

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 24 OF 2017
[Shri Ramesh N. Shrimangle Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Heard Shri A.D. Sugdare, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant was minor at the time of death of his father and after attaining majority, the applicant had filed application for appointment on compassionate ground, but the said application had been rejected by the respondents and he challenged the said application in the present Original Application.

3. Neither the applicant nor the respondents have placed on record a copy of G.R. by which if the ward is minor at the time of death of Government employee, is made eligible to apply for the appointment on compassionate ground, after attaining the majority. The said G.R. is necessary to decide the present matter.

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O.A. No. 24/2017

3. Therefore, the learned Advocate for the applicant and the learned Presenting Officer are directed to place on record the copy of the said G.R. on the next date.

4. S.O. to 06.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 262 OF 2016
[Shri Dagdu Waman Bansode Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri A.D. Gadekar, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 1. Same is taken on record and the copy thereof has been served upon the learned Advocate for the applicant.

3. S.O. to 21.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 652 OF 2016
[Shri Bhimraj R. Thorat Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Heard Shri H.U. Dhage, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant seeks time to take instructions. Time granted.

3. S.O. to 06.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 850 OF 2016
[Shri Anand S. Gavali Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri S.D. Joshi, learned Advocate for the Applicant (**Leave Note**). Shri M.P. Gude, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has filed separate affidavit in replies on behalf of respondent nos. 1 & 2 and 3 respectively. Same are taken on record.

3. S.O. to 22.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 781 OF 2013
[Shri Sudarshan D. Shinde Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

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

2. Learned Presenting Officer seeks time to file affidavit and documents in view of the directions given by this Tribunal on 24.03.017. Time granted.

3. S.O. to 06.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 443 OF 2015
[Shri Baban R. Gunwant Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Heard Shri H.U. Dhage, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant submitted that after filing the present Original Application, the applicant has approached to the concerned authorities and made his claim regarding the Transfer Travel Allowances as well as Traveling Allowances in respect of the travel made by him on duty and the said claim is pending with the concerned authorities.

3. Learned Presenting Officer has also admitted that the claim made by the applicant is pending before the concerned authorities.

4. Neither the learned Advocate for the applicant nor the learned Presenting Officer has submitted the date

on which the applicant made application in respect of his claim.

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O.A. No. 443/2015

5. The learned Advocate for the applicant is directed to submit the details regarding the claim made by the applicant on the next date.

6. S.O. to 27.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 444 OF 2015
[Shri Ismil Ibrahim Tadvi Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Heard Shri H.U. Dhage, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant submitted that after filing the present Original Application, the applicant has approached to the concerned authorities and made his claim regarding the Transfer Travel Allowances as well as Traveling Allowances in respect of the travel made by him on duty and the said claim is pending with the concerned authorities.

3. Learned Presenting Officer has also admitted that the claim made by the applicant is pending before the concerned authorities.

4. Neither the learned Advocate for the applicant nor the learned Presenting Officer has submitted the date on which the applicant made application in respect of his claim.

//2// O.A. No. 444/2015

5. The learned Advocate for the applicant is directed to submit the details regarding the claim made by the applicant on the next date.

6. S.O. to 27.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 583 OF 2015
[Shri Sambhaji S. Khaladkar Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri M.S. Dhapate, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 27.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 649 OF 2015
[Shakir K. Sk Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Heard Smt. Supriya Bhilegaonkar, learned Advocate holding for Shri M.B. Bharaswadkar, learned Advocate for the Applicant, Shri I.S. Thorat, learned Presenting Officer for respondent no. 1 and Shri Vivek Bhavthankar, learned Special counsel for respondent nos. 2 & 3.

2. After hearing the matter for considerable time, it is closed for orders.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 59 OF 2016
[Smt. Laxmibai D. Waghmare Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri V.S. Panpatte, learned Advocate for the Applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 27.06.2017 for passing necessary orders.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 145 OF 2016
[Shri Ramrao B. Dhakne Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri S.S. Thombre, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to argue the matter. Time granted as a last chance.

3. S.O. to 27.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 701 OF 2015
[Shri Mohan R. Chaudhari Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Heard Shri A.D. Sugdare, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant submitted that the provisional pension of the applicant has been stopped from May 2015, though he demanded on several occasions.

3. Learned Presenting Officer submitted that the respondent no. 3 i.e. Executive Engineer, Jalgaon Irrigation Division, Jalgaon has forwarded the proposal for grant of provisional pension of the applicant from June onwards to the Accountant General, Mumbai i.e. respondent no. 4 on 31.03.2017. He has placed on record a copy of the said proposal. It is taken on record and marked as Exhibit 'X' for the purposes of identification. The said proposal is pending with the

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O.A. NO. 701/2015

Accountant General, Mumbai. Therefore, he seeks time to file necessary affidavit on behalf of the Accountant General, Mumbai regarding decision taken on the said proposal.

4. In view thereof, the learned Presenting Officer is directed to file short affidavit on behalf of respondent no. 4 as regards decision taken on the proposal dated 31.03.2017 sent by respondent no. 3.

5. S.O. to 06.06.2017.

6. Steno copy allowed to the learned P.O. at his request.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 196 OF 2016
[Shri Dnyanoba L. Thakur Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri H.K. Munde, learned Advocate for the Applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondent nos. 1 to 3 and Mrs. M.S. Sawangikar, learned Advocate holding for Shri S.K. Sawangikar, learned Advocate for respondent no. 4, are present.

2. As none present for the applicant, S.O. to 28.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 197 OF 2016
[Shri Arjun Haribhau Mekane Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri H.K. Munde, learned Advocate for the Applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent nos. 1 to 3, present. Shri D.M. Shinde, learned Advocate for respondent no. 4(**Absent**).

2. As none present for the applicant, S.O. to 28.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 203 OF 2016
[Sow Jaishree K. Dudhate Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri H.K. Munde, learned Advocate for the Applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondent nos. 1 to 3, present. Shri D.M. Shinde, learned Advocate for respondent no. 4(**Absent**).

2. As none present for the applicant, S.O. to 28.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 204 OF 2016
[Shri Parmeshwar N. Pawar Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri H.K. Munde, learned Advocate for the Applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondent nos. 1 to 3, present. Shri V.D. Jadhav, learned Advocate for respondent no. 4 (**Absent**).

2. As none present for the applicant, S.O. to 28.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 205 OF 2016
[Shri Pradip J. Jadhav Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri H.K. Munde, learned Advocate for the Applicant **(Absent)**. Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 to 3, present. Shri D.M. Shinde, learned Advocate for respondent no. 4 **(Absent)**.

2. As none present for the applicant, S.O. to 28.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 623 OF 2016
[Shri Anil P. Katkar Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri Ajay Deshpande, learned Advocate for the Applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondent no. 1 present. Shri G.N. Patil, learned Advocate for respondent no. 2 (**Absent**).

2. As none present for the applicant, S.O. to 03.05.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 882 OF 2016
[Shri Pradeep M. Koushikar Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Shri S.D. Joshi, learned Advocate for the Applicant (**Leave Note**). Shri V.R. Bhumkar, learned Presenting Officer for respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 06.06.2017.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 758 OF 2016
[Shri Jagdish Mohanrao Kale Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

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

2. Today the learned Presenting Officer has placed on record copies of the minutes of the meeting dated 16.05.2016, 20.05.2016, 23.05.2016 and 23.08.2016 as per the directions given by this Tribunal by its order dated 29.03.2017.

3. Learned Advocate for the applicant as well as learned Presenting Officer have pointed out that the matter was heard by the Hon'ble Vice Chairman and it is treated as part heard.

4. Therefore, it is just and proper to keep the present O.A. before the Hon'ble Vice Chairman Shri M.T. Joshi for further hearing.

5. S.O. to 28.04.2017.

6. Interim relief granted earlier to continue till next date.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**O.A. No. 332 OF 2016 with Caveat No. 38/2016
[Shri Madhav Bhagwat Borse Vs. The State of Mah. & Ors.]**

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

DATE : 18.04.2017.

ORAL ORDER:

Heard Shri H.U. Dhage, learned Advocate for the Applicant, Shri D.R. Patil, learned Presenting Officer for respondent no. 2 and Shri S.R. Dheple, learned Advocate for respondent no. 3. None present of respondent no. 4.

2. On perusal of the record it reveals that the applicant has filed objection dated 25.03.2016 before the Sub Divisional Officer, Jalgaon i.e. respondent no. 2 contending that the respondent no. 3 has made false statement on oath. He has filed another application addressed to the Collector, Jalgaon dated 31.03.2016 raising similar allegations. The Sub Divisional Officer, Jalgaon informed the applicant vide letters dated 31.03.2016 which are at page nos. 64 & 65 and rejected his application dated 25.03.2016 as well as 31.03.2016 addressed to the Collector, Jalgaon. The Sub Divisional

Officer has not recorded findings as regards alleged false statement made by the respondent no. 3 in his affidavit.

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O.A. No. 332/2016

Not only this, but the respondent no. 2 has rejected the representation dated 31.03.2016 made by the applicant, which was addressed to the Collector, Jalgaon, though its copy had not been given to him. This is a very strength thing that the Sub Divisional Officer, Jalgaon has decided the representation made by the applicant, which was addressed to the Collector, Jalgaon.

3. In these circumstances, the concerned Sub Divisional Officer is directed to file affidavit explaining all these facts on the next date.

4. The learned Presenting Officer is also directed to explain as to whether the representation made by the applicant dated 31.03.2016, which is addressed to the Collector, Jalgaon, is still pending or whether it has been decided by the Collector, Jalgaon by filing short affidavit.

5. S.O. to 6.6.2017.

6. Steno copy and humdust is allowed to the learned P.O.

MEMBER (J)

ORAL ORDERS 18.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 60 OF 2017

**(Shri Sushilkumar Krishnaji Jakate Vs. The State of
Maharashtra and Others.)**

**CORAM : Hon'ble Shri Justice A.H. Joshi, Chairman.
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 18.04. 2017.

ORAL ORDER:

1. Heard Shri S.B. Mene – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant prays for time. Time granted.
3. Adjourned to 8th June, 2017.

CHAIRMAN

ORAL ORDERS 18.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 728 OF 2016

**(Smt. Sushma d/o. Eknath Chaudhari & Ors. Vs. The
State of Maharashtra and Others.)**

**CORAM : Hon'ble Shri Justice A.H. Joshi, Chairman.
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 18.04. 2017.

ORAL ORDER:

1. Heard Shri S.R. Shirsat, learned Advocate holding for Shri S.S. Jadhavar – learned Advocate for the applicants and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.
2. On instructions, the learned Advocate for the applicants seeks permission of this Tribunal to withdraw the present Original Application.
3. Permission granted. Withdrawal is allowed. Accordingly, the present Original Application stands disposed of as withdrawn with no order as to costs.

CHAIRMAN

ORAL ORDERS 18.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 259 OF 2016

**(Shri Ravikiran S/o. Mahadevappa Shete Vs. The State of
Maharashtra and Others.)**

**CORAM : Hon'ble Shri Justice A.H. Joshi, Chairman.
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 18.04. 2017.

ORAL ORDER:

1. Shri S.T. Veer – learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.
2. Since nobody appears for the applicant, S.O. to 15th June, 2017.

CHAIRMAN

ORAL ORDERS 18.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 326/2016 IN C.P.ST.1528/16 IN O.A.568/15

**(Shri Mohd. Sunnain Tayyubsab Inamdar Vs. The State of
Maharashtra and Others.)**

**CORAM : Hon'ble Shri Justice A.H. Joshi, Chairman.
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 18.04. 2017.

ORAL ORDER:

1. Heard Shri R.D. Khadap – learned Advocate for the applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant prays for time. Time granted.
3. Adjourned to 15th June, 2017.

CHAIRMAN

ORAL ORDERS 18.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 98/2017 IN C.P.ST.317/17 IN T.A.01/14

**(Shri Raghunath Y. Khotkar Vs. The State of Maharashtra
and Others.)**

**CORAM : Hon'ble Shri Justice A.H. Joshi, Chairman.
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18.04. 2017.

ORAL ORDER:

1. Heard Shri S.D. Dhongde – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. Learned Presenting Officer states that Pay Verification Unit has raised objection, and it needs to be complied/corrected, and prays for time.
3. Case needs to be monitored every alternate day.
4. Learned Presenting Officer prays for 10 days' time.
5. Time as prayed for is granted.
6. S.O. to 5th May, 2017.
7. Steno copy and hamdust is granted to learned Presenting Officer.

CHAIRMAN

ORAL ORDERS 18.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.541/2016

(Shri Ashish V. Vangwar V/s. The State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri N.L. Choudhary, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicant prays for time. Time granted.
3. S.O. to 12.6.2017.

CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.750/2016

(Shri Jaysing S. Maher V/s. The State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Heard Ms. Ashwani Kale, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent no. 1, Shri Shamsundar B. Patil, learned Advocate for respondent nos. 2 & 3. Shri S.T. Shelke, learned Advocate for respondent no. 4 is absent. None appears for respondent no. 5 though duly served.

2. By consent of both the sides, S.O. to 12.6.2017.

CHAIRMAN

ARJ ORAL ORDERS 18.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.931/2016

(Shri Chudaman D. Pawar V/s. State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri Shrikant Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicant prays for time to file application for amendment in the original application. Time granted.

3. S.O. to 13.6.2017.

CHAIRMAN

ARJ ORAL ORDERS 18.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.930/2016

(Shri Chudaman D. Pawar V/s. State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri Shrikant Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. seeks time to seek clarification as per order dated 3.4.2017. Time granted.
3. S.O. to 13.6.2017.

CHAIRMAN

ARJ ORAL ORDERS 18.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.947/2016

(Shri Arun V. Sontakke & Ors. V/s. The State of Mah. &
Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Shri J.S. Deshmukh, learned Advocate for the applicants has filed leave note. Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, is present.

2. In view of leave note filed by the learned Advocate for the applicants, S.O. to 12.6.2017.

CHAIRMAN

ARJ ORAL ORDERS 18.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.07/2017

(Shri Shishirbaba K. Ghonmode V/s. The State of Mah.
& Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Heard Smt. Surekha Mahajan, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of res. nos. 3 & 4. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. The learned Advocate for the applicant seeks time to file rejoinder to the reply of res. nos. 3 & 4. Time granted.

4. S.O. to 24.4.2017.

CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.103/2017

(Shri Navnath Anna Matsagar V/s. The State of Mah. &
Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 13.6.2017 for filing rejoinder, if any, by the applicant to the reply of res. nos. 1 & 2.

CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.104/2017

(Shri Vitthal S. Pawal V/s. The State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. S.O. to 13.6.2017 for filing rejoinder, if any, by the applicant to the reply of res. nos. 1 & 2.

CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

MA 234/2015 IN CP ST. 923/2015 IN OA 515/2013

(Dr. Balaji G. Phalke V/s. The State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Shri J.S. Deshmukh, learned Advocate for the applicant has filed leave note. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 3 and Shri A.D. Aghav, learned Advocate for respondent no. 4, are present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 12.6.2017.

CHAIRMAN

ARJ ORAL ORDERS 18.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

MA 235/2015 IN CP ST. 925/2015 IN OA 517/2013
(Dr. Mrs. Sd. Nazia Sd. Hashm V/s. The State of Mah. &
Ors.)

CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 18-04-2017

ORAL ORDER:-

Shri J.S. Deshmukh, learned Advocate for the applicant has filed leave note. Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 12.6.2017.

CHAIRMAN

ARJ ORAL ORDERS 18.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
MA 531/2015 IN CP ST. 1913/2015 (A) IN OA
519/2013**

(Dr. Satish R. Gawali V/s. The State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Shri J.S. Deshmukh, learned Advocate for the applicant has filed leave note. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 12.6.2017.

CHAIRMAN

ARJ ORAL ORDERS 18.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
MA 532/2015 IN CP ST. 1915/2015 (A) IN OA
518/2013**

(Dr. Girish V. Thakur V/s. The State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Shri J.S. Deshmukh, learned Advocate for the applicant has filed leave note. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.

2. The learned P.O. has filed separate affidavit in replies on behalf of res. nos. 1 & 2 and the same are taken on record. He undertakes to serve copies thereof upon the learned Advocate for the applicant.

3. In view of leave note filed by the learned Advocate for the applicant, S.O. to 12.6.2017.

CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

MA 36/2016 IN CP ST. 1947/2015 IN OA 258/2013
(Shri Dinesh T. Sonawane V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 18-04-2017

ORAL ORDER:-

Shri S.V. Deshmukh, learned Advocate for the applicant **(absent)**. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. The learned P.O. has filed reply of res. no. 1 to the rejoinder filed by the applicant. It is taken on record. He undertakes to serve copy thereof upon the learned Advocate for the applicant.

3. In view of absence of learned Advocate for the applicant, S.O. to 13.6.2017.

CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

MA 495/2015 IN OA ST. 1761/2015

(Shri Bharat C. Savant V/s. The State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Shri M.R. Kulkarni, learned Advocate for the applicant has filed leave note. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 13.6.2017.

CHAIRMAN

ARJ ORAL ORDERS 18.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

MA 283/2016 IN OA ST. 1167/2016

(Shri Sudhakar M. Davkare V/s. The State of Mah. &
Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri N.S. Choudhary, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 6. None appears for respondent no. 7.

2. With consent of both the sides, S.O. to 5.5.2017.

CHAIRMAN

ARJ ORAL ORDERS 18.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.747/2016

(Shri Vijay B. Thakur V/s. The State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

1. Shri S.R. Barlinge, learned Advocate for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. The learned Presenting Officer states as follows :-

(a) In view of order passed by the res. no. 2 – the Dean, Shri Bhausahab Hire Govt. Medical College & Sarvopchar Hospital, Dhule - now the applicant is promoted.

(b) In view thereof challenge does not survive.

(c) The present O.A. be disposed of as infructuous.

3. Considering the fact that condition to produce caste validity certificate within a period of six months, imposed in paragraph no. 5 of the Office Order dated 23.12.2016 issued by the res. no. 2 (paper book page 49 of the O.A.), still continuous as a clog.

4. The learned Presenting Officer is directed to secure information as to whether condition to produce caste validity certificate within a period of 6 months can be imposed.

5. S.O. to 5.5.2017.

6. Steno copy & hamdust allowed for the use of learned Presenting Officer.

CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.757/2016

(Shri Diggambar R. Sirame V/s. The State of Mah. &
Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

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

2. The learned P.O. seeks time to file affidavit in reply.
Time granted.
3. S.O. to 5.5.2017.

CHAIRMAN

ARJ ORAL ORDERS 18.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.925/2016

(Shri Kiran R. Tharewal V/s. The State of Mah. & Ors.)

**CORAM: Hon'ble Shri Justice A.H. Joshi, Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)**

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri N.S. Tekale, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 to 4 and Shri Pratik A. Bhosale, learned Advocate for respondent no. 5.

2. The learned Advocate for the applicant prays for leave to amend by substitution of memo of the O.A. along with annexures, index and synopsis in order to bring the pleadings and prayers in its due order and to place on record the entire annexures.

3. Leave for substitution as prayed for by the learned Advocate for the applicant is granted.

4. S.O. to 22.6.2017, with liberty to circulate the case before the due date.

CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.542/2016

(Smt Vaishali A. Kathar V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri A. D. Gadekar, learned Advocate for the applicant and Smt S. K. Ghate Deshmukh, learned Presenting Officer for the respondents no.1 to 3. Shri D. T. Devane, learned Advocate for the Respondent no.4 has filed leave note.

2. Learned Advocate for the applicant filed rejoinder. The same is taken on record.

3. S.O. 22.06.2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.228/2017.

(Shri M. S. Nilewad V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Shri V. U. Jadhav, 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. 03-05-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.493/2016.

(Dr. A. L. Kakad V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Shri J. S. Deshmukh, learned Advocate for the applicant has filed leave note. Smt R. S. Deshmukh, learned Presenting Officer for the respondents no.1 to 3 and Shri P. K. Wagh, learned Advocate holding for Shri A. D. Aghav, learned Advocate for the Respondents no.4 & 5.

2. Shri P. K. Wagh, learned Advocate holding for Shri A. D. Aghav, learned Advocate filed affidavit in reply on behalf of Respondents no.4 & 5. The same is taken on record. Its copy is served on the learned P.O.

3. Learned P.O. seeks time to file affidavit in reply.
Time granted.

4. S.O.22-06-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION St.NO.322/2017.

(Shri V. M. Methe V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Shri Ajay Deshpande, 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.03-05-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.600/2016.

(Shri S. J. Daware V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri R. S. Shejul, learned Advocate holding for Shri K. M. Nagarkar, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the respondents.

2. Shri R. S. Shejul, learned Advocate holding for Shri K. M. Nagarkar, learned Advocate for the applicant seeks time. Time granted.

3. S.O. 22-06-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION St. NO.1004/2015.
(Smt Jaibunbee R. Shaikh V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri H. U. Dhage, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time.
Time granted.

3. S.O.22-06-2017.

ORAL ORDER 18-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.878/2016.

(Shri N. T. Adhe V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri A. D. Sugdare, learned Advocate for the applicant, Shri D. R. Patil, learned Presenting Officer for the respondents no.1 & 2 and Smt. S. D. Shelke, learned Advocate for the Respondents no.3 & 4.

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

3. S.O. 22-06-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.884/2016.

(Shri L. V. Gajdhane V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

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.

Time granted as a most last chance.

3. S.O.05-06-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.894/2016.
(Dr. N. R. Shelke V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Shri S. D. Joshi learned Advocate for the applicant has filed leave note. Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned C.P.O. files affidavit in reply on behalf of Respondents no.1 & 2. The same is taken on record.

3. S.O. 22-06-2017. Interim Relief to continue till then.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.35/2017.

(Shri R. S. Raising V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri Ajay Deshpande learned Advocate for the applicant and Smt. P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. 03-05-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

MA NO.314/2016 IN OA NO.535/2013.

(Smt Shubhangi A. Shejule & Ors.
V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri S. R. Shirsath learned Advocate holding for Shri S. S. Jadhavar learned Advocate for the applicants and Smt D. S. Deshpande learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants carried out the amendment in view of the order passed by this Tribunal on 26.07.2016. Copies were served on the Respondents. Learned P.O. sought time to file additional reply. Time granted.

3. S.O. 23-06-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

MA NO.315/2016 IN OA NO.575/2013.

(Sharad E. Madne & Ors.
V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Heard Shri S. R. Shirsath learned Advocate holding for Shri S. S. Jadhavar learned Advocate for the applicants and Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants carried out the amendment in view of the order passed by this Tribunal on 26.07.2016. Copies were served on the Respondents. Learned P.O. sought time to file additional reply. Time granted.

3. S.O. 23-06-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

MA 383/2016 IN OA ST.NO.1756/2016.

(Smt Mangal S. Kathar V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Shri D. T. Devane, learned Advocate for the applicant has filed leave note. Shri V. R. Bhumkar learned Presenting Officer for the respondents is present.

2. In view of the leave note filed by the learned Advocate for the applicant, S.O. 20-06-2017.

ORAL ORDER 18-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

MA NO.475/2016 IN OA ST.2087/2016.

(Shri N. G. Khandekar V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Heard Miss Preeti Wankhade, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for the respondents.

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

3. S.O. 20-06-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

MA NO.87/2017 IN OA ST.NO.280/2017.
(Dr. N. R. Shelke V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Shri S. D. Joshi learned Advocate for the applicant has filed leave note. Shri N. U. Yadav, learned Presenting Officer for the respondents is present.

2. Learned P.O. seeks time to file affidavit in reply.
Time granted.

3. S.O. 28-04-2017.

MEMBER (J)

ORAL ORDER 18-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

O. A. St.No.995/2015.
(Shri Mohan Ramdas Chaudhari
V/s. The State of Mah. & Ors.)

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

DATE : 18-04-2017

ORAL ORDER:-

Heard Miss Preeti Wankhade, learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 20.06.2017.

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

4. Applicants are authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 20.06.2017.

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

MEMBER (J)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO.354/2016 IN OA ST.NO.1621/2016.

[Shri M. R. Choudhari Vs. The State of Mah. & Ors.]

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

DATE : 18.04.2017.

ORAL ORDER:

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

2. Learned Advocate for the applicant has produced copies of documents. They are taken on record and marked as X, X-1 and X-2 for the purpose of identification. Learned Advocate for the applicant submitted that, the applicant made representations on 17.01.2008 & 18.8.2015 addressed to the Principal Secretary, Water Resources Department, Mantralaya, Mumbai i.e. Respondentno.1. His representation dated 17.1.2008 was for grant of deemed date, however his said representation was not decided by the Respondent no.1 and informed that same is under consideration. And also informed that similar cases are pending and his case will be considered in due course of time, however nothing has been done in the matter. Hence, he has filed the O.A. in time. He submitted that, meanwhile he retired on 31.3.2014 as a

Junior Engineer. Thereafter, he had filed representation on 18.8.2015 but no decision was taken by the Respondents. He submitted that, there was no deliberate and intentional delay on his part and therefore, he prayed to condone the delay caused in filing the O.A.

3. Learned Advocate for the applicant placed reliance in the case of K. C. Sharma & Ors. Vs. Union of India & Ors., reported in 1997 AIR (SC) 3588 and on the basis of which the relief has been granted in another case.

4. Learned P.O. has submitted that, the applicant has submitted the representation through Executive Engineer, Girna Canal Division, but Executive Engineer Girna Canal Division has not been made as party to the petition and therefore, she has submitted that the representation filed by the applicant is not through proper channel. She has further submitted that there is no ground to condone the delay.

5. On perusal of the documents it reveals that the applicant has made several representations with the Respondent no.1 when he was in service, but said

representations have not been decided by the Respondent No.1. The applicant stated that on the assurance given by the concerned authority he kept mum and has not approached the Tribunal in time and therefore the delay of 8 years and 7 months has been occurred in filing the O.A. before this Tribunal. The said explanation given by the applicant seems to be satisfactory. Tribunal has also decided the M.A.No.147/16 in O.A. St. No.532/2016 and granted relief to the similarly situated person. Copy of the said judgment is produced on record. In view of these facts and the reasons mentioned in the application the delay caused in filing the O.A. deserved to be condoned and the O.A. deserves to be considered on merit. Hence, I pass the following order.

ORDER.

- i) The Misc. Application is allowed and the delay of 8 years and 7 months occurred in filing the O.A. before this Tribunal is hereby condoned.
- ii) The office is hereby directed to register and number the original application after its due scrutiny.
- iii) There shall be no order as to costs.

MEMBER (J)

ORAL ORDERS 18.4.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

OA ST.NO.1621/2016.

[Shri M. R. Choudhari Vs. The State of Mah. & Ors.]

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

DATE : 18.04.2017.

ORAL ORDER:

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

2. Issue notices to the respondents, returnable on 20.06.2017.

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 20.06.2017.

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

MEMBER (J)

ORAL ORDERS 18.4.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.11/2017.

[Shri S. K. Dahale Vs. The State of Mah. & Ors.]

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

DATE : 18.04.2017.

ORAL ORDER:

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

2. Learned Advocate for the applicant seeks time. Time granted.

3. S.O. to 23.6.2017.

MEMBER (J)

ORAL ORDERS 18.4.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO.473/2016 IN OA ST.NO.995/2015.

[Shri M. A. Gaikwad Vs. The State of Mah. & Ors.]

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

DATE : 18.04.2017.

ORAL ORDER:

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

2. Learned P.O. files affidavit in replies on behalf of Respondents no.2 to 4. They are taken on record. Its copies are served on the learned Advocate for the applicant.

3. The applicant wants to amend the O.A.. It is the contention of the applicant that, the applicant filed an application for correction of date of birth in service record on 27.9.1989 and accordingly the date of birth was corrected and therefore, applicant wants to amend the O.A. suitably in view of the directions given by Hon'ble High Court in W.P.No.9608/2015. It is the contention of the applicant that the proposed amendment is of formal nature and it will not change nature of the O.A. and proposed amendment is useful to decide the mater.

4. Respondents have raised the objection and argued that no grounds have been mentioned for amendment and therefore, the present application be rejected.

5. On perusal of order passed by Hon'ble High Court in W.P.No.9608/2015 dated 23.11.2016 by quashing and setting aside the order of this Tribunal dated 22.7.2015 and also permitted the applicant to approach this Tribunal by filing an application for amendment. In view of the said directions the applicant has moved the present application. The proposed amendment will not cause prejudice to the rights of the respondents for deciding the O.A. on merit. Therefore, the application deserved to be allowed. Hence, I pass the following order.

ORDER.

- i) The Misc. Application is allowed.
- ii) Applicant to amend the O.A. suitably within two weeks and serve its copy to the other side.
- ii) The office is hereby directed to register and number the original application after its due scrutiny.
- iii) There shall be no order as to costs.

MEMBER (J)

