.08.2017.

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

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 02/ 2017

(Shri Dattatraya K. Ubale Vs. State of Maharashtra & Ors.)

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

DATE : 19.07.2017.

ORAL ORDER:-

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 3. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 2 and 4.

4. On perusal of the record, it reveals that the ample opportunities have been granted to the respondents to file their reply. On last date i.e. on 29.06.2017, a most last chance was granted subject to payment of costs of Rs. 5000/-. In spite of that, the respondent nos. 2 and 4 are failed to file their reply. This shows that the respondent nos. 2 & 4 are not diligent in conducting the matter and they are interested in prolonging the matter.

5. In these circumstances and considering the attitude of the respondent nos. 2 & 4, in the interest of justice two weeks' time is granted for filing affidavit in reply, subject to payment of costs of Rs. 1000/- of each respondent, which is to be deposited in the Registry of this Tribunal. The cost is to be paid by the respondent no. 2 & 4 personally.

6. S.O. to 2.8.2017.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 2/2017 in O.A. St. No. 2021/2016
(Shri Dattatraya K. Ubale Vs. State of Maharashtra & Ors.)**

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

DATE : 19.07.2017.

ORAL ORDER:-

Heard Shri T.R. Daware, learned Advocate holding for Shri A.G. Talhar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that the applicant in the matter died before three months approximately. Hence, he prayed to pass necessary order in the matter.

3. Since the applicant reported dead before three months, the M.A. and O.A. stand disposed of as abated.

MEMBER (J)

KPB ORAL ORDER 19-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. 260/17 WITH M.A.56/17 IN O.A.ST.86/2017
(Shri Sudhakar A. Goswami Vs. The State of Maha. and
Ors.)**

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

DATE : 19.07. 2017.

ORAL ORDER:

1. Shri Y.P. Deshmukh – learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents, present.
2. The present Miscellaneous Application No. 260/2017 has been filed by the applicant seeking permission to carry out the amendment in M.A. No. 56/2017, which is filed for condonation of delay caused in filing accompanying Original Application St. No. 86/2017.
3. Since nobody appears on behalf of the applicant, S.O. to 3rd August, 2017.

MEMBER (J)

ORAL ORDERS 19.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. 261/2017 IN O.A. ST. 528/2017
(Shri Deorao N. Dawane Vs. The State of Maha. and Ors.)**

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

DATE : 19.07. 2017.

ORAL ORDER:

1. Heard Shri V.P. Golewar – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.
2. This is an application filed by the applicant for condonation of delay of about 1034 days i.e. 2 years 10 months caused in filing the accompanying Original Application St. No. 528/2017
3. Issue notices to the respondents in M.A. No. 261/2017, returnable on 24th August, 2017.
4. Tribunal may take the case/s for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. S.O. to 24th August, 2017.
9. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 353 OF 2016
(Shri Ladappa A. Chikale Vs. The State of Maha. and Ors.)**

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

DATE : 19.07. 2017.

ORAL ORDER:

1. Heard Shri U.B. Bilolikar – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. Learned Presenting Officer for the respondents prays for time till Monday i.e. 26th July, 2017, for filing short affidavit of the Enquiry Officer viz. Shri Shilwant Raghunath Dhavale, Sub Divisional Police Officer, Latur City, who has conducted the Departmental Enquiry against the applicant.
3. Time granted as prayed for.
4. S.O. to 26th July, 2017.

MEMBER (J)

ORAL ORDERS 19.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 416 OF 2016
(Shri Ramhari G. Gosavi Vs. The State of Maha. and Ors.)**

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

DATE : 19.07. 2017.

ORAL ORDER:

1. Heard Shri M.B. Kolpe – learned Advocate for the applicant and Shri S.K. Shirse – learned Presenting Officer for the respondents.
2. Learned Presenting Officer for the respondents prays for time to produce original record on the basis of which the date of birth of the applicant has been recorded in the list submitted by the respondents to the Government in the year 1994 and to file short affidavit in that regard.
3. Time granted.
4. S.O. to 9th August, 2017.

MEMBER (J)

ORAL ORDERS 19.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 534 OF 2016
(Shri Lalu Bhau Pawar Vs. The State of Maha. and Ors.)**

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

DATE : 19.07. 2017.

ORAL ORDER:

1. Heard Shri M.B. Kolpe – learned Advocate for the applicant and Shri I.S. Thorat – learned Presenting Officer for the respondents.
2. Learned Presenting Officer for the respondents prays for time to produce original record on the basis of which the date of birth of the applicant has been recorded in the list submitted by the respondents to the Government in the year 1994 and to file short affidavit in that regard.
3. Time granted.
4. S.O. to 9th August, 2017.

MEMBER (J)

ORAL ORDERS 19.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 577 OF 2016
(Dr. Baban L. Jadhav Vs. The State of Maha. and Ors.)**

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

DATE : 19.07. 2017.

ORAL ORDER:

1. Heard Shri J.S. Deshmukh – learned Advocate for the applicant, Mrs. Deepali S. Deshpande – learned Presenting Officer for respondent Nos. 1 to 3 and Shri H.P. Jadhav – learned Advocate for respondent No. 4.

2. Learned Advocate for respondent No. 4 prays for time to produce the copy of Government Resolutions dated 25.4.1988 and 5.2.1990. Time granted.

3. S.O. to 10th August, 2017.

MEMBER (J)

ORAL ORDERS 19.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 909 OF 2016
(Shri Laxman A. Lomte Vs. The State of Maha. and Ors.)**

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

DATE : 19.07. 2017.

ORAL ORDER:

1. Heard Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri S.D. Joshi – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.
2. Learned Presenting Officer for the respondents prays for time. Time granted.
3. S.O. to 14th August, 2017.

MEMBER (J)

ORAL ORDERS 19.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 41 OF 2017
(Shri Baburao N. Ardad Vs. The State of Maha. and Ors.)**

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

DATE : 19.07. 2017.

ORAL ORDER:

1. Heard Shri Avinash Deshmukh – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. At the request and by consent of both the parties, S.O. to 10th August, 2017.

ORAL ORDERS 19.07.2017-HDD

MEMBER (J)