

O.A. NO. 07 OF 2016

{Shri Arun D. Ingole Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman
(D.B. MATTER)**

DATE :- 13.12.2016

Oral Order :-

1. Shri Hanumant P. Jadhav, learned Advocate for the applicant **(absent)**. Shri D.R. Patil, learned Presenting Officer for the respondents is present.

2. Smt. Sunanda N. Jagtap, Superintending Engineer, C.A.D.A., Beed is present today, before the Tribunal and states as follows :-

- (a) The copy of the order dated 22.9.2016 was not sent to her by the learned Presenting Officer, and it was procured by sending special messenger.
- (b) The affidavit required to be filed in compliance with the order passed by the Tribunal on 22.9.2016 is not ready.
- (c) The para-wise remarks are submitted to learned Presenting Officer yesterday, and fresh affidavit would be filed within one week for which time may be granted.

3. Learned P.O. Shri D.R. Patil was called to state as to whether copy of order was supplied / sent to the respondents. Learned P.O. states that copy of order was not sent.

4. Shri D.R. Patil, learned P.O. is called to furnish reasons due to which the order dated 22.9.2016 was not communicated to the concerned respondents, though direction to that effect was contained in the said order, in para No. 8 thereof.

5. Shri D.R. Patil, learned P.O. states that the copy of the order dated 22.9.2016 was not forwarded to the concerned respondents because, Smt. Sunanda N. Jagtap, Superintending Engineer, C.A.D.A., Beed was present personally before the Tribunal at the time of passing of the said order.

6. Shri. D.R. Patil, learned P.O. is called upon to state as to why he should not be saddled with costs personally for failure to communicate the order of this Tribunal dated 22.9.2016, because he was not exempted from forwarding the copy.

7. Shri D.R. Patil, learned P.O. states that, though his presence is marked in the order dated 22.9.2016 and he knows the order, actually Shri M.S. Mahajan, learned C.P.O. was present on that day in the matter, and therefore he himself was not required to forward the copy.

8. Shri. M.S. Mahajan, learned C.P.O., who is present, is called upon to state as to why he should not be personally saddled with costs of Rs. 1,000/- for failure to communicate the order of this Tribunal dated 22.9.2016.

9. Shri. M.S. Mahajan, learned C.P.O. does not give any reply and only adopts the same stand as adopted by Shri D.R. Patil, learned P.O. i. e. about personal presence of the Officer.

10. Smt. Sunanda N. Jagtap, Superintending Engineer, C.A.D.A., Beed is called upon to show cause as to why she should not be saddled with costs of Rs. 1,500/- to be paid from her own pocket for not complying with the order of this Tribunal dated 22.9.2016, because as a senior and responsible Officer, it was her duty to punctually procure the copy and comply, even without waiting for letter and copy of order from learned P.O.

11. Smt. Sunanda N. Jagtap, Superintending Engineer, C.A.D.A., Beed does not give any reply.

12. In view of the foregoing :-

- (a) Shri M.S. Mahajan, learned C.P.O. is directed to pay the costs of Rs. 1,000/- personally within a period of 3 days from today.
- (b) Smt. Sunanda N. Jagtap, Superintending Engineer, C.A.D.A., Beed is directed to personally pay costs of Rs. 1,500/- within 3 days from today for not complying with the order of this Tribunal dated 22.9.2016.

13. S.O. to 19.12.2016 for filing affidavit and for reporting compliance of payment of costs.

14. Steno copy & hamdast is allowed to the learned C.P.O.
for communication.

CHAIRMAN

ARJ 13.12.2016 HON. CHAIRMAN

O.A. NO. 65 OF 2016

{Shri Arvind P. Awad & Ors. Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman
(D.B. MATTER)**

DATE :- 13.12.2016

Oral Order :-

1. Shri Hanumant P. Jadhav, learned Advocate for the applicants **(absent)**. Shri D.R. Patil, learned Presenting Officer for the respondents is present.

2. Smt. Sunanda N. Jagtap, Superintending Engineer, C.A.D.A., Beed is present today, before the Tribunal and states as follows :-

- (a) The copy of the order dated 22.9.2016 was not sent to her by the learned Presenting Officer, and it was procured by sending special messenger.
- (b) The affidavit required to be filed in compliance with the order passed by the Tribunal on 22.9.2016 is not ready.
- (c) The para-wise remarks are submitted to learned Presenting Officer yesterday, and fresh affidavit would be filed within one week for which time may be granted.

3. Learned P.O. Shri D.R. Patil was called to state as to whether copy of order was supplied / sent to the respondents. Learned P.O. states that copy of order was not sent.

4. Shri D.R. Patil, learned P.O. is called to furnish reasons due to which the order dated 22.9.2016 was not communicated to the concerned respondents, though direction to that effect was contained in the said order, in para No. 8 thereof.

5. Shri D.R. Patil, learned P.O. states that the copy of the order dated 22.9.2016 was not forwarded to the concerned respondents because, Smt. Sunanda N. Jagtap, Superintending Engineer, C.A.D.A., Beed was present personally before the Tribunal at the time of passing of the said order.

6. Shri. D.R. Patil, learned P.O. is called upon to state as to why he should not be saddled with costs personally for failure to communicate the order of this Tribunal dated 22.9.2016, because he was not exempted from forwarding the copy.

7. Shri D.R. Patil, learned P.O. states that, though his presence is marked in the order dated 22.9.2016 and he knows the order, actually Shri M.S. Mahajan, learned C.P.O. was present on that day in the matter, and therefore he himself was not required to forward the copy.

8. Shri. M.S. Mahajan, learned C.P.O., who is present, is called upon to state as to why he should not be personally saddled with costs of Rs. 1,000/- for failure to communicate the order of this Tribunal dated 22.9.2016.

9. Shri. M.S. Mahajan, learned C.P.O. does not give any reply and only adopts the same stand as adopted by Shri D.R. Patil, learned P.O. i. e. about personal presence of the Officer.

10. Smt. Sunanda N. Jagtap, Superintending Engineer, C.A.D.A., Beed is called upon to show cause as to why she should not be saddled with costs of Rs. 1,500/- to be paid from her own pocket for not complying with the order of this Tribunal dated 22.9.2016, because as a senior and responsible Officer, it was her duty to punctually procure the copy and comply, even without waiting for letter and copy of order from learned P.O.

11. Smt. Sunanda N. Jagtap, Superintending Engineer, C.A.D.A., Beed does not give any reply.

12. In view of the foregoing :-

- (a) Shri M.S. Mahajan, learned C.P.O. is directed to pay the costs of Rs. 1,000/- personally within a period of 3 days from today.
- (b) Smt. Sunanda N. Jagtap, Superintending Engineer, C.A.D.A., Beed is directed to personally pay costs of Rs. 1,500/- within 3 days from today for not complying with the order of this Tribunal dated 22.9.2016.

13. S.O. to 19.12.2016 for filing affidavit and for reporting compliance of payment of costs.

14. Steno copy & hamdast is allowed to the learned C.P.O.
for communication.

CHAIRMAN

ARJ 13.12.2016 HON. CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO. 111 OF 2013
[Shri Gajanan Marotrao Shikare Vs. The State of Maharashtra
& Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shrio V.S. Panpatte, learned Advocate for the Applicant (**absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, present.

2. Since nobody appeared for the applicant, S.O. to 16th December, 2016 for dismissal.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 768 OF 2012
[Shri S.B. Deshmukh & Ors. Vs. The State of Maharashtra &
Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Heard Shri A.S. Deshmukh, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 & 2. Shri G.N. Patil – learned Advocate for respondent No. 3 (**absent**).

2. S.O. to 18th January, 2017.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 634 OF 2011
[Shri Prakash Dagdu Bharambe Vs. The State of Maharashtra &
Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Heard Shri Prafulla Bodade, learned Advocate holding for Shri J.B. Choudhari, learned Advocate for the Applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 18th January, 2017 for filing affidavit in reply.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 279 OF 2011
[The Association of the Sub-ordinate Service of Engineers Vs.
The State of Maharashtra & Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri K.G. Salunke, learned Advocate for the Applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

2. Since nobody appeared for the applicant, S.O. to 16th December, 2016 for dismissal.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 930 OF 2001
[Shri Vishnu Ramrao Mahadik Vs. The State of Maharashtra &
Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri A.S. Bayas, learned Advocate for the Applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Vivek Bhavthankar – learned Special Counsel for respondent Nos. 3 & 4, were present.

2. Learned Special Counsel for respondent Nos. 3 & 4 has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record and the copy thereof has been served upon the learned Presenting Officer. He undertakes to serve the copy of the same upon the learned Advocate for the applicant.

3. S.O. to 16th December, 2016 for dismissal.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 933 OF 2001
[Shri Baban Namdeo Rajgire Vs. The State of Maharashtra &
Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri A.S. Bayas, learned Advocate for the Applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Vivek Bhavthankar – learned Special Counsel for respondent Nos. 3 & 4, were present.

2. Learned Special Counsel for respondent Nos. 3 & 4 has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record and the copy thereof has been served upon the learned Presenting Officer. He undertakes to serve the copy of the same upon the learned Advocate for the applicant.

3. S.O. to 16th December, 2016 for dismissal.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 934 OF 2001
[Shri Shankar Chokhaji Horsil Vs. The State of Maharashtra &
Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri A.S. Bayas, learned Advocate for the Applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Vivek Bhavthankar – learned Special Counsel for respondent Nos. 3 & 4, were present.

2. Learned Special Counsel for respondent Nos. 3 & 4 has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record and the copy thereof has been served upon the learned Presenting Officer. He undertakes to serve the copy of the same upon the learned Advocate for the applicant.

3. S.O. to 16th December, 2016 for dismissal.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 587 OF 2011
[Shri Vitthalrao Dinkar Gade & Ors. Vs. The State of
Maharashtra & Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri A.S. Bayas, learned Advocate for the Applicants (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1 and Shri Vivek Bhavthankar – learned Special Counsel for respondent Nos. 2 to 5, were present.

2. Learned Special Counsel for respondent Nos. 3 & 4 has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record and the copy thereof has been served upon the learned Presenting Officer. He undertakes to serve the copy of the same upon the learned Advocate for the applicant.

3. S.O. to 16th December, 2016 for dismissal.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**C.P.NO.47/2003 IN O.A.NO. 404/2003
[Shri Gangadhar S/o Sandu Salve Vs. The State of
Maharashtra & Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri Vivek Maney, learned Advocate for the Applicant (**absent**). Shri S.K. Shirase, learned Presenting Officer for the respondents, present.

2. This is a very old matter pending since 2003. It appears from the proceedings that the order of this Tribunal was challenged before the Hon'ble High Court and by an order dated 16.2.2015. The Hon'ble High Court has dismissed the Writ Petition filed against the order of this Tribunal. However, the applicant is not apparently aware about the order passed by the Hon'ble High Court. Hence, in the interest of justice notice may be issued to the applicant to remain present before this Tribunal in the matter, on the next date.

3. The respondents may also file reply whether the directions given by this Tribunal have been complied with or not.

4. S.O. to 18th January, 2017 for appearance of the applicant before this Tribunal & for filing reply by the respondents.

MEMBER (J) VICE CHAIRMAN (A)
ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J))

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 864 OF 2011
[Shri Vasudha D/w. Baburao Musale Vs. The State of
Maharashtra & Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri B.R. Kedar, learned Advocate for the Applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. At the request of learned Presenting Officer, S.O. to 16th December, 2016 to file reply.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 846 OF 2009
[Dr. Sow Rajshri W/o Sunil Kurundkar Vs. The State of
Maharashtra & Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri Ajay Deshpande, learned Advocate for the Applicant (**absent**). Shri S.K. Shirase, learned Presenting Officer for the respondents, present.

2. Since nobody appeared for the applicant, place this matter before the next Division Bench as and when it is available.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 135 OF 2010
[Shri Shrikant Hanmantrao Kumthekar Vs. The State of
Maharashtra & Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri Ajay Deshpande, learned Advocate for the Applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri A.S. Deshmukh – learned Advocate for respondent Nos. 5 & 6, were present.

2. Since nobody appeared for the applicant, place this matter before the next Division Bench as and when it is available.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 320 OF 2010
[Shri Nagare Pralhad Namdeo & Ors. Vs. The State of
Maharashtra & Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri Ajay Deshpande, learned Advocate for the Applicants (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.

2. Since nobody appeared for the applicant, place this matter before the next Division Bench as and when it is available.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 326 OF 2010
[Shri Govind Dattopant Tarkase Vs. The State of Maharashtra
& Ors.]**

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

Shri Ajay Deshpande, learned Advocate for the Applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.

2. Since nobody appeared for the applicant, place this matter before the next Division Bench as and when it is available.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA NO.273/16 in OA No.397/16, MA No.274/16 in OA 393/16, MA No.275/16 in OA No.398/16, MA No.370/16 with MA 180/16 in OA 32/16, MA 371/16 with MA 179/16 In OA 835/15, MA 372/16 with MA 181/16 In OA 67/16, OA 368/16, 369/16, OA 400/16, OA 490/16, OA 361/16 with MA 277/16, MA Nos.302 with MA 207/16 In OA 370/16 with MA 281/16 & MA No.303/16 In OA 371/16 with MA 208/16 with MA 280/16.

(P.S. Bramhne & Others Vs. State of Mah.& Ors.)

**CORAM : HON'BLE SHRI RAJIV AGARWAR, V.C. (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 13.12. 2016.

ORAL ORDER:

1. Heard Dr. (Smt.) Kalpalata Patil Bharaswadkar, Shri Sudhir Patil and Shri V.B. Wagh, learned Advocates for the respective Applicants in respective O.As. and Mrs. Priya R. Bharaswadkar & Shri M.S. Mahajan – learned Presenting Officer & learned Chief Presenting Officer for the respondents in respective cases. Shri C.T. Chandrate – learned Advocate for respondent No. 4 in M.A. No. 273/2016 In O.A. No. 397/2016 & in M.A. No. 275/2016 In O.A. No. 398/2016 and Shri A.S. Deshmukh – learned Advocate for respondent Nos. 4 & 5 in M.A. No. 372/2016 With M.A. 181/2016 In O.A. No. 67/2016.

2. Learned Advocate Shri Sudhir Patil completed his arguments and Dr. (Smt.) Kalpalata Patil Bharaswadkar was heard for quite sometime. However, while discussing the impugned order of reversion of the applicants it transpired that the order mentions that the applicants have been reverted as they were promoted to the post of Agricultural Supervisor

against the direct recruits quota and as the respondent No. 3 has adjusted the persons in the promotion quota as per their seniority. This reasoning for the reversion of the Applicants has not been challenged in the present Original Applications.

3. Learned Advocate for the applicants sought leave of this Tribunal to amend the Original Applications to specifically challenge the grounds on which the applicants have been reverted.

4. Learned Advocate for the applicants states that considering the urgency in the matters she may be allowed to amend the Original Applications forthwith. She undertakes to supply the copies of the amended Original Application to the respondents, immediately.

5. Considering the peculiar facts, wherein the Hon'ble High Court has fixed time limit for disposal of these Original Applications, the request of the learned Advocate for the applicants is accepted.

6. Learned Advocates Dr.(Smt.) Kalpalata Patil Bharaswadkar & Shri V.B. Wagh for the respective applicants states that they will amend the Original Applications within two days. The learned Advocates for the applicants shall supply the copies of the amended OAs to the respondents immediately after amending the OAs.

7. The respondents may file affidavit in reply, if any without any further loss of time positively, on or before 10th January,

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2017 and copy of the same be served on the learned Advocates for the respective applicants well in advance.

8. S.O. to 10th January, 2017.

9. Steno copy is allowed to both the parties at their request.

MEMBER (J)

VICE CHAIRMAN (A)

ORAL ORDERS 13.12.2016 – HDD(DB-VC&M(J)

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

**ORIGINAL APPLICATION NO. 388 OF 2016
[B.K. Rahane Vs. The State of Mah. & Ors.]**

WITH

**ORIGINAL APPLICATION NO. 389 OF 2016
[N.L. Aher Vs. The State of Mah. & Ors.]**

WITH

**ORIGINAL APPLICATION NO. 390 OF 2016
[S.K. Wakachaure Vs. The State of Mah. & Ors.]**

WITH

**ORIGINAL APPLICATION NO. 391 OF 2016
[H.M. Patil Vs. The State of Mah. & Ors.]**

WITH

**ORIGINAL APPLICATION NO. 392 OF 2016
[S.B. Bagul Vs. The State of Mah. & Ors.]**

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

Hon'ble Shri J.D. Kulkarni, Member (J)

DATE : 13.12.2016.

ORAL ORDER:

Heard Shri V.B. Wagh – learned Advocate for the Applicants in all these cases, Shri M.S. Mahajan – learned Chief Presenting Officer for the respondent nos. 1 to 3 in all these cases and Smt. Kalpalata Patil Bharaswadkar/Shri Sudhir Patil, learned Advocate for respondent no. 4 in all these cases.

2. Learned Advocate Shri V.B. Wagh sought leave to withdraw all these O.As., as the relief claimed by the applicants have already been granted, by the respondent no. 3, in their favour.

3. Learned Advocate Shri Sudhir Patil, who is appearing on behalf of respondent no. 4 in O.A. No. 389/2016, objected by contending that the promotion granted to the applicant from the quota reserved for Physically Handicapped persons has been applied wrongly in violation of G.R. dated 24.12.2011. He stated that for the post of Agriculture Supervisor, only those who are having disability of one arm or are Hearing Handicapped can be considered. However, the applicant in O.A. No. 389/2016 is suffering from visual impairment and he is not eligible to be promoted from that quota.

4. As the applicants want to withdraw these O.As., we do not deny that request. However, the respondent no. 3 will consider this aspect and take action as per law. These O.As. allowed to be withdrawn and stands disposed of with no order as to costs.

MEMBER (J)
13.12.2016-KPB(DB)

VICE CHAIRMAN (A)