

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 160/2017  
(Shri Shamsundar B. Tapse V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Shri Amit Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent No.1 and Shri Shamsundar B. Patil, learned Advocate for respondent Nos. 2 to 5.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent no. 1. Time granted.

3. Learned Advocate for respondent Nos. 2 to 5 has filed affidavit in reply. Same is taken on record and the copy thereof has been served on the other side.

4. S.O. to 06.09.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 779/2016  
(Md. Munawar Dastgir V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

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

2. At the request of learned Advocate for the applicant, S.O. to 06.09.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 322/2017  
(Shri Rajesh P. Deshmukh V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Shri S.D. Joshi, learned Advocate for the applicant  
(**Leave Note**). Shri N.U. Yadav, learned Presenting  
Officer for respondents, present.

2. In view of leave note filed by the learned Advocate  
for the applicant, S.O. to 29.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NOS. 131/2016, 157/2016,  
218/2016, 254/2016, 279/2016 AND 861/2016  
(Shri Narayan M. Jadhav & Ors. V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants in O.A. Nos. 131/2016, 157/2016 & 218/2016, Shri Vivek Pingle, learned Advocate for the applicants in O.A. Nos. 54/2016, 279/2016 & 861/2016 and Shri V.R. Bhumkar, learned Presenting Officer for respondents in all these O.As.

2. The learned Advocates for the applicants have submitted that the copies of affidavit in replies had not been served on them.

3. Learned Presenting Officer has submitted that he served the copies of the affidavit in replies on the learned Advocates for the applicants today only.

4. S.O. to 14.09.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 46/2017**

**(Shri (Dr.) Pramod A. Mhaske & Ors. V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

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

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents on the ground that the office file of the O.A. is misplaced.

3. In view thereof, a last chance is granted for filing affidavit in reply on behalf of respondents.

4. S.O. to 06.09.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 57/2017**  
(Shri Kiran S. Mashale V/s. the State of Mah. & Ors. )

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

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

2. At the request and by consent of both the parties, S.O. to 24.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 69/2017**

**(Shri Amarsingh S. Kamthekar V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Shri H.K. Tungar, 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. Time granted.

3. S.O. to 1.9.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 257/2017**  
(Shri Jagannath N. Ghadge V/s. the State of Mah. & Ors. )

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Shri Vishal Bakal, learned Advocate holding for Shri V.S. Kadam, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

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

3. S.O. to 8.9.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 275/2017**

**(Shri Mohd. Asfiouddin & Ors. V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Shri I.D. Maniyar, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1 to 3 and Smt. Savita E. Madne, learned Advocate for respondent No. 4.

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

3. S.O. to. 1.9.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 290/2017**  
(Shri Sanjay S. Maske V/s. the State of Mah. & Ors. )

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Shri V.B. Narke, learned Advocate holding for Shri R.J. Godbole, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

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

3. S.O. to 28.08.2017. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 357/2017**  
(Shri Manohar V. Chaudhari V/s. the State of Mah. & Ors. )

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

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

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

3. S.O. to 18.8.2017. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 331/2017**

**(Dr. Mukesh L. Mote V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 to 3 and Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for respondent No. 4.

2. Issue fresh notices to the respondents, returnable on 14.09.2017. Learned P.O. waives notice for respondent No. 4.

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

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

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

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

7. S.O.to 14-09-2017.

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

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 332/2017**

(Dr. Anil S. Biradar V/s. the State of Mah. & Ors. )

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 3 and Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for respondent No. 4.

2. Issue fresh notices to the respondents, returnable on 14.09.2017. Learned C.P.O. waives notice for respondent No. 4.

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

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

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

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

7. S.O.to 14-09-2017.

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

**MEMBER (J)**

KPB ORAL ORDER 09-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 333/2017**

**(Dr. Sheetal A. Soni V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 to 3 and Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for respondent No. 4.

2. Issue fresh notices to the respondents, returnable on 14.09.2017. Learned P.O. waives notice for respondent No. 4.

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

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

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

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

7. S.O.to 14-09-2017.

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

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 334/2017**

**(Dr. Anant V. Chavan V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

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

2. Issue fresh notices to the respondents, returnable on 14.09.2017.

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. S.O.to 14-09-2017.

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



**KPB ORAL ORDER 09-08-2017**

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 335/2017**

**(Dr. Ganpati H. Wadekar V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

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

2. Issue fresh notices to the respondents, returnable on 14.09.2017.

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. S.O.to 14-09-2017.

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

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 336/2017**

(Dr. Yogesh V. Solanke V/s. the State of Mah. & Ors. )

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 3 and Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for respondent No. 4.

2. Issue fresh notices to the respondents, returnable on 14.09.2017. Learned C.P.O. waives notice for respondent No. 4.

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

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

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

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

7. S.O.to 14-09-2017.

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

**MEMBER (J)**

KPB ORAL ORDER 09-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 337/2017**

(Dr. Ravindra G. Bhalerao V/s. the State of Mah. & Ors. )

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

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

2. Issue fresh notices to the respondents, returnable on 14.09.2017.

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, 988, and the questions such as limitation and alternate remedy are kept open.

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

7. S.O.to 14-09-2017.

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

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 338/2017**

**(Dr. Govind K. Reddy V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

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

2. Issue fresh notices to the respondents, returnable on 14.09.2017.

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, 988, and the questions such as limitation and alternate remedy are kept open.

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

7. S.O.to 14-09-2017.

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

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 175/2016**

**(Shri Banaji B. Chilgar V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Heard Shri Kiran G. Salunke, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1 to 3 and Shri Ashish Rajkar, learned Advocate holding for Shri S.V. Mundhe, learned Advocate for respondent No. 4.

2. Learned Advocate for the applicant has submitted that the applicant intends to file application before the Sub Divisional Magistrate, Gangakhed, for cancellation of appointment of respondent No. 4 on the post of Police Patil of village Chilgarwadi, Tq. Gangakhed, in view of the provisions of Rule 8 of the Maharashtra Village Police Patil (Recruitment, Pay, Allowances and Other Conditions of Services) Rules, 1968, as the respondent No. 4 is running full time hospital and therefore, he does not want to proceed with the present O.A., as he intends to file application before the S.D.M., Gangakhed.

3. Since the applicant does not want to proceed with the O.A. and intends to file application before the S.D.M., Gangakhed, for cancellation of appointment of respondent No. 4, on the post of Police Patil of village Chilgarwadi, Tq. Gangakhed, leave to withdraw the present O.A. is granted.

4. Accordingly, the O.A. stands disposed of as withdrawn with liberty to approach the Tribunal as and when cause of action arises. There shall be no order as to costs.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 922/2016  
(Shri Vijay P. Sable V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Heard Shri S.S. Dambe, learned Advocate for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for respondent Nos. 1 to 3 and Shri Vivek Pingle, learned Advocate for respondent No. 4.

2. The respondent No. 2 issued order dated 30.09.2016 and transferred the applicant from Parbhani to Latur, but the respondent No. 2 again canceled the said order on 9.12.2016 and by the said order, he transferred the respondent No. 4 from Hadgaon to Latur. No reasons have been mentioned in the impugned transfer order dated 9.12.2016 for cancellation of the earlier transfer order, by which 79 persons had been transferred.

3. The respondent Nos. 1 and 2 have filed affidavit in reply which is at paper book page nos. 60 to 89 (both inclusive), which has been sworn in by one Smt. Mangla Vishwanath Pawar, an Inspector working in the office

of Joint Director of Vocational Education and Training, Regional Office, Aurangabad. In fact, the decision has been taken by the respondent No. 2 and therefore, he ought to have been filed their personal affidavit in reply stating the reasons for cancellation of the earlier transfer order dated 30.09.2016.

4. Therefore, the respondent No. 2 is directed to file his personal affidavit in reply stating reasons for cancellation of the earlier transfer order dated 30.09.2016, by passing impugned order dated 9.12.2016.

5. The applicant is also directed to inform this Tribunal as to whether his request for transfer has been considered by the respondents in the General Transfers of the year 2017.

6. S.O. to 24.08.2017.

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

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 144/2016  
(Shri Sharad R. Pathak V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the respondents in their affidavit in reply contended that the pension papers have been prepared by the respondents and they will forward to the competent authority in due course of time. He has submitted that he wants to take instructions from the applicant in view of the contentions raised by the respondents. Therefore, he sought time. Time granted.

3. S.O. to 16.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 149/2017  
(Shri Balaji N. Dhondge V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Heard Shri Y.P. Deshmukh, 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 notices were served on the respondents by R.P.A.D., but he has not received report from the Post Office. Therefore, he seeks time to inquire into the matter and file service affidavit.

3. Learned Presenting Officer has submitted that the notices were served on the respondents and she has filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and the copy thereof, has been served on the learned Advocate for the applicant.

4. S.O. to 14.09.2017.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD  
ORIGINAL APPLICATION NO. 158/2017  
(Smt. (Dr.) Surekha V. More V/s. the State of Mah. & Ors. )**

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

**DATE : 09.08.2017.\_**

**ORAL ORDER:-**

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Today, the learned Presenting Officer has placed on record a copy of communication date 8.8.2017, received to him from the Under Secretary, Maharashtra State, Mumbai, and prayed for one weeks' time to file affidavit in reply. Ample opportunities have already been given to the respondents for filing affidavit in reply. On the last date i.e. on 26.07.2017, a most last chance was granted for filing affidavit in reply, subject to payment of costs of Rs. 5000/-. The respondents neither deposited the amount of costs nor filed affidavit in reply till today and again they are seeking time to file affidavit in reply. It shows that reluctance on the part of the respondents. The respondents intentionally prolonging the matter.

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.

4. S.O. to 18.08.2017. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**KPB ORAL ORDER 09-08-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**MA NO.321/2017 IN OA NO.1102/2017.**

( Association of Pharmacy Teachers of India  
Vs. State of Mah. & Ors.)

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

(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

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

2. Leave to amend the prayer clause as prayer clause “B-1” in the alternative is hereby granted. The amendment shall be carried forthwith.

3. Upon hearing both sides it appears that, while the All India Council For Technical Education Act, 1987 defines technical education which includes Pharmacy and while the other States including West Bengal has interpreted the word “Technology” which includes Pharmacy for the post of Director, Assistant Director etc. the applications of the Members of the present

.....2.....

Association are rejected by the Respondent no.2 on the ground that, they have the qualification in Pharmacy.

4. Considering all these facts on record the learned C.P.O. submits that, he will take instructions from Respondent no.2 on or before 18.08.2017 on this issue and would file the report thereof on that day. In view of this fact presently no interim relief is granted, since learned C.P.O. seeks time to file report.

5. Liberty to add the copies of the Act and recruitment rules and the advertisement from West Bengal and Andhra Pradesh is hereby granted. Those shall form the part and parcel of the present application.

6. S. O. to 18.08.2017.

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

**VICE CHAIRMAN.**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**MA NO.317/17 IN OA ST.NO.985/2017.**  
**( Shri Suraj S. Bagul Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

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

2. Issue notices to the respondents in M.A., returnable on 22.08.2017. Liberty to move for interim relief in case any exigency arises is hereby granted.

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 22.08.2017. Be tagged with O. A. No.599 of 2016.

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

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**MA NO.318/17 IN OA ST.NO.986/2017.**  
**( Shri Dhanraj K. Pawra Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

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

2. Issue notices to the respondents in M.A., returnable on 22.08.2017. Liberty to move for interim relief in case any exigency arises is hereby granted.

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 22.08.2017. Be tagged with O. A. No.599 of 2016.

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

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.182/2017.**  
**( Shri S. B. Gaikwad Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

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

2. The learned Advocate for the applicant submits that, Divisional Commissioner, Aurangabad would be the necessary party and therefore, permission to add the same may be granted. The amendment be carried out during the course of the day. Copy be served on the other side. Upon carrying the amendment, issue notice to the added respondent, returnable on 22.08.2017.

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

4. Applicant is authorized and directed to serve on respondents intimation / notice of date of hearing duly

authenticated by Registry, along with complete paper book of 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 22.08.2017.

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

**VICE CHAIRMAN.**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.757/2016.**  
**( Shri D. R. Sirame Vs. State of Mah. & Ors.)**

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

(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 09-08-2017**

**ORAL ORDER:-**

Heard Shri S. B. Mene learned Advocate holding for Shri Ajay Deshpande learned Advocate for the applicant and Shri M. P. Gude learned Presenting Officer for the respondents no.1 to 3. None present for the respondents no.4 & 5.

2. Learned P.O. submits that, time may be granted for filing affidavit in reply.

3. It is to be noted that, many chances are already granted to file reply of respondents no.4 & 5 for the same reasons. However, as a last chance time to file reply of those respondents is hereby granted.

4. S. O. to 12.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.832/2016.**  
**( Shri V. P. Gangawane Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

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

2. The learned Advocate for the applicant submits  
that, liberty to correct the designation of Respondent no.3  
may be granted. Liberty granted. The correction be  
carried out forthwith.

3. The learned P.O. seeks time for filing reply. He  
submits that, draft of the reply is ready. At his request,  
S. O. to 14.08.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.12/2017.**  
**( Shri B. G. Kapale Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

Heard Shri S. G. Kulkarni learned Advocate for the applicant and Smt D. S. Deshpande learned Presenting Officer for the respondent no.1. Shri G. N. Patil, learned Advocate for the Respondents no.2 & 3 has filed leave note.

2. It is reported that, Shri G. N. Patil, learned Advocate for the Respondents no.2 & 3 is ill. He has filed leave note.

3. The learned P.O. seeks time to file reply of Respondent no.1. In the circumstances, S. O. to 12.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.516/2017.**  
**( Shri Sunil B. Panchal Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

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

2. Issue notices to the Respondents, returnable on 19.09.2017.

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 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 19.09.2017.

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

**VICE CHAIRMAN.**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.82/2017.**  
**( Shri Shaikh Rabbani Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

Heard Miss Ashlesha Raut learned Advocate holding  
for Shri S. B. Talekar learned Advocate for the applicant  
and Shri S. K. Shirse learned Presenting Officer for the  
respondents.

2. The learned P.O. seeks time to file reply of  
Respondents no.1 & 2. It is noted that, many  
adjournments were already sought for the same purpose.  
As a last chance time to file reply of Respondents no.1 &  
2 is granted.

3. S. O. to 13.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

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

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

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

2. Upon hearing both sides, the learned Advocate for the applicant submits that, he will take the instructions as to whether page no.26 is in fact a promotion list or merely a list of the employees of whom the ACRs remained to be reached to the Respondents. He seeks time to clarify the situation. At his request, S. O. to 28.08.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.304/2014.**  
**( Shri P. K. Bachkar & Ors. Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 09-08-2017**

**ORAL ORDER:-**

Shri B. R. Borkar the learned Advocate for the applicants (Absent). Heard Shri M. P. Gude learned Presenting Officer for the respondents.

2. The record would show that, the case was adjourned from time to time. The applicants are seeking appointment. No interim relief was granted. The learned P.O. therefore, submits that, *prima facie*, it appears that, application has become infructuous.

3. In view of the absence of the learned Advocate for the applicants the office is directed to issue notice to the learned Advocate for the applicants to seek clarification on 12.09.2017.

4. S. O. to 12.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.509/2013.**  
**( Shri M. B. Pawar Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

Heard Shri A. D. Sugdare learned Advocate for the applicant and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents no.1 to 3. Shri G. N. Patil, learned Advocate for the Respondent no.4 has filed leave note.

2. The learned P.O. submits that, she will have to examine as to whether the decision of the Hon'ble Supreme Court of India extract of which is placed at Exh.R-1 (page 42) would be applicable in the present case and as to what would be the effect of G.R. dated 21.1.1980 (Annexure A-9, page 34), wherein it is declared that, the employee who is appointed from the Project Affected Persons category his services if any, on the temporary establishment shall be computed for his service period and the break if any should be condoned.

At her request, S. O. to 12.09.2017 for taking instructions.

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

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.545/2012.**  
**( Shri Namdeo S. Dhadge Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

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

2. The learned Advocate for the applicant submits that, the applicant is present before the Tribunal and on his instructions he makes a statement that the applicant wishes to withdraw the application. Allowed to withdraw and disposed of without any order as to costs.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.851/2016.**  
**( Shri J. B. Pardeshi Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

Heard Smt. Vidya Taksal learned Advocate holding  
for Shri A. S. Deshmukh learned Advocate for the  
applicant and Smt P. R. Bharaswadkar learned  
Presenting Officer for the respondents.

2. Smt. Vidya Taksal learned Advocate holding for Shri  
A. S. Deshmukh learned Advocate for the applicant  
seeks time. At her request, S. O. to 23.08.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP-as**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.95/2017.**  
**( Shri B. J. Gaikwad Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

Heard Shri S. G. Kulkarni learned Advocate holding  
for Shri S. D. Dhongde learned Advocate for the applicant  
and Shri V. R. Bhumkar learned Presenting Officer for  
the respondents.

2. Shri S. G. Kulkarni learned Advocate holding for  
Shri S. D. Dhongde learned Advocate for the applicant  
seeks time. At his request, S. O. to 11.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP-as**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.303/2014.**  
**( Shri P. N. Shrivastav Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

Heard Shri A. D. Sugdare, learned Advocate for the applicant and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents.

2. Shri A. D. Sugdare, learned Advocate for the applicant seeks time. At his request, S. O. to 12.09.2017. Liberty to file additional documents is granted.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP-as**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.255/2015.**  
**( Shri Rajaram A. Sande Vs. State of Mah. & Ors.)**

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

**DATE : 09-08-2017**

**ORAL ORDER:-**

Heard Shri S. P. Telgote learned Advocate holding for Shri A. R. Devkate learned Advocate for the applicant and Smt. R. S. Deshmukh learned Presenting Officer for the respondents.

2. Shri S. P. Telgote learned Advocate holding for Shri A. R. Devkate learned Advocate for the applicant seeks time to argue on the point as raised in order dated 12.07.2017. At his request, S. O. to 06.09.2017 for satisfying the query of the Tribunal dated 12.07.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP-as**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.932/2016.**  
**( Shri S. A. Shisode Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

Heard Shri H. P. Jadhav learned Advocate for the applicant, Smt D. S. Deshpande learned Presenting Officer for the respondents no.1 to 5 and Shri Shrikant Patil learned Advocate for the Respondent no.6.

2. The learned Advocate for the applicant submits that, in fact the issue of reservation in the promotion is pending before the Hon'ble High Court. In the circumstances, presently no satisfaction on the query raised on 14.6.2017 appears to be necessary.

3. The learned Advocate for the applicant seeks time to file rejoinder. At his request, S. O. to 12.09.2017 for filing rejoinder.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP-as**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.259/2017.**  
**( Shri N. B. Yeole & Ors. Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

None present for the applicants. Heard Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The notices are not served since long. As last chance, S. O. to 06.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP-as**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.329/2017.**  
**( Shri K. D. Balbhim Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

Heard Shri U. S. Mote 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 07.09.2017 for filing reply.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP-as**



**\*MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD.**

**MISC. APPLICATION NO.319/2017.**

**In OA 169/17.**

**( Shri S. R. Chavan Vs. State of Mah. & Ors.)**

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

(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 09-08-2017**

**ORAL ORDER:-**

None present for the applicant. Shri M. P. Gude  
learned Presenting Officer for the respondents is present.

2. S. O. to 01.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP-as**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.233/2017.**  
**( Dr.B. H. Namdhari Vs. State of Mah. & Ors.)**

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

(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 09-08-2017**

**ORAL ORDER:-**

Heard Shri R. B. Ade learned Advocate for the applicant and Smt R. S. Deshmukh learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant re-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 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 20.09.2017.

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

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD.**

**ORIGINAL APPLICATION NO.291/2017.**  
**( Shri R. S. More Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 09-08-2017

**ORAL ORDER:-**

Heard Shri Prakash P. Sapkale learned Advocate holding for Shri P. B. Patil learned Advocate for the applicant and Shri N. U. Yadav learned Presenting Officer for the respondents.

2. Shri Prakash P. Sapkale learned Advocate holding for Shri P. B. Patil learned Advocate for the applicant seeks time. At his request, S. O. to 11.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 09.08.2017-ATP-as**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.396/2017**

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

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

DATE : 09-08-2017

**ORAL ORDER:-**

Shri Ganesh Gadhe learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for the respondents is present.

2. None is present for the applicant. Since nobody had appeared for the applicant on last several dates, matter be kept for passing dismissal order on 24-08-2017.

3. S.O. to 24-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 09-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.433/2017**

(Shri Baswantsing Rajput V/s. The State of Mah. & Ors.)

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

DATE : 09-08-2017

**ORAL ORDER:-**

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

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

3. S.O. 04-09-2017.

**MEMBER (J)**

YUK ORAL ORDER 09-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.475/2017**

(Shri Chandrakant Jadhav V/s.  
The State of Maharashtra & Ors.)

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

DATE : 09-08-2017

**ORAL ORDER:-**

Heard Shri Ashish Rajkar learned Advocate holding for Shri P.P.More learned Advocate for the applicant and Smt. Priya Bharaswadkar 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. to 01-09-2017.

**MEMBER (J)**

YUK ORAL ORDER 09-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A.No.322/2017 IN O.A.St.No.1113/2017**  
(Sujata Hingole & Ors. V/s. The State of Mah. & Ors.)

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

DATE : 09-08-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant prays for adjournment till 16-08-2017. Adjournment granted.

3. S.O. to 16-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 09-08-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.347/2016**  
(Vaishali Patil V/s. The State of Mah. & Ors.)

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

DATE : 09-08-2017

**ORAL ORDER:-**

Heard Shri P.A.Bharat learned Advocate holding for Shri U.L.Momale learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for the respondents.

2. At the request of both sides, S.O. to 16-08-2017 for final hearing.

YUK ORAL ORDER 09-08-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.353/2016**

(Shri Ladappa Chikale V/s. The State of Mah. & Ors.)

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

DATE : 09-08-2017

**ORAL ORDER:-**

Heard Shri Amol Vasmatkar learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to argue the matter finally.

Time granted.

3. S.O. to 01-09-2017.

**MEMBER (J)**

YUK ORAL ORDER 09-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.416/2016**

(Shri Ramhari Gosavi V/s. The State of Mah. & Ors.)

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

DATE : 09-08-2017

**ORAL ORDER:-**

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

2. Learned P.O. seeks time to argue the matter finally.

Time granted.

3. S.O. to 28-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 09-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.534/2016**

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

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

DATE : 09-08-2017

**ORAL ORDER:-**

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

2. Learned P.O. seeks time to argue the matter finally.

Time granted.

3. S.O. to 28-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 09-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.522/2016**

(Shri Atul Waghmare V/s. The State of Mah. & Ors.)

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

DATE : 09-08-2017

**ORAL ORDER:-**

Heard Shri N.S.Kadam learned Advocate holding for Shri D.M.Mane learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

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

**MEMBER (J)**

YUK ORAL ORDER 09-08-2017

**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 : 09-08-2017

**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. has submitted that Shri Sanjay Dattatray Yenpure, then Superintendent of Police, Nanded, presently working as Deputy Commissioner of Police (Special Branch), Mumbai City has filed affidavit as directed by the Tribunal. Shri Yenpure has submitted that on 04-01-2017 meeting of establishment board was held. Shri Pradip Patil, Sub Divisional Police Officer, Dharmabad had not attended the meeting but he was contacted on teleconference. After discussion with him on teleconference, resolution was passed in the meeting of District Police Establishment Board. Learned P.O. has further submitted that as per affidavit of Shri Yenpure

signature of Shri Patil has been obtained on resolution passed by the District Police Establishment Board, Nanded on the same day.

3. Learned Advocate of the applicant has submitted that it is usual practice of the District Police Establishment Board, Nanded to conduct meeting of the Board in the absence of Shri Pradip Patil, S.D.P.O., Dharmabad. He has produced copies of the resolutions passed by the District Police Establishment Board, Nanded dated 23-02-2017 and 27-04-2017 alongwith weekly diary of Shri Pradeep Patil, S.D.P.O., Dharmabad for the said dates. He has submitted that on perusal of the above documents secured by the applicant under Right to Information Act, it reveals that in each meeting conducted by the District Police Establishment Board, Shri Patil was not present and he was working at his headquarter throughout days of meeting. He has further submitted that no record of the District Police Establishment Board is maintained by the respondents.

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4. On going through the documents on record it reveals that respondents have not mentioned in the reply that the meeting of District Police Establishment Board was held on 04-01-2017 and Shri Pradip Patil participated in the meeting through teleconferencing. For the first time, the respondents, by the affidavit of Shri Sanjay Yenpure, then S.P. Nanded have raised this contention.

5. In these circumstances, it would be just and proper to direct the respondents to file call details record as regards communication with Shri Pradip Patil, S.D.P.O., Dharmabad on teleconference dated 04-01-2017.

6. Learned P.O. prays for time to take instructions from the respondents in this regard. Time granted.

7. S.O. to 18-08-2017.

8. Steno copy may be provided to the learned P.O. on her request.

**MEMBER (J)**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.33/2017**

(Shri Bharat Kharat V/s. The State of Mah. & Ors.)

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

DATE : 09-08-2017

**ORAL ORDER:-**

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

2. Learned Advocate of the applicant has submitted that he has made pleadings regarding promotions given to Shri S.V.Rode and Shri R.V.Shinde who are in the zone of consideration for the post of Naib Tahsildar. He has submitted that Shri Rode and Shri Shinde had been promoted prior to the present applicant without considering the seniority of the applicant in view of Rule 15 of the Revenue Qualifying Examination.

3. Learned Advocate for the applicant prays for leave to amend the O.A. and add Shri Rode and Shri Shinde as party respondents. Leave as prayed for is granted.

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Learned Advocate for the applicant to carry out amendment forthwith.

4. After amendment is carried out, issue notice to the added respondent nos.2 and 3, returnable on 06-09-2017.

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

6. 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.

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

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8. 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.

9. S.O.to 06-09-2017.

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

YUK ORAL ORDER 09-08-2017

**MEMBER (J)**