

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NOS.319/2013, 321/2013,  
322/2013, 323/2013, 324/2013, 330/2013,  
332/2013, 744/2013, 634/2014, 682/2014,  
721/2015, 722/2015 AND 340/2015**

(Shri A.P.Bawa&Ors.V/s.The State of Mah.&Ors.)

**CORAM : Hon'ble Shri Rajiv Agarwal,  
Vice-Chairman (A)**

**AND**

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

**DATE : 13<sup>TH</sup> FEBRUARY, 2017**

**ORAL ORDER:**

Heard Shri AnantDevkate learned Advocate for the Applicants and Shri V.R.Bhumkar learned Presenting Officer for the Respondents.

2. It appears that Applicants in this group of O.As. were working as Electrician in Dairy Development Department. Their case is that post of Electrician was merged with that of Senior Electrician as per the recommendations of 5<sup>th</sup> Pay Commission and all of them were given pay in the pay scale of Rs.4000-6000. As a result, they are eligible to get time bound promotion as per G.R. dated 01-11-1995 in the pay scale of Chargeman, which is promotional post for Senior Electrician.

3. The claim of the respondents appear to be that the Electricians had a channel of promotion and they

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O.A.No.319/13 &Ors.

were eligible to be promoted in the post of Senior Electrician, and therefore, on granting of time bound promotion to them, they are not eligible to be given pay scale in the pay of Chargeman but only that of the Senior Electrician.

4. To adjudicate this matter, it will be necessary to have the recruitment rules for the post of Senior Electrician as well as of Chargeman.

5. Learned Advocate for the applicants is also required to place on record copy of the instrument/s e.g. some G.R. or extract of report of the Pay Equalization Committee appointed as per 5<sup>th</sup> Pay Commission, which has decided that the posts of Electrician and Senior Electrician are to be merged.

6. At the request of learned Advocate Shri Devkate, O.A.No.545/2012 may also be tagged with this group of O.As.

7. S.O.16-02-2017.

**MEMBER (J)**

**VICE CHAIRMAN (A)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**O.A. NO.641/2015 WITH M.A.NO.461/2016 &  
M.A.NO.43/2017**

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

CORAM : Hon'ble Shri Rajiv Agarwal,  
Vice-Chairman (A)

AND

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

DATE : 13<sup>TH</sup> FEBRUARY, 2017

**ORAL ORDER:**

Heard Shri S.D.Joshi learned Advocate for the Applicant and Shri I.S.Thorat learned Presenting Officer for the Respondents.

2. It appears that in this case the applicant has been placed under suspension for the reason that applicant sent a list of farmers through Tahsildar to Sub Divisional Officer for financial assistance to the natural calamity affected farmers as per G.R. dated 07-01-2015 and in the said list names of certain farmers were repeated. As a result, excess payment has been made to certain farmers. However, exact amount of excess payment made to these farmers has not been reflected in the chargesheet issued to the applicant on 17<sup>th</sup> July, 2015. The G.R. referred to above categorically provides that the list of affected farmers was required to be approved by the Sub Divisional Officer. Another provision in the G.R. is that the monetary assistance was to be provided to the farmers by depositing the amounts in their Bank accounts directly. However, the applicant has alleged that list sent by him was not verified by the concerned Sub Divisional Officer, because

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O.A. NO.641/2015 WITH M.A.NO.461/2016 & M.A.NO.43/2017

mere glance at the list would have revealed that names of certain farmers were repeated.

3. Another irregularity committed by the Sub Divisional Officer was that whole amount was deposited in ICICI Bank where none of the farmers had account. ICICI Bank, in turn, deposited the amount in State Bank of Hyderabad and Aurangabad District Central Cooperative Bank, where affected farmers had their accounts. However, it appears that the role of Sub Divisional Officer which resulted in loss to the Government has not been considered by the Collector, Aurangabad.

4. Collector, Aurangabad i.e. respondent no.2 is required to file an affidavit whether she had verified these allegations made by the applicant, and if so, what action was taken against the Sub Divisional Officer.

5. Respondent no.2 should file affidavit answering above situation within a period of 2 weeks from today.

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

7. S.O. 01-03-2017.

**MEMBER (J)**

**VICE CHAIRMAN (A)**

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**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 363 OF 2010**

**(Shri Dileep S/o. WaghojiChaoureVs.The State of Maharashtra and  
Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,  
VICE CHAIRMAN  
AND  
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

**DATE : 13.02. 2017.**

**ORAL ORDER:**

Heard Shri J.B. Choudhary – learned Advocate for the applicant and Smt. SanjivaniDeshmukh-Ghate – learned Presenting Officer for the respondent Nos. 1 & 2. Shri D.T. Devane – learned Advocate for respondent Nos. 3 & 4 (**absent**).

2. The learned Advocate for the applicant submits that kindly this case be removed from the board, as the Writ Petitions are filed before the Hon'ble Bombay High Court, Bench at Aurangabad in which stay has been granted in respect of earlier decision in similar matters and the said writ petitions are still pending before the Hon'ble High Court.

3. Accordingly, the present case is removed from the board with a direction to both the parties to mention the present case as and when the writ petitions pending before the Hon'ble High Court are finally disposed of.

**MEMBER (J)                      VICE CHAIRMAN (A)**

ORAL ORDERS 13.02.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 891 OF 2012**

**(Shri ArshadAyub Khan Vs.The State of Maharashtra and Others.)**

**CORAM       :**       **HON'BLE SHRI RAJIV AGARWAL,  
VICE CHAIRMAN (A)  
                  AND  
                  HON'BLE SHRI B.P. PATIL, MEMBER (J)**

**DATE         :**       **13.02. 2017.**

**ORAL ORDER:**

Shri Kiran M. Nagarkar – learned Advocate for the applicant (**absent**). Shri N.U. Yadav – learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant, S.O. to 14<sup>th</sup> February, 2017.

**MEMBER (J)       VICE CHAIRMAN (A)**

ORAL ORDERS 13.02.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**O.A. 639/12 WITH O.A. 640/12 WITH O.A. 676/12 WITH O.A.  
681/12 WITH 682/12 WITH O.A. 864/12 WITH O.A. 897/12 WITH  
O.A. 803/12 WITH O.A. 860/12 WITH O.A. 905/12 WITH O.A.  
906/12 WITH O.A. 907/12 WITH O.A. 908/12 WITH O.A. 909/12 &  
WITH O.A. 910/12**

**(Shri Lamxan S/o. JalabhajiShinde&Ors. Vs. The State of  
Maharashtra and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,  
VICE CHAIRMAN  
AND  
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

**DATE : 13.02. 2017.**

**ORAL ORDER:**

Heard Shri S.S. Dambe – learned Advocate for the applicants in all these matters and Shri N.U. Yadav& Mrs. Priya R. Bharaswadkar – learned Presenting Officers for the respective respondents in respective matters.

2. At the request of learned Advocate for the applicants, place these cases before the Division Bench, as and when it is available.

**MEMBER (J)                      VICE CHAIRMAN (A)**

ORAL ORDERS 13.02.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**O.A. 292/12 WITH O.A. 293/12 WITH O.A. 294/12 WITH O.A.  
295/12 WITH O.A. 296/12 WITH O.A. 321/12 WITH O.A. 720/12  
WITH O.A. 841/12**

**(Dr. VinodShivajiraoDeshmukh&Ors. Vs. The State of Maharashtra  
and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,  
VICE CHAIRMAN (A)  
AND  
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

**DATE : 13.02. 2017.**

**ORAL ORDER:**

Heard Shri S.D. Joshi, learned Advocate holding for Shri MilindPatil – learned Advocate for the applicants in all these cases and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. Learned Advocate Shri S.D. Joshi submits that Shri MilindPatil, learned Advocate for the applicants on record is busy in the Hon'ble High Court and seeks time till tomorrow. Time granted as prayed for.

3. S.O. to 14<sup>th</sup> February, 2017.

**MEMBER (J)                      VICE CHAIRMAN (A)**

ORAL ORDERS 13.02.2017- HDD(SB)



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 977 OF 2010**

**(Shri Bhagwat S/o PundlikPatilVs.The State of Maharashtra and  
Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,  
VICE CHAIRMAN (A)  
AND  
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

**DATE : 13.02. 2017.**

**ORAL ORDER:**

Heard Shri V.B. Patil – learned Advocate for the applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent Nos. 4 to 6.

2. The applicant's claim is that as per the Hon'ble Supreme Court's directions in **Civil Appeal No. 677666/2010 (arising out of SLP (C) No. 21592/2007) [UMA DAGDUSA KSHATRIYA & ORS. VS. MAHARASHTRA PUBLIC SERVICE COMMISSION & ANR.] WITH Civil Appeal No. 6777/2010 (Arising out of SLP (C) No. 21594/2007)**, he was eligible to be considered by the Maharashtra Public Service Commission (MPSC) for selection to the post of APP regardless of his age as he was already worked as Assistant Public Prosecutor on ad hoc basis on the relevant date. The learned Advocate for the applicant states that 15 candidates out of 53 admitted candidates who were interviewed as per orders of Hon'ble High Court, were found eligible for selection for the said post. How the Applicant was not recommended. All 84 posts which were in advertisement were not filled.

**O.A. NO. 977 OF 2010**

3. From the arguments of learned Presenting Officer and also on scrutiny of the affidavit in reply filed on behalf of the MPSC, we are unable to come to any definite conclusion, regarding the reason for non-selection of the Applicant. He could have been rejected on either of the following grounds, viz :

- (a) He did not secured 41 or more marks out of 100 in interview, or
- (b) He was found less meritorious candidate after all 84 posts were filled.

Learned Presenting Officer is, therefore, directed to clarify this issue by filing a short affidavit clarifying the reason as to why the Applicant was not recommended by M.P.S.C. Such an affidavit be filed on or before Friday i.e. on 17<sup>th</sup> February, 2017.

- 4. Steno copy and hamdust is allowed to both the parties.
- 5. S.O. to 17<sup>th</sup> February, 2017.

**MEMBER (J)                      VICE CHAIRMAN (A)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 55/2013 WITH M.A.ST. 101/13 IN O.A.ST.102/13  
(Shri KisanShenphadMagre&Ors. Vs. The State of Maharashtra and  
Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,  
VICE CHAIRMAN (A)  
AND  
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

**DATE : 13.02. 2017.**

**ORAL ORDER:**

Shri SandeepKulkarni – learned Advocate for the applicants  
(**absent**). Shri S.K. Shirase – learned Presenting Officer for the  
respondents, present.

2. S.O. to 17<sup>th</sup> February, 2017 for dismissal.

**MEMBER (J)                      VICE CHAIRMAN (A)**

ORAL ORDERS 13.02.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 398/2015 IN O.A.562/2014**

**(Shri MahadeoBhagajiKhandareVs.The State of Maharashtra and  
Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,  
VICE CHAIRMAN (A)  
AND  
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

**DATE : 13.02. 2017.**

**ORAL ORDER:**

Shri P.S. Paranjape – learned Advocate for the applicant (**absent**).  
Shri M.S. Mahajan – learned Chief Presenting Officer for the  
respondents, present.

2. Since nobody appears for the applicant, S.O. to 17<sup>th</sup> February,  
2017.

**MEMBER (J) VICE CHAIRMAN (A)**

ORAL ORDERS 13.02.2017- HDD(SB)

**ORIGINAL APPLICATION NO. 134/2015**

[Shri Malu D. Pawar Vs. the State of Mah. & Ors.]

**CORAM :- Hon'ble Justice Shri M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

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

2. Since none appears for the applicant, S.O. to 20.2.2017.

**MEMBER (J)**

**O.A. NO. 01/2017 WITH CAVEAT NOS. 01 & 02/2017**

{Shri Dattatraya.B. PandeVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Shri Ajay Deshpande, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent no.1, Shri AvinashDeshmukh, learned Advocate holding for Shri V.B. Wagh, learned Advocate for respondent no. 3 and Shri ShamsundarPatil, learned Advocate for respondent nos. 2 & 4.

2. Shri D.R. Patil, learned Presenting Officer seeks 2 weeks' time on the ground that the State Government is contemplating to appoint a special Counsel to conduct this matter. Shri AvinashDeshmukh, learned Advocate holding for Shri ShamsundarPatil, learned Advocate for res. nos. 2 & 4 also seeks adjournment on the ground that brother in law of Shri ShamsundarPatil, learned Advocate for res. no. 2 & 4 has suffered heart attack. Shri Ajay Deshpande, learned Advocate for the applicant submits that the present application against the order of transfer is pending without any interim relief since 2.1.2017 and no relief is sought against the res. nos. 2 & 4.

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**O.A. NO. 01/2017 WITH  
CAVEAT NOS. 01 & 02/2017**

3. The learned Advocate for the applicant submits that, in fact, oral directions were given through the learned Chief Presenting Officer to res. No. 2 to supply the copy of the minutes of the order of transfer, by the learned Member of this Tribunal, earlier. The learned Chief Presenting Officer also accepts the said submission but submits that the res. No. 2 refused to comply with the oral directions on the ground that, there is no written communication to him.

4. This attitude of the res. No. 2 is deprecated. It is hereby directed that the true copy of the concerned minutes be supplied to the applicant.

5. S.O. to 14.2.2017.

6. The applicant to act upon the steno copy of this order.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 615/2016**

{Shri `Manohar W. AdhikarVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Shri V.S. Kadam, learned Advocate for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos.1 & 2 and Shri G.N. Patil, learned Advocate for respondent no. 3.

2. The learned Advocate for res. no. 3 relying on the ratio of the judgment of the Hon'ble Supreme Court in the case of **State of Tamil Nadu Vs. Seshachalam (2007 (6) Supreme 479)** submits that inordinate delay in filing the application would be a cause for dismissal of the claim.

3. The learned Advocate for the applicant seeks time to make the submissions on this point. At his request, S.O. to 6.3.2017.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**



**ORIGINAL APPLICATION NO. 833/2016**

{Dr. Sanjay K. MuleyVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.
2. The learned P.O. seeks time to file affidavit in reply of the respondents. Considering the past history, as a last chance, time is granted for filing affidavit in reply till 14.3.2017.
3. The learned P.O. to act upon the steno copy of this order.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 841/2016**

{Shri Sambhaji S. WaghmareVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 6,.3.2017 for filing affidavit in reply.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 887/2016**

{Shri Ashok R. PawarVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Ms. AmrutaParanjape, learned Advocate holding for Shri P.S. Paranjape, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned P.O. has filed affidavit in reply on behalf of res. nos. 1 to 3. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. The office is directed to not to place the matters of Shri P.S. Paranjape, learned Advocate before the bench to which Justice M.T. Joshi is a member.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 894/2016**

{Dr. N.R. ShelkeVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

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

2. The learned Advocate for the applicant, on instructions, submits that in view of the interim relief granted in the present matter, the respondents have made changes in the transfer order of the incumbent, who was to join in place of the applicant.

3. The learned C.P.O. seeks time to take instructions in this regard. At his request S.O. to 30.3.2017.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 930/2016**

{Shri Chudaman D. PawarVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Shri ShrikantPatil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. At the request of learned C.P.O., as a last chance, to file affidavit in reply is hereby granted till 27.2.2017.
3. The learned C.P.O. to act upon the steno copy of this order.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**M.A. NO. 148/2016 WITH MA ST. 534/2016 IN OA 167/2016**

{Kamel K. InamdarVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

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

2. As none appears for the applicant, S.O. to 1.3.2017.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**O.A. NO. 898/2016**

{Vyankat L. NilawarVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)  
(Division Bench matter)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. None appears for the applicant. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, is present.
2. As none appears for the applicant, S.O. to 9.3.2017.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 205/2013**

{Shri Babu S. LondheVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Shri M.B. Sandanshiv, learned Advocate holding for Shri B.N. Gilche, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Short affidavit in reply on behalf of res. no. 4 is filed in view of the earlier directions of this Tribunal. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. At the request of learned Advocate for the applicant, S.O. to 9.3.2017.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**



**ORIGINAL APPLICATION NO. 781/2013**

{Shri Sudarshan D. ShindeVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

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

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

3. At the request of learned Advocate for the applicant, S.O. to 14.2.2017.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 404/2016**

{Dr. Avinash T. LandgeVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Ratan L. Adhe, learned Advocate holding for Shri A.A. Nimbalkar, learned Advocate for respondent no. 4.

2. The learned P.O. seeks time to take instructions regarding the present state of affairs of the departmental enquiry. The learned Advocate for the applicant seeks time to argue the matter.

3. At the request of both the sides, S.O. to 15.3.2017.

4. The learned P.O. to act upon the steno copy of this order.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 467/2016**

{Shri Shivaji P. MahajanVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

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

2. As none appears for the applicant, S.O. to 22.2.2017.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 468/2016**

{Shri Padmakar S. GhodkeVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Shri NileshPatil, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. The order of suspension dated 16.11.2015 would show that the enquiry was to concluded within a period of 2 months. The learned P.O. submits that, she has no instructions regarding the present status of the enquiry.

3. In the circumstances, to take instructions in this regard on her request S.O. to 3.3.2017.

4. The learned P.O. to act upon the steno copy of this order.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 516/2013**

{Smt. Anuja G. DeshmukhVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Shri J.B. Choudhary, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1 to 3 and Smt. VidyaTaksal, learned Advocate holding for Shri AvinashDeshmukh, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for the res. no. 4, S.O. to 14.2.2017.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 537/2016**

{Shri Ashok L. PawarVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

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

2. Upon hearing both the sides, the learned P.O. seeks time to take instructions to the effect as to within which period the fresh process for selection to the post of Police Patil in the village would be started. At his request, S.O. to 9.3.2017.

3. The learned P.O. to act upon the steno copy of this order.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

**ORIGINAL APPLICATION NO. 562/2016**

{Radhabai P. GusingeVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Shri A.B. Katkar, learned Advocate holding for Shri Y.K. Bobde, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 & 2 and Shri B.K. Dhabarde, learned Advocate for respondent no. 3.

2. It was submitted at bar that, in fact, learned Member of this Tribunal (Hon'ble Shri Bhoraj P. Patil) had heard the matter and today it was fixed for withdrawal. However, due to some personal difficulty Shri Bobade, learned Advocate for the applicant is unable to attend the Court.

3. In the circumstances, at the request of learned Advocate for the applicant, S.O. to 20.2.2017.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 184/2016**

{Smt. Lata D. ShirsathVs.The State of Mah.&Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

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

2. Reserve for order. In the meantime, both the sides are at liberty to file synopsis regarding the case law etc. on or before 16.2.2017.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**



**ORIGINAL APPLICATION NO. 380/2016**

{Shri Shaikh Mohammad Ashraf Vs.The State of Mah.& Ors.}

**CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)**

**DATE :- 13.02.2017**

**Oral Order :-**

1. Heard Smt. Suchita A. Dhongde (Upadhyay), learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The present applicant is seeking compassionate appointment upon death of his mother, who died on 19.12.1996. The annexures filed by the applicant would show that on 7.12.2001 the father of the applicant had filed an application with the respondents requesting for compassionate appointment either for his son (the present applicant who was then minor) or his daughter viz. ShaikhRanaRakshkanda. The learned Advocate for the applicant, upon putting query, submitted that daughter was then major.

3. The record would further show that after filing application for compassionate appointment by the father of the applicant in the year 2001, the next action that was taken by the applicant was on 24<sup>th</sup> August, 2015 for seeking compassionate appointment by sending application by

registered post (Annex. A.4). It is an admitted fact that applicant attained the majority on 13.9.2009 as could be seen from the affidavit in reply filed by the respondents. The G.R. dated 22.5.2005 would show that the application should be made within one year from attaining the majority.

4. The learned Advocate for the applicant submitted that, as per the G.R. the controlling Officer/s is required to communicate the dependent regarding availability of the facilities to have compassionate appointment and since the then Officers failed to perform the said duty, the laches are required to be ignored.

5. Upon hearing both the sides, in my view, submissions from the side of the applicant cannot be considered. The daughter of the deceased was major at the time of death of deceased. However, she did not make any claim for compassionate appointment in the year 2001 and for a period of 6 years after attaining the majority, the applicant also remained silent. Merely because the then Officers of the respondents allegedly failed to communicate the scheme in the year 1996, it would not entitle the applicant now to seek

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**O.A. NO. 380/2016**

compassionate appointment after a long period as detailed hereinabove.

6. In the circumstances, the original application is dismissed. There shall be no order as to costs.

**MEMBER (J)**

**ARJ ORAL ORDERS 13.2.2017**

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

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**ORIGINAL APPLICATION No.88/2017.**

(Dr. Sk. Faiz Md. Noor Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Shri I. D. Maniyar, learned Advocate for the Applicant and Smt R. S. Deshmukh, learned Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 30.3.2017.
3. Applicant is authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.
4. Authorization for service of 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.
5. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry as far as possible before the due date.
6. Affidavit of service be filed one week before due date.
7. Learned P.O. is directed to communicate this order.

-2- **ORIGINAL APPLICATION NO.88/2017.**

8. Affidavit in reply be filed before due date.
9. Steno copy and Hamdast is allowed to both parties.
10. S.O. to 30.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.85/2017.**

(Miss. Nikita K. Bhange Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Shri J. M. Murkute, learned Advocate for the Applicant and Smt S.K. GhateDeshmukh, learned Presenting Officer for the Respondents.

2. Liberty to file additional documents is hereby granted.

Those are accepted and taken on record.

3. Issue notices to the respondents, returnable on 15.3.2017.

In the meantime if the selection process would be completed, the Respondents are directed to keep one post vacant from Women Open Category.

4. Applicant is authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.

5. Authorization for service of 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.

-2- **ORIGINAL APPLICATION NO.85/2017.**

6. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry as far as possible before the due date.
7. Affidavit of service be filed one week before due date.
8. Learned P.O. is directed to communicate this order.
9. Affidavit in reply be filed before due date.
10. Steno copy and Hamdast is allowed to both parties.
11. S.O. to 15.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.622/2015.**

(Shri R. K. Munde Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Shri M. B. Kolpe, learned Advocate for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.

2. Liberty to file an application for amendment is hereby granted.

3. At the request of the learned Advocate for the applicant, S.O. to 27.2.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP



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

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**ORIGINAL APPLICATION No.487/2016.**

(Shri Mohammed Badar Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Smt A. N. Ansari, learned Advocate for the Applicant and Shri I. S. Thorat, learned Presenting Officer for the Respondents.

2. The learned P.O. is directed to take instructions regarding the decision, if any, taken on the review application of the applicant. At his request, S.O. to 16.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.192/2016.**

(Shri M. S. Koli Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

None present for the Applicant. Shri N. U. Yadav, learned Presenting Officer for the Respondents is present.

2. Learned P.O. points out the fact that the competent committee now has considered the grievance of the applicant and found that, he is junior to the Respondent no.4 in the cadre.

3. In view of the absence of the learned Advocate for the applicant, S.O. to 2.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.595/2016.**

(Shri D. R. Dhumare Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

None present for the Applicant. Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents no.1 to 4 is present. None present for the Respondent no.5.

2. Learned P.O. files on record affidavit in reply on behalf of Respondent no.2. The same is taken on record.

3. S.O. to 3.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.622/2016.**

(Shri M. T. Takalkar Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Shri R. P. Bhumkar, learned Advocate for the Applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of Respondents no.3 to 6. At her request, S.O. to 7.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.643/2016.**

(Shri G. Y. Bharsakhle Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Shri R. P. Bhumkar, learned Advocate for the Applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of Respondents no.3 to 6. At her request, S.O. to 7.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.696/2016.**

(Shri P. D. Ahirrao Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Shri M. R. Wagh, learned Advocate for the Applicant and Smt D. S. Deshpande, learned Presenting Officer for the Respondents.

2. Letter dated 10.1.2017 received to the learned P.O. is taken on record. The reasons given therein are accepted.

3. At the request of the learned Advocate for the applicant, S.O. to 28.2.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.903/2016.**

(Shri V. B. Pawar&Ors. Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Smt A. N. Ansari, learned Advocate for the Applicants and Shri V. R. Bhumkar, learned Presenting Officer for the Respondents.

2. Learned P.O. files on record affidavit in reply on behalf of Respondent no.4 and G.R. dated 9.12.2016. The same are taken on record. Its copy is served on the learned Advocate for the applicant.

3. In view of the reply of the respondents (para no.6) and in view of the G.R. dated 9.12.2016 the petition is disposed of with no order as to costs.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.931/2016.**  
(Shri C. D. Pawar Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**  
(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard ShriShrikantPatil, learned Advocate for the Applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. The learned Advocate for the applicant seeks time to satisfy the Tribunal on the tenability of the present O.A. At his request, S.O. to 2.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP



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

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**M. A. No.199/15 in O.A. St. No.780/2015.**

(Shri D. S. Jade Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Smt. PrathibhaBharad, learned Advocate holding for Shri Y. B. Bolkar, learned Advocate for the Applicant and Shri S. K. Shirse, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 1.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.426/2015.**

(Shri T. D. Kubade Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Shri S.D. Dhongde & Smt. Suchita Dhongde, learned Advocate for the Applicant and Shri N. U. Yadav, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant seeks time to file copy of the concerned G.R. which would show that the deemed date of appointment would be different in certain cases other than the actual date of appointment. At his request, S.O. to 16.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**M.A. No.481/2015 IN CP. ST.1738/15 IN OA 436/12.**

(Shri S. M. Raut Vs. State of Mah.&Ors.)

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**CORAM: HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Shri A. S. Khedkar, learned Advocate for the Applicant and Shri M. P. Gude, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant submits that, the issue is pending before Hon'ble the Supreme Court. At his request, S.O. to 16.6.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**M.A. No.393/16 IN CP ST.1798/16 IN OA 122/15.**

(Dr. A. B. Havelikar Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

(Division Bench matter)

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Stm. SuchitaDhongde, learned Advocate holding for Shri S. D. Dhongde, learned Advocate for the Applicant and Shri I. S. Thorat, learned Presenting Officer for the Respondents.

2. The learned P.O. files on record the affidavit in reply on behalf of Respondent no.

3. At the request of the learned P.O. for the respondents, the matter is adjourned till tomorrow.

4. S.O. to 14.2.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**M. A. NO.60/2017 IN OA ST. NO.184/2017.**

(ShriS. S. Bhalerao Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard ShriP. G. Rodge, learned Advocate for the Applicant and ShriM. S. Mahajan, learnedChief Presenting Officer for the Respondents.

2. Learned Advocate for the applicant seeks time to file the copy of the order of exoneration in Departmental Enquiry. At his request, S.O. to 15.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.820/2016.**

(Dr. S. G. Todewale Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard ShriJ. S. Deshmukh, learned Advocate for the Applicant, Shri D. R. Patil, learned Presenting Officer for the Respondents no.1 to 3 and 6 and Smt.Rekha K. Laddha, learned Advocate for the Respondents no.4 & 5.

2. Learned P.O. files affidavit in reply on behalf of Respondent no.6. The same is taken on record. Its copy is served to other side.

3. At the request of the learned Advocate Smt. RekhaLaddha for the Respondents no.4 & 5, S.O. to 14.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.822/2016.**

(Dr. S. B. Jadhav Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Shri J. S. Deshmukh, learned Advocate for the Applicant, Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents no.1 to 3 and 6 and Shri A. D. Aghav, learned Advocate for the Respondents no.4 & 5.

2. Learned P.O. files affidavit in reply on behalf of Respondent no.6. The same is taken on record. Its copy is served to other side.

3. At the request of the learned Advocate Smt. RekhaLaddha for the Respondents no.4 & 5, S.O. to 14.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.821/2016.**

(Smt. B. P. Mundhe Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

**DATE** : 13.02.2017.

**ORAL ORDER:-**

Heard Shri J. S. Deshmukh, learned Advocate for the Applicant, ShriM. P. Gude, learned Presenting Officer for the Respondents no.1 to 3 and 6 and Shri A. D. Aghav, learned Advocate for the Respondents no.4 & 5.

2. At the request of the learned Advocate Shri A. D. Aghav for the Respondents no.4 & 5, S.O. to 14.3.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP



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

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**ORIGINAL APPLICATION No.183/2016.**

(ShriR. V. Devne Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

**DATE** : 13.02.2017.

**ORAL ORDER:-**

None present for the Applicant.Smt P.R. Bharaswadkar, learned Presenting Officer for the Respondents. No.1 and 3 to 5 and Shri P. K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for the Respondent no.2 are present.

2. Learned P.O. files on record the affidavit in reply on behalf of Respondent no.1. Learned Advocate for the Respondent no.2 also files on record the affidavit in reply. The same are taken on record.

3. Learned Advocate for the Respondent no.2 drawn attention of this Tribunal to para no.4 of the affidavit in reply, which would show that, the monitory benefits are granted.

4. In view of the absence of the learned Advocate for the applicant, S.O. to 22.2.2017.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

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

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**ORIGINAL APPLICATION No.426/2016.**

(Dr. D.J. Rathod Vs. State of Mah.&Ors.)

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**CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).**

**DATE** : 13.02.2017.

**ORAL ORDER:-**

None present for the Applicant. Shri I. S. Thorat, learned Presenting Officer for the Respondents is present.

2. Learned P.O. points out the copy of the order passed by the Respondent on 18.1.2017, which is already filed on record would show that the grievance of the applicant is already sorted out, in view of the directions issued by the Tribunal. In the circumstances, nothing survives in the petition. Therefore, the petition is disposed of with no order as to costs.

**MEMBER (J).**

ORAL ORDERS 13-2-2017-ATP

