

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 221 OF 2017

**(Shri Hanuman S/o. Ashokrao Khokale Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri S.D. Joshi – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Learned Advocate for the applicant prays for time. Time granted.
3. Adjourned to 24th April, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 249 OF 2016

**(Shri P.N. Rankhamb Vs. The State of Maharashtra and
Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri V.B. Wagh, learned Advocate holding for Shri Shamsundar B. Patil – 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 9th June, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 696 OF 2016

**(Shri P.D. Ahirrao Vs. The State of Maharashtra and
Others.)**

**CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri M.R. Wagh – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer, S.O. to 26th April, 2017 to enable her to file additional affidavit in reply as directed by this Tribunal by its order dated 6.4.2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 800 OF 2016

**(Shri M.P. Sapkale Vs. The State of Maharashtra and
Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri A.C. Deshpande – learned Advocate for the applicant (**absent**). Shri S.K. Shirase – learned Presenting Officer for the respondents, present.
2. Since nobody appears for the applicant, S.O. to 9th June, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 831 OF 2016

**(Shri Pathan Hares Khan S/o. Pathan Sikandar Khan Vs.
The State of Maharashtra and Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Ms. Ashwini Kale, learned Advocate holding for Shri S.B. Talekar – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer, S.O. to 26th April, 2017 to enable him to file affidavit in reply on behalf of the respondents.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 920 OF 2016

**(Smt. Sunita Manohar Gabale Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri S.P. Dhobale, learned Advocate holding for Shri Anand V. Patil (Indrale) – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant prays for time. Time granted.
3. Adjourned to 9th June, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 37 OF 2017

**(Shri Balasaheb S/o. Nagorao Raut & Ors. Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri Avinash A. Khande, learned Advocate holding for Shri S.S. Dambe – learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicants prays for time. Time granted.
3. Adjourned to 3rd May, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 107 OF 2017

**(Shri Sahadev S/o. Manik Bedre Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Ms. Preeti R. Wankhade – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondent No. 1 & 2.
2. Learned Advocate Shri Vivek Bhavthankar appeared and submitted that he has received instructions from respondent Nos. 3 & 4 to appear on their behalf. He has filed **VAKALATNAMA** on behalf of respondent Nos. 3 & 4 and the same is taken on record.
3. The learned Presenting Officer for respondent Nos. 1 & 2 and Shri Vivek Bhavthankar, learned Advocate for respondent Nos. 3 & 4 seek time for filing affidavit in reply. Time granted.
4. S.O. to 9th June, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 139 OF 2017

**(Shri Shaikh Liyakat S/o. Shaikh Dildar Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri V.P. Golewar – learned Advocate for the applicant (**absent**). Shri D.R. Patil – learned Presenting Officer for the respondents, present.
2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of the respondents. Time granted.
3. S.O. to 8th June, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 154 OF 2017

**(Naseem Banu Nazir Patel Vs. The State of Maharashtra
and Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri A.N. Nagargoje – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Learned Chief Presenting Officer for the respondents seeks time to file affidavit in reply.
3. It transpires from the proceeding that on the last occasion i.e. on 05.04.2017 time was granted to the respondents to file affidavit in reply as a last chance. In spite of that, learned Chief Presenting Officer again seeks time to file affidavit in reply. However, in the interest of justice time is granted as a most last chance to file affidavit in reply.
4. S.O. 24th April, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A. NO. 400/2015 IN O.A.ST. 1324/2014

**(Ratna Shankar Wankhade Vs. The State of Maharashtra
and Others.)**

**CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri Vinod Patil – learned Advocate for the applicant, Shri I.S. Thorat – learned Presenting Officer for the respondent Nos. 1 to 4 and Shri M.R. Kulkarni – learned Advocate for respondent No. 5.
2. Learned Advocate for the applicant prays for time. Time granted.
3. Adjourned to 12th June, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A. 165/16 IN C.P.ST.611/16 IN O.A. 487/14

**(Dr. Sunil S/o. Suresh Kulkarni Vs. The State of
Maharashtra and Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri A.S. Deshmukh – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1 in M.A. No. 165/2016 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
3. By consent of both the parties, S.O. to 2nd May, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 336/2016 IN O.A.ST.NO. 1567/2016

**(Shri Bhanudasbua P. Gosavi Vs. The State of Maharashtra
and Others.)**

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri J.S. Deshmukh – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.
2. By consent of both the sides, S.O. to 2nd May, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A. 446/16 IN C.P.ST.1979/16 IN O.A. 227/15

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

CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
**(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri V.B. Wagh – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer for the respondents, S.O. to 2nd May, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 111/2017 IN O.A.NO. 641/2015

**(Shri Bhagatsingh Pratapsingh Patil (Pawar) Vs. The State
of Maharashtra and Others.)**

**CORAM : HON'BLE SHRI B.P. PATIL, MEMBER (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 19.04. 2017.

ORAL ORDER:

1. Heard Shri S.D. Joshi – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. At the request of learned Presenting Officer for the respondents for filing affidavit in reply, S.O. to 8th June, 2017.

MEMBER (J)

ORAL ORDERS 19.04.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 886 OF 2016
[Shri Dinkar R. Bhosrekar Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Shri D.T. Devane, learned Advocate holding for Shri P.G. Rodge, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondent nos. 1 to 4. Shri P.R. Tandale, learned Advocate for respondent no. 5 (**Absent**).

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 to 3. Same is taken on record and the copy thereof has been served upon the other side.

3. S.O. to 09.06.2017.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 905 OF 2016
[Shri Mahavir C. Gosavi Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Ms. Ashwini Kale, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicant, Shri N.U. Yadav, learned Presenting Officer for respondent nos. 1 to 3 and Shri D.T. Devane, learned Advocate for respondent no. 4.

2. Learned Advocate for the applicant has filed rejoinder affidavit. It is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer seeks time to take instructions. Time granted.

4. S.O. to 09.06.2017.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**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 B.P. PATIL, MEMBER (J)

DATE : 19.04.2017.

ORAL ORDER:

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

2. Learned Presenting Officer submits that the reply of respondent no. 2 is not necessary.

3. At the request of learned Advocate for the applicant, S.O. to 16.06.2017.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**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 B.P. PATIL, MEMBER (J)

DATE : 19.04.2017.

ORAL ORDER:

Shri D.T. Devane, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit. It is taken on record and the copy thereof has been served on the learned Presenting Officer.

3. Learned Presenting Officer seeks time to go through the rejoinder affidavit. Time granted.

4. S.O. to 08.06.2017.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 63 OF 2017
[Shri Pandit Keshav Kamble Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Shri U.L. Momale, learned Advocate for the Applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 20.06.2017.

MEMBER (J)
ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 65 OF 2017
[Shri Kundan V. Deshmukh Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

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.

4. S.O. to 15.06.2017.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 122 OF 2017
[Shri Chandrashekhar R. Chopdar Vs. The State of Mah. &
Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

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.

3. S.O. to 15.06.2017.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 76/2017 in O.A. St. No. 252/2017
[Shri Subhash Devrao Thale Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Shri V.G. Salgare, learned Advocate for the Applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 3 & 4. It is taken on record.

4. S.O. to 21.06.2017.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 186 OF 2015
[Dr. Avinash Ramdas Magre Vs. The State of Mah. & Ors.]

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

DATE : 19.04.2017.

ORAL ORDER:

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

2. At the request of learned Advocate for the applicant, S.O. to 19.06.2017.

MEMBER (J)
ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 183 OF 2016
[Shri Ramesh V. Devne Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Heard Shri M.K. Bhosle, learned Advocate holding for Shri V.S. Tanwade, learned Advocate for the Applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1, 3 & 5 and Shri A.D. Aghav, learned Advocate for respondent ns. 2 & 4.

2. At the request of learned Advocate for the applicant, S.O. to 24.04.2017.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 207 OF 2016
[Shri Ganpat Jalbaji Waghmare Vs. The State of Mah. &
Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Shri H.P. Jadhav, learned Advocate for the Applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 21.06.2017.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 735 OF 2016
[Shri Kishanrao G. Shinde Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Shri Kakasaheb B. Jadhav, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 03.05.2017.

MEMBER (J)
ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 805 OF 2016
[Shri Firoz Kalekha Jamadar Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Heard Shri V.B. Wagh, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents, present.

2. Today, the Learned Presenting Officer has placed on record a copy of the communication dated 30.3.2017 issued by the Additional Secretary, Foods, Civil Supply and Consumer Welfare Department. The copy of the said communication dated 30.03.20017 is taken on record and marked as document 'X' for the purposes of identification. The aforesaid communication is filed by the learned P.O. in view of order passed by this Tribunal on 24.03.2017 giving detailed information as regards further steps to be taken in Departmental Enquiry.

3. At the request of learned Presenting Officer, S.O. to 27.04.2017.

4. The present matter is to be treated as part heard.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 383 OF 2016
[Shri Anil Guna Tayade Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Heard Shri C.T. Jadhav, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondent nos. 1 to 3. Shri Vishnu M. Jadhva, learned Advocate for respondent no. 4 **(Absent)**.

2. Today, the learned Presenting Officer has placed on record a copy of the order passed by the Sub Divisional Officer, Bhusawal on 18.04.2017 by which they have cancelled the candidature of respondent no. 4 by allowing objection dated 25.04.2016. It is taken on record and marked as Exhibit 'X' for the purposes of identification.

3. The learned Advocate for the applicant submitted that the applicant does not want to proceed with the present O.A. in view of the order passed by the Sub Divisional Officer, Bhusawal and the same may be disposed of accordingly.

4. In view thereof, the present Original Application stands disposed of in view of the order passed by the Sub Divisional Officer, Bhusawal on 18.04.2017. There shall be no order as to costs.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 358 OF 2016
[Shri Kishor Namdeo Choudhari Vs. The State of Mah. & Ors.]

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

DATE : 19.04.2017.

ORAL ORDER:

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the Applicant, Shri S.K. Shirse, learned Presenting Officer for respondents 1 & 2 and Shri A.B. Rajkar, learned Advocate for respondent no. 3.

2. During the course of the arguments, it is transpired that the applicant has raised objection before the Sub Divisional Officer, Vaijapur, who is the Chairman of the Recruitment Committee as regards educational qualification of the respondent no. 3 and production of certificate regarding small family by filing application dated 26.04.2016 (page nos. 50 & 51). The said objection is yet not decided by the Sub Divisional Officer, Vaijapur, who is Chairman of the Recruitment Committee.

3. In these circumstances, it would be just and proper to direct the respondent no. 2 i.e. the Sub Divisional Officer, Vaijapur, Dist. Aurangabad, to decide

//2//

O.A. No. 358/2016

the objection application dated 26.04.2016 filed by the applicant within a period of three weeks from the date of the this order.

4. With the above direction, the present O.A. stands disposed of with no order as to costs.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 186 OF 2016
[Shri Narayan R. Dagadghate Vs. The State of Mah. & Ors.]

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

DATE : 19.04.2017.

ORAL ORDER:

Heard Shri Kakasaheb B. Jadhav,
learned Advocate for the Applicant, Shri M.P. Gude,
learned Presenting Officer for respondents 1 & 2 and Shri
A.B. Rajkar, learned Advocate for respondent no. 3.

2. The learned Advocate for the applicant
submits that the applicant does not want to proceed with
the present Original Application and seeks permission of
this Tribunal to withdraw the same.

3. Permission granted. Withdrawal is allowed.
Accordingly, the present Original Application stands
disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**O.A. St. No. 1989/2016 with M.A. No. 468/2016
[Shri Akshay Ramesh Halase Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Heard Shri Mahesh K. Bhosale, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant submits that the applicant intends to withdraw the present Original Application with liberty to approach this Tribunal on fresh cause of action. Leave granted.

3. In view thereof, the present O.A. stands disposed of as withdrawn with liberty to the applicant to approach this Tribunal on fresh cause of action.

4. As the O.A. itself stood disposed of as withdrawn today, nothing survives in the M.A. NO. 468/2016 and the same also stands disposed of. There shall be no order as to costs.

MEMBER (J)

ORAL ORDERS 19.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 51/2016 in O.A. St. No. 183/2016
[Shri Vijay Anand Salve Vs. The State of Mah. & Ors.]**

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

DATE : 19.04.2017.

ORAL ORDER:

Heard Shri V.S. Bhorkar, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents in M.A.

3. On perusal of the record it reveals that the learned Presenting Officer is seeking time for filing affidavit in reply from 11.04.2016 onwards. After giving adequate opportunities to the respondents to file reply, they have failed to file affidavit in reply. On previous date i.e. on 17.03.2017 a most last chance was granted for filing affidavit in reply. They have not filed affidavit in reply till today.

4. Today, learned Presenting Officer again seeks time to file affidavit in reply on behalf of respondents. Hence, a most last chance is granted for filing affidavit in reply subject to payment of Costs of Rs. 2000/-. The said payment of costs shall be deposited in the Registry of this Tribunal.

5. S.O. to 20.06.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 153/17 IN MA ST.513/17 IN OA ST.514/17.

(Smt Nirmala P. Walke & Ors.
V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

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

2. Issue notice to the Respondents in MA No.153/2017, returnable on 15.6.2017.

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, 988, 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 15.06.2017.

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

MEMBER (J)

ORAL ORDER 19-04-201

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

OA ST.524/17.

(Sudhakar D. Mangalkar & Ors.
V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri K. M. Nagarkar, learned Advocate for the applicants and Shri N. U. Yadav, learned Presenting Officer for the respondents.

2. Respondents seeks time to file affidavit in reply. Time granted.

3. Learned Advocate for the applicant submitted that, the Respondents has started recovery from the applicant and therefore, he has prayed to stay the said recovery.

4. Since the Respondent sought time to file affidavit in reply the request of the applicant cannot be considered at this stage.

5. Issue notice to the Respondents in MA No.154/2017, returnable on 15.6.2017.

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

7. 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.

8. 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.

9. 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.

10. S.O. to 15.06.2017.

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

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 154/17 IN OA ST.524/17.
(Sudhakar D. Mangalkar & Ors.
V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri K. M. Nagarkar, learned Advocate for the applicants and Shri N. U. Yadav, learned Presenting Officer for the respondents.

2. This is an application preferred by the applicant seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid, and accompanying O.A. be registered and numbered, and present M.A. stands disposed of accordingly. No order as to costs.

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION St. NO.2060/2016.
(Smt Bebabai P. Koli V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri Vinod Patil 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.16.6.2017.

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.631/2016.

(Smt Vidya Ujwala A. Jadhao
V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri T. M. Venjane, 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.16-06-2017. Interim Relief to continue till then.

ORAL ORDER 19-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.578/2016.

(Shri C. H. Dongaonkar V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri Amit Dhongde learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondent no1 and Shri D. T. Devane, learned Advocate for the Respondents no.2 to 5.

2. Learned Advocate for the applicant filed the rejoinder. The same is taken on record. Its copy is served on the other side.

3. S.O.19-06-2017.

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.725/2016.

(Shri S. C. Kiotkar V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri A. T. Kanwade, learned Advocate holding for Shri K. B. Jadhav, learned Advocate for the applicant, Shri M. S. Mahajan learned Chief Presenting Officer for the respondents 1 & 2 and Shri G. M. Patel, learned Advocate for the Respondent no.3.

2. Shri G. M. Patel, learned Advocate 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.19-06-2017.

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.616/2016.

(Smt Sonali A. Chaudhari V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri Vinod Patil learned Advocate for the applicant, Shri I. S. Thorat learned Presenting Officer for the respondents no.1 to 3 and Shri V. R. Patil, learned Advocate for the Respondent no.4.

2. Learned P.O. seeks time to produce some documents. Time granted.

3. S.O.09-06-2017.

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.731/2016.

(Dr. B. B. Methe V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri J. S. Deshmukh learned Advocate for the applicant and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents no.1 to 4. None present for the Respondent no.5.

2. Learned P.O. submitted that, she had informed the concerned Officers regarding the last chance given to them to file affidavit in reply in the matter. She has submitted that, in spite of written information given to them they have not given instructions to her to file reply. The said fact shows that, the respondents are not diligent in prosecuting the matter. She has prayed to grant further time to file reply. Under these circumstances, last chance is granted on payment of cost of Rs.10,000/- which will have to be deposited in the Registry of this Tribunal.

3. S.O.12-06-2017.

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

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.734/2016.

(Shri S. B. Turakane V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri S. D. Joshi learned Advocate for the applicant, Smt R. S. Deshmukh learned Presenting Officer for the respondents no.1 to 3 and Shri P. M. Dhorde, learned Advocate for the Respondent no.4.

2. Learned Advocate for the respondent no.4 has filed the document, which is marked as "X" for the purpose of identification. It is taken on record.

3. Since the pleadings are complete the matter is admitted and kept for final hearing.

4. S.O.20-06-2017.

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.744/2016.
(Shri A. T. Pawar V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant files rejoinder. The same is taken on record. Its copy is served on the other side.

3. S.O.12-06-2017.

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.837/2016.

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

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

DATE : 19-04-2017

ORAL ORDER:-

None present for the applicant. Shri D. R. Patil learned Presenting Officer for the respondents no.1 to 3 and Shri S. D. Joshi, learned Advocate for the Respondent no.4 are present.

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

Time granted.

3. S.O.21-04-2017.

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION St.NO.509/2017.

(Miss Vidya D/o Namdev Avhad
V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri A. T. Kanawade learned Advocate for the applicant and Shri M. P. Gude learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that, the applicant wants to withdraw the application with liberty to approach the Tribunal on fresh cause of action. Liberty as prayed for is granted. The O.A. is disposed of accordingly with no order as to costs.

MEMBER (J)

ORAL ORDER 19-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION St.NO.510/2017.

(Tulshiram Baba Karanjule
V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri A. T. Kanawade learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that, the applicant wants to withdraw the application with liberty to approach the Tribunal on fresh cause of action. Liberty as prayed for is granted. The O.A. is disposed of accordingly with no order as to costs.

MEMBER (J)

ORAL ORDER 19-04-2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD
ORIGINAL APPLICATION ST. NO. 250/2017.
(Shri B. V. Tutare V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri S. D. Dhongde, learned Advocate for the applicants and Shri M. P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks permission to amend the prayer clause suitably. Leave is granted.

3. The applicant is claiming that the respondents be directed to give him exemption to pass the departmental examination in view of the G.R. dated 13.9.2012 on completion of 45 years of age. He made representations dated 7.7.2016, 30.8.2016 & 3.9.2016 before the Respondents but was not decided within six months. The present O.A. is well within limitation. Hence, the office objection is overruled.

4. The Registry is directed to register O.A. if otherwise fit.

5. Issue notice to the Respondents, returnable on 19.6.2017.

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

7. 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.

8. 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.

9. 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.

10. S.O. to 19.06.2017.

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

MEMBER (J)

ORAL ORDER 19-04-2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION St. NO.508/2017.

(Miss Sweety d/o Shivshankar Rathod
V/s. The State of Mah. & Ors.)

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

DATE : 19-04-2017

ORAL ORDER:-

Heard Shri A. T. Kanawade learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicant submitted that, there is no legal impediment in entertaining the O.A. in view of the provisions of Section 20 of the Administrative Tribunals Act, 1985 though an appeal preferred by the applicant challenging the impugned order is pending. He has placed reliance on the judgment in the cases of "*State of Maharashtra Vs. Dr. Subhash Dhondiram Mane*, reported in 2015 (4), *Mh.L.J. 791, Committee Management Vs. Vice Chancellor*, reported in 2008 DGLS (SC) 1674, *Union of India Vs. Ashok Kumar Aggarwal*, reported in (2013) 16 Supreme Court Cases 147 and also produced the copy of judgment

delivered by this Tribunal on 23.1.2017 in OA No. 938/2016, *Harishchandra Rangnath Sonawane Vs.*

The State of Maharashtra". Therefore, he has prayed to allow the application.

3. The learned P.O. has submitted that, the impugned order is passed on 17.2.2017. He had submitted that, the applicant has challenged the said order before Additional Chief Secretary, Home Department (Excise), Government of Maharashtra, Mumbai by order dated 30.3.2017 and thereafter filed this O.A. on 10.4.2017. Therefore, in view of the provisions of Section 20 (2) (b) the O.A. is not maintainable, as it is premature.

4. In view of provisions of Section 20 (2) (b) the application shall not be admitted before expiry of period of six months from the date on which such appeal was preferred. In the instant case the impugned order has been challenged by the applicant before appellate authority on 30.3.2017 and it is still pending. No period

of six months as provided under Section 20 (2) (b) is expired. Before expiry of said statutory period the applicant filed this O.A. on 10.4.2017. The present application is premature. Therefore, it cannot be admitted. Therefore, the original application is rejected accordingly with no order as to costs.

ORAL ORDER 19-04-2017

MEMBER (J)