

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 838/2016
(Shri Deepak S. Thakare V/s. the State of Mah. & Ors.)**

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

DATE : 15.06.2017.

ORAL ORDER:-

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

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing.

3. S.O. to 30.06.2017.

MEMBER (J)

KPB ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 839/2016
(Shri Anil G. Valvi V/s. the State of Mah. & Ors.)**

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

DATE : 15.06.2017.

ORAL ORDER:-

Heard Shri J.B. Choudhary, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 to 3 and Smt. Vaishali S. Choudhary, learned Advocate for respondent no. 4.

2. Learned Advocate for respondent no. 4 has filed affidavit in reply. Same is taken on record and the copy thereof has been served upon the other side.

3. Pleadings are complete. The O.A. is admitted and it be kept for final hearing.

4. S.O. to 30.06.2017.

MEMBER (J)

KPB ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

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

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

DATE : 15.06.2017.

ORAL ORDER:-

Shri Manoj Shinde, learned Advocate for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent nos. 1 to 3 and Shri Vivek Pingle, learned Advocate for respondent no. 4, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1 to 3. Time granted as a last chance.

3. S.O. to 24.07.2017.

MEMBER (J)

KPB ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 65/2017
(Shri Kundan V. Deshmukh V/s. the State of Mah. & Ors.)

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

DATE : 15.06.2017.

ORAL ORDER:-

Shri A.O. Mane, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

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

3. S.O. to 19.07.2017.

MEMBER (J)

KPB ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 122/2017
(Shri Chandrashekhar R. Chopdar V/s. the State of Mah. & Ors.)

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

DATE : 15.06.2017.

ORAL ORDER:-

Shri A. O. Mane, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

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

3. S.O. to 19.07.2017.

MEMBER (J)

KPB ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

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

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

DATE : 15.06.2017.

ORAL ORDER:-

Shri R.J. Godbole, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 and 2. Same is taken on record.

3. As none present for the applicant, S.O. to 06.07.2017.

MEMBER (J)

KPB ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 353/2017
[Shri Bajirao V. Khade Vs. The State of Mah. & Ors.]

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

DATE : 15.06.2017.

ORAL ORDER:

Heard Shri Kakasaheb. B. Jadhav, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 07.07.2017.

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

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

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

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

7. S.O.to 07-07-2017.

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

MEMBER (J)

ORAL ORDERS 15.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 306/2017
[Shri Vijay L. Chavan Vs. The State of Mah. & Ors.]

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

DATE : 15.06.2017.

ORAL ORDER:

Heard Ms. Preeti R. Wankhade, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant on instruction states that the applicant does not want to proceed with the O.A., as the respondents are going to cancel his transfer order dated 30.05.2017 and the applicant wants to withdraw the present O.A. unconditionally.

3. In view of the submission made by learned Advocate for the applicant, the O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 326/2016 IN CP ST. 1528/2016 IN OA 568/2015
(Mohd. Hussain Tayyubsab Inamdar 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 : 15-06-2017

ORAL ORDER:-

Heard Shri R.D. Khadap, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned P.O. submits that the departmental appeal is heard and is now fixed for orders by the Hon'ble State Minister of the Agriculture Department. In the circumstances, as a last chance to comply the order of the Tribunal in the original application no. 568/2015, S.O. to 25.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 110/2017 IN OA ST. 233/2017

(Dr. Archana d/o Kartikrao Taltumbde @ Archana w/o
Anilkumar Wahurwagh V/s. 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 : 15-06-2017

ORAL ORDER:-

None appears for the applicant. Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 to 4 and Miss. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent no. 5.

2. The learned Advocate for res. no. 5 weeks time to file affidavit in reply to the misc. application. At her request, S.O. to 5.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 133/2017 IN OA 949/2016

(Shri Dinesh D. Kachare V/s. 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 : 15-06-2017

ORAL ORDER:-

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

2. The learned P.O. submits that the second sports certificate submitted by the applicant is forwarded for verification as per the prescribed procedure. At her request, S.O. to 20.7.2017 to place on record the result of verification of the second sports certificate of the applicant, if any.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

TA NO. 2/2016 (W.P. NO. 12209/2015)

(Rucha S. Tandale V/s. 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 : 15-06-2017

ORAL ORDER:-

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent no. 1, Shri M.B. Kolpe, learned Advocate for respondent no. 2 and Shri V.B. Wagh, learned Advocate for the intervenor.

2. The learned Advocate for res. no. 2 has filed additional affidavit in reply in the T.A. It is taken on record and copy thereof has been served upon the other side.

3. All the sides submit that the res. no. 2 – the M.P.S. C. – is a contesting party in the present matter.

4. All the sides, except the learned P.O. for res. no. 1, submit that they are ready for final hearing of the present matter by the Single Judge, who is dealing with the Division Bench matters. The learned P.O. seeks time to take instructions in this regard. At his request, S.O. to 6.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 64/2017 IN OA ST. 100/2017

(Shri Milind V. Sonkamble V/s. 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 : 15-06-2017

ORAL ORDER:-

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

2. The learned P.O. submits that during the course of the day, affidavit in reply of the respondents would be filed on record and copy thereof would be supplied to the learned Advocate for the applicant. In the circumstances, S.O. to 10.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 132/2017 IN CP ST. 397/2017 IN OA 539/2016
(Shri Amol K. Kakde & Ors. V/s. 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 : 15-06-2017

ORAL ORDER:-

Heard Shri V.B. Wagh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to file affidavit in reply of the respondents. At his request, S.O. to 10.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 353/2016 IN OA ST. 1548/2016

(Shri Shubhmangal S. Bhakt V/s. The State of Mah. & Ors.)

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

Date : 15-06-2017

ORAL ORDER:-

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. It appears that the definite decisions regarding other employees are already taken by the respondents in view of the orders of the Tribunal passed in the earlier proceedings. In view of this position, the respondents herein are directed to clarify the Tribunal as to what is the hitch in not considering the applicant herein for the relief claimed in the original application and to take necessary corrective steps according to law and file report of compliance on or before 25.7.2017.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 439/2016 IN MA ST. 1937/2016 IN OA ST. 1938/2016
(Ranjana R. Pagare & Ors. V/s. The State of Mah. & Ors.)

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

Date : 15-06-2017

ORAL ORDER:-

Heard Shri R.B. Temkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned for the applicants submits that, today he has received the copy of the reply of res. nos. 3 & 4. He further submits that he will go through the said reply and make his submissions on the next date.

3. In the circumstances, S.O. to 17.7.2017 for hearing of the misc. application.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 395/2015

(Shri Rajaram J. Gaikwad & Ors. V/s. The State of Mah. &
Ors.)

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

Date : 15-06-2017

ORAL ORDER:-

Heard Shri R.R. Bangar, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 6. Shri S.D. Dhongde, learned Advocate for respondent no. 6 has filed leave note.

2. In view of the leave note of the learned Advocate for the res. no. 7, S.O. to 20.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 772/2015

(Shri Satish G. Bilapatte V/s. The State of Mah. & Ors.)

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

Date : 15-06-2017

ORAL ORDER:-

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to file affidavit in reply of the respondents to the amended original application. At his request, as a last chance, S.O. to 24.7.2017. As the affidavit in reply to the amended original application is yet to be filed by the respondents, the present matter be shown in order matters category on the next date.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 800/2015

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

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

Date : 15-06-2017

ORAL ORDER:-

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant has filed on record the rejoinder of the applicant to the affidavit in reply of the respondents. It is taken on record and copy thereof has been served upon the learned P.O. for the respondents. The affidavit in rejoinder as well as annexures thereto show that, in fact, the respondents have taken steps for revision of pension of the applicant, which has been prayed in the present matter.

3. The learned P.O. seeks time to take instructions in this regard. At his request, S.O. to 25.7.2017.

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

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 623/2015

(Shri Preamsing P. Rathod V/s. The State of Mah. & Ors.)

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

Date : 15-06-2017

ORAL ORDER:-

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 19.6.2017. The matter be treated as part heard.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 416 OF 2016

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

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

DATE : 15.06. 2017.

ORAL ORDER:

1. Shri M.B. Kolpe – learned Advocate for the applicant (**absent**). Shri S.K. Shirse – learned Presenting Officer for the respondents, present.

2. At the request of learned Presenting Officer, S.O. to 19th July, 2017.

MEMBER (J)

ORAL ORDERS 15.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 534 OF 2016

**(Shri. Lalu S/o. Bhau Pawar Vs. The State of Maharashtra
and Others.)**

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

DATE : 15.06. 2017.

ORAL ORDER:

1. Shri M.B. Kolpe – learned Advocate for the applicant (**absent**). Shri I.S. Thorat – learned Presenting Officer for the respondents, present.

2. At the request of learned Presenting Officer, S.O. to 19th July, 2017.

MEMBER (J)

ORAL ORDERS 15.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 181/2017 IN O.A.NO. 71/2017

**(Shri. Mahadeo Gangadhar Kandalgaonkar & Others Vs.
The State of Maharashtra and Others.)**

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

DATE : 15.06. 2017.

ORAL ORDER:

1. Heard Shri Vivek Pingle – learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that the applicant's relief for seeking amendment in the Original Application has already been allowed by this Tribunal on 23.05.2017. Moreover, the Tribunal has passed the order as regards interim relief as claimed by the applicant in the Original Application. He has submitted that the applicant has already challenged the letter dated 15.05.2017 by making amendment in the Original Application. Therefore, nothing remains to be claimed in the present Miscellaneous Application. Therefore, he urged that the present Miscellaneous Application be disposed of accordingly.

3. Since this Tribunal passed the said order as regards relief claimed in the M.A. on 23.05.2017, nothing remains to be decided / considered in the present Miscellaneous Application and, therefore, the same stands disposed of accordingly.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 71 OF 2017

**(Shri. Mahadeo Gangadhar Kandalgaonkar & Others Vs.
The State of Maharashtra and Others.)**

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

DATE : 15.06. 2017.

ORAL ORDER:

1. Heard Shri Vivek Pingle – learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

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

3. At the request and by consent of both the sides, S.O. to 24th July, 2017.

MEMBER (J)

ORAL ORDERS 15.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.202/2017 IN O.A.St.No.322/2017
(Shri Venkat Methe V/s. The State of Mah. & Ors.)

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri S.B.Mene learned Advocate holding for Shri A.S.Deshpande learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents in the M.A., returnable on 24-07-2017.

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

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

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

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

7. S.O.to 24-07-2017.

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

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.St.No.591/2017 in O.A.St.No.592/2017
(Shri Dharma More & Ors. V/s. The State of Mah. & Ors.)

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

DATE : 15-06-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, **S.O.01-07-2017** for satisfying the Tribunal on the point of tenability.

MEMBER (J)

YUK ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.434/2016

(Dr. Abdul Salim Karim V/s. The State of Mah. & Ors.)

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri Prafull Bodade learned Advocate holding for Shri J.B.Choudhary learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that he will file affidavit in rejoinder during the course of the day. He also undertakes to serve copy of the same on the other side.

3. S.O.24-07-2017.

MEMBER (J)

YUK ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.630/2016

(Mangal M. Barase V/s. The State of Mah. & Ors.)

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri Ranjit B. Gaikwad learned Advocate holding for Shri M.S.Taur learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O.05-07-2017.

YUK ORAL ORDER 15-06-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.817/2016
(Dr. Sanjay Joshi V/s. The State of Mah. & Ors.)

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for the respondent nos.1 to 3 and Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent nos.4 and 5.

2. Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate has filed affidavit in reply on behalf of respondent nos.4 and 5. It is taken on record. Copy has been served on the other side.

3. Learned CPO seeks time to file reply on behalf of the respondent nos.1 to 3. Time granted.

4. S.O.13-07-2017.

MEMBER (J)

YUK ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.820/2016

(Surendra G. Todewale V/s. The State of Mah. & Ors.)

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Shri D.R.Patil learned Presenting Officer for the respondent nos.1 to 3 and Smt. Rekha Laddha learned Advocate for respondent nos.4 and 5.

2. Smt. Rekha Laddha learned Advocate has filed affidavit in reply on behalf of respondent nos.4 and 5. It is taken on record. Copy has been served on the other side.

3. Learned PO seeks time to file reply on behalf of the respondent nos.1 to 3. Time granted.

4. S.O.13-07-2017.

MEMBER (J)

YUK ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.821/2016
(Basant Mundhe V/s. The State of Mah. & Ors.)

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for the respondent nos.1 to 3 and Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent nos.4 and 5.

2. Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate has filed affidavit in reply on behalf of respondent nos.4 and 5. It is taken on record. Copy has been served on the other side.

3. Learned PO seeks time to file reply on behalf of the respondent nos.1 to 3. Time granted.

4. S.O.13-07-2017.

MEMBER (J)

YUK ORAL ORDER 15-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.822/2016

(Dr. Subhash Jadhav V/s. The State of Mah. & Ors.)

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Smt. Resha Deshmukh learned Presenting Officer for the respondent nos.1 to 3 and Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent nos.4 and 5.

2. Learned P.O. as well as the learned Advocate for respondent nos.4 and 5 sought time to file reply on record. Time granted.

3. S.O.13-07-2017.

YUK ORAL ORDER 15-06-2017

MEMBER (J)

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

ORIGINAL APPLICATION NO.146/2017.

(Shri Narendra Keshav Chukalwar Vs.
State of Maharashtra and Others.)

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

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri V. M. Vibhute learned Advocate for the applicant and D. R. Patil learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant on instructions of the applicant submits that the applicant does not wish to proceed with the application and be allowed to withdraw the same. Allow to withdraw. Accordingly, O.A. stands disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION St. No.166/2017.

(Shri Eknath S/o Maloji Bhosale Vs.
State of Maharashtra and Others.

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

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

DATE : 15-06-2017

ORAL ORDER:-

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

2. The learned Advocate for the applicant on instructions of the applicant submits that the applicant does not wish to proceed with the application and be allowed to withdraw the same. Allow to withdraw. Accordingly, O.A. stands disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.563/2014.

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

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri S. V. Tungar learned Advocate for the
applicant and Smt S. K. Ghate Deshmukh learned
Presenting Officer for the respondents.

2. The learned P.O. seeks time to file affidavit in reply.

At her request, S.O. to 11.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

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

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

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

DATE : 15-06-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant seeks time. At
his request, S.O. to 19.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.130/2017.

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

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri S. P. Koli learned Advocate holding for Shri S. K. Chavan learned Advocate for the applicant and Shri N. U. Yadav learned Presenting Officer for the respondents no.1 to 4. None appears for the respondent no.5.

2. The learned P.O. filed on record the photocopies of the concerned record and submit that the respondent no.5 has filed the Non Creamy Layer certificate one day late. The copy of the record is accepted and marked as "X" for the purpose of identification.

3. Learned P.O. submits that in the first list the applicant was shown to have secured 112 marks, while respondent no.5 had secured 110 marks. However, when it was pointed out by some of the candidates the revision was made and thereafter, the revised select list would

show that the present applicant had secured only 110 marks, while respondent no.5 had secured 112 marks. This fact has been highlighted in para no.5 of the reply. He further submits that, the applicant anyway could not have been selected.

4. Shri S. P. Koli learned Advocate holding for Shri S. K. Chavan learned Advocate for the applicant seeks time to take instructions for withdrawal of the application if any. At his request, S.O. to 4.7.2017. Interim relief to continue till then.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.165/2017.

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

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

DATE : 15-06-2017

ORAL ORDER:-

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

2. It appears upon hearing learned Advocate for the applicant that some of the necessary parties i.e. the employees who have shown to be senior to the applicant are not added as a party.

3. Learned Advocate for the applicant wants to satisfy this Tribunal on this issue.

4. Learned C.P.O. seeks time to file reply. At his request, S. O. to 18.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.259/2016.

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

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri S. P. Koli learned Advocate holding for Shri S. T. Veer learned Advocate for the applicant and Smt D.S. Deshpande learned Presenting Officer for the respondents.

2. Shri S. P. Koli learned Advocate holding for Shri S. T. Veer learned Advocate for the applicant seeks time. On the last date also nobody appeared for the applicant.

3. Learned P.O. points that in fact the present applicant did not secure the required marks in the examination held for selection as can be seen from the affidavit in reply and annexures. However, as last chance two weeks time is granted to the applicant.

4. S. O. to 30.6.2017.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.327/2016.

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

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

DATE : 15-06-2017

ORAL ORDER:-

None appears for the applicant. Shri V.R. Bhumkar learned Presenting Officer for the respondents no.1 to 5 is present. Nobody appears on behalf of Respondent no.6.

2. Learned P.O. seeks time to file reply on behalf of Respondent no.5.

3. Read the order dated 11.4.2017. The learned Advocate for the applicant was directed vide order dated 2.2.2017 to satisfy this Court on certain issues as well as the applicant sought time to challenge the constitutionality of the said G.R. in question. On that date also nobody has appeared for the applicant.

4. In the circumstances, S. O. to 18.7.2017 either for hearing or for passing necessary orders in default of the applicant.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.835/2016.

(Harihar s/o Ganpatrao Shinde Vs.
The State of Maharashtra & Ors.)

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

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

DATE : 15-06-2017

ORAL ORDER:-

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

2. The learned P.O. files on record Exh.X the orders by taking corrective steps as were directed by order dated 5.4.2017.

3. In view of all these orders learned Advocate for the applicant submit that the application may be disposed of.

4. In view of the above circumstances, the application is disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

MA NO.433/2015 IN OA ST.318/2015.

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

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

DATE : 15-06-2017

ORAL ORDER:-

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

2. Learned P.O. seeks time to file affidavit in reply. As a last chance time to file reply is hereby granted.

3. S. O. to 18.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

MA NO.183/16 IN CP ST.686/16 IN OA 352/14.

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

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

DATE : 15-06-2017

ORAL ORDER:-

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

2. Learned P.O. submits that the order is already complied. On last date also learned Advocate for the applicant seeks time to take instructions in that regard. Today again learned Advocate for the applicant seeks time. At his request S. O. to 10.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

MA NO.201/16 in CP St.765/16 in OA 918/10.

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

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

DATE : 15-06-2017

ORAL ORDER:-

None appears for the applicant. Shri I. S. Thorat learned Presenting Officer for the respondents is present.

2. The record would show that nobody has appeared for last three dates.

3. Learned P.O. submits that, in fact W.P.No.10085/16 is already filed and it is pending for service of notice. In the circumstances, S. O. to 20.7.2017 to seek information from the applicant as to whether he has appeared or not in it.

VICE CHAIRMAN.

ORAL

ORDERS

15-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.180/17.

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

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

DATE : 15-06-2017

ORAL ORDER:-

Heard Shri U. S. Sawji learned Advocate for the applicant and Shri D. R. Patil learned Presenting Officer for the Respondents no.1 to 6. None appears for the Respondents no.7 to 9.

2. Learned P.O. submits that he will file affidavit in reply on behalf of Respondents no.3, 4 and 5 during the course of the day. He seeks time to file reply on behalf of Respondents no.1, 2 and 6. Time granted.

3. Respondents no.7 to 9 are absent despite due service of notice.

4. S. O. to 14.7.2017.

VICE CHAIRMAN.

ORAL ORDERS 15-06-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 735 OF 2016

**(Shri. Kisanrao Govindrao Shinde Vs. The State of
Maharashtra and Others.)**

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

DATE : 15.06. 2017.

ORAL ORDER:

1. Heard Shri K.B. Jadhav – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. On perusal of the impugned order passed by the Collector, Nanded, on 29th March, 2015, it reveals that the Collector, Nanded, has reduced the pay of the applicant to the lower stage by way of punishment imposed upon the applicant, but he has not specified the time from which reduction has to be made as provided under Rule 5 (1) (v) of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979.
3. Learned Presenting Officer prays for time to clarify the position and to file short affidavit, if required. Time granted.
4. S.O. to 6th July, 2017.

MEMBER (J)

ORAL ORDERS 15.06.2017-HDD