

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 559 OF 2016

[Shri Dagdu W. Bansode Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

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

2. The learned Presenting Officer seeks time to take instructions as to whether the Accountant General – II, Nagpur's office has accepted the proposal as pleaded in para 12 of the affidavit in reply of res. nos. 2 & 3. At her request, S.O. to 6.4.2017.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 790 OF 2016

[Shri Pitambar T. Khairnar Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

1. Heard Shri S.S. Patil, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to take instructions regarding registration of another crime against the applicant on 17.2.2017 as is disclosed by the copy of communication received by the learned Presenting Officer, which is taken on record and marked as document 'X' for the purpose of identification. At his request, S.O. to 5.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 807 OF 2016

[Shri Madhukar N. Jadhav Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. The learned Presenting Officer seeks time to file affidavit in reply of the respondents. Time granted as a last chance.
3. S.O. to 10.4.2017, with a caveat that this matter will be heard positively on that date. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 808 OF 2016

[Shri Gangadhar A. Kakade Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. The learned Presenting Officer seeks time to file affidavit in reply of the respondents. Time granted as a last chance.
3. S.O. to 10.4.2017, with a caveat that this matter will be heard positively on that date. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 810 OF 2016

[Shri Babu D. Ghule Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 & 3 and Shri A.D. Gadekar, learned Advocate for respondent no. 2.

2. It appears from the record that the res. no. 2 has already filed affidavit in reply in the matter.

3. The learned Chief Presenting Officer seeks time to file affidavit in reply of the respondent nos. 1 & 3. Time granted as a last chance.

4. S.O. to 10.4.2017, with a caveat that this matter will be heard positively on that date. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 936 OF 2016

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

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

Date :- 15.03.2017

Oral Order :-

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

2. The learned Presenting Officer seeks time to file affidavit in reply of the respondents. At her request, S.O. to 6.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 05 OF 2017

[Shri Bhanudas R. Pund Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

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

2. The learned Chief Presenting Officer seeks time to file affidavit in reply of the respondents. At his request, S.O. to 6.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 06 OF 2017

[Zargar Abdul Saim Ahmed Abdul Vs. the State of Mah. &
Ors.]

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

Date :- 15.03.2017

Oral Order :-

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

2. The learned Presenting Officer seeks time to file affidavit in reply of the respondents. At his request, S.O. to 6.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 72 OF 2017

[Shri Sitaram T. Rathod Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

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

2. The learned Chief Presenting Officer seeks time to file affidavit in reply of the respondents. At his request, S.O. to 6.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 945 OF 2016

[Shri Desai C. Rathod Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

1. Heard Shri D.R. Irale Patil, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned Presenting Officer files affidavit in reply of res. no. 1. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. The learned Advocate for the applicant files rejoinder of the applicant to the affidavit in reply of res. no. 1. It is taken on record and copy thereof has been served upon the learned Presenting Officer for the respondents.

3. With consent of both the sides, place the matter for hearing on 30.3.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 13 OF 2017

[Shri Ramesh N. Swami Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

1. Heard Shri D.T. Devane, learned Advocate for the applicant and Shri V.R. Bharaswadkar, learned Presenting Officer for the respondents.
2. The learned Presenting Officer seeks time to file affidavit in reply of the respondents. Time granted as a last chance.
3. S.O. to 30.3.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 33 OF 2017

[Shri Bharat L. Kharat Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

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

2. The learned Presenting Officer files affidavit in reply of res. no. 1. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. S.O. to 30.3.2017, with liberty to the applicant to file rejoinder.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 58 OF 2017

[Shri Maruti M. Kakad Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

1. Heard Shri D.T. Devane, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply of the respondents. At his request, S.O. to 31.3.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 97 OF 2017

[Sayyid Mujahed Ali Sayyid Khurshid Ali Vs. the State of Mah.
& Ors.]

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

Date :- 15.03.2017

Oral Order :-

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

2. The learned Presenting Officer seeks time to file affidavit in reply of the respondents. At his request, S.O. to 7.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 121 OF 2016

[Shri Shamkant B. Dusane Vs. the State of Mah. & Ors.]

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

Date :- 15.03.2017

Oral Order :-

1. Heard Shri V.B. Wagh, learned Advocate holding for Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply of the respondents. At his request, S.O. to 12.4.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 15.3.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 758 OF 2016

**(Shri Jagdish Mohanrao Kale Vs. the State of Maharashtra
& Others)**

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

DATE : 15.03. 2017.

ORAL ORDER:

1. Heard Shri Avinash S. Deshmukh – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. Perused the affidavit in reply filed on behalf of respondent Nos. 1 to 4, which is sworn in by one Sayyad Munir S/o. Sayyad Pasha, Executive Engineer, Public Works (Electrical) Division, Aurangabad dated 26/11/2016 and more particularly paragraph No. 13 thereof. It is averred by these respondents that one reason for transfer of the present applicant was possibility of affecting the departmental enquiry, which is initiated against the present applicant.
3. Learned Presenting Officer seeks time to file copies of the minutes and notation etc. to find out as to whether the same reason was referred at the time of passing of the transfer order. Time granted.
4. S.O. to 29th March, 2017. Interim relief, if any, to continue till then.
5. The present Original Application be treated as part heard.

VICE CHAIRMAN

ORAL ORDERS 15.03.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 694 OF 2016

**(Shri Sanjay Kisan Gaikwad Vs. the State of Maharashtra
& Others)**

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

DATE : 15.03. 2017.

ORAL ORDER:

1. Heard Shri S.R. Sapkal – learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks time to file rejoinder affidavit to the affidavit in reply filed on behalf of respondent No. 2 and more particularly regarding paragraph No. 12 thereof. Time granted.
3. S.O. to 29th March, 2017. Interim relief, if any granted earlier, to continue till then.

VICE CHAIRMAN

ORAL ORDERS 15.03.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 792 OF 2016

**(Smt. Sarika Bhaskar Wandhekar Vs. the State of
Maharashtra & Others)**

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

DATE : 15.03. 2017.

ORAL ORDER:

1. Heard Shri V.B. Wagh – learned Advocate for the applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 23rd March, 2017.

VICE CHAIRMAN

ORAL ORDERS 15.03.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 164 OF 2017

**(Shri Nilesh S/o. Ramrao Pawar Vs. the State of
Maharashtra & Others)**

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

DATE : 15.03. 2017.

ORAL ORDER:

1. Heard Shri Amol N. Patale – learned Advocate for the applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.
2. The learned Advocate for the applicant orally submits that he may be granted liberty to file additional documents on record. Liberty as prayed for by the learned Advocate for the applicant is granted.
3. Issue notices to the respondents, returnable on 6th April, 2017.
4. Tribunal may take the case/s for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,

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O.A. NO. 164 OF 2017

1988, and the question such as limitation and alternate remedy are kept open.

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

8. S.O. to 6th April, 2017.

9. Steno copy and hamdust is allowed to both the parties.

VICE CHAIRMAN

ORAL ORDERS 15.03.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 311 OF 2015

**(Smt. Kalpna Maruti Patil Vs. the State of Maharashtra &
Others)**

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

DATE : 15.03. 2017.

ORAL ORDER:

1. Heard Shri A.R. Tapse, learned Advocate holding for Shri H.P. Jadhav – learned Advocate for the applicant, Smt. Resha S. Deshmukh – learned Presenting Officer for respondent Nos. 1 to 4 and Shri Sharad Shinde, learned Advocate holding for Shri Vivek Bhavthankar – learned Advocate for respondent No. 5. Shri K.M. Nagarkar – learned Advocate for respondent No. 6 has filed leave note

2. Learned Presenting Officer submits that today the original record is available. Shri Sharad Achyutrao Zadke, Tahsildar, Ambajogai is also present today before the Tribunal.

3. In the circumstances, S.O. to 30th March, 2017 for hearing.

VICE CHAIRMAN

ORAL ORDERS 15.03.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.797/2016

(Shri Gaurav A. Chavan V/s. The State of Mah. & Ors.)

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

DATE : 15-03-2017

ORAL ORDER:-

Shri C.V.Thombre learned Advocate for the applicant is **absent**. Shri D.R.Patil learned Presenting Officer for the respondents is present.

2. None is present for the applicant.
3. S.O.12th April 2017.

VICE CHAIRMAN

YUK ORAL ORDER 15-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.803/2016
(Shri Sd. Kalim V/s. The State of Mah. & Ors.)

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

DATE : 15-03-2017

ORAL ORDER:-

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

2. Shri Wagh learned Advocate for the applicant seeks
time to report about progress in O.A.No.483/2016 which
said to be concerning the same issue.

3. At the request of Shri Wagh, S.O.31-03-2017.

VICE CHAIRMAN

YUK ORAL ORDER 15-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.906/2016
(Dr. Atul Ladwanjari & Ors. V/s. The State of Mah. &
Ors.)

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

DATE : 15-03-2017

ORAL ORDER:-

Shri A.G.Talhar learned Advocate for the applicant
is **absent**.

Shri V.R.Bhumkar learned Presenting Officer for
the respondent nos.1 to 3 is **present**.

Shri Hemraj Kshirsagar learned Advocate for
respondent no.4 is **absent**.

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

3. S.O.12-04-2017.

VICE CHAIRMAN

YUK ORAL ORDER 15-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.82/2017
(Shri Shaikh Rabbani V/s. The State of Mah. & Ors.)

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

DATE : 15-03-2017

ORAL ORDER:-

Heard Ku. Bhavana Panpatil learned Advocate
holding for Shri S.B.Talekar learned Advocate for the
applicant and Shri S.K.Shirse learned Presenting Officer
for the respondents.

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

3. S.O.11th April, 2017.

VICE CHAIRMAN

YUK ORAL ORDER 15-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.84/2017 WITH 47/2017
(Shri Sagar Maske & Abhijeet Patil V/s. The State of
Mah. & Ors.)

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

DATE : 15-03-2017

ORAL ORDER:-

Heard Shri V.B.Dhage learned Advocate for the applicant in O.A.No.84/2017 and Shri A.S.Deshmukh learned Advocate for the applicant in O.A.No.47/2017 and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents in both these matters.

2. Learned CPO seeks time to take instruction as directed by the Tribunal by order dated 10-02-2017. Learned Advocates for the applicants in each of the O.As. submit that after passing of the said order respondent no.2 Collector has called the candidates but nothing fruitful has happened since then.

3. At the request of learned CPO, S.O.23rd March, 2017.

VICE CHAIRMAN

YUK ORAL ORDER 15-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.85/2017
(Nikita K. Bhange V/s. The State of Mah. & Ors.)

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

DATE : 15-03-2017

ORAL ORDER:-

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

2. At the request of learned P.O., S.O. 29th March,
2017 for filing reply on behalf of the respondents.

YUK ORAL ORDER 15-03-2017

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.278/2015 IN O.A.St.No.1137/2014
(Kalpana Shinde V/s. The State of Mah. & Ors.)

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

DATE : 15-03-2017

ORAL ORDER:-

Heard Shri V.P.Patil learned Advocate for the
applicant and Shri N.U.Yadav learned Presenting Officer
for the respondents.

2. At the request of Shri Patil learned Advocate for the
applicant, S.O.26th March, 2017.

VICE CHAIRMAN

YUK ORAL ORDER 15-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A.No.127/2016 IN T.A.No.03/2016 IN
W.P.No.12032/2015**

(Kiran S. Tidke V/s. The State of Mah. & Ors.)

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

DATE : 15-03-2017

ORAL ORDER:-

Shri S.S.Jadhavar learned Advocate for the
applicant is **absent**.

Heard Shri I.S.Thorat learned Presenting Officer for
the respondents and Shri D.T.Devane learned Advocate
holding for Shri M.B.Kolpe learned Advocate for
respondent no.2.

2. Transfer application is already admitted vide order
dated 4th April, 2016. Hence, remove from the board
with liberty to the parties to move the matter before
Division Bench as and when it is available or if any
exigency arises.

VICE CHAIRMAN

YUK ORAL ORDER 15-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A.No.394/2016 IN C.P.St.No.1810/2016 IN
O.A.No.162/2014**

(Shri Adhikrao Mane V/s. The State of Mah. & Ors.)

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

DATE : 15-03-2017

ORAL ORDER:-

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

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

3. S.O.11th April, 2017.

VICE CHAIRMAN

YUK ORAL ORDER 15-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A.No.395/2016 IN C.P.St.No.1801/2016 IN
O.A.No.536/2011**

(Shri Digambar Jadhav V/s. The State of Mah. & Ors.)

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

DATE : 15-03-2017

ORAL ORDER:-

Shri P.D.Suryavanshi learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for the respondents is present.

2. None is present for the applicant. Order dated 27th February, 2017 shows that on that date learned P.O. has submitted that the compliance of the order is made and copy of the order is also filed.

3. Learned Advocate for the applicant took time to take instruction from the applicant in this regard. Again time was sought on the next date.

4. Today, in view of the absence of the learned Advocate for the applicant, O.A. stands dismissed in default.

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M.A.No.395/2016 IN C.P.St.No.1801/2016 IN
O.A.No.536/2011

LATER ON:-

5. Shri A.R.Tapase learned Advocate holding for Shri P.D.Suryavanshi learned Advocate for the applicant. Appeared and submitted that he was busy in another court when this matter was called out. He, therefore, requests that this matter may be restored to its original position.

6. Request of learned Advocate for the applicant is granted and the matter is restored to the file on its original position.

7. S.O.6th April, 2017.

VICE CHAIRMAN

YUK ORAL ORDER 15-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 542/2016
[Smt. Vaishali A. Kathar Vs. The State of Mah. & Ors.]**

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

DATE : 15.03.2017.

ORAL ORDER:

Shri A.D. Gadekar, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18.04.2017.

VICE CHAIRMAN

ORAL ORDERS 15.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 404/2016
[Dr. Avinash T. Landge Vs. The State of Mah. & Ors.]**

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

DATE : 15.03.2017.

ORAL ORDER:

Heard Shri A.S. Shelke, learned Advocate for the Applicant, Shri M.P. Gude, learned Presenting Officer for 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 Advocate for respondent no. 4 seeks time to argue the matter. The matter pertains to the order of suspension.

3. The learned Advocate for the applicant submits that even no subsistence allowance is being paid to the applicant.

4. At the request of learned Advocate for respondent no. 4, S.O. to 29.03.2017.

VICE CHAIRMAN

ORAL ORDERS 15.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A. No. 332/2016 with Caveat No. 38/2016

[Shri Madhav B. Borse Vs. The State of Mah. & Ors.]

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

DATE : 15.03.2017.

ORAL ORDER:

Shri H.U. Dhage, learned Advocate for the Applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondent no. 2 and Shri S.R. Dheple, learned Advocate for respondent no. 3, are present. None present for respondent no. 4.

3. As none present for the applicant, S.O. to 18.04.2017.

VICE CHAIRMAN

ORAL ORDERS 15.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 217/2016
[Smt. Tanuja R. Patil Alias Sau. Tanuja U. Patil Vs. The
State of Mah. & Ors.]**

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

DATE : 15.03.2017.

ORAL ORDER:

Ms. Ujjwal Agarwal, learned Advocate for the Applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1 to 3 and Shri A.I. Deshmukh, learned Advocate for respondent no. 4, are present.

2. On the last date, nobody appeared for the applicant.

3. In circumstances, S.O. to 12.04.2017 for hearing or passing necessary order.

VICE CHAIRMAN

ORAL ORDERS 15.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 81/2016
[Smt. Sakhubai S. Kukade Vs. The State of Mah. & Ors.]**

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

DATE : 15.03.2017.

ORAL ORDER:

Shri K.G. Salunke, learned Advocate for the Applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 11.04.2017.

VICE CHAIRMAN

ORAL ORDERS 15.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 573/2015
[Shri Ajinath Kisan Kharat Vs. The State of Mah. & Ors.]**

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

DATE : 15.03.2017.

ORAL ORDER:

Ms. Bhavana Panpatil, learned Advocate holding
for Shri S.B. Talekar, learned Advocate for the Applicant and
Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 20.04.2017.

VICE CHAIRMAN

ORAL ORDERS 15.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 529/2015
[Shri Gangaram N. Shirsath Vs. The State of Mah. & Ors.]**

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

DATE : 15.03.2017.

ORAL ORDER:

Shri V.G. Pingle, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted.

3. S.O. to 07.04.2017.

VICE CHAIRMAN

ORAL ORDERS 15.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 294/2015
[Dr. Bhaskar Madhav Bhawar Vs. The State of Mah. & Ors.]**

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

DATE : 15.03.2017.

ORAL ORDER:

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

2. It is admitted fact that the applicant is going to superannuate on 1.6.2017. This Court while issuing notices on 9.6.2015 has granted stay to the implementation of the transfer order on the ground that at the time of passing of the transfer order on 31.05.2015 the applicant has already crossed 56 years of his age.

3. Considering all these facts on record, the present O.A. is disposed of with a direction to the respondents to not to give effect to the transfer order dated 31.05.2015. The Original Application accordingly disposed of without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 15.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 123/2014
[Shri Rajesh Ramkrishna Potpallewar Vs. The State of
Mah. & Ors.]**

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

DATE : 15.03.2017.

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant has placed on record a copy of the disability certificate issued by the Government of Maharashtra dated 02.03.2017 and the same is accepted and marked as Exhibit-X for purposes of identification.

3. The Dean Government Medical College & Hospital, Aurangabad is expert in the field, he would be able to explain the difference between certificates issued by the Medical Boards with different percentage of disability as detailed by both the sides.

4. The respondent no. 2 is therefore directed to file affidavit in reply specifically in response to above query.

5. S.O. to 5.4.2017.

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

VICE CHAIRMAN

ORAL ORDERS 15.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 733/2015
[Shri H.G. Lohkare Vs. The State of Mah. & Ors.]**

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

DATE : 15.03.2017.

ORAL ORDER:

Heard Shri G.J. Kore, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondent nos. 1, 3 & 4. None present for respondent no. 2.

2. During hearing the learned Advocate for the applicant on instructions submits that the Collector, Osmanabad i.e. respondent no. 1 has not decided the representation filed by the applicant on 11.11.2013, copy of which is placed on record at paper book page no. 71 and even the respondent no. 2 the Sub Divisional Officer, Boom, who was required to take steps for satisfying the Accountant General-II, Nagpur has not taken steps up to date regarding the leave. In the circumstances the learned Advocate for the applicant submitted that the respondents be directed to take a decision on the representation of the applicant dated 11.11.2013 within a specific period as the pensionary benefits of the applicant are stalled by the respondents.

3. Considering the facts on record, the O.A. is disposed of without any order as to costs with a direction to the respondent no. 2 to take a proper decision regarding leave of the present applicant within a period of two months from the date of this order. The respondent no. 1 is directed to issue proper direction to the respondent no. 2 in view of the representation made by the applicant to him/her dated 11.11.2013 (page no. 71 of paper book).

VICE CHAIRMAN

ORAL ORDERS 15.3.2017-KPB(SB)BPP

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

MA. NO. 111/2017 WITH O.A. NO.641/2015.

(Shri B. P. Patil Vs. State of Mah.& Ors.)

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

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

DATE : 15.03.2017.

ORAL ORDER:-

Heard Shri S. D. Joshi, learned Advocate holding for Shri Milind Patil, learned Advocate for the applicant and Shri I. S. Thorat, learned Presenting Officer for the Respondents.

2. Misc. Application is filed. It be registered. Prima facie, it appears that, the official regarding whom the order dated 13.2.2017 is passed is continuing with holding the Departmental Enquiry. The order of this Tribunal would however show that, he would have to share the blame. In such circumstances, further steps in the inquiry are hereby stayed until further orders.

3. Learned P.O. seeks time to file affidavit in reply including the reply as directed vide order dated 13.2.2017. At his request, S.O. to 5.4.2017.

4. Learned P.O. is directed to act on the Steno copy.

VICE CHAIRMAN.

ORAL ORDERS 15-03-2017-ATP

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

ORIGINAL APPLICATION NO.218/2015.

(Shri K. M. Sharma Vs. State of Mah.& Ors.)

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

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

DATE : 15.03.2017.

ORAL ORDER:-

None present for the applicant. Smt R. S. Deshmukh,
learned Presenting Officer for the Respondents.

2. S.O. to 25.4.2017.

VICE CHAIRMAN.

ORAL ORDERS 15-03-2017-ATP

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

C. P. NO.04/2016 IN OA NO.610/2009.

(Shri S. V. Navthar Vs. State of Mah.& Ors.)

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

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

DATE : 15.03.2017.

ORAL ORDER:-

Heard Shri A. D. Sugdare, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. The learned P.O. files on record the copy of the communication received by her. The same is marked as Exh."X" for the purpose of identification. Its copy is served on the other side. At her request, S.O. to 5.4.2017.

VICE CHAIRMAN.

ORAL ORDERS 15-03-2017-ATP

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

MA NO.60/2017 IN OA ST.NO.184/2017.

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

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

DATE : 15.03.2017.

ORAL ORDER:-

Heard Shri_P. G. Rodge, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 28.4.2017.

VICE CHAIRMAN.

ORAL ORDERS 15-03-2017-ATP

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

ORIGINAL APPLICATION NO.195/2016.

(Smt Gita B. Shejwal Vs. State of Mah.& Ors.)

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

DATE : 15.03.2017.

ORAL ORDER:-

Heard Shri V. B. Patil, learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for the Respondents.

2. The learned P.O. is directed to take instructions from the concerned Respondents as to within how much period the inquiry would be concluded in case the present applicant cooperate the same. He shall also take instructions regarding payment of subsistence allowance to the present applicant.
3. At the request of the learned P.O., S.O. to 30.3.2017.
4. Learned P.O. is directed to act on the Steno copy.

VICE CHAIRMAN.

ORAL ORDERS 15-03-2017-ATP

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

ORIGINAL APPLICATION NO.207/2016.

(Shri H. P. Jadhav Vs. State of Mah.& Ors.)

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

DATE : 15.03.2017.

ORAL ORDER:-

Heard Shri H. P. Jadhav, learned Advocate for the applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 21.3.2017.

VICE CHAIRMAN.

ORAL ORDERS 15-03-2017-ATP

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

ORIGINAL APPLICATION NO.261/2016.

(Shri B. M. Darade Vs. State of Mah.& Ors.)

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

DATE : 15.03.2017.

ORAL ORDER:-

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

2. Learned P.O. files the affidavit in reply on behalf of the Respondent no.3. The same is taken on record.

3. Nobody has appeared for 6 to 7 dates since 1.8.2016. The order dated 6.4.2016 would show that, the reply of Sub Divisional Officer to the representation of the applicant that he secured less marks than the selected candidates.

4. In view of the absence of the learned Advocate for the applicant since long, as a last chance S.O. to 30.3.2017 either for hearing or for passing necessary orders.

VICE CHAIRMAN.

ORAL ORDERS 15-03-2017-ATP

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

ORIGINAL APPLICATION NO.431/2016.

(Miss Archana D. Lathkar Vs. State of Mah.& Ors.)

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

DATE : 15.03.2017.

ORAL ORDER:-

Heard Shri D. P. Sathe, learned Advocate holding for Shri A. M. Nagarkar, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 21.3.2017. Interim relief to continue till then.

VICE CHAIRMAN.

ORAL ORDERS 15-03-2017-ATP

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

ORIGINAL APPLICATION NO.494/2016.

(Shri L. G. Ratnaparkhi Vs. State of Mah.& Ors.)

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

DATE : 15.03.2017.

ORAL ORDER:-

Heard Shri S. B. Deshmukh, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O., as a last chance S.O. to 3.4.2017 for filing affidavit in reply.

VICE CHAIRMAN.

ORAL ORDERS 15-03-2017-ATP

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

OA Nos. 788,789,790 of 2015 and OA 03 & 04 of 2016.

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

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

DATE : 15.03.2017.

ORAL ORDER:-

Heard Shri A. R. Tapase, learned Advocate holding for Shri P. D. Suryawanshi, learned Advocate for the applicants and S/Shri I. S. Thorat, D.R. Patil, S.K. Shirse, V.R. Bhumkar, M. P. Gude and Smt. S. K. Ghate Deshmukh, learned Presenting Officers for the Respondents in respective matters.

2. Learned P.O. files on record the copy of the order in OA No.263/2015. The same is taken on record and marked as Exh."X" for the purpose of identification.

3. Learned P.O. had pointed out that the G.R. on which reliance is placed by the applicants in all these matters is superseded and even in OA No.263/2015 the order is passed on the similar G.R. was already dismissed by this Tribunal on 18.1.2017.

4. Original applications are therefore, dismissed without any orders as to costs.

VICE CHAIRMAN.

ORAL ORDERS 15-03-2017-ATP