

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 281 OF 2017
{Shri Dhananjay P. Sonune Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

1. Heard Shri V.B.Dhage, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned P.O. undertakes to file affidavit in reply of the respondents during the course of the day. Hence, S.O. to 13.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 84 OF 2017
{Shri Sagar B. Maske Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

1. Heard Shri V.B.Dhage, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned P.O. undertakes to file affidavit in reply of the respondents during the course of the day. Hence, S.O. to 13.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 47 OF 2017
{Shri Abhijeet B. Patil Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

1. Heard Shri V.B.Dhage, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned P.O. undertakes to file affidavit in reply of the respondents during the course of the day. Hence, S.O. to 13.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 210 OF 2017
{Shri Ramesh B. Pimple Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

1. Heard Shri Balaji B. Yenge, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. At the request of learned C.P.O. for the respondents, S.O. to 1.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 429 OF 2017
{Shri Krushna L. Basar Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

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

2. The learned P.O. undertakes to file affidavit in reply of the respondents during the course of day. Hence, S.O. to 1.9.2017. The interim relief granted earlier to continue.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 325/2017 IN OA ST. 941/2017

{Shri Bhika K. Choudhari Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

1. Heard Shri S.S. Shinde, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. The learned Advocate for the applicant seeks time to satisfy this Tribunal on the point of condonation of delay caused in filing the O.A. Time granted.
3. S.O. to 4.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 363 OF 2016
{Shri Shriram B. Jadhav &: Ors. Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

1. Heard Shri Dagadkhair, learned Advocate holding for S/shri P.S. Palve / (Dr.) D.S. Kore, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to comply with the directions issued by the Tribunal vide order dated 17.7.2017.
Time granted.

3. S.O. to 4.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 897 OF 2016

{Shalini R. Raut Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

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

2. The learned P.O. files on record the affidavit in reply. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. The learned Advocate for the applicant submits that the applicant wants to amend the O.A. in view of subsequent developments. Permission as sought for by the learned Advocate for the applicant is granted. The O.A. be amended within a period of 2 weeks from today and amended copy of the O.A. be served upon the learned P.O. for the respondents.

4. S.O. to 4.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 153 OF 2017

{Shri (Dr.) Ramesh B. Hemke Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 3. None appears for respondent nos. 4 & 5.

2. The learned P.O. seeks time to file affidavit in reply of the respondents. It reveals from the record that already last chance had been granted by the Tribunal to the respondents to file affidavit in reply, still the same has not been filed till today. Hence as a most last chance time is granted till 7.9.2017 for filing affidavit in reply.

3. S.O. to 7.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 249 OF 2017
{Shri Raja V. Lakkamwad Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

1. Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. The learned P.O. undertakes to file affidavit in reply during the course of the day. The said undertaking is accepted and taken on record. He is directed to serve copy of reply upon the learned Advocate for the applicant.
3. With the consent of both the sides, S.O. to 21.8.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 380 OF 2017

{Shri (Dr.) Prasad V. Kulkarni & Ors. Vs. The State of Mah. & Ors.}

CORAM :- Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE :- 18.8.2017

Oral Order :-

1. Shri Vishnu Dhoble, learned Advocate for the applicants **(absent)**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.
2. In view of absence of applicant and his learned Advocate, S.O. to 7.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 557/2017

(Smt. Amrapalee A. Khandare Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

Date : 18.08.2017

ORAL ORDER:-

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

2. The learned P.O. has submitted that, though he has already sent the copy of the order of the Tribunal dated 10.8.2017 to the res. no. 2 and sought instructions from him in view of the said order, till today he has not received any instructions from the res. no. 2 in that regard. He submits that some time may be granted to take instructions from the res. no. 2.

3. The learned Advocate for the applicant has submitted that the res. no. 2 has called the selected candidates for verification of documents on 20.8.2017. He has further submitted that in these circumstances it is just to grant interim relief as prayed by the applicant vide prayer clause (D) of the O.A.

4. Since the res. no. 2 has not filed affidavit in reply in the O.A. in view of directions issued by the Tribunal vide order dated 10.8.2017 or has not given instruction to the learned P.O. in that regard, it is just to grant the interim relief in terms of prayer clause (D) of the O.A. till filing of the affidavit

in reply by the respondents. The prayer clause (D) reads as under :-

“(D) Pending hearing and final disposal of this Original Application, the respondents be directed not issue the appointment orders for the post of X-ray Technician to the candidates who have been selected by depriving claim of the applicant and also directed to keep vacant one post of the X-ray Technician from women and schedule category.”

5. S.O. to 4.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 212/2016 IN OA ST. 664/2016

(Shri Nandkishor C. Khicchi Vs. The State of Mah. & Ors.)

Coram : Hon'ble Shri B.P. Patil, Member (J)
**(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

Date : 18.08.2017

ORAL ORDER:-

Heard Shri Nandkishor C. Khicchi – party in person and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The party in person has filed on record the written notes along with copies of certain citations. The same are taken on record. The party in person is directed to serve copy of the said compilation to the learned P.O. today itself.

3. With the consent of party in person and the learned P.O., S.O. to 4.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 428/2017

(Shri Raghunath J. Mardode Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

Heard Shri P.M. Gaikwad, learned Advocate holding for S/shri G.K. Muneshwar / Ram Harpale, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant has submitted that the applicant has challenged the impugned order by preferring appeal before the Commissioner of Agriculture, Pune. He has further submitted that in view of the fact that the applicant has preferred appeal before the Appellate Authority against the impugned order, he is not pressing the present O.A. and therefore he prayed to dispose of the present O.A.

3. Since the O.A. is not pressed for by the applicant, it is disposed of as such with no order as to costs.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 327/2017 IN OA 448/2017

(Shri Prakash T. Dandge Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

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

2. Issue notices to the respondents in the misc. application, returnable on 21.9.2017.

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. to 21.9.2017.

8. Steno copy & hamdast allowed to both the sides.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A. NO. 565/2017

(Smt. Vandana S. Mahajan Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

Heard Shri Chetan Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to take instructions from the applicant as to whether she wants to proceed further in the present O.A. in view of the decision of the Tribunal dated 29.11.2016 in O.A. no. 538/2015. Time granted.

3. S.O. to 22.8.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A. NO. 536/2017

(Shri Harichandra N. Sapkal Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

Heard Shri S.N. Lute, learned Advocate for the applicant and Smt. Priya S. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 21.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA NO. 572/2017

(Shri (Dr.) D. S. Raut Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

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

2. Issue notices to the respondents in the O.A., returnable on 25.9.2017.

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

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

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

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

7. S.O. to 25.9.2017.

8. Steno copy & hamdast allowed to both the sides.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA NO. 573/2017

(Shri Mukesh K. Gunjal Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

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

2. Issue notices to the respondents in the O.A., returnable on 26.9.2017.

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

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

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

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

7. S.O. to 26.9.2017.

8. Steno copy & hamdast allowed to both the sides.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA NO. 322/2016

(Smt. Swati N. Kulkarni & Ors. Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

Heard Shri A.D. Gadekar, learned Advocate holding for Shri B.S. Kudale, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 19.9.2017, as a last chance.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA NO. 764/2016

(Shri Baswaraj M. Swami & Ors. Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

Heard Shri D.P. Sathe, learned Advocate holding for Shri K.M. Nagarkar, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 21.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA NO. 850/2016

(Shri Anand S. Gavali Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

Heard Shri S.D. Joshi, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 21.8.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA NO. 878/2016

(Shri Nitinkumar T. Adhe Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

Heard Shri A.D. Sugdare, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1 & 2. None appears for respondent nos. 3 & 4.

2. The learned P.O. files on record affidavit in reply on behalf of res. nos. 1, 3 & 5. The same is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. Admit.

4. The O.A. be placed on board for final hearing on 8.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA NO. 921/2016

(Shri Sanjay T. Mali Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The learned P.O. again seeks chance to file affidavit in reply. It reveals from the record that though most last chance had been granted by the Tribunal vide order dated 28.4.2017 for filing affidavit in reply, till today the respondents have not filed affidavit in reply in the matter.

3. In the circumstances, time till 8.9.2017 is granted to the respondents for filing affidavit in reply, subject to payment of costs of Rs. 10,000/- as a condition precedent.

4. S.O. to 8.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA NO. 126/2017

(Shri Arjun Y. Rakshe Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

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

2. Admit.
3. The matter be placed on board for final hearing on 13.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA NO. 167/2017

(Shri Fakirrao A. Wadhve Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

ORAL ORDER:-

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

2. It appears from the record that, though ample opportunities have been granted to the respondents to file affidavit in reply in the matter, it is not yet filed till today. The learned P.O. again seeks time to file affidavit in reply of the respondents.

3. In the circumstances, in the interest of justice, S.O. to 8.9.2017 for filing affidavit in reply by the respondents.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA NO. 357/2017

(Shri Manohar V. Choudhari Vs. The State of Mah. & Ors.)

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

Date : 18.08.2017

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. The learned Advocate for the applicant and learned C.P.O. have submitted that the impugned order dated 7.6.2017 regarding transfer of the applicant has been withdrawn by the Government and by passing modified order the applicant is now retained at Jalgaon only. In view of withdrawal of the impugned order and issuance of the modified order retaining the applicant at Jalgaon itself by the Government, the applicant now does not want to proceed further in the O.A. and he therefore, prayed to dispose of the O.A.

3. In view of above submissions of the learned Advocate for the applicant, the O.A. stands disposed of for want of prosecution. There shall be no order as to costs.

MEMBER (J)

ARJ ORAL ORDERS 18.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

O.A. No. 241/2017

(Shri Sudhakar D. Mangalkar & ors. V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

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

2. Learned Presenting Officer has submitted that he wants to file a copy of G.R. dated 13.9.2012 and some documents along short affidavit. The copies of the documents are being served on the applicant in advance.

3. At the request and by consent of both the parties, S.O. to 22.08.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A. No. 148/2016 in O.A. No. 167/2016
(Shri Kamel K. Inamdar V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri K.G. Salunke, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 19.09.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A. No. 437/2016 in O.A. St. No. 1869/2016
(Shri Tejrao P. Wagh V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri V.G. Salgare, 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 20.09.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A. No. 438/2016 in O.A. St. No. 1867/2016
(Shri Gulab S. Khandare V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri V.G. Salgare, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 20.09.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 440/2016 in O.A. St. No. 1873/2016
(Shri Bhikaji D. Gadekar V/s. the State of Mah. & Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri V.G. Salgare, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondents, present.

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

3. S.O. to 20.09.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A. No. 456/2016 in O.A. St. No. 2031/2016
(Shri Syed Abdul Wahid V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri V.G. Salgare, learned Advocate for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents, present.

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

3. S.O. to 20.09.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A. No. 445/2016 in O.A. St. No. 1876/2016
(Smt. Surekha J. Pawar V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri D.K. Rajput, learned Advocate for the applicant
(**Absent**). Shri I.S. Thorat, learned Presenting Officer for
respondents, present.

2. As none present for the applicant, S.O. to
21.09.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A. No. 460/2016 in O.A. St. No. 1999/2016
(Shri Hanuman S. Sarode V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

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

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

3. S.O. to 21.09.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A. No. 38/2017 in O.A. St. No. 3051/2016
(Shri Faroqui Sahed Latif V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri Mohsin Khan, learned Advocate for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 21.09.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

O.A. No. 612/2013

(Shri Babu V. Sonone V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri C.V. Thombre, learned Advocate for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for respondents, present.

2. It transpires from the proceedings that earlier occasions also none appeared for the applicant and therefore, the matter was kept today for consideration.

3. Today also nobody appeared for the applicant. Hence, the present matter be kept for dismissal on 23.08.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 708/2013

(Shri (Dr.) Rekha A. Salunkhe V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri H.P. Jadhav, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

2. On last date i.e. on 6.7.2017 also nobody appeared for the applicant and on that date, the learned Presenting Officer sought time to file copy of the decision of the respondent No. 2 on the representation filed by the applicant on 25.08.2012.

3. Today, the learned Presenting Officer has placed on record a copy of communication dated 29.05.2017. Same is taken on record and marked as Exhibit-'X' for the purposes of identification, from which it seems that the applicant's representation has been rejected.

4. In the Original Application, the applicant has prayed for direction to respondent No. 2 to decide the representation dated 25.08.2012 within a stipulated period.

5. Now the representation of the applicant has been rejected by the respondent No. 2, the very cause of action for this Original Application does not survive. From the record it seems that nobody appeared for the applicant since 2.5.2017 continuously.

6. In view thereof, the O.A. stands dismissed. The applicant will be at liberty to challenge the communication dated 29.05.2017, if he desires to do so. There shall be no order as to costs.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. 40/2017 in M.A. St. 103/2017 in O.A. St.
199/2016**

(Smt. Jayshree A. Landge V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri S.S. Ambore, learned Advocate for the applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent No.1, present. Shri D.M. Shinde, learned Advocate for respondent No. 2.

2. As none present for the applicant, S.O. to 19.09.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 480/2016 in O.A. St. No. 1607/2016
(Shri Mahadev K. Wankhede V/s. the State of Mah. & Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri S.R. Pande, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

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

3. S.O. to 08.09.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

O.A. No. 311/2015

(Smt. Kalpna M. Patil V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Shri H.P. Jadhav, learned Advocate for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent Nos. 1 to 3, present. None present for respondent Nos. 5 & 6.

2. As none present for the applicant, S.O. to 23.08.2017.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

O.A. No. 781/2013

(Shri Sudarshan D. Shinde V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Vide order dated 13.07.2017, learned Presenting Officer was directed to take instructions from the respondents as regards the status of the proposal sent to the respondent authority.

3. Today, the learned Presenting Officer has placed on record a copy of communication dated 27.07.2017. Same is taken on record and marked as Exhibit-'X' for the purposes of identification, from which it seems that the proposal is still pending.

4. In view thereof, the matter is heard on merits and it is closed for orders.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A. No. 49/2017 in O.A. St. No. 160/2017

**(Smt. Meena Ram Fattelashkari @ Meena Suraj Lakhnowale V/s. the
State of Mah. & Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

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

2. This is an application filed by the applicant for condonation of delay caused in filing accompanying O.A. St. No. 160/2017. In the O.A., the applicant is claiming appointment on compassionate ground in place of her father, who died during the service. It seems that the applicant's application for compassionate appointment came to be rejected firstly on 6.11.2012 on the ground that the applicant was not filed application for compassionate appointment within a period of one year from the date of death of her father.

3. Learned Advocate for the applicant has submitted that her father was having two wives and she was directed to obtain succession certificate, when she immediately approached to the competent authority. Accordingly, she has filed application for succession certificate before the competent Court and there was compromise in the said proceedings bearing M.A. No. 43/2010 before the Civil Judge (Senior Division), Jalna on 31.07.2011 and therefore, there was delay in filing application for appointment on compassionate ground.

//2//

M.A. No. 49/2017 in
O.A. St. No. 160/2017

4. It seems that after rejection of the application for appointment on compassionate ground, the applicant again filed representations on 1.04.2013 and 27.09.2013 and the same was forwarded to the Joint Director of Technical Education, Divisional Office, Aurangabad vide letter dated 8.4.2013. However, till today no decision has been taken by the respondents on the said recommendation.

5. Considering the fact that the applicant has filed application for appointment on compassionate ground, it will be in the interest of justice and equity to consider the case of the applicant on merits.

6. In view of this, the M.A. No. 49/2017 for condonation of delay in filing accompanying O.A. is allowed in the interest of justice and equity. Delay of three years and two months caused in filing O.A. stands condoned and M.A. stands disposed of accordingly. O.A. be registered and numbered. There shall be no order as to costs.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

O.A. St. No. 160/2017

**(Smt. Meena Ram Fattelashkari @ Meena Suraj Laknowale V/s. the
State of Mah. & Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

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

2. Issue notices to the respondents, returnable on 18.09.2017.
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. The respondents are directed to file affidavit in reply within a period of four weeks.
8. S.O.to 18-09-2017.
9. Steno copy and Hamdast is allowed to both parties

VICE CHAIRMAN (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 439/2016 with M.A. St. No. 1937/2016 in
O.A. St. No. 1938/2016**

(Smt. Ranjana R. Pagare & Ors. V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

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

2. Learned Presenting Officer has filed additional affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. The applicant is the widow of deceased Shri Rajendra Jagannath Pagare. The applicant's claim has been rejected vide communication dated 17.11.2012 for compassionate appointment on the ground that her husband was drawing pay scale of Rs. 5500-9000, which comes under Grade-B and therefore, she is not entitled to claim appointment on compassionate ground.

4. Learned Advocate for the applicant has submitted that this issue has been settled in W.P. No. 5440 of 2009 by the Hon'ble High Court of Judicature at Bombay,

//2//

M.A. 439/2016 with
M.A. St. 1937/2016 in
O.A. St. No. 1938/2016

Bench at Aurangabad in the case of **Dinesh Shamrao Sonawane Vs. The State of Maharashtra and Others**, wherein it has been held that the persons drawing pay scale of Rs. 5500-9000 comes under Grade-C category. Prima-facie, the applicant's case seems to have strong case on merits. Reason for condonation of delay is that the applicant was suffering from Cancer and she had undergoing treatment in Tata Memorial Hospital at Mumbai. She has placed on record documentary evidence in this regard.

5. Considering all these aspects, I feel that it will be in the interest of justice and equity to condone the delay. Hence, the M.A. No. 439/2016 for condonation of delay caused in filing accompanying O.A. is allowed. Delay of 1014 days caused in filing O.A. stands condoned and M.A. stands disposed of accordingly. O.A. be registered and numbered. There shall be no order as to costs.

VICE CHAIRMAN (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A. St. No. 1937/2016 in O.A. St. No. 1938/2016
(Smt. Ranjana R. Pagare & Ors. V/s. the State of Mah. & Ors.)

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

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

2. For the reasons stated in the Misc. Application and since the cause, the prayers and reliefs sought are identical to avoid the multiplicity of proceedings, leave to sue jointly is granted. Accompanying O.A. be registered, if objections, if any are complied with. M.A. stands disposed of accordingly. No order as to costs.

VICE CHAIRMAN (J)

KPB ORAL ORDER 18.08.2017 (SB) JDK

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
O.A. St. No. 1938/2016
(Smt. Ranjana R. Pagare & Ors. V/s. the State of Mah. & Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J).**

DATE : 18.08.2017.

ORAL ORDER:-

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

2. Issue notices to the respondents, returnable on 20.09.2017.
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. The respondents are directed to file affidavit in reply within a period of four weeks.
8. S.O.to 20-09-2017.
9. Steno copy and Hamdast is allowed to both parties

VICE CHAIRMAN (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.539/2017

WITH

CAVEAT NO.27/2017 & 39/2017

(Dr. Sarita Patil V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

Heard Shri V.B.Wagh learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for the respondents and Shri Nikhil Dube learned Advocate for respondent no.4.

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

3. S.O. to 29-08-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.542/2017

WITH

CAVEAT NO.26/2017 & 43/2017

(Dr. Sunil Bhamre V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

Heard Shri V.B.Wagh learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for the respondents and Shri Shamsundar B. Patil learned Advocate for respondent no.4.

2. Learned PO as well as the learned Advocate for respondent no.4 seek time to file affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 29-08-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.540/2017**

(Dr. Sakahari Sonawne V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

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

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

3. S.O. to 29-08-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.541/2017
WITH**

CAVEAT NO.29/2017

(Dr. Manik Sangle V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

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

2. Learned PO seeks time to file affidavit in reply on behalf of the respondents. Time granted.
3. S.O. to 29-08-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.559/2017 WITH
CAVEAT NO.38/2017**

(Dr. Rajkumar Jarhad V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

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

2. Learned CPO seeks time to file affidavit in reply on behalf of the respondents. Time granted.
3. S.O. to 29-08-2017.

YUK ORAL ORDER 18-08-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.564/2017

WITH

CAVEAT NO.48/2017

(Dr. Yashwant Chavan V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

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

2. Learned CPO appears on behalf of the caveators and waived notice. Hence, notice to respondent nos.1 to 3 is waived.

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

4. S.O. to 29-08-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.571/2017 WITH
CAVEAT NO.49/2017**

(Dr. Shrinivas Jadhav V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

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

2. Learned CPO appears on behalf of the caveators and waived notice. Hence, notice to respondent nos.1 to 4 is waived.

3. Issue notice to the private respondent no.5, returnable on 29-08-2017.

4. Tribunal may take the case 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 respondent no.5 intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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 questions 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. Learned CPO seeks time to file affidavit in reply on behalf of the respondents. Time granted.

9. S.O. to 29-08-2017.

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

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.192/2017 IN O.A.No.792/2015

(Dr. Prasad Kulkarni & Ors. AND Dr. Chetan Shingane &
Ors. V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

Shri Vishnu Dhoble learned Advocate for the original applicants has filed **leave note**.

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

2. Learned P.O. files affidavit in reply in the M.A.No.192/2017 on behalf of respondent nos.8 and 9. It is taken on record. Copy thereof has been served on the learned Advocate for the Intervenors. Learned P.O. undertakes to serve copy of the reply on the learned Advocate for the applicants.

3. S.O. 29-08-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.136/2016

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

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

DATE : 18-08-2017

ORAL ORDER:-

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

2. At the request of learned P.O. time is granted with direction to the respondents that responsible officer who is competent to comply with the direction given by the Tribunal on previous date, shall remain present before this Tribunal.

3. S.O. 29-08-2017.

4. Steno copy may be provided to the learned P.O. on his request.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.320/2016
(Meena Bengal V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

Heard Shri A.D.Sugdare learned Advocate holding for Shri V.P.Golewar learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for the respondents. Shri M.S.Dhapate learned Advocate for respondent no.5 is **absent**.

2. At the request of learned Advocate for the applicant, S.O. to 21-09-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.623/2016
(Shri Anil Katkar V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

Shri A.S.Deshpande learned Advocate for the applicant is **absent**.

Heard Shri N.U.Yadav learned Presenting Officer for the respondents and Shri G.N.Patil learned Advocate for respondent no.2.

2. Since none is present for the applicant, S.O. to 08-09-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.943/2016

(Shri Uttam Bahirwad V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

Heard Shri Nikhil Dube learned Advocate holding for Shri Girish Kulkarni learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.

2. At the request of learned Advocate of the applicant, S.O. to 14-09-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.13/2017

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

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

DATE : 18-08-2017

ORAL ORDER:-

Heard Shri D.T.Devane learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned P.O. prays for time for producing record of call details as directed by the Tribunal on previous order.
Time granted.

3. S.O. 11-09-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.41/2017

(Shri Baburao Aradad V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

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

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

3. S.O. 26-09-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.785/2016

(Dr. Arun Pardeshi V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

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

2. Learned P.O. has submitted that earlier respondent no.3 had sent proposal dated 15-04-2017 to the respondent no.2. Then respondent no.3 has sent another proposal dated 16-05-2017 for regularization of the suspension period and waiting period to the respondent no.2 and the proposals is pending before the respondent no.2.

3. Learned Advocate of the applicant has submitted that the respondent nos.1 and 2 have to take decision on the said proposal, and therefore, he prayed to dispose of the O.A. with direction to the respondent nos.1 and 2 to take decision on the proposal of the respondent no.3 as

regards regularization of the suspension period and waiting period of the applicant within stipulated period.

4. In view of the submission of the learned Advocate of the applicant, it would be just to direct respondent nos.1 and 2 to take decision on the proposal of the respondent no.3 as regards regularization of suspension period and waiting period of the applicant.

5. Accordingly, O.A. stands disposed of with direction to the respondent nos.1 and 2 to take decision on the proposal sent by the respondent no.3 i.e. Deputy Director, Health Services, Aurangabad as regards regularization of the suspension period and waiting period of the applicant within 2 months from the date of this order and intimate the decision to the applicant in writing. Applicant will be at liberty to approach the Tribunal, in case, decision goes against her. O.A. stands disposed of accordingly with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.158/2017

(Dr. Surekha More V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

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

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. On earlier occasions also learned P.O. had prayed for time for filing reply. On 09-08-2017 this Tribunal has observed as under:

“3. In these circumstances, in the interest of justice, time is granted to the respondents for filing affidavit in reply subject to payment of costs of Rs.10,000/- in addition to the earlier costs of Rs.5,000/-. The amount of costs shall be deposited in the Registry of this Tribunal before filing affidavit in reply.”

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O.A.No.158/17

3. Many adjournments were granted for filing reply. Twice time was granted to the respondents to file reply subject to payment of costs of Rs.5000/- and Rs.10,000/-. Earlier, total costs of Rs.15,000/- were imposed on the respondents still reply has not been filed on record.

4. Today also learned P.O. seeks time to file reply. Time granted as a last chance for filing reply on payment of costs of Rs.5000/-, in addition to costs of Rs.15,000/- imposed earlier.

5. Accordingly, costs of Rs.20,000/- be paid on or before next date and reply be filed on record.

6. S.O. 29-08-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.321/2017 IN O.A.St.No.1102/2017

(Dr. Sarita Patil V/s. The State of Mah. & Ors.)

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

DATE : 18-08-2017

ORAL ORDER:-

Heard Shri Amol N. Kakde 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. to 21-08-2017.

MEMBER (J)

YUK ORAL ORDER 18-08-2017