

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 212/2016 IN OA 664/2016

(Shri Nandkishor C. Khicchi V/s. 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 : 27-04-2017

ORAL ORDER:-

Heard Shri Nandkishor C. Khicchi, Party in person and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of Party in person, S.O. to 14.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 31/2017 IN CP ST. 77/2017 IN OA 500/2014

(Shri Dattatraya B. Parte V/s. 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 : 27-04-2017

ORAL ORDER:-

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

2. The learned Presenting Officer seeks time to file affidavit in reply in the misc. application. At his request, S.O. to 3.5.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 64/2017 IN OA ST. 100/2017

(Shri Milind V. Sonkamble V/s. 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 : 27-04-2017

ORAL ORDER:-

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

2. The learned P.O. submits that in view of the order dated 10.3.2017 of the Tribunal despite sending communications again and again to the respondents to give instructions in the matter, till today none of the respondent has given instructions to her in the matter. In the circumstances, at her request, as a last chance, S.O. to 13.6.2017, with a caveat that in case no instructions are received to the learned P.O. by that time, orders of calling the responsible Officer before the Tribunal and / or taking any coercive action may be passed.
3. Steno copy allowed for the use of learned P.O for the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 110/2017 IN OA ST. 233/2017

(Dr. Archana d/o Kartikrao Teltumbde @ Archana w/o
Anilkumar Waghurwagh V/s. 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 : 27-04-2017

ORAL ORDER:-

Heard Shri Ganajan Kadam, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 to 4 and Miss. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent no. 5.

2. The learned P.O. for res. nos. 1 to 4 as well as learned Advocate for res. no. 5 seek time to file affidavit in replies on behalf of respective respondents in the misc. application. Time granted. S.O. to 15.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 340/2016 IN CP ST. 1574/2016 IN OA 516/2003

(Dr. Vijaykumar B. Sarwade V/s. 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 : 27-04-2017

ORAL ORDER:-

Heard Shri V.B. Wagh, learned Advocate for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondent no. 1 and Shri Vivek Bhavthankar, learned Advocate holding for Shri P.R. Tandale, learned Advocate for respondent no. 2.

2. At the request of Shri Bhavthankar, learned Advocate holding for Shri P.R. Tandale, learned Advocate for res. no. 2, S.O. to 14.6.2017 for filing reply in the misc. application.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 421/2016 IN CP 06/1998 IN OA 01/1998

(Shri Shrikant S. Tupe V/s. 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 : 27-04-2017

ORAL ORDER:-

Heard Shri P.V. Suryawanshi, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent nos. 3 to 5.

2. The learned Advocate for the applicant submits that the matter is pending before the Hon'ble Supreme Court. At his request, S.O. to 20.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 124/2017 IN O.A. ST. 385/2017

(Shri Janardhan V. Ghasing V/s. 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 : 27-04-2017

ORAL ORDER:-

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

2. The learned Presenting Officer seeks time to file affidavit in reply in the misc. application. Time granted as a last chance. S.O. to 19.6.2017.

3. It is, however, made clear that, if affidavit in reply is not filed by the respondents in the misc. application by the next date, the matter will be heard on its own merit, without affidavit in reply.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 132/2017 IN CP ST. 397/2017 IN O.A. 539/2016

(Shri Amol K. Kakade & Ors. V/s. 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 : 27-04-2017

ORAL ORDER:-

Heard Shri V.B. Wagh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The learned P.O. seeks time as he has no definite instructions from the respondents. At his request, S.O. to 15.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 14/2016 IN O.A. 81/2013

(Shri Anand A. Hole V/s. 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 : 27-04-2017

ORAL ORDER:-

Heard Miss. Pradnya S. Talekar, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 2.5.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 563 OF 2014
(Shri Tushar B. Rajput V/s. 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 : 27-04-2017

ORAL ORDER:-

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

2. Shri Tungar, learned Advocate submits that he and Shri V.P. Raje, learned Advocate both have filed their joint V.P. in the present matter for the applicant, but as the office is only mentioning name of Shri Raje, learned Advocate on board and, therefore, Shri Tungar, learned Advocate is finding somewhat difficulty in searching the matter in his office.

3. In the circumstances, the office is hereby directed to mention the names of Shri S.V.Tungar & V.P. Raje, learned Advocates for the applicant on board, henceforth.

4. At the request of learned P.O. S.O. to 15.6.2017 for filing affidavit in reply.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 803 OF 2016

(Shri Sayyed Kalim Sayyed Mehboob V/s. 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 : 27-04-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, S.O. to 5.5.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 977 OF 2010
(Shri Bhagwat P. Patil V/s. 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 : 27-04-2017

ORAL ORDER:-

None appears for the applicant. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos. 1 to 3 is present. None appears for res. nos. 4 & 5.

2. The learned P.O. has filed affidavit in reply on behalf of res. no. 2 and the same is taken on record. She undertook to serve copy of the said reply upon the learned Advocate for the applicant.

3. The matter is already admitted and is pending for final hearing.

4. For time being this matter is removed from the board with a direction to the Office to place the same for final hearing before the Division Bench, whenever it is available. Liberty to both the sides to circulate the matter before the Division Bench on its availability.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 237 OF 2013

(Kaveri d/o Vithalrao Cha0van @ Smt. Kaveri Wd/o
Santoshrao Bagal V/s. 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 : **27-04-2017**

ORAL ORDER:-

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

2. The applicant is permitted to place on record the annexures in the original application. He is directed to give copy of entire amended O.A. along with annexures thereto to the learned Presenting Officer for the respondents.

3. Issue notice to the added res. no. 6, returnable on 14.6.2017.

4. Tribunal may take the cases 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 added respondent no. 6 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.

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. 14.6.2017.

9. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 891 OF 2012

(Shri Arshad Ayub Khan V/s. 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 : 27-04-2017

ORAL ORDER:-

None appears for the applicant. Heard Shri Vivek Bhavthankar, learned Advocate for res. no. 1. None appears for res. nos. 2 & 3.

2. The learned Advocate for the applicant has already filed on record the proof of service of notice upon the respondents.

3. The present matter is already admitted.

4. For the time being it is removed from the board with a direction to the Officer to place the same for final hearing, whenever Division Bench is available. Liberty to both the sides to circulate the matter before the Division Bench for final hearing, on its availability.

VICE CHAIRMAN

ARJ ORAL ORDERS 27.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.536/2016

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

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

DATE : 27-04-2017

ORAL ORDER:-

Heard Shri A.D.Sugdare learned Advocate for the applicant, Shri S.K.Shirse learned Presenting Officer for the respondent nos.1 and 2 and Shri S.D.Dhongde learned Advocate for respondent nos.3 and 4.

2. At the request of learned Advocate for respondent nos.3 and 4, S.O.16-06-2017.

MEMBER (J)

YUK ORAL ORDER 27-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.939/2016
(Shri Rajendra Salvi V/s. The State of Mah. & Ors.)

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

DATE : 27-04-2017

ORAL ORDER:-

Heard Shri J.B.Choudhary learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant,
S.O.16-06-2017.

MEMBER (J)

YUK ORAL ORDER 27-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A.No.285/2016 WITH M.A.No.144/2016 IN
O.A.St.No.1950/2015**

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

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

DATE : 27-04-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, S.O.16-06-2017 for final hearing.

MEMBER (J)

YUK ORAL ORDER 27-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.802/2016
(Shri Dattu Sable V/s. The State of Mah. & Ors.)

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

DATE : 27-04-2017

ORAL ORDER:-

Heard Shri P.B.Sawant learned Advocate holding for Shri V.G.Salgare learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for the respondents.

2. Learned P.O. has filed affidavit in reply on behalf of respondent no.5. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant may file rejoinder, if necessary.

4. S.O.23-06-2017.

MEMBER (J)

YUK ORAL ORDER 27-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.770/2016

(Shri Manchakrao Paratwagh V/s. The State of Mah. &
Ors.)

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

DATE : 27-04-2017

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 seeks time to file rejoinder. Time granted.

3. S.O.22-06-2017.

YUK ORAL ORDER 27-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.767/2016

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

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

DATE : 27-04-2017

ORAL ORDER:-

Shri M.M.Kadtu learned Advocate for the applicant has filed **leave note** on record. Shri S.K.Shirse learned Presenting Officer for the respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O.22-06-2017.

MEMBER (J)

YUK ORAL ORDER 27-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.254/2017
(Shri Raju More V/s. The State of Mah. & Ors.)

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

DATE : 27-04-2017

ORAL ORDER:-

Heard Shri A.P.Adhe learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Applicant has challenged termination order dated 17-04-2017 passed by the respondent no.2. In view of the Order of Hon'ble Chairman and office order No.MAT/ABAD/ESTT/132/16 dated 30-01-2016 subject of "termination" is enlisted in the list of subject matter to be dealt with by the Division Bench. Therefore, it will be just and proper to place the matter before the Division Bench of the Tribunal.

3. Registrar is directed to place the matter before Division Bench after due scrutiny as per rules.

MEMBER (J)

YUK ORAL ORDER 27-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.NO.161/2017 IN O.A.St.No.546/2017
(Shri Nanasahab Yeole & Ors. V/s. The State of Mah. &
Ors.)

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

DATE : 27-04-2017

ORAL ORDER:-

Heard Shri A.P.Adhe learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Applicant has challenged termination order dated 17-04-2017 passed by the respondent no.2. In view of the Order of Hon'ble Chairman and office order No.MAT/ABAD/ESTT/132/16 dated 30-01-2016 subject of "termination" is enlisted in the list of subject matter to be dealt with by the Division Bench. Therefore, it will be just and proper to place the matter before the Division Bench of the Tribunal.

3. Registrar is directed to place the matter before Division Bench after due scrutiny as per rules.

MEMBER (J)

YUK ORAL ORDER 27-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION ST. NO.534/2017

(Shri Babasaheb Pagare V/s. The State of Mah. & Ors.)

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

DATE : 27-04-2017

ORAL ORDER:-

Heard Shri N.B.Narwade learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant sought time to make submission on the point of maintainability of the O.A. in view of Section 20 of the Administrative Tribunal Act.

3. S.O.14-06-2017.

MEMBER (J)

YUK ORAL ORDER 27-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.660/2015

(Dr. Satish Londhe V/s. The State of Mah. & Ors.)

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

DATE : 27-04-2017

ORAL ORDER:-

Shri J.S.Deshmukh learned Advocate for the applicant has filed **leave note** on record. Shri M.P.Gude learned Presenting Officer for the respondent nos.1 to 3 is present.

Shri S.T.Shelke learned Advocate for respondent no.4 is **absent**.

2. In view of leave note of learned Advocate for the applicant, S.O.22-06-2017.

MEMBER (J)

YUK ORAL ORDER 27-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.225/2016
(Rukhmin Dudhate V/s. The State of Mah. & Ors.)

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

DATE : 27-04-2017

ORAL ORDER:-

Heard Shri Vivek Deshmukh learned Advocate for the applicant, Smt. Priya Bharaswadkar learned Presenting Officer for the respondent nos.1 and 2 and Shri K.G.Salunke learned Advocate for respondent no.3.

2. Shri K.G.Salunke, learned Advocate has filed affidavit in reply on behalf of respondent no.3. It is taken on record. Copy thereof has been served on the other side.

3. S.O.22-06-2017.

MEMBER (J)

YUK ORAL ORDER 27-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.240/2016

(Shri Ramkishan Khajekar V/s. The State of Mah. &
Ors.)

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

DATE : 27-04-2017

ORAL ORDER:-

Heard Shri R.P.Bhumkar learned Advocate for the applicant and Shri Deepak R. Patil learned Presenting Officer for the respondents.

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

3. S.O.03-05-2017.

YUK ORAL ORDER 27-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.387/2016

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

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

DATE : 27-04-2017

ORAL ORDER:-

Smt. Vinaya Muley-Dharurkar learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for the respondents is present.

2. Ample opportunities are granted to the respondents to file affidavit in reply in the O.A. On 15-11-2016 Tribunal has observed as under:

“3. However, last chance is granted on condition that heavy costs will be saddled on the respondents if reply is not filed on the next date”

3. Thereafter, again time was granted to the respondents to file reply on 20-12-2016, 08-02-2017 and 23-03-2017. Today also reply is not filed by the respondents.

4. Hence, it will be just and proper to impose costs of Rs.5000/- (Rs. Five thousand only) on the respondents for failure to file reply though ample opportunities are granted. Respondents shall deposit the costs with the Registry of the Tribunal till next date.

5. Respondents are directed to file reply till 22-06-2017, as a most last chance and if they fail to file reply again heavy costs would be imposed on the respondents.

6. S.O.22-06-2017.

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

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.615/2016

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

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

DATE : 27-04-2017

ORAL ORDER:-

Shri V.S.Kadam learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for the respondents is present.

2. Ample opportunities are granted to the respondents to file affidavit in reply in the O.A. On 30-11-2016 Tribunal has observed as under:

“4. It is made clear that if the respondent Nos.1 & 2 fail to file affidavit in reply on the next, heavy costs shall be imposed upon them.”

3. Thereafter, again time was granted to the respondents to file reply on 09-01-2017, 13-02-2017, 06-03-2017 and 03-04-2017. Today also reply is not filed by the respondents.

4. Hence, it will be just and proper to impose costs of Rs.5000/- (Rs. Five thousand only) on the respondent no.1 for failure to file reply though ample opportunities are granted. Respondent shall deposit the costs with the Registry of the Tribunal till next date.

5. Respondents are directed to file reply till 22-06-2017, as a most last chance and if they fail to file reply, again heavy costs would be imposed on the respondents.

6. S.O.22-06-2017.

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

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.250/2017

(Shri Sd. Khaja Mubeenuddin V/s. The State of Mah. &
Ors.)

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

DATE : 27-04-2017

ORAL ORDER:-

Heard Shri S.C.Bhosle 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 respondents have granted increments to the applicant though he has not passed examinations of Marathi and Hindi which he was required to pass within 3 years from the date of his appointment. He has submitted that there is no fault on the part of the applicant and respondents have granted increments to the applicant without considering the G.R. properly. It has been further submitted on behalf of the applicant that the applicant is not challenging the order of the respondents so far as it is concerned with the recovery of amount on account of purchase of Allopathic medicines worth

Rs.23,454/- (Twenty three thousand four hundred and fifty four only) illegally. Applicant is ready to deposit said amount with the Government. He has prayed to stay the execution of the order dated 19-04-2017 passed by the respondent no.4 to the extent of recovery of amount of increments. He has placed reliance on the judgments of the Hon'ble Supreme Court in the case of **Sahib Ram V/s. State of Haryana** reported in [1994 DGLS (Soft.) 846] and in the case of **Bihar State Electricity Board V/s. Vijay Bhadur** reported in [2000 (10) SCC 99].

3. Learned CPO has submitted that the order dated 19-04-2017 is as regards recovery of the excess amount of increments paid to the applicant as well as recovery towards illegal purchase of allopathic medicines by the applicant. He sought time to file detailed say on behalf of the respondents in the matter.

4. Considering the submissions advanced by both the parties, it will be just and proper to give an opportunity

to the respondents to file reply in the matter before passing any interim order.

5. Issue notice to the respondents returnable on 15th June 2017.

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

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

8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 988, and the questions such as limitation and alternate remedy are kept open.

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

10. S.O.to 15th June 2017.

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

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 887/2016
[Shri Ashok R. Pawar Vs. The State of Mah. & Ors.]

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

DATE : 27.04.2017.

ORAL ORDER:

Heard Shri P.S. Paranjape, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. The respondents have contended that they never received the applications dated 15.09.1989 (page no. 20), 20.05.1993 (page no. 21), 18.04.1998 (page no. 22) and 27.01.2006. Therefore this Tribunal had vide order dated 7.4.2017 directed to both the parties to produce the original/office copy of document for the purpose of verification.

3. In response to the above said order, today the learned Presenting Officer has placed on record a copy of communication dated 21.04.2017 received to her from Superintendent of Police, Parbhani informing that the inward and outward registers have been destroyed after 10 years and therefore, respondent is not in a position to produce inward and outward register of the year 1989.

4. Xerox copies of applications filed at paper book page nos. 20 to 23 bear outward numbers recorded in the outward register of the concerned office. The applicant has not explained how he came in custody of the said documents and when he collected it from the concerned authorities. The said information is necessary and material to decide the matter in issue. The applicant is therefore, directed to file short affidavit as to when he collected the copies of the said documents and from which office and whether these applications are Xerox copies of certified copies of the said documents. If the same are copies of the certified copies supplied to him, then he shall produce the certified copies on record.

5. The entry of date of birth of the applicant has been recorded in service book and therefore, the said service book is also material and important. Therefore, the applicant and respondents are directed to produce duplicate/original copy of the service book.

5. S.O. to 28.04.2017.

MEMBER (J)

ORAL ORDERS 27.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 13/2016
[Shri Laxman R. Kulkarni Vs. The State of Mah. & Ors.]

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

DATE : 27.04.2017.

ORAL ORDER:

Heard Shri A.D. Sugdare, leaned Advocate holding for Shri V.P. Golewar, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. Leaned Advocate for the applicant seeks time to argue the matter. Time granted as a last chance.

3. S.O. to 29.6.2017.

MEMBER (J)

ORAL ORDERS 27.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 909/2016
[Shri Laxamn A. Lomte Vs. The State of Mah. & Ors.]

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

DATE : 27.04.2017.

ORAL ORDER:

Shri O.D. Mane, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

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

3. S.O. to 29.06.2017.

MEMBER (J)

ORAL ORDERS 27.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 75/2017
[Shri Abdul Bin Abdulla Vs. The State of Mah. & Ors.]

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

DATE : 27.04.2017.

ORAL ORDER:

Heard Shri A.D. Sugdare, learned Advocate for the Applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent nos. 3 & 4.

2. Learned Advocate for respondent nos. 3 & 4 has filed affidavit in reply. Same is taken on record and the copy thereof has been served on the other side.

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

4. S.O. to 28.6.2017.

MEMBER (J)

ORAL ORDERS 27.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 126/2017
[Shri Arjun Y. Rakshe Vs. The State of Mah. & Ors.]

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

DATE : 27.04.2017.

ORAL ORDER:

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

2. Learned Advocate for the applicant has submitted that the respondents have not sanctioned the provisional pension of the applicant, though direction given by the Accountant General, Mumbai vide letter dated 7.6.2016. Therefore, he prayed to issue necessary directions to the respondents to grant provisional pension to the applicant.

3. Learned Presenting Officer submitted that she has not received instructions from the concerned respondent and therefore, she sought time to make submission in that regard.

4. In view of this fact, time granted to the respondents to make submission as regards grant of provisional pension to the applicant.

5. S.O. to 13.06.2017.

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

MEMBER (J)

ORAL ORDERS 27.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 10/2017

[Shri Manaji V. Surose Vs. The State of Mah. & Ors.]

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

DATE : 27.04.2017.

ORAL ORDER:

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the Applicant, Shir I.S. Thorat, learned Presenting Officer for respondent no. 1 and Shri G.N. Patil, learned Advocate for respondent no. 2.

2. Today, the learned Advocate for respondent no. 2 has placed on record a copy of communication dated 3.3.2017 issued by the Under Secretary, Government of Maharashtra informing that the fresh proposal for reimbursement of medical expenses of the applicant has been submitted to the Government and the same is under consideration of the Government.

3. Learned Presenting Officer has submitted that the proposal has been sent back to the respondent no. 2 for complying objection and after resubmission of the proposal, necessary action will be taken.

4. Learned Advocate for the applicant seeks time to take instructions from his client.

5. S.O. to 28.06.2017.

MEMBER (J)

ORAL ORDERS 27.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. 148/2016 with M.A. St. 534/2016 in O.A.167/2016
[Shri Kamel Kashif Inamdar Vs. The State of Mah. & Ors.]**

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

DATE : 27.04.2017.

ORAL ORDER:

Heard Shri Kiran G. Salune, learned Advocate for the Applicant, Shri V.R.Bhumkar, learned Presenting Officer for respondent no. 1 and Shri G.N. Patil, learned Advocate for respondent nod. 2 to 4.

2. M.A. St. No. 534/2016 is filed by the applicant for permission to suitable amend the O.A. He intends to challenge the impugned order dated 13.03.2012 and for that purpose it is necessary to amend the prayer clause of the O.A. suitably. Main grievance of the applicant is against the order dated 13.03.2012 and therefore, it is just and proper to allow the M.A. St. No. 534/2016.

3. Hence, M.A. St. No. 534/2016 is allowed. The applicant is directed to amend the O.A. suitably within a period of two weeks and serve the amended copy of the O.A. upon the respondents.

MEMBER (J)

ORAL ORDERS 27.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. 148/2016 in O.A.167/2016
[Shri Kamel Kashif Inamdar Vs. The State of Mah. & Ors.]**

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

DATE : 27.04.2017.

ORAL ORDER:

Heard Shri Kiran G. Salune, learned Advocate for the Applicant, Shri V.R.Bhumkar, learned Presenting Officer for respondent no. 1 and Shri G.N. Patil, learned Advocate for respondent nod. 2 to 4.

2. S.O. to 22.06.2017.

MEMBER (J)

ORAL ORDERS 27.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 805/2016
[Shri Firoz Kalekha Jamadar Vs. The State of Mah. & Ors.]**

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

DATE : 27.04.2017.

ORAL ORDER:

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

2. The learned Advocate for the applicant submitted that the Accountant General, Mumbai has sanctioned the pension of the applicant and accordingly, authorization letter has been sent to the Treasury Office, Jalgaon and the Treasury Officer has directed the applicant to produce certificate under the Rule 27(4) of the Maharashtra Civil Services (Pension) Rules, 1982. He has further submitted that the Collector, Jalgaon by communication dated 10.08.2016 informed the applicant that he had called the No Dues Certificate from the District Supply Officer, Jalgaon and as soon as it is received, the certificate will be issued to the applicant. But no steps have been taken by the Collector, Jalgaon since 10.08.2016. Therefore, he prayed to issue necessary direction to Collector, Jalgaon in that regard.

//2//

O.A. No. 805/2016

I have gone through the documents on record there is nothing on record to show that the District Collector, Jalgaon had withheld the pension granted to the applicant. Rule 27(4) of the Maharashtra Civil Services (Pension) Rules, 1982 is regarding the sanction of provisional pension as provided in Rule 130, to a Government servant who has retired on attaining the age of superannuation or otherwise and against whom any departmental or judicial proceedings are instituted or where departmental proceedings are continued under sub-rule (2).

3. As the Collector has not taken any steps or passed any order regarding issuance of certificate as required under Rule 27(4) of the Maharashtra Civil Services (Pension) Rules, 1982 since August, 2016, it will be just and proper to direct the respondent no. 1 i.e. the Collector, Jalgaon to file short affidavit giving explanation as to why no action was taken in that regard since August 2016.

4. S.O. to 6.6.2017.

5. Steno copy allowed to the learned P.O. at her request.

MEMBER (J)

ORAL ORDERS 27.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 697/2015

[Shri Totaram Bhaurao Thakre Vs. The State of Mah. & Ors.]

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

DATE : 27.04.2017.

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate for the Applicant and Shir S.K. Shirse, learned Presenting Officer for respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 5 as per order of this Tribunal dated 27.03.2017. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Presenting Officer has submitted that the respondent no. 5 submitted proposal regarding encashment of earned leave of the applicant on 20.04.2017 to the District Collector, Parbhani as per the direction of this Tribunal and produced the communication dated 20.04.2017 accordingly. He has submitted that the proposal regarding grant of remaining 10% amount of G.P.F. has been sent to the Accountant General-II, M.S., Nagpur by the Tahsildar, Manvat and he has also placed on record the copy of the communication dated 7.4.2017. He has submitted that the respondents have complied with the directions given by this Tribunal on 27.03.2017 accordingly.

4. Learned Advocate for the applicant has submitted that since the respondent no. 5 the Tahsildar, Manvat has sent proposal regarding encashment of leave of the applicant to the Collector, Parbhani and also sent the proposal to the Accountant General-II, Nagpur for releasing remaining 10% amount of G.P.F., the applicant is not pressing the prayer clause-B. He has submitted that the applicant has claimed interest on delayed payment of pension and pensionary benefits as per prayer clause-C but the respondents have not filed affidavit in that regard.

5. Learned Presenting Officer submitted that he is going to file affidavit in reply on behalf of respondents on that point and sought time to file reply. Time granted.

6. S.O. to 29.06.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 468/2016
[Shri Padmakar S. Ghodke Vs. The State of Mah. & Ors.]**

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

DATE : 27.04.2017.

ORAL ORDER:

Heard Shri N.J. Patil, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant has submitted that the applicant, who was working as a Police Patil of village Karala, Tq. Ausa, Dist. Latur, was suspended by the impugned order dated 16.11.2015 passed by the respondent no. 5 i.e. Sub Divisional Officer, Ausa-Renapur. By the said order, the Naib Tahsildar, Ausa was appointed as an Enquiry Officer and he was directed to submit his final report within a period of two months. Learned Advocate for the applicant has submitted that more than one and half year has been lapsed but enquiry has not been concluded. The applicant has not served with the charge-sheet also and therefore, he prayed to revoke the suspension.

3. Learned Presenting Officer submitted that she has not received the instructions from the concerned respondents as regards present status of the enquiry and therefore, she sought time to make statement in that regards.

4. On perusal of documents on record it transpires that the applicant suspended on 16.11.2015 and an enquiry was initiated against him by the said order and the Naib Tahsildar (Revenue) was appointed as Enquiry Officer and he was directed to submit his final report within two months. In view of the submission of the learned Advocate for the applicant enquiry has not been concluded and no final order has been passed till today.

5. In view thereof, it is just and proper to direct the respondent no. 5 i.e. Sub Divisional Officer, AUSA/Renapur to file short affidavit stating the present status of the Departmental Enquiry initiated against the applicant. He has to explain whether enquiry has been completed within a period of two months as mentioned in the order dated 16.11.2015, if completed, he should submitted the report of the Enquiry Officer and the final order passed therein if any, by him and if the enquiry has not been completed within a stipulated time then what action is taken against the concerned officer, who is responsible for delaying the said enquiry.

3. S.O. to 14.6.2017.

MEMBER (J)

ORAL ORDERS 27.04.2017-KPB(SB)BPP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO.157/17 IN CP ST.328/17 IN OA 46/15.

(Shri N. D. Chavan V/s. The 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 : 27-04-2017

ORAL ORDER:-

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

2. Issue notice to the respondents in C. P.
No.328/2017, returnable on 22.6.2017.
3. S.O.22-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

CP NO.15/2014 IN OA NO.1128/1999.

(Shri R. R. Landge V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Miss Preeti Wankhade learned Advocate holding for Shri A. S. Deshmukh learned Advocate for the applicant and Smt D. S. Deshpande learned Presenting Officer for the respondents.

2. The learned P.O. submits that, she has no instructions from the respondent no.2 concerning the issue. In the circumstances, the respondent no.2 is directed to comply with the order in O.A. on or before 12.6.2017 and report the compliance. In case the compliance can not be made for any reasons affidavit in reply, if any, may be filed on that date.

3. S.O.12-06-2017.

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

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.813/2015.

(Smt Priyanka S. Bane V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Shri A. J. Deshpande learned Advocate for the applicant, Shri N. U. Yadav learned Presenting Officer for the respondents no.1 to 3 and Smt. S. S. Pandit learned Advocate for the Respondent no.4.

2. The learned P.O. submits that, despite sending the copy of the order passed by this Tribunal on 5.4.2017 for presenting the record there is no communication from the respondent no.3.

3. In the circumstances, it appears that, the respondent is not taking care in the matter. In the interest of justice last chance is granted to produce the record on 13.6.2017. In case the record is not produced on the next date the Tribunal would be compelled to take coercive action against the respondent no.2 as per the legal provisions.

4. S.O. to 13-06-2017.

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

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.363/2016.

(Shri S. B. Jadhav & Ors. V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Dr. D. S. Kore learned Advocate for the applicants and Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply.

Time to file reply is granted.

3. S.O.20-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.595/2016.

(Shri D. R. Dhumare V/s. The 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 : 27-04-2017

ORAL ORDER:-

None present for the applicant. Smt P. R. Bharaswadkar learned Presenting Officer for the respondents no.1 to 4 is present. Shri D. T. Devane, learned Advocate for the Respondent no.5 has filed leave note.

2. It is reported that Shri D. T. Devane, learned Advocate for the Respondent no.5 has filed leave note.

3. S.O. to 20-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.622/2016.

(Shri M. T. Takalkar V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Shri R. P. Bhumkar learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. The learned P.O. files affidavit in reply on behalf of Respondents no.1 to 3. The same is taken on record. Its copy is served on the other side.

3. S.O. to 14-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.643/2016.

(Shri M. T. Takalkar V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Shri R. P. Bhumkar learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. The learned P.O. files affidavit in reply on behalf of Respondents no.1 to 3. The same is taken on record. Its copy is served on the other side.

3. S.O. to 14-06-2017.

VICE CHAIRMAN.

ORAL ORDERS 27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.697/2016.

(Dr. S. S. Handole & Ors. V/s. The 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 : 27-04-2017

ORAL ORDER:-

It is reported that Shri J. S. Deshmukh learned Advocate for the applicant has filed leave note. Heard Smt R. S. Deshmukh learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to file affidavit in reply. At her request, S.O. to 19-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.749/2016.

(Shri S. A. Palkhe V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Miss Bhavana Panpatil learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicant and Shri I. S. Thorat learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submit that, the rejoinder is not necessary. At her request, S.O. to 13-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.811/2016.

(Shri S. S. Vighe V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Shri G. J. Pahilwan learned Advocete holding
for Shri R. V. Gore learned Advocate for the applicant
and Smt S. K. Ghate Deshmukh learned Presenting
Officer for the respondents.

2. The pleadings are complete. The arguable case is
made out.

3. Admit.

4. Learned P.O. waives the notice for the respondents
upon admission hearing.

5. Remove from Board. The matter may be circulated
for final hearing as and when the Division Bench is
available.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.872/2016.

(Shri S. S. Shaikh & Ors. V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Shri V. G. Pingle learned Advocate for the applicant and Shri S. K. Shirse learned Presenting Officer for the respondents.

2. Learned P.O. files affidavit in reply on behalf of Respondents no.4 & 5. The same is accepted. Its copy is served on the other side.

3. S.O. to 22-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.77/2017.

(Shri R. B. Yawalkar V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Shri Rajesh B. Yawalkar the applicant – party in person and Shri D. R. Patil learned Presenting Officer for the respondents.

2. Learned P.O. submits that reply is received however, he will have to scrutinize the same. At his request, S.O.05-05-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.105/2017.

(Shri N. S. Mapari V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Shri G. J. Pahilwan learned Advocate holding for Shri G. K. Kshirsagar learned Advocate for the applicant and Shri D. R. Patil learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 28.6.2017.

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 28.6.2017.

8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN.

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.137/2017.

(Shri N. S. Arsale V/s. The 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 : 27-04-2017

ORAL ORDER:-

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

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

At her request, S.O. to 16-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.165/2017.

(Dr. S. P. Bhamre V/s. The 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 : 27-04-2017

ORAL ORDER:-

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

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

At her request, S.O. to 15-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.187/2017.

(Shri S. T. Bhangre V/s. The 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 : 27-04-2017

ORAL ORDER:-

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

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

At his request, S.O. to 21-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

REV. NO.11/2017 IN OA NO.3/2012.

(Shri K. P. Bodke V/s. The 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 : 27-04-2017

ORAL ORDER:-

None appears for the applicant. Shri = learned
Presenting Officer for the respondents.

2. Since nobody appears for the applicant S.O.15-06-
2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.192/2017.

(Shri R.W. Misal & Ors. V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Miss Preeti Wankhade learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents no.1 & 2.

2. Shri Vivek Bhavthankar learned Special Counsel appears on behalf of respondents no.3 & 4 and seeks time to file reply. Learned C.P.O. also seeks time to file reply. At their request, S.O. 27-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.210/2017.

(Shri R. B. Pimple V/s. The 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 : 27-04-2017

ORAL ORDER:-

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

2. The learned counsel for the applicant files on record the true copy of the advertisement issued by Zilla Parishad, Aurangabad for recruitment in the year 2013 which would show that, the Z. P. Aurangabad had followed the G.R. dated 2.6.2005 on the basis of which the present claim is made. Copy is served on the learned C.P.O. The learned C.P.O. seeks time to file reply. At his request, S.O. to 14-06-2017.

VICE CHAIRMAN.

ORAL

ORDERS

27-04-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

REV. NO.369/2017 IN OA NO.754/2012.

(Dr. Ansari Majid & Ors. V/s. The 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 : 27-04-2017

ORAL ORDER:-

Heard Shri Milind Patil learned Advocate for the applicants and Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that, in fact the applicants in OA Nos.753, 754 & 808 all of 2012 would be benefited in case the present review application is allowed and therefore, there is no need to join those applicants as party respondents. In the circumstances, presently the objection objection is waived.

3. Issue notice to the respondents in Rev. no.369/2017, returnable on 8.6.2017.

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

5. Applicants are 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.

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. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 8.6.2017.

8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN.

ORAL ORDERS 27-04-2017-ATP