

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 105 OF 2017

[Shri Nagesh S. Mapari 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 :- 12.4.2017

Oral Order :-

1. Heard Shri G.J. Palvan, learned Advocate holding for Shri G.M. Kshirsagar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant seeks time to join the party respondents as well as filing additional documents in the matter in view of leave granted by the Tribunal as per the order dated 27.2.2017. It appears that previously 2 times the matter was adjourned for carrying out the said amendment. In the circumstances, S.O. to 27.4.2017 for carrying out necessary amendment in the O.A.

VICE CHAIRMAN

ARJ ORAL ORDERS 12.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 169 OF 2017

[Shri Sandeep R. 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 :- 12.4.2017

Oral Order :-

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

2. The learned Presenting Officer seeks time to file affidavit in reply in the matter. At his request S.O. to 14.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 12.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 21/2016 IN OA 421/2015

[Shri Saiyed Gaus Sayed Pasha 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 :- 12.4.2017

Oral Order :-

1. Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde – Upadhayay, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.
2. The learned Presenting Officer has filed affidavit in reply in the M.A. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.
3. S.O. to 3.5.2017 for hearing on M.A.

VICE CHAIRMAN

ARJ ORAL ORDERS 12.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 419/2016 WITH MA 377/2016 IN OA ST. 1693/2016

[Shri Ajay B. Pawar & Ors. 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 :- 12.4.2017

Oral Order :-

1. Heard Shri M.G. Deokate, learned Advocate for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.
2. The present M.A. no. 419/2016 has been filed by the applicants for condonation of delay of 1703 days caused in filing the accompanying O.A. before the Tribunal.
3. Perused the M.A. Considered the contentions.
4. Considering the chequered history of the case and the fact that the present applicant was required to litigate up to Hon'ble the Supreme Court and now while preparing the gradation list the respondents are allegedly not considering the representation of the applicant dated 25.8.2016 to grant him deemed date of appointment, it appears that sufficient cause is made out by the applicants for condoning the delay caused in filing the O.A.
5. The learned P.O., however, submits that the applicant should have filed the application for grant of deemed date of appointment immediately after the appointment.

::-2-::
MA 419/16 WITH MA 377/16
IN OA ST. 1693/16

6. However, considering the reasons stated in the M.A. the same is allowed without any order as to costs and the delay of 1703 days caused in filing the O.A. is condoned.

VICE CHAIRMAN

ARJ ORAL ORDERS 12.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 377/2016 IN OA ST. 1693/2016

[Shri Ajay B. Pawar & Ors. 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 :- 12.4.2017

Oral Order :-

1. Heard Shri M.G. Deokate, learned Advocate for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.
2. The present M.A. no. 377/2016 has been filed by the applicant for permission to sue jointly the original application.
3. Perused the M.A. Considered the contentions.
4. For the reasons stated in the M.A. the same is disposed of without any order as to costs and the applicants are permitted to sue jointly subject to payment of requisite Court fees.
5. The office is directed to register the O.A. after due scrutinize.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

OA ST. 1693/2016

[Shri Ajay B. Pawar & Ors. 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 :- 12.4.2017

Oral Order :-

1. Heard Shri M.G. Deokate, learned Advocate for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.
2. Issue notices to the respondents in the original application, returnable on 20.6.2017.
3. Tribunal may take the cases for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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. Applicants are directed to file affidavit of compliance and notice.
7. S.O. 20.6.2017.
8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 23/2017 IN OA 43/2015

[Shri Ramchandra G. Pardeshi 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 :- 12.4.2017

Oral Order :-

1. Heard Shri T.G. Gaikwad, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. The learned Presenting Officer has filed affidavit in reply of res. nos. 2 & 4 in the M.A. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. This M.A. and O.A. be placed for hearing on 26.4.2017, before the another learned Member in view of unpleasant event occurred between the Counsel and the Bench.

4. The Office is hereby directed to not to place the matters in which Shri T.G. Gaikwad, learned Advocate is appearing, before the Court to which Shri Justice M.T. Joshi is a Member.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 24/2017 IN OA 257/2015

[Shri Dnyanoba G. Puri 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 :- 12.4.2017

Oral Order :-

1. Heard Shri T.G. Gaikwad, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. The learned Presenting Officer has filed affidavit in reply of res. nos. 2 & 4 in the M.A. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. This M.A. and O.A. be placed for hearing on 26.4.2017, before the another learned Member in view of unpleasant event occurred between the Counsel and the Bench.

4. The Office is hereby directed to not to place the matters in which Shri T.G. Gaikwad, learned Advocate is appearing, before the Court to which Shri Justice M.T. Joshi is a Member.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 137/2017 IN OA 67/2017

[Smt. Surekha M. Tak 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 :- 12.4.2017

Oral Order :-

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

2. The applicant has filed the present misc. application for permission to amend the O.A. By way of proposed amendment the applicant intends to add the authorities as mentioned in para 2 of the present M.A. as party respondent nos. 3 to 9 in the O.A.

3. Perused the misc. application. Considered the contentions.

4. For the reasons stated in the misc. application it is allowed without any order as to costs and the applicant is permitted to add res. nos. 3 to 9 as per para 2 of the present misc. application, in the original application forthwith.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 67/2017

[Smt. Surekha M. Tak 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 :- 12.4.2017

Oral Order :-

1. Heard Shri P.V. Suryawanshi, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.
2. Today this Tribunal allowed the M.A. no. 137/2017 and thereby permitted the applicant to add res. nos. 3 to 9 in the present original application.
3. Upon adding res. nos. 3 to 9 in the present O.A., issue notices to the added res. nos. 3 to 9, returnable on 14.6.2017.
4. Tribunal may take the cases for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. 14.6.2017.
8. Steno copy & hamdust allowed to both the parties.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA 138/2017 IN OA 237/2013

[Smt. Kavari d/o Vithalrao Chavan alias Smt. Kaveri Wd/o
Santoshrao Bagal 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 :- 12.4.2017

Oral Order :-

1. Heard Shri P.G. Gunale, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1 to 4 and Shri P.A. Harshe, learned Advocate for respondent no. 5.
2. The applicant has filed the present misc. application for permission to amend the O.A. as per the draft amendment annexed therewith.
3. Perused the misc. application. Considered the contentions.
3. It appears from the M.A. that the amendment proposed is concerned with the subsequent developments that has occurred during the pendency of the O.A.
4. In the circumstances, the misc. application it is allowed without any order as to costs and the applicant is permitted to amend the O.A. as per the draft amendment enclosed with the M.A., within a period of 15 days.
5. The O.A. be placed on board for hearing on 27.4.2017.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 295 OF 2012

[Dr. Arvind N. Bagate & Ors. 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 :- 12.4.2017

Oral Order :-

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

2. The present original application is already admitted. The Division Bench is not available at present and therefore, the present original application is removed from the Board with a direction to the office to place the same before the Division Bench whenever it is available, with liberty to both the sides to circulate the matter before the Division Bench.

VICE CHAIRMAN

ARJ ORAL ORDERS 12.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 210/2017

[Shri Ramesh B. Pimple 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 :- 12.4.2017

Oral Order :-

1. None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, is present.

2. The learned Chief Presenting Officer seeks time to file affidavit in reply. At his request, S.O. to 27.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 12.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 255 OF 2015

[Shri Rajaram A. Sande Vs. The State of Mah. & Ors.]

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

Date :- 12.4.2017

Oral Order :-

1. Heard Shri Vishnu Patil, learned Advocate holding for Shri A.R. Devakate, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant seeks time to file rejoinder in the matter. At his request, S.O. to 21.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 12.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

**ORIGINAL APPLICATION NOS. 693 WITH 721 BOTH OF
2016**

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

Date :- 12.4.2017

Oral Order :-

1. Heard Shri V.B. Wagh, learned Advocate for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents in both the matters.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 12.4.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

**MA NO. 143/2017 IN MA ST. 1377/2015 IN OA ST.
942/2015**

[Miss. Chaya B. Dhagadge Vs. The State of Mah. & Ors.]

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

Date :- 12.4.2017

Oral Order :-

1. Heard Shri Chetan Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.
2. The present misc. application has been filed by the applicant for taking on record the rejoinder affidavit of the applicant in the M.A. st. 1377/2015 and also for permission to add the days of delay caused in filing accompanying O.A., in the M.A. st. No. 1377/2015.
3. Perused the M.A. no. 143/2016. Considered the contentions.
4. For the reasons stated in the misc. application the same is allowed without any order as to costs and the rejoinder filed by the applicant in M.A. st. 1377/2015 is taken on record and the applicant is permitted to add the days of delay caused in filing original application, in the M.A. st. 1377/2015. The learned Advocate for the applicant undertook to amend the M.A. st. 1377/2015 within a period of one week.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA ST. 1377/2015 IN OA ST. 942/2015

[Miss. Chaya B. Dhagadge Vs. The State of Mah. & Ors.]

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

Date :- 12.4.2017

Oral Order :-

1. Heard Shri Chetan Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.
2. The present misc. application has been filed by the applicant for condonation of delay caused in filing the accompanying original application.
3. Today by passing separate order in M.A. no. 143/2016, this Tribunal has permitted the applicant to add number of days of delay caused in filing the accompanying O.A. and also for filing rejoinder of the applicant, in the present M.A.
4. In the circumstances, the rejoinder of the applicant be taken on record of the present M.A. After
5. On adding days of delay caused in filing the O.A. in the present M.A. St. No. 1377/2015, the Office is directed to register the same and it be placed on board for hearing on 20.4.2017.

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION St. NO.425/2017.

[Shri B. S. KakadeVs. the State of Mah. &Ors.]

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

Date :- 12.04.2017

Oral Order :-

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

2. Learned Advocate for the applicant submit that, liberty to delete the prayer clause "B" be granted. The liberty is accordingly granted with further liberty to file the separate O.A.

3. Upon deletion issue notices to the respondents, returnable on 14.6.2017.

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

5. 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.

7. 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.

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 14.6.2017.

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

VICE CHAIRMAN

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

CP NO.03/2016 IN OA NO.239/2015.

[Dr. Sonali B. SayamberVs. the State of Mah. &Ors.]

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

Date :- 12.04.2017

Oral Order :-

1. Heard Shri V. B. Wagh, learned Advocate for the applicant and Smt S. K. GhateDeshmukh, learned Presenting Officer for the respondents.
2. Both the sides admit at bar that the writ petition filed by the Respondents is already dismissed on 6.2.2017. Copy thereof is already filed on record. Learned P.O. submit that, she has no further instructions from the concerned Respondents. In the circumstances, last chance is granted for complying with the order, otherwise the Court would be constrained to grant permission to proceed for contempt of the order of this Court.
3. S. O. to 28.4.2017.
4. Learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

REV. NO.11/2016 IN OA NO.3/2012.

[Shri K. P. BodkeVs. the State of Mah. &Ors.]

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

Date :- 12.04.2017

Oral Order :-

1. None present for the applicant.Heard Smt. S. K. GhateDeshmukh, learned Presenting Officer for the respondents.
2. In case upon taking preliminary hearing it is found that the reply is necessary then the reply should be filed.
3. It appears that the reply is not necessary. In the circumstances, place the review for hearing on 27.4.2017.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.211/2016.

[SmtJayshri N. More &Ors.Vs.the State of Mah.&Ors.]

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

Date :- 12.04.2017

Oral Order :-

1. None present for the applicant. HeardShri I. S. Thorat, learned Presenting Officer for the respondents.

2. The communication already placed on record by the learned P.O. shows that the grievance of the present applicant is already redressed. On the last date Mr. Anjanwatikar learned Advocate for the applicant was absent due to family problem and then case was adjourned today. Today also nobody appears for the applicant, S. O. to 24.4.2017 either for hearing or for passing necessary order.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.715/2016.

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

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

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

Date :- 12.04.2017

Oral Order :-

1. Heard Shri S. D. Dhongde, learned Advocate for the applicants and Shri D. R. Patil, learned Presenting Officer for the respondents.
2. Upon hearing both sides it appears that only the instructions to the learned P.O. as to whether the representation is received by concerned Secretary would be sufficient as the applicants' are seeking direction for decision on the representation.
3. In the circumstances, learned P.O. is directed to take instructions regarding receipt of the representation dated 4.2.2016, which is filed on record at Exh.X.
4. S. O. to 13.6.2017.
5. Learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.722/2016.

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

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

Date :- 12.04.2017

Oral Order :-

1. Heard Shri J. S. Jadhav learned Advocate holding for Shri V. B. Kale, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. submit that the photocopy of the report is received, however, the documents on the strength of which the report is passed by the Examiner of the document are not brought by the officer. In the circumstances, at his request, S. O. to 24.4.2017.

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

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.576/2015.

[Shri C. M. MahajanVs. the State of Mah. &Ors.]

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

Date :- 12.04.2017

Oral Order :-

1. None appears for the applicant.Shri I. S. Thorat, learned Presenting Officer for the respondents no.1 & 2 and ShriVivekBhavthankar, learned Special Counsel for the Respondent no.3 are present.

2. The learned P.O. seeks time to file affidavit in reply. At his request, S. O. to 13.6.2017.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.622/2015.

[Shri R. K. MundeVs. the State of Mah. &Ors.]

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

Date :- 12.04.2017

Oral Order :-

1. None present for the applicant. Heard Shri M. P. Gude, learned Presenting Officer for the respondents.
2. Learned P.O. submit that the affidavit in reply on behalf of Respondent no.2 is already filed and there is no need to file reply on behalf of others. In the circumstances, place the O.A. for hearing on 7.6.2017.
3. S. O. to 7.6.2017.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.488/2016.

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

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

Date :- 12.04.2017

Oral Order :-

1. Heard Shri S. D. Dhongde, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for the respondents.
2. Learned P.O. files affidavit in reply on behalf of Respondent no.2. The same is taken on record. Its copy is served on the learned Advocate for the applicant.
3. The pleadings are complete.
4. Place the O.A. for hearing on admission on 25.4.2017.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.489/2016.

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

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

Date :- 12.04.2017

Oral Order :-

1. Heard Shri S. D. Dhongde, learned Advocate for the applicant and Smt S. K. GhateDeshmukh, learned Presenting Officer for the respondents.
2. Learned P.O. files affidavit in reply on behalf of Respondent no.2. The same is taken on record. Its copy is served on the learned Advocate for the applicant.
3. The pleadings are complete.
4. Place the O.A. for hearing on admission on 25.4.2017.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.599/2016.

[SmtSunita R. BahiramVs. the State of Mah. &Ors.]

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

Date :- 12.04.2017

Oral Order :-

1. Heard Shri D. J. Patil, learned Advocate for the applicant,Shri N. U. Yadav, learned Presenting Officer for the respondents no.1 & 2 and ShriVivekBhavthankar, learned Special Counsel for the Respondent no.3.
2. ShriVivekBhavthankar, learned Special Counsel files affidavit in reply on behalf of Respondent No.3. The same is taken on record. Its copy is served on the other side.
3. S. O. to 3.5.2017.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.662/2016.

[Dr. L. P. Durgawad Vs. the State of Mah. &Ors.]

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

Date :- 12.04.2017

Oral Order :-

1. Heard Shri V. B. Wagh, learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant submits that, he will take instructions from the applicant, who is present today before the Tribunal as to whether he will join his new posting at Civil Hospital, Sindhudurg and make submissions within 8 days. Therefore, he sought time. Time granted.
3. S. O. to 25.4.2017. Part Heard.

MEMBER (J).

ORAL ORDERS 12.04.2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.880/2016

(Dr. Sushilkumar Kendre V/s. The State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

Heard Shri Ashish Rajkar learned Advocate for the applicant, Shri I.S.Thorat learned Presenting Officer for the respondent no.1 and Shri V.P.Golewar learned Advocate holding for Shri Pradeep Shahane learned Advocate for respondent nos.2 and 3.

2. At the request of learned Advocate for the applicant, S.O.13-04-2017.

MEMBER (J)

YUK ORAL ORDER 12-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.907/2016

(Shri Sanjivkumar B. Satha Patil & Ors. V/s. The State
of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

Shri R.N.Bharaswadkar learned Advocate for the applicant is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for the respondents is present.

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

3. S.O.13-06-2017.

YUK ORAL ORDER 12-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.121/2017

(Shri Shamkant Dusane V/s. The State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

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

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

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

MEMBER (J)

YUK ORAL ORDER 12-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.159/2017
(Shri Ajabrao Patil V/s. The State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

Heard Shri A.D.Sugdare learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondent nos.1 to 3. Smt. Chaitali Chaudhari-Kutti learned Advocate for respondent no.4 is **absent**.

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

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

YUK ORAL ORDER 12-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.167/2017

(Shri Fakirrao Wadhve V/s. The State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant submits that the applicant has retired on 30-06-1996 as Special Land Acquisition Officer, Parbhani. At that time, Departmental Enquiry (DE) was pending against him. In the meantime, DE was finally concluded. Applicant was held guilty and punishment of deduction of Rs.100/- permanently from pension was imposed on the applicant. It is further submitted by him that the said proposal was sent to Maharashtra Public Service Commission (MPSC) for approval and the MPSC had approved the same and thereafter final order dated 25-06-2007 imposing punishment was passed by the Government. Applicant has submitted that because of the pendency of

the DE final pension was not sanctioned to him and only provisional pension was granted. Learned Advocate for the applicant has submitted that instead of sending proposal of pension, Collector, Parbhani has called for reports and No Dues Certificates from various District Collectors where the applicant had served by letter dated 18-01-2016 and also informed the same to the applicant by communication dated 22-01-2016. Applicant has submitted that as the Collector, Parbhani was unnecessarily prolonging the matter, Tribunal had passed order dated 09-03-2017 and observed that early action on the part of the respondent no.4 is expected in the matter but it seems that no action is taken by respondent no.4 till date.

3. Learned P.O. has submitted that she has informed concerned respondent no.4 i.e. Collector, Parbhani regarding order passed by the Tribunal on 09-03-2017 but no communication has been received from the respondent no.4 till today. She has, therefore, sought

time to take necessary instruction from the respondent no.4 as regards action, if any, taken in the matter.

4. It is very sorry state of affairs and pitiable nature of work on the part of Collector, Parbhani in taking decision in case of the applicant who has retired long back in the year 1996. He was held guilty in the DE and penalty was imposed upon him in the year 2007. Since then pension papers have not been prepared and sent to the Accountant General. It would be, therefore, necessary to direct the respondent no.4 to take necessary action in the matter within 2 weeks from the date of this order and convey the same to the Tribunal till next date, failing which necessary action will be taken against respondent no.4.

5. S.O.04-05-2017.

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

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.187/2016 IN O.A.No.306/2016

(Smt. Godawaribai Gajbhare V/s. State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

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

2. Learned P.O. has submitted communication dated 29-03-2017 received from the Commissioner, Skill Development, Employment and Entrepreneurship, Maharashtra State informing that necessary information has been forwarded to the Skill Development, Employment and Entrepreneurship Department, Maharashtra State, Mumbai for necessary action. Said proposal is pending with the Government, therefore, she sought time to take further instruction from the concerned department as regards decision on the proposal.

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M.A.No.187/2016 IN O.A.No.306/2016

3. Learned Advocate for the applicant has submitted that in view of the said fact it would be just to dispose of the O.A. as well as the M.A. with direction to the respondent no.1 to take appropriate decision on the said proposal on merit.

4. In view of the fact that proposal is sent by the respondent no.2 to the respondent no.1 and as per submission made by the learned Advocate for the applicant, M.A. as well as the O.A. are disposed of with direction to the respondent no.1 to take appropriate decision on the proposal sent by the respondent no.2 on merit as per rules within 3 months from the date of this order. Accordingly, M.A. as well as the O.A. are disposed of with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.601/2015

(Shri Shrimant Ture V/s. The State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

Heard Shri Kakasaheb Jadhav learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks leave of the Tribunal to amend the O.A. suitably. Leave as prayed for is granted.

3. S.O.13-06-2017.

MEMBER (J)

YUK ORAL ORDER 12-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 217/2016

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

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

DATE : 12-04-2017

ORAL ORDER:-

Heard Smt. Ujjwal Agarwal learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondent nos.1 to 3. Shri A.I.Deshmukh learned Advocate for respondent no.4 is **absent**.

2. At the request of learned Advocate for the applicant,
S.O.08-06-2017.

MEMBER (J)

YUK ORAL ORDER 12-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

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

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

DATE : 12-04-2017

ORAL ORDER:-

Heard Shri V.P.Golewar learned Advocate for the applicant, Shri D.R.Patil learned Presenting Officer for the respondent nos.1 to 4 and Shri B.S.Choudhekar learned Advocate holding for Shri M.S.Dhapate learned Advocate for respondent no.5.

2. Learned P.O. has filed additional affidavit in reply. It is taken on record. Copy thereof has been served on the other side.

3. S.O.21-04-2017.

MEMBER (J)

YUK ORAL ORDER 12-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.554/2016
(Shri Ramdas Sangle V/s. The State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant,
S.O.07-06-2017.

MEMBER (J)

YUK ORAL ORDER 12-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.563/2016
(Shri Devidas Kardule V/s. The State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Smt. Deepali Deshmukh learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant,
S.O.07-06-2017.

YUK ORAL ORDER 12-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.700/2016

(Shri Appasaheb Shinde V/s. The State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

Heard Shri K.B.Jadhav learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O.13-06-2017.

MEMBER (J)

YUK ORAL ORDER 12-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.72/2016

(Shri Sirajoddin Ansari V/s. The State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

Heard Shri Shamsundar Patil learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O.14-06-2017.

MEMBER (J)

YUK ORAL ORDER 12-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.552/2016
(Shri Subhash Bagal V/s. The State of Mah. & Ors.)

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

DATE : 12-04-2017

ORAL ORDER:-

Heard Shri N.K.Choudhary learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for the respondent nos.1 to 4 and Shri Y.V.Dhoble learned Advocate for respondent no.5.

2. At the request of parties, S.O.14-06-2017.

MEMBER (J)

YUK ORAL ORDER 12-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 733 OF 2016

**(Shri Vithal S/o. Lahanu Badhe Vs. The State of
Maharashtra and Others.)**

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

DATE : 12.04. 2017.

ORAL ORDER:

Shri V.G. Salgare – learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents, present.

2. It transpires from the proceeding that affidavit in reply on behalf of respondent No. 4 has already been filed on record.

3. Learned Presenting Officer submits that the affidavit in reply of the respondent Nos. 1 to 3 is not necessary, if during the course of the hearing the affidavit in reply is found necessary, liberty may be granted to file affidavit in reply.

4. In the circumstances, S.O. to 7th June, 2017 for hearing on admission.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 797 OF 2016

**(Shri Gaurav S/o. Anil Chavan Vs. The State of
Maharashtra and Others.)**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Smt. S.C. Thombre, learned Advocate holding for Shri C.V. Thombre – learned counsel for the applicant and Shri I.S. Thorat – learned Presenting Officer for the respondents.

2. It transpires from the proceeding that affidavit in reply on behalf of respondent No. 5 has already been filed on record.

3. Learned Presenting Officer submits that the affidavit in reply of the respondent Nos. 1 to 4 is not necessary, if during the course of the hearing the affidavit in reply is found necessary, liberty may be granted to file affidavit in reply.

4. In the circumstances, S.O. to 7th June, 2017 for hearing on admission.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 906 OF 2016

**(Dr. Atul Ramesh Ladwanjari & Others Vs. The State of
Maharashtra and Others.)**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Smt. Seema T. Pawar, learned Advocate holding for Shri Ajay G. Talhar – learned counsel for the applicant, Shri V.R. Bhumkar – learned Presenting Officer for the respondent Nos. 1 to 3 and Shri H.P. Kshirsagar – learned Advocate for respondent No. 4.

2. At the request of learned Advocate for the applicant, S.O. to 25th April, 2017.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 932 OF 2016

**(Shri Surendra S/o. Aabasaheb Shisode Vs. The State of
Maharashtra and Others.)**

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

DATE : 12.04.2017.

ORAL ORDER:

Shri H.P. Jadhav – learned counsel for the applicant has filed leave note. Shri S.K. Shirase – learned Presenting Officer for the respondent Nos. 1 to 5 and Shri Shrikant Patil – learned Advocate for respondent No. 6, were present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 14th June, 2017.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 45 OF 2017

**(Smt. Sunita Ramkrishna Thite Vs. The State of
Maharashtra and Others.)**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande – learned counsel for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant verifies that Mr. V.M. Chavan, employee, junior to the applicant was only considered and not promoted and, therefore, there is no need to add him as a party respondent.

3. Learned Presenting Officer has filed on record a copy of communication dated 11th April, 2017 received to him from Under Secretary, M.S. Mumbai. The copy of the said communication dated 11th April, 2017 is taken on record and marked as document 'X' for identification purpose. From the said communication it reveals that the process for promotion would be undertaken in near future.

4. In the circumstances, at the request of learned Presenting Officer, S.O. to 14th June, 2017.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 64 OF 2017

**(Dr. Snehal S/o. Ishwarappa Nagre Vs. The State of
Maharashtra and Others.)**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri J.G. Toshniwal – learned counsel for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. Learned Presenting Officer seeks one week's time due to official exigencies. At his request, S.O. to 20th April, 2017 for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDERS 12.04.2017-HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 83 OF 2017

**(Smt. Sayyad Jarinabi Raisoddin & Others Vs. The State of
Maharashtra and Others.)**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri P.A. Kulkarni – learned counsel for the applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed on record a copy of communication received to him from the Law Officer of Maharashtra Public Service Commission (for short 'the Commission') dated 18.2.2017. The copy of the said communication is taken on record and marked as document 'X' for identification purpose. From the said communication it reveals that the copy of the Original Application is yet to be received to the Commission and, therefore, time is sought for filing affidavit in reply.

3. As against this, acknowledgment filed on record would show that on 18.02.2017, the copy of the Original Application has already been received by the Commission. It is unfortunate to note that Commission is not vigilant about keeping the record correctly.

4. In the circumstances, time till 25th April, 2017 is granted as a last chance to file affidavit in reply. In case,

O.A. NO. 83 OF 2017

affidavit in reply is not filed on or before the next date, this Tribunal may pass necessary orders, as may be deemed fit.

5. Learned Advocate for the applicant submits that the trick is being played on the Tribunal probably for the reason that the result would be declared in the meantime.

6. In the circumstances, it is hereby directed that until further orders the result of the recruitment process shall not be declared.

7. S.O. to 25th April, 2017.

8. Learned Presenting Officer shall act on the steno copy of this order.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 522 OF 2016

**(Shri Atul S/o. Kerba Waghmare Vs. The State of
Maharashtra and Others.)**

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

DATE : 12.04. 2017.

ORAL ORDER:

1. Shri D.M. Mane – learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents, present.
2. Since nobody appeared for the applicant, S.O. to 16th June, 2017.

MEMBER (J)

ORAL ORDERS 12.04.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NOS. 61 & 62 BOTH OF 2017
[Smt. Vandana M. Kharmale & Ors. Vs. The State of Mah.
& Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri Shamsundar B. Patil, learned Advocate for the Applicants in both the O.As., Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 to 3 in both the O.As. and Shri V.B. Wagh, learned Advocate for respondent no. 4 in O.A. No. 62/2017.

2. Learned Advocate Shri S.B. Mene, has filed VAKALATNAMA on behalf of respondent no. 4 in O.A. No. 61/2017. He has also filed no objection of learned Advocate Shri V.B. Wagh. Same is taken on record. He has filed affidavit in reply on behalf of respondent no. 4. It is taken on record and copy thereof has been served upon the other side.

3. Learned Advocate for the applicant submitted that the similar matter i.e. O.A. Nos. 693 & 721 of 2016 are placed before the Court of Hon'ble Justice Shri M.T. Joshi, Vice Chairman and therefore, the present O.As. be placed before the Court of Hon'ble Justice Shri M.T. Joshi, Vice Chairman.

4. Hence, the present O.As. be placed before the Court of Hon'ble Justice Shri M.T. Joshi, Vice Chairman.

5. S.O. to 13.04.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 136/2017 in O.A. St. No. 451/2017
[Shri Chandrakant B. Ghule & Ors. Vs. The State of Mah. &
Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri A.S. Kulkarni, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 17.04.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. 285/2016 with M.A. 144/2016 in O.A. St.
1950/2015**

**[Shri Nagnath G. Jadhav & Ors. Vs. The State of Mah. &
Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

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 27.04.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 349/2017
[Shri Sunil S. Pawar Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri S.P. Salgar, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 12.6.2017.

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. 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.

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O.A. St. 349/2017

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. Steno copy and Hamdast is allowed to both parties.

8. S.O. to 12.06.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 225/2017
[Shri Vilas W. Lohate Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri Vilas W. Lohate, Applicant in person and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The applicant in person submitted that he was placed under suspension for 16 years. Recently his suspension was revoked and he has been posted as Motor Vehicle Inspector in the office of R.T.O., Aurangabad by order dated 25.03.2017. He has joined his new posting on 29.03.2017. The applicant has submitted that on 30.03.2017, he filed application which is at paper book page no. 17 to the Chief Secretary, Government of Maharashtra, Mumbai contending that injustice has been caused to him and his unmarried daughter who is mentally retarded and therefore, he requested to consider his grievance and to take necessary action in the matter. He has also approached before the District Collector, Aurangabad on Lokshahi Din by filing application dated 3.4.2017. He has also submitted that he is going to retire on superannuation within three months and

therefore, it would be just to post him at his native place Nagpur. He submitted that the grievance has not been considered by the higher authority and therefore, he approached this Tribunal by filing present O.A.

3. On perusal of the representation dated 30.03.2017 (page no. 17 of paper book) it reveals that in the said representation, nowhere it has been mentioned that inconvenience is caused to him due to his posting at Aurangabad after revocation of the suspension order. He has not mentioned his detailed grievance in the said representation. Not only this, but no prayer for his transfer to Nagpur has been made therein. Moreover, the application has been moved on 30.03.2017. Without waiting for expiry of the statutory period provided under Section 20 of the Administrative Tribunals Act 1985, the applicant approached this Tribunal. He has not grievance about any order. On the contrary he acted upon on the letter dated 22.03.2017 and joined his posting at Aurangabad. The applicant has no cause of action to file O.A. The present O.A. is not maintainable.

4. Hence, the present O.A. is rejected. There shall be no order as to costs.

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 792/2015
[Dr. Prasad V. Kulkarni Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri Vishnu Dhoble, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

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

3. The learned Advocate for the applicant submitted that the interim protection was given to the applicant in view of the order passed by this Tribunal on 4.12.2015 and it was continued from the time to time till last date i.e. on 29.03.2017. Thereafter, due to oversight he could not mention the said fact before Tribunal and therefore, interim relief was not continued on last date.

4. He has submitted that today he has filed rejoinder affidavit but the learned Presenting Officer seeks time to argue the matter. He has prayed to continue the earlier interim relief till next date.

5. In view of the above fact, the interim relief granted earlier to continue till next date.

6. S.O. to 9.6.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 284/2016
[Dr. Usha N. Bholane Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Shri K.A. Ingle, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 to 4. Shri B.S. Deshmukh, learned Advocate for respondent no. 5 (**Leave Note**).

2. At the request of learned Advocate for the applicant, S.O. to 9.6.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 322/2016
[Smt. Swati Narhari Joshi Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Shri B.S. Kudale, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 13.06.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 719/2016
[Shri Pandurang M. Chandanshiv Vs. The State of Mah. &
Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Shri K.J. Suryawanshi, learned Advocate for the Applicant, Shri S.K. Shirse, learned Presenting Officer for respondent nos. 1 to 3 and Shri A.R. Tapse, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for the applicant, S.O. to 24.04.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 761/2016
[Shri Vasant T. Chobe Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Shri A.S. Deshmukh, learned Advocate for the Applicant, Shri D.R. Patil, learned Presenting Officer for respondent nos. 1, 3 & 5 and Shri G.N. Patil, learned Advocate for respondent nos. 2 & 4.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 5. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. S.O. to 30.06.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 791/2016
[Shri Mohd Fasihuddin Ansari Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Smt. A.N. Ansari, learned Advocate for the Applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 12.06.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 820/2016
[Dr. Surendra G. Todewale Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Shri J.S. Deshmukh, learned Advocate for the Applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 to 3 & 6 and Shri V.G. Pingle, learned Advocate holding for Smt. Rekha K. Laddha, learned Advocate for respondent nos. 4 & 5.

2. Learned Presenting Officer for respondent nos. 1 to 3 & 6 and learned Advocate for respondent nos. 4 & 5 seeks time to file affidavit in reply. Time granted.

3. S.O. to 15.06.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 821/2016
[Dr. Basanti P. Mundhe Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Shri J.S. Deshmukh, learned Advocate for the Applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 to 3 & 6 and Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for respondent nos. 4 & 5.

2. Learned Presenting Officer for respondent nos. 1 to 3 & 6 and learned Advocate for respondent nos. 4 & 5 seeks time to file affidavit in reply. Time granted.

3. S.O. to 15.06.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 822/2016
[Dr. Subhash B. Jadhav Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Shri J.S. Deshmukh, learned Advocate for the Applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 to 3 & 6 and Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for respondent nos. 4 & 5.

2. Learned Presenting Officer for respondent nos. 1 to 3 & 6 and learned Advocate for respondent nos. 4 & 5 seeks time to file affidavit in reply. Time granted.

3. S.O. to 15.06.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 879/2016
[Shaikh Mujib Shaikh Gafar Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Shri Ashish Rajkar, learned Advocate holding for
Shri A.D. Gadekar, learned Advocate for the Applicant and
Shri I.S. Thorat, learned Presenting Officer for respondents.

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

3. S.O. to 16.06.2017.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 760/2016
[Shri Gopal D. Muley & Ors. Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri A.S. Deshmukh, learned Advocate for the Applicants, Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 to 3 & 5 and Shri Shamsundar B. Patil, learned Advocate for respondent no. 4.

2. Learned Advocate for the applicant submitted that during pendency of the present O.A., the Government of Maharashtra has issued G.R. dated 9.12.2016 which is at paper book page no. 74 (Exhibit A) and revised the pay on the basis of Second Assured Career Progressive Scheme to the employees who retired during the period from 1.10.2006 to 31.03.2010 to the extent of pension/family pension, gratuity and leave encashment and therefore, very purpose of filing present O.A. is served.

3. The learned Advocate for the applicant submitted that in this regard the Accountant General-II, Nagpur by its communication dated 7.2.2017 informed to the Executive Engineer, Hydrology Project Division, Aurangabad that it has sought some clarification from the Government as regards

applicability of the G.R. dated 9.12.2016 to the concerned employees. The Accountant General-II, Nagpur further informed that the reference in that regard has already been sent to the Government in respect of clarification. He has submitted that the Government has not given the clarification till today and therefore, he prayed directions to the Government to take decision on the communication dated 7.2.2017 and also sought direction to the Accountant General-II, Nagpur to take decision as regards applicability of the G.R. dated 9.12.2016 in case of the present applicants.

4. In view of the said fact, it would be just and proper to direct the Government and Accountant General-II, Nagpur to take decision regarding revised extension of benefits as per G.R. dated 9.12.2016 to the applicants.

5. Therefore, the Government is directed to take decision as regards clarification raised by the Accountant General-II, Nagpur vide communication dated 7.2.2017 within a period of one month. On receiving clarification from the Government, the Accountant General-II, Nagpur shall take necessary decision within a period of a month.

//3//

O.A. No. 760/2016

6 S.O. to 30.06.2017.

ORAL ORDERS 12.04.2017-KPB(SB)BPP

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 870/2016
[Shri Maharudra Namdeo Dorle Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri A.S. Deshmukh, learned Advocate for the Applicants, Shri N.U. Yadav, learned Presenting Officer for respondent nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent no. 3.

2. The learned Advocate for respondent no. 3 has submitted that the respondents have extended the benefits in view of the G.R. dated 1.4.2010 to the applicant and accordingly order in that regard has been passed on 20.02.2017. Copy of the said order is placed on record by learned Advocate for respondent no. 3 and marked as 'Exhibit-X' for the purposes of identification.

3. The learned Advocate for the applicant has no objection to dispose of the present O.A. in view of the submissions made by the learned Advocate for respondent no. 3.

4. As the benefits of the G.R. dated 1.4.2010 have been extended to the applicant, the very purpose of filing of the present O.A. is served. Hence, the O.A. stands disposed of with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 871/2016
[Shri Satish P. Dhaktode Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri A.S. Deshmukh, learned Advocate for the Applicants, Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent no. 3.

2. The learned Advocate for respondent no. 3 has submitted that the respondents have extended the benefits in view of the G.R. dated 1.4.2010 to the applicant and accordingly order in that regard has been passed on 20.02.2017. Copy of the said order is placed on record by learned Advocate for respondent no. 3 and marked as 'Exhibit-X' for the purposes of identification.

3. The learned Advocate for the applicant has no objection to dispose of the present O.A. in view of the submissions made by the learned Advocate for respondent no. 3.

4. As the benefits of the G.R. dated 1.4.2010 have been extended to the applicant, the very purpose of filing of the present O.A. is served. Hence, the O.A. stands disposed of with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 782/2016
[Shri Sakharam Shankar Kude Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri A.S. Deshmukh, learned Advocate for the Applicants, Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent no. 3.

2. Learned Presenting Officer submitted that the respondent nos. 1 & 2 and 3 have filed affidavit in reply and in paragraph no. 11 of the said affidavit in reply they have contended that the applicant is eligible for the benefit of Revised in service Assured Programme Scheme in view of the G.R. dated 9.12.2016 and he is eligible for the benefits under the said scheme. It has been contended that the respondents are ready to extend the benefits to the applicant accordingly.

3. Learned Advocate for the applicant submitted that in view of the submission made by the learned Presenting Officer for respondent nos. 1 & 2 and learned Advocate for respondent no. 3 the present O.A. be disposed of with a direction to the respondents to take necessary steps in that regard within a stipulated time.

//2//

O.A. No. 782/2016

4. In view of the reply filed by the respondent nos. 1, 2 & 3 and submissions of respective parties, the O.A. stands disposed of with a direction to the respondent nos. 1 & 2 to take necessary steps to extend the benefits of Second Assured Career Progressive Scheme to the applicant within a period of two months from the date of this order. There shall be no order as to costs.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 783/2016
[Shri Subhash P. Thorat Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

Heard Shri A.S. Deshmukh, learned Advocate for the Applicants, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer submitted that the respondent nos. 1 & 2 have filed affidavit in reply and in paragraph no. 03 of the said affidavit in reply they have contended that the applicant is eligible for the benefit of Revised in service Assured Programme Scheme in view of the G.R. dated 9.12.2016 and he is eligible for the benefits under the said scheme. It has been contended that the respondents are ready to extend the benefits to the applicant accordingly.

3. Learned Advocate for the applicant submitted that in view of the submission made by the learned Presenting Officer for respondents the present O.A. be disposed of with a direction to the respondents to take necessary steps in that regard within a stipulated time.

//2//

O.A. No. 783/2016

4. In view of the reply filed by the respondent nos. 1 & 2 and submissions of respective parties, the O.A. stands disposed of with a direction to the respondent nos. 1 & 2 to take necessary steps to extend the benefits of Second Assured Career Progressive Scheme to the applicant within a period of two months from the date of this order. There shall be no order as to costs.

MEMBER (J)

ORAL ORDERS 12.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 794/2016
[Shri Vishnu Dagdu Bidwe & Ors. Vs. The State of Mah. & Ors.]**

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

DATE : 12.04.2017.

ORAL ORDER:

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

2. The learned Presenting Officer submitted that the Government has sent the proposal dated 23.02.2017 to the Accountant General-II, Nagpur for extension of benefit of Second Assured Career Progressive Scheme to the applicants. He has also placed on record the copy of the said proposals dated 23.02.2017. Same is taken on record and marked as 'Exhibit-X' for the purposes of identification.

3. The learned Advocate for the applicant has no objection to dispose of the present O.A., in view of the submissions made by the learned Presenting Officer.

4. In view thereof, the present Original Application stands disposed of in view of the proposal dated 23.02.2017. There shall be no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 795/2016
[Shri Bhimrao S. Gawande & Ors. Vs. The State of Mah. & Ors.]

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

DATE : 12.04.2017.

ORAL ORDER:

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

2. The learned Presenting Officer submitted that the Government has sent the proposal dated 27.03.2017 to the Accountant General-II, Nagpur for extension of benefit of Second Assured Career Progressive Scheme to the applicants. He has also placed on record the copy of the said proposals dated 27.03.2017. Same is taken on record and marked as 'Exhibit-X' for the purposes of identification.

3. The learned Advocate for the applicant has no objection to dispose of the present O.A., in view of the submissions made by the learned Presenting Officer.

4. In view thereof, the present Original Application stands disposed of in view of the proposal dated 27.03.2017. There shall be no order as to costs.

MEMBER (J)