

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.46/2016 IN O.A.St.No.1938/2015
(Shri Rajendra Khodade V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

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

2. M.A.No.46/2016 has been filed for condonation of delay caused in filing the O.A. Applicant as well as his Advocate remained absent on 24-10-2016, 28-11-2016, 24-01-2017, 01-02-2017 and 03-03-2017. Therefore, the case was fixed for dismissal on today. Today also nobody remains present for the applicant.

3. In view of above, it seems that the applicant is not interested in prosecuting the case. Hence, M.A.46/2016 stands dismissed in default. Accordingly, registration of O.A.St.No.1938/2015 is also refused.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.353/2016 IN O.A.St.No.1548/2016
(Shri Shubhamangal Bhakt V/s. State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

Heard Shri D.T.Devane learned Advocate holding for Shri M.B.Kolpe learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents.

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

3. S.O.15-06-2017.

MEMBER (J)

YUK ORAL ORDER 11-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.772/2015
(Shri Satish Billapatte V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

Heard Shri D.T.Devane learned Advocate holding for Shri M.B.Kolpe learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to file affidavit in rejoinder. Time granted as a last chance.

3. S.O.15-06-2017.

MEMBER (J)

YUK ORAL ORDER 11-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.800/2015

(Shri Dattatray Kulkarni V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

Heard Shri D.T.Devane learned Advocate holding for Shri M.B.Kolpe learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to file affidavit in rejoinder. Time granted as a last chance.

3. S.O.15-06-2017.

MEMBER (J)

YUK ORAL ORDER 11-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.534/2016
(Shri Lalu Pawar V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

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

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

3. S.O.15-06-2017.

MEMBER (J)

YUK ORAL ORDER 11-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.81/2016

(Shri Sakhubai Kukade V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

Shri K.G.Salunke learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for the respondents is present.

2. Since none present for the applicant,
S.O.16-06-2017.

YUK ORAL ORDER 11-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.104/2016

(Dr. Laxmikant Dolas V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

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

2. Learned P.O. seeks time to file take instruction as regards any proposal sent by the department for making payment of interest on the delayed payment of pension.

Time granted.

3. S.O.07-06-2017.

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

MEMBER (J)

YUK ORAL ORDER 11-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.373/2016

(Shri Anant Rankhambe V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

Heard Shri S.G.Boiwar learned Advocate holding for Shri G.G.Suryavanshi learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents. Shri V.H.Solunke learned Advocate for respondent no.4 is **absent**.

2. Learned P.O. has produced minutes of the interview for the post of Police Patil held on 24-02-2016. It is marked as document "X" for identification. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant seeks time to argue the matter finally. Time granted.

4. S.O.19-06-2017.

MEMBER (J)

**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 : 11-04-2017

ORAL ORDER:-

Heard Shri D.T.Devane learned Advocate holding for Shri M.B.Kolpe learned Advocate for the applicant and Shri Deepak Patil learned Presenting Officer for the respondents.

2. At the request of both sides, S.O.15-06-2017.

YUK ORAL ORDER 11-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.574/2016

(Smt. Joti Siddheshwar V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant as well as the learned P.O. requested time for producing copy of relevant order passed in a Writ Petition involving similar issue, which will be helpful in deciding the O.A. finally.
Time granted.

3. S.O.08-06-2017.

MEMBER (J)

YUK ORAL ORDER 11-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.571/2016

(Shri Vishnu Hagawane V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

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

2. Applicant has challenged the order passed by respondent no.1 on 14-03-2016 rejecting his appeal directed against the order dated 18-04-2011 passed by respondent no.2.

3. Applicant had joined as Police Constable on the establishment of Police Commissioner, Aurangabad on 04-11-1996. In the year 2003, he was posted at Waluj Police Station but was attached to Police Headquarter. On 03-03-2003, respondent no.2 issued the order placing him under suspension with effect from 01-03-2003 as a crime was registered against him under Section 85(1)(3)

of the Bombay Prohibition Act in Kranti Chowk, Police Station. He was reinstated in the service w.e.f. 21-06-2003 in view of the order passed by the respondent no.2. Thereafter, criminal case bearing SCC No.2361/2003 ended in acquittal of the applicant in view of judgment dated 02-02-2015 passed by the learned VI Judicial Magistrate First Class, Aurangabad. Thereafter, the applicant filed a representation for regularizing his suspension period but the Deputy Superintendent of Police (Headquarter), Aurangabad passed an order dated 18-04-2011 and directed to maintain suspension period of the applicant as it is.

4. Being aggrieved by the said order the applicant has filed appeal before the respondent no.1 on 07-07-2011. Respondent no.1 decided the appeal on 14-03-2016 and rejected the appeal on the ground that appeal is not provided and there is no provision of appeal in Bombay Police Act, 1951, Bombay Police (Punishment and Appeal) Rules, 1956 and Departmental Enquiry Manual, 1991,

and therefore, maintained order passed by the respondent no.2 on 18-04-2011 and 22-12-2015 as it is.

5. It seems that the order dated 22-12-2015 with outward no. dk&8@fopkS&8@fuyacu dkG@2015@14041 has not been placed on record.

Learned Advocate for the applicant as well as the learned P.O. are directed to produce copy of the said order dated 22-12-2016 for deciding the matter finally till the next date.

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

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.610/2016
(Jyoti Aglave V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

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

2. Learned P.O. submits that he has not received any communication from the concerned authorities in view of the direction given by the Tribunal on previous date. Therefore, he sought time to take instruction from the respondents. Time granted.

3. S.O.09-06-2017.

MEMBER (J)

YUK ORAL ORDER 11-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.653/2016
(Sandhya Thakare V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

Heard Shri A.P.Sonpethkar learned Advocate holding for Shri P.N.Sonpethkar learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents.

2. Applicant submits that the respondents be directed to appoint the applicant on compassionate ground in place of her father, as no communication received to her from the respondents from last 10 years.

3. Learned P.O. states that as per waiting list of the candidates to be appointed on compassionate ground maintained by the respondent no.1, name of the applicant is at Sr.No.82. Learned P.O. submits that as on today 79 candidates have been appointed. She has further submitted that the respondents will issue appointment order to the applicant as and when vacancy arises as per her turn.

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O.A.No.653/16

4. Learned Advocate for the applicant has fairly submitted that he has no objection to dispose of the O.A. with direction to the respondents to give appointment to the applicant as per her turn in due course.

5. In view of the above submission O.A. stands disposed of with direction to the respondents to consider case of the applicant as per her turn if she complies with other requirements for appointment. O.A. stands disposed of accordingly with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 11-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.383/2016

(Shri Anil Tayade V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

Heard Shri C.T.Jadhav learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondent nos.1 to 3. Shri Vishnu M. Jawar learned Advocate for respondent no.4 is **absent**.

2. This case was already treated as part heard on 08-03-2017. Learned P.O. submits that Shri Shrikumar Chinchkar is working as Sub Divisional Officer, Bhusawal. He has joined the post before 3 months. He has received order of the Tribunal dated 08-03-2017 recently i.e. on 07-04-2017. As he did not receive copy earlier, he could not be able to decide the representation dated 25-04-2016 of the applicant in time as directed by the Tribunal.

3. Learned P.O. further submitted that the Sub Divisional Officer has no ill-intention in keeping the

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O.A.No.383/16

matter pending. She submitted that Sub Divisional Officer, Bhusawal has instructed her to seek one week's time to decide the representation.

4. In view thereof, one week's time is granted to the respondent no.3 i.e. Sub Divisional Officer, Bhusawal to decide representation of the applicant dated 24-04-2016 as per direction given by the Tribunal on 08-03-2017.

5. S.O.19-04-2017.

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

MEMBER (J)

YUK ORAL ORDER 11-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.381/2016

(Shri Nitu Chingalwar V/s. The State of Mah. & Ors.)

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

DATE : 11-04-2017

ORAL ORDER:-

Shri S.B.Ghute learned Advocate for the applicant is **absent**. Shri M.P.Gude learned Presenting Officer for the respondents is present.

2. In view of the direction given by the Tribunal on 22-03-2017 learned P.O. has submitted communication dated 04-03-2017 by which Deputy Director, Health Services has informed that one post is vacant at Washim. Said communication is taken on record and marked as document "X" for identification.

3. Learned P.O. submits that he will take instruction from the concerned authorities as to whether the applicant can be accommodated on vacant post at Washim and will make submission on the next date. Time granted till next date.

4. S.O.21-04-2017.

MEMBER (J)

YUK ORAL ORDER 11-04-2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 156 OF 2017

[Raufkhan Hurmatkhan Pathan Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

1. Heard Shri Anudip D. Sonar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The learned Chief Presenting Officer seeks time to file affidavit in reply. Time granted. It is to be noted that the said affidavit in reply shall also include the explanation as to why promotions are given temporarily only for 3 months for years together by the respondents and more particularly what is the policy decision in this regard adopted by the res. no. 1.

3. S.O. to 4.5.2017.

4. The learned Chief Presenting Officer to act upon the steno copy of this order.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 423/2015 IN OA ST. 1369/2015

[Shri Navnath B. Khaire Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

1. Heard Shri H.M. Shaikh, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent no. 1 and Shri Vivek Bhavthankar, learned special Counsel for respondent nos. 2 to 5.

2. In view of the earlier order dated 15.2.2017 of this Tribunal the learned Advocate for the applicant submits that the documents are collected and those would be filed along with application shortly. At his request, S.O. to 20.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 11.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 89/2016 IN OA 704/2012

[Parmeshwar D. Kandlikar Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

1. None appears for the applicant / proposed intervenor in the present misc. application. Smt. Resha S. Deshmukh, learned Presenting Officer for respondent nos. 1 to 3 in the present misc. application and Shri Sudhir Patil, learned Advocate for the respondent nos. 4 & 5 in the present misc. application / applicants in the original application.
2. It appears from the order dated 22.3.2017 passed by the Tribunal in the present misc. application that on the last date neither Shri R. K. Ingole Patil, learned Advocate for the proposed intervenor in the present M.A. nor Shri Sudhir Patil, learned Advocate for the res. no. 4 & 5 in the present M.A. / applicants in the original application, were present.
3. Today, Shri Sudhir Patil, learned Advocate seeks time to take instructions particularly as regards para 4 of the said order dated 27.3.2017. At his request, S.O. to 24.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 11.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO. 394/2016 IN CP ST. 1810/2016 IN OA 162/2014

[Shri Adhikrao S. Mane Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

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

2. The learned Presenting Officer files affidavit in reply of the respondents. It is taken on record and copy of the same has been served upon the learned Advocate for the applicant.

3. The learned Advocate for the applicant seeks time to go through the said affidavit in reply. At his request, S.O. to 13.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 11.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

**MA NO. 11/2017 WITH MA 12/2017 IN O.A. NO.
245/2016**

[Shri Satish P. Dhangar Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

1. Heard Shri K.B. Jadhav, learned Advocate for the applicant in both the M.As., Shri S.K. Shirse, learned Presenting Officer for respondent nos. 1 to 4 in both the M.As. and Shri S.R. Patil, learned Advocate for respondent no. 5 in both the M.As.
2. The learned Presenting Officer files affidavit in reply on behalf of res. nos. 2 to 4 in both the M.As. The same are taken on record and copies of the same have been served upon the learned Advocate for the applicant.
3. Shri S.R. Patil, learned Advocate seeks time to file affidavit in reply on behalf of res. no. 5. Time granted.
4. S.O. to 8.6.2017.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 95/2017 IN CP ST. 240/2017 IN OA 716/2015

[Dr. Vijayprakash N. Tambhale Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

1. None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for respondents is present.

2. The learned Presenting Officer files on record the communication dated 22.3.2017 received to him from the District Treasury Officer, Hingoli and it is taken on record and marked as document 'X' for the purpose of identification. The said communication would show that the steps are already taken by the respondents and now the applicant is required to take step by making a statement regarding income tax deduction at source.

3. S.O. to 14.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 11.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 139/2017 IN OA 136/2017

[Smt. Madhuri B. Banit Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

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

2. Annexure A-3 (paper book page 19 of the M.A.) prima-facie shows that there exists sanctioned post of Motor Vehicle Prosecutor. Further it appears from Govt. Resolution dated 2.3.2016 Annexure A-2 (paper book pages 12 to 18 and relevant page 14) that sanctioned post shall not be filled in on contract basis. The Circular issued by the res. no. 2 – the Transport Commissioner – Annex. A-1 (paper book page 8) would show that the post of Motor Vehicle Prosecutor is being filled in on contract basis. The issue of grant of promotion to the present applicant to the same post is pending in the original application.

3. In the circumstances, without making any comment on the present application at this stage, by way of interim

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MA 139/2017 IN OA 136/2017

direction it is hereby directed until further orders that in case selection process for the above post is completed by the respondents for appointment on contract basis, the appointment orders shall not be issued by the respondents.

4. Time to file affidavit in reply to the present M.A. is granted. S.O. to 4.5.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 11.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 136/2017

[Smt. Madhuri B. Banit Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

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

2. The learned Presenting Officer files on record the affidavit in reply. It is taken on record and copy of the same has been served upon the learned Advocate for the applicant.

3. S.O. to 4.5.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 11.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 481/2016 IN OA ST. 1995/2016

[Smt. Aruna V. Shinde Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

1. None appears for the applicant. Smt. Sanjivani Deshmukh Ghatge, learned Presenting Officer for respondents, is present.

2. It appears from the proceedings that no steps are taken by the applicant for service of notices upon the respondents as directed earlier.

3. Hence, S.O. to 14.6.2017 either for taking necessary steps by the applicant or for passing appropriate order.

VICE CHAIRMAN

ARJ ORAL ORDERS 11.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 574 OF 2015

[Shri Ajay V. Kothe Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

1. None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for respondents, is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 9.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 11.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 595 OF 2016

[Shri Dhanraj R. Dhumare Vs. State of Mah. & Ors.]

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

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

Date :- 11.4.2017

Oral Order :-

1. Heard Smt. Ujjwal Agarwal, learned Advocate holding for Shri Bharat R. Warma, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 to 4 and Shri D.T. Devane, learned Advocate for respondent no. 5.
2. The res. no. 2 has already filed affidavit in reply in the matter. Shri Devane, learned Advocate seeks time to file affidavit in reply of res. no. 5. Time granted as a last chance.
3. S.O. to 27.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 11.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 38 OF 2015

[Dr. Kashinath N. Swami Vs. State of Mah. & Ors.]

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

Date :- 11.4.2017

Oral Order :-

1. Heard Shri A.D. Gadekar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondent nos. 1 to 3. None appears for respondent nos. 4 & 5.

2. The learned Advocate for the applicant submits that the subject matter of the present original application and the subject matter of the O.A. nos. 677, 678, 679, 680 & 681 all of 2015, which are pending before Hon'ble Shri B.P. Patil, Member (Judicial) and now posted to 7.6.2017, is similar and, therefore, present original application be posted to 7.6.2017 along with the said matters.

3. In the circumstances, the present original application be placed on board along with aforesaid matters before Hon'ble Member (J) on 7.6.2017.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 311 OF 2015

[Smt. Kalpana M. Patil Vs. State of Mah. & Ors.]

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

Date :- 11.4.2017

Oral Order :-

1. None appears on behalf Shri H.P. Jadhav, learned Advocate for the applicant, who has sent his leave note. Smt. Resha S. Deshmukh, learned Presenting Officer for respondent nos. 1 to 4 and Shri S.R. Shinde, learned Advocate holding for Shri Vivek Bhavthankar, learned Advocate for respondent no. 5, are present. None appears for respondent no. 6.

2. It is pointed out that, previously the present matter was dismissed in default as per the order of the Tribunal dated 2.8.2016. Thereafter vide order dated 11.8.2016 it was restored to its original position. Not only this, but in view of the directions of this Tribunal the concerned record is also being produced by the Tahsildar, Ambajogai, Dist. Beed and for that purpose the said Tahsildar has remained present in the Court today. In the circumstances, it is not necessary of any Officer to remain present in the Court and the learned Presenting Officer to take photo copy of the said

record and it be produced before the Tribunal for perusal as
and when asked for.

4. S.O. to 14.6.2017.

ARJ ORAL ORDERS 11.4.2017

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 112 OF 2017

**(Shri Vasant Ramchandra Medhe Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Heard Shri V.B. Wagh – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit along with some documents to the reply filed on behalf of respondent No. 2 and the same is taken on record. The copy of the same has been served on the learned Presenting Officer for the respondents.

3. Learned Advocate for the applicant states that the evidence on behalf of the Disciplinary Authority has been completed and now the enquiry has been fixed for written submissions of Presenting Officer. He has submitted that the enquiry is in progress and, therefore, he prayed to direct the respondent No. 4 viz. Regional Enquiry Officer, Division Commissioner Office, Nasik, to complete the enquiry within a stipulated time.

4. Learned Presenting Officer has submitted that the Disciplinary Authority has led the evidence and now the matter is fixed for further evidence of the present applicant i.e. delinquent. She has submitted that she no objection, if the present Original Application is disposed of with directions to respondent No. 4 to complete the enquiry within a period of three months. She has submitted that the applicant may be

:: - 2 - ::
O.A. NO. 112 OF 2017

5. Considering the aforesaid submissions advanced on behalf of both the sides and the stage of the enquiry, it would be just and proper to direct the respondent No. 4 viz. Regional Enquiry Officer, Division Commissioner Office, Nasik, to complete the departmental enquiry within a period of two months. It would also be just and proper to direct the applicant to cooperate with the enquiry officer in completing the departmental enquiry.

6. In the circumstances, the present Original Application is disposed of with the directions to respondent No. 4 viz. Regional Enquiry Officer, Division Commissioner Office, Nasik, to complete the departmental enquiry within a period of two months' and thereafter the respondent No. 2 to pass the final order within a period of one month. The entire enquiry should be completed within a period of three months from the date of receipt of copy of this order. The applicant shall cooperate with the enquiry officer.

There shall be no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 49 OF 2017

**(Shri Uttamrao S/o. Sitaram Joshi Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Heard Shri V.B. Wagh, learned Advocate holding for Shri Shamsundar B. Patil – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.
2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 8th June, 2017 for filing affidavit in reply.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 19 OF 2017

**(Shri Yogesh S/o. Bhaskar Patil Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Heard Ms. Preeti Wankhade – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.
2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted as a last chance.
3. S.O. to 5th June, 2017 for filing affidavit in reply.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 933 OF 2016

**(Dr. Pravin Pandharinath Bodewar Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1, which is sworn in by the Under Secretary, Public Health Department, Mantralaya, Mumbai and the same is taken on record. The copy of the same has been served on the learned Advocate for the applicant. Deponent is also present today before this Tribunal. The respondent has stated on oath that the transfer order of the applicant has been issued and accordingly he has been posted as Medical Officer at Primary Health Centre, Apparao Peth, Tal. Kinvat, District Nanded, as per his request. The respondent No. 1 has annexed a copy of the order dated 6.4.2017 to the affidavit in reply filed on his behalf.

3. The respondent has complied with the direction given by tis Tribunal. The purpose of the application has been served.

4. In view of the aforesaid fact, the present Original Application stands disposed of with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 905 OF 2016

**(Shri Mahavir S/o. Chandranath Gosavi Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar – learned Advocate for the applicant, Shri N.U. Yadav – learned Presenting Officer for the respondent Nos. 1 to 3 and Shri D.T. Devane – learned Advocate for respondent No. 4.
2. Learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted.
3. S.O. to 19th April, 2017.
4. The learned Advocate for the applicant shall serve the copy of the rejoinder affidavit on the other side.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 892 OF 2016

**(Smt. Babita W/o. Ulhas Rathod Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Shri S.D. Joshi – learned Advocate for the applicant has filed leave note. Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer has filed affidavit in rely on behalf of respondent Nos. 1 to 3 and the same is taken on record. She undertakes to serve the copy thereof on the learned Advocate for the applicant.

3. In view of leave note filed by the learned Advocate for the applicant, S.O. to 5th June, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 630 OF 2016

**(Smt. Mangal Wd/o. Miresh Barase Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Shri Ashish B. Rajkar – learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar – learned Presenting Officer for the respondents, present.

2. Since nobody appeared for the applicant, S.O. to 15th June, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 486 OF 2016

**(Smt. Shivkanya wd/o. Santosh Bharti Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Shri S.D. Dhongde – learned Advocate for the applicant has filed leave note. Shri N.U. Yadav – learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 16th June, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 561 OF 2016

**(Shri Sukhdev Shravan Chitte Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Shri S.D. Dhongde – learned Advocate for the applicant has filed leave note. Shri I.S. Thorat – learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 16th June, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 434 OF 2016

**(Dr. Abdul Salim Abdul Karim Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Shri J.B. Choudhary – learned Advocate for the applicant has filed leave note. Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents, present.
2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 15th June, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 15 OF 2017

**(Shri Subhash Motiram Sonwane Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Heard Shri Sanjay Motiram Sonwane – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14th June, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 190/2016 IN O.A.ST.NO. 560/2016

**(Shri Ramrao S/o. Venkatrao Suryawanshi Vs. The State
of Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Heard Shri S.B. Mene – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 16th June, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 130 OF 2016

**(Shri Vinayak S/o. Balkrushna Kulkarni Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Shri Madhav C. Ghode – learned Advocate for the applicant (**absent**). Shri D.R. Patil – learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant, S.O. to 16th June, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.ST.NO. 412/2017 IN O.A.NO. 413/2017

**(Shri Udhav S/o. Kamaji Mane & Others Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Heard Shri Vaibhav B. Dhage – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents, present.
2. At the request of learned Advocate for the applicant, S.O. to 2nd May, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.ST.NO. 18/2017 IN O.A.ST.NO. 19/2017

**(Shri Gopal S/o. Anantrao Kulkarni & Others Vs. The
State of Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Heard Shri V.G. Pingle – learned Advocate for the applicants and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 16th April, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 496 OF 2016

**(Shri Rangnath S/o. Aatmaram Mete Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Shri B.N. Magar – learned Advocate for the applicant (**absent**). Shri M.S. Mahajan – learned Chief Presenting Officer for respondent Nos. 1 & 2 and Shri S.B. Mene – learned Advocate for respondent No. 3.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 in view of order passed by this Tribunal on 22.02.2017 and the same is taken on record.
3. Since nobody appeared for the applicant, S.O. to 16th June, 2017.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 255 OF 2016

**(Shri Harikishan Sadarsing Maher Vs. The State of
Maharashtra and Others.)**

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

DATE : 11.04. 2017.

ORAL ORDER:

1. Heard Shri R.V. Gore – learned Advocate for the applicant, Shri N.U. Yadav – learned Presenting Officer for respondent Nos. 1 & 2 and Shri V.B. Wagh – learned Advocate for respondent No. 3.

2. Learned Advocate for the applicant has submitted that the Sub Divisional Officer, Kannad, i.e. respondent No. 2, has published provisional selection list on 28.2.2016, a copy of which is placed on record at Exhibit 'A-3' page-26, thereby name of respondent No. 3 has been shown as selected candidate. He has further submitted that after selection of the respondent No. 3 crime bearing C.R. No. I-13/2016 of the offence punishable U/sec. 324s, 323, 504, 506 r/w 34 of I.P.C. has been registered against the respondent No. 3 with Kannad Rural Police Station on 5.3.2016. He has further submitted that in view of the crime registered against the respondent No. 3, the applicant is intending to raise objection before the Sub Division Officer, Kannad i.e. respondent No. 2, for cancellation of the selection of the respondent No. 3 and, therefore he does not want to proceed with the present Original Application.

3. In view of the above facts and circumstances and as the applicant does not want to proceed with the present Original Application and as he intends to raise objection before the respondent No. 2 – the Sub Divisional Officer, Kannad, for

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O.A. NO. 255 OF 2016

Original Application stands disposed of with no order as to costs.

MEMBER (J)

ORAL ORDERS 11.04.2017- HDD(SB)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.217/2017.

[Shri D.P. Vajwade Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

1. Heard Shri J. M. Murkute, 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 7.6.2017.
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 7.6.2017.

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

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.218/2017.

[Shri V. S. Kamble Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

1. Heard Shri J. M. Murkute, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 7.6.2017.
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

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 7.6.2017.

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

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.219/2017.

[Shri R. N. Bharade Vs. the State of Mah. & Ors.]

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

Date :- 11.04.2017

Oral Order :-

1. Heard Shri J. M. Murkute, learned Advocate for the applicant and Smt S. K. Ghatе Deshmukh, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 7.6.2017.

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

-2- **ORIGINAL APPLICATION NO.219/2017.**

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 7.6.2017.

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

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.220/2017.

[Smt Archana N. Shendge Vs. the State of Mah. & Ors.]

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

Date :- 11.04.2017

Oral Order :-

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

2. Issue notices to the respondents, returnable on 14.6.2017. In the meantime Respondents are directed that, in case any appointment is to be made from the Open category the same shall not be made till then.

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,

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 14.6.2017.

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

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.327/2016.

[Shri D. B. Thite Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

1. None present for the applicant. Heard Shri S. K. Shirse, learned Presenting Officer for the respondents.
2. Vide order dated 2.2.2017 the applicant was directed to satisfy this Court on certain issues as well as the applicant sought time to challenge the constitutionality of the said G.R. Nobody has appeared on the last date also. In the circumstances, S.O. to 15.6.2017.

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.60/2017.

[Shri S. K. Jakate Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

1. Heard Shri S. B. Mene, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Learned C.P.O. seeks time. Considering the fact that since long the matter is pending, as a last chance to make a statement on the line of the order dated 2.2.2017 S.O. to 18.4.2017 with a caveat that in case there would be no instructions from the concerned Respondents this Court may consider the issue of grant of interim relief.
3. Learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.80/2017.

[Shri S. S. Chavan Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

1. Heard Shri K. B. Jadhav, learned Advocate for the applicant, Shri D. R. Patil, learned Presenting Officer for the respondent no.1 and Shri Vivek Bhavthankar, learned Special Counsel for the Respondents no.2 & 3. None present for Respondent no.4.

2. At the request of the learned Special Counsel for the Respondents no.2 & 3, S.O. to 28.4.2017.

3. Interim relief to continue till then.

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.898/2016.

[Shri V. L. Nilawar Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

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

2. Learned P.O. files affidavit in reply on behalf of Respondents No.1 to 4. The same is taken on record.

3. S.O. to 12.6.2017.

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.587/2016.

[Shri V. H. Bagul Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

1. Heard Shri A. D. Gadekar, learned Advocate for the applicant, Smt R. S. Deshmukh, learned Presenting Officer for the respondents no.1 & 2 and Shri Vivek Bhavthankar, learned Special Counsel for the Respondent no.3.

2. At the request of Shri Vivek Bhavthankar, learned Special Counsel for the Respondent no.3 S.O. to 28.4.2017.

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.82/2017.

[Shri Shaikh Rabbani Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

1. Heard Miss Bhavana Panpatil, 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. Learned P.O. files affidavit in reply on behalf of Respondent No.3. The same is taken on record. Its copy is served on the learned Advocate for the applicant. He also seeks time to file affidavit in reply on behalf of Respondents no.1 & 2. Time granted.

3. S.O. to 7.6.2017 for filing affidavit in reply on behalf of Respondents no.1 & 2.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.708/2016.

[Shri V. S. Harale Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

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

2. At the request of the learned Advocate for the applicant, S.O. to 13.4.2017.

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO.140/2017 IN CP ST.472/17 IN OA 63/2015.

[Shri S. P. Nawod Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

1. It is reported that Shri S. D. Joshi, learned Advocate for the applicant has filed leave note. Smt R. S. Deshmukh, learned Presenting Officer for the respondents is present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 17.4.2017.

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

OA Nos.7 & 65 of 2016.

[Shri Arun D. Ingole and others Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

1. It is reported that Shri H. P. Jadhav, learned Advocate for the applicants has filed leave note. Heard Shri D. R. Patil, learned Presenting Officer for the respondents in both matters.

2. Learned P.O. seeks time to file affidavit in replies on behalf of respondents to the amended O.A. in both the matters. Time granted.

3. S.O. to 8.6.2017.

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.95/2017.

[Shri B. J. Gaikwad Vs. the State of Mah. & Ors.]

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

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

Date :- 11.04.2017

Oral Order :-

1. It is reported that Shri S. D. Dhongde, learned Advocate for the applicant. Shri V. R. Bhumkar, learned Presenting Officer for the respondents is present.
2. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted.
3. S.O. to 13.06.2017.

VICE CHAIRMAN

ORAL ORDERS 11.04.2017-ATP

CHAMBER APPEAL NO. 01 OF 2017

**(Shri Manojkumar S/o. Nathuram Patil Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 11.04. 2017.

ORAL ORDER:

Heard Shri P.B. Patil – learned counsel for the applicant.

2. Vide order dated 24.03.2017 the Registrar of this Tribunal Bench at Aurangabad was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 20.2.2017 the office has raised the following office objections: -

- 1) Page Nos. 19, 31, 32, 33, 34, 48, 49, 55, 63 and 64 are not legible.
- 2) Page No. 56 is not in continuation.
- 3) The Original Application appears to be not within limitation.

3. The learned Advocate for the applicant appeared today and he has submitted that he is ready to remove the office objection Nos. 1 & 2 today itself. So far as office objection No. 3 is concerned, the learned Advocate for the applicant submits that he will satisfy the Tribunal on the point of limitation.

4. Technically the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objection in spite of repeated chances. The learned Advocate for the applicant submits that he had suffered from

CHAMBER APPEAL NO. 01 OF 2017

attend the Tribunal and, therefore, the registration was refused. The fact that the O.A. is filed by the applicant for condonation of the technical break in service and for time bound promotion and in order to give an opportunity to the applicant to prove his claim on merits, it will be in the interest of justice to allow the Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate.

5. In view of the above, I pass the following order:

ORDER

(i) Chamber Appeal No. 01/2017 is allowed as the applicant is ready to remove the office objection Nos. 1 & 2 today itself and so far as office objection No. 3 is concerned, he has submitted that he will satisfy the Tribunal on the point of limitation. Registrar of this Tribunal Bench at Aurangabad is directed to register the Original Application and place it before the appropriate Bench for hearing.

VICE CHAIRMAN

