

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 764 OF 2016
(Shri Baswaraj M. Swami & Anr. Vs. The State of Maha.
and Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri D.P. Sathe, learned Advocate holding for Shri K.M. Nagarkar – learned Advocate for the applicants and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18th August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 565 OF 2016
(Shri Ashok R. Kotwal Vs. The State of Maha. and Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri Vivek Pingle – learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 10th August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 194 OF 2016
(Shri Ramesh M. Jakatdar Vs. The State of Maha. and
Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri Vivek Pingle – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 10th August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 225 OF 2016
(Rukhmin R. Dudhate Vs. The State of Maha. and Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri S.A. Wakure, learned Advocate holding for Shri Vivek Deshmukh – learned Advocate for the applicant, Mrs. Priya R. Bharaswadkar – learned Presenting Officer for respondent Nos. 1 & 2. Shri K.G. Salunke – learned Advocate for respondent No. 3 (**absent**).

2. At the request of learned Advocate for the applicant, S.O. to 2nd August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 239 OF 2017
(Shri Manohar A. Gaikwad Vs. The State of Maha. and
Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Ms. Preeti R. Wankhade – 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. 4 and the same is taken on record and the copy thereof has been served upon the learned Advocate for the applicant.
3. Learned Presenting Officer sought time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.
4. S.O. to 17th August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 229 OF 2017
(Shri Sunil S. Pawar Vs. The State of Maha. and Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Shri Sunil P. Salgar – learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar – learned Presenting Officer for respondent Nos. 1, 3 & 4 and Shri G.N. Patil - learned Advocate for respondent No. 2.
2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.
3. S.O. to 17th August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 186 OF 2017
(Shri Uday R. Asardohakar Vs. The State of Maha. and
Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Shri S.R. Barlinge – learned Advocate for the applicant (**absent**). Shri D.R. Patil – learned Presenting Officer for respondent Nos. 1 to 4. Shri D.T. Devane – learned Advocate for respondent No. 5 (**absent**).

2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.

3. S.O. to 14th August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 51 OF 2017
(Shri Deelip M. Shinde Vs. The State of Maha. and Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri R.D. Khadap – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant has submitted that he has received copy of affidavit in reply filed on behalf of respondent Nos. 1 & 2, today.
3. Learned Presenting Officer prays for time for filing affidavit in reply on behalf of respondent Nos. 3 to 5. Time granted as a last chance.
4. S.O. to 17th August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 896 OF 2016
(Shri Sheshrao T. Anchule Vs. The State of Maha. and
Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Ms. Ashlesha Raut, learned Advocate holding for Shri S.B. Talekar – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14th August, 2017 to enable her to file affidavit in rejoinder.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 923 OF 2016
(Shri. Ashok R. Kotwal Vs. The State of Maha. and Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri Vivek Pingale – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. It transpires from the proceedings that affidavit in reply on behalf of respondent No. 6 has already been filed on record.
3. Learned Presenting Officer prays for time for filing affidavit in reply on behalf of respondent Nos. 1 to 5 & 7. Time granted as a last chance.
4. S.O. to 10th August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 579 OF 2016
(Shri Dnyaneshwar D. Gavad & Ors. Vs. The State of
Maha. and Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri S.D. Dhongde – learned Advocate for the applicants and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicants, S.O. to 8th August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 779 OF 2016
(Mohammad Munawar Gulam Dastgir Vs. The State of
Maha. and Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri Suresh D. Dhongde – learned Advocate for the applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 9th August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 268/17 WITH M.A.ST.943/17 IN O.A.521/14
(Shri Satish C. Jadhav Vs. The State of Maha. and Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri S.D. Dhongde – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 1st August, 2017.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 559 OF 2016
(Shri Dagdu W. Bansode Vs. The State of Maha. and Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Advocate for the applicant has submitted that the amount of interest payable to the applicant has been received to him, yesterday. Therefore, learned Advocate for the applicant submitted that the purpose of filing the Original Application has been served. Hence, the applicant does not want to proceed with the present Original Application. Therefore, the learned Advocate for the applicant prayed to dispose of the Original Application, on instructions.

4. In view of the submissions made on behalf of the applicant and as the applicant does not want to proceed with the present Original Application, the same stands disposed of with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 760 OF 2017
(Shri Gopal D. Muley & Ors. Vs. The State of Maha. and
Ors.)**

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

DATE : 21.07.2017.

ORAL ORDER:

1. Heard Shri Avinash S. Deshmukh – learned Advocate for the applicant, Shri M.P. Gude – learned Presenting Officer for respondent Nos. 1 to 3 and Shri Shamsundar B. Patil – learned Advocate for respondent No. 4.

2. Learned Presenting Officer for the respondent Nos. 1 to 3 has submitted that the Government had given explanation to the points on which clarification has been sought by the Accountant General, Nagpur and accordingly Government issued Corrigendum dated 11th May, 2017, but due to communication gap the same could not be produced before this Tribunal earlier. He has submitted that Mr. I.F. Chahal, Principal Secretary, Water Resources Department, Mantralaya, Mumbai-32, is unable to file his personal affidavit, today due to some difficulty and, therefore, he sought time to file affidavit of Mr. I.F. Chahal.

3. Learned Advocate for the applicant sought time to go through the Government Corrigendum dated 11th May, 2017 and to make submissions.

4. In view of the aforesaid submissions made on behalf of both the parties, S.O. to 1st August, 2017.

5. Learned Presenting Officer to act upon steno copy.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 761 OF 2017
(Shri Vasant T. Chobe & Ors. Vs. The State of Maha. and
Ors.)**

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

DATE : 21.07.2017.

ORAL ORDER:

1. Heard Shri Avinash S. Deshmukh – learned Advocate for the applicants, Mrs. Priya R. Bharaswadar – learned Presenting Officer for respondent Nos. 1, 3 and 5 and Shri G.N. Patil – learned Advocate for respondent No. 2 & 4.
2. Learned Presenting Officer for the respondent Nos. 1 to 3 has submitted that the Government had given explanation to the points on which clarification has been sought by the Accountant General, Nagpur and accordingly Government issued Corrigendum dated 11th May, 2017, but due to communication gap the same could not be produced before this Tribunal earlier. He has submitted that Mr. I.F. Chahal, Principal Secretary, Water Resources Department, Mantralaya, Mumbai-32, is unable to file his personal affidavit, today due to some difficulty and, therefore, he sought time to file affidavit of Mr. I.F. Chahal.
3. Learned Advocate for the applicant sought time to go through the Government Corrigendum dated 11th May, 2017 and to make submissions.
4. In view of the aforesaid submissions made on behalf of both the parties, S.O. to 1st August, 2017.
5. Learned Presenting Officer to act upon steno copy.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 476 OF 2017

**(Shri Balasaheb M. Ghadge Vs. The State of Maha. and
Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri Sanjay A. Wakure – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 22nd August, 2017.
3. Tribunal may take the case/s 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 O.A. Respondent is 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 question 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 22nd August, 2017.
8. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 477 OF 2017

(Shri Ayub L. Shaikh Vs. The State of Maha. and Ors.)

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri Sanjay A. Wakure – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 22nd August, 2017.
3. Tribunal may take the case/s 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 O.A. Respondent is 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 question 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 22nd August, 2017.
8. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 478 OF 2017

**(Shri Bhagwant G. Deshmukh Vs. The State of Maha. and
Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri Sanjay A. Wakure – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 22nd August, 2017.
3. Tribunal may take the case/s 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 O.A. Respondent is 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 question 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 22nd August, 2017.
8. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 485 OF 2017

(Shri Sarang B. Shinde Vs. The State of Maha. and Ors.)

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri Sanjay A. Wakure – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 22nd August, 2017.
3. Tribunal may take the case/s 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 O.A. Respondent is 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 question 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 22nd August, 2017.
8. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 488 OF 2017

**(Shri Ramchandra S. Jaybhaye Vs. The State of Maha. and
Ors.)**

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

DATE : 21.07. 2017.

ORAL ORDER:

1. Heard Shri Suresh D. Dhongde – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 21st August, 2017.
3. Tribunal may take the case/s 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 O.A. Respondent is 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 question 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 21st August, 2017.
8. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

ORAL ORDERS 21.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 389/2017
(Shri Surendra D. Deshpande V/s. the State of Mah. & Ors.)

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

DATE : 21.07.2017._

ORAL ORDER:-

Shri S.D. Joshi, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer has submitted that he will file affidavit in reply during the course of the day.

3. S.O. to 08.08.2017.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 392/2017
(Smt. Sheela H. Mohite V/s. the State of Mah. & Ors.)**

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

DATE : 21.07.2017._

ORAL ORDER:-

Shri A.R. Kawade, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 21.08.2017.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 399/2017
(Shri (Dr.) Pritam T. Raut V/s. the State of Mah. & Ors.)**

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

DATE : 21.07.2017._

ORAL ORDER:-

Shri S.K. Mathpati, learned Advocate holding for Shri P.P. Dama, learned Advocate for the applicant and Shri S.K. Shirse, 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 08.08.2017.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 273/2017
(Shri Satish G. Potjale V/s. the State of Mah. & Ors.)

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

DATE : 21.07.2017._

ORAL ORDER:-

Shri Prashant B. Jadhav, learned Advocate holding for Shri V.P. Golewar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Issue fresh notices to the respondents, returnable on 22.08.2017.

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 22-08-2017.

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

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 13/2016
(Shri Laxman R. Kulkarni V/s. the State of Mah. & Ors.)

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

DATE : 21.07.2017._

ORAL ORDER:-

Shri Prashant B. Jadhav, learned Advocate holding for Shri V.P. Golewar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22.08.2017.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 396/2017
(Shri Santosh S. Swami V/s. the State of Mah. & Ors.)**

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

DATE : 21.07.2017._

ORAL ORDER:-

Shri Ganesh Gadhe, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondents, present.

2. It transpires from the proceedings that the notices were issued on 22.06.2017, but the applicant has not collected the said notices till today.

3. Hence, S.O. to 9.8.2017 for passing necessary order.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 60/2017 in O.A. St. No. 184/2017
(Shri Sheshrao S. Bhalerao V/s. the State of Mah. & Ors.)**

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

DATE : 21.07.2017._

ORAL ORDER:-

Shri P.G. Rodge, learned Advocate for the applicant
(**Absent**). Shri D.R. Patil, learned Presenting Officer for
respondents, present.

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

3. S.O. to 17.08.2017.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 97/2017 in O.A. St. No. 162/2017
(Shri Satish C. Jadhav V/s. the State of Mah. & Ors.)**

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

DATE : 21.07.2017._

ORAL ORDER:-

Ms. Ashlesha Raut, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

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

3. S.O. to 08.08.2017.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 20/2017
(Shri Kishor J. Padvi V/s. the State of Mah. & Ors.)**

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

DATE : 21.07.2017._

ORAL ORDER:-

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

2. Today, the learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 3 i.e. the Superintendent of Police, Jalgaon, stating current status of provisional pension and regular pension of the applicant. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Advocate for the applicant has fairly submitted that in view of the letter dated 16.06.2017 issued by the Accountant General-I, Mumbai granting provisional pension to the applicant, till finalization of regular pension. The prayer clause-A in the O.A. has

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O.A. No. 20/2017

been satisfied. He has submitted that the respondents may be directed to take steps to grant regular pension within a stipulated time and with that direction the O.A. may be disposed of.

4. Learned Presenting Officer seeks time to take instruction from the respondents in that regard. Time granted.

5. S.O. to 25.07.2017.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 527/2016
(Smt. Pratibha M. Kathar V/s. the State of Mah. & Ors.)

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

DATE : 21.07.2017._

ORAL ORDER:-

Shri D.T. Devane, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request and by consent of both the parties,
S.O. to 14.08.2017.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 528/2016
(Smt. Asma Z. Shaikh V/s. the State of Mah. & Ors.)**

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

DATE : 21.07.2017._

ORAL ORDER:-

Shri D.T. Devane, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. At the request and by consent of both the parties,
S.O. to 14.08.2017.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 529/2016
(Smt. Sandhya S. Mugute V/s. the State of Mah. & Ors.)

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

DATE : 21.07.2017._

ORAL ORDER:-

Shri D.T. Devane, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request and by consent of both the parties,
S.O. to 14.08.2017.

MEMBER (J)

KPB ORAL ORDER 21-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD
O.A. NO. 689/2015**

[Shri (Dr.) Shrikant B. Tambe Vs. the State of Mah. & Ors.]

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

DATE :- 21.7.2017

Oral Order :-

1. Heard Ms. Ashlesha Raut, learned Advocate holding for Shri S. B. Talekar, learned Advocate for the applicant, Shri, N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 4 and Shri V.B. Wagh, learned Advocate for respondent no. 6. Shri Pradeep R. Patil, learned Advocate for respondent no. 5 **(absent)**.

2. Learned Advocate for the applicant prays for adjournment.

3. It is very sorry state of affair that the respondents have callously neglected to the orders passed by this Tribunal on 19.8.2016. This behaviour would attract serious structure and costs.

4. Learned Presenting Officer prays for time for enabling him to find out as to the circumstances in which affidavit is not filed, and to verify as to whether the order was

communicated and find out the reasons of lack of advertence.

5. Hence, at the request of learned Presenting Officer, S.O. to 4.8.2017. However, affidavit must be filed at least 2 days before due date.

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

CHAIRMAN

KPB ORAL ORDERS 21.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA ST. 951/2017 IN CP ST. 952/2017 IN O.A. NO. 770/2007

[Shri Narendra W. Sonwane Vs. the State of Mah. & Ors.]

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

DATE :- 21.7.2017

Oral Order :-

1. Heard Shri H.A. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant prays for leave to withdraw the M.A. for enabling the applicant to serve notice by name on the Contemnors and then if order is not complied, to file an application for action for contempt.
3. In view of prayer of learned Advocate for applicant, M.A. & C.P. are disposed of with liberty as prayed for.

CHAIRMAN

ARJ ORAL ORDERS 21.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD
MA 23/2017 IN O.A. 43/2015**

[Shri R.G. Pardeshi Vs. the State of Mah. & Ors.]

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

DATE :- 21.7.2017

Oral Order :-

1. Heard Shri T.G. Gaikwad, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. Learned Presenting Officer is directed to secure instructions as to reasons of pendency of applicant's proposal for continuation of provisional pension, so that responsible Officer can be identified and a show cause of cost can be issued to him.
3. S.O. to 4.8.2017.
4. Steno copy & hamdust allowed for the use of learned Presenting Officer.

CHAIRMAN

ARJ ORAL ORDERS 21.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD
MA 24/2017 IN O.A. 257/2015**

[Shri Dnyanoba G. Puri Vs. the State of Mah. & Ors.]

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

DATE :- 21.7.2017

Oral Order :-

1. Heard Shri T.G. Gaikwad, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer is directed to secure instructions as to reasons of pendency of applicant's proposal for continuation of provisional pension, so that responsible Officer can be identified and a show cause of cost can be issued to him.

3. S.O. to 4.8.2017.

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

CHAIRMAN

ARJ ORAL ORDERS 21.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD
MA 394/2016 IN CP ST. 1810/2016 IN O.A. 162/2014**

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

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

DATE :- 21.7.2017

Oral Order :-

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri Makrand Lonkar, learned special Counsel for the respondent.
2. It is seen that the affidavit of the contemnor do not disclose as to how the order of this Tribunal is complied with.
3. Learned Advocate Shri Lonkar for contemnor states that, a week's time may be granted for filing fresh affidavit.
4. Time as prayed for is granted.
5. S.O. to 4.8.2017.
6. Steno copy & hamdust allowed for the use of learned special Counsel for the respondent.

CHAIRMAN

ARJ ORAL ORDERS 21.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD
MA 269/2017 IN O.A. ST. 950/2017**

[Shri (Dr.) Prasad V. Kulkarni & ors. Vs. the State of Mah. &
Ors.]

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

DATE :- 21.7.2017

Oral Order :-

1. Shri Vishnu Dhoble, learned Advocate for the applicants
(absent). Shri M.S. Mahajan, learned Chief Presenting Officer
for the respondents, is present.

2. In view of absence of learned Advocate for the
applicants, S.O. to 4.8.2017.

CHAIRMAN

ARJ ORAL ORDERS 21.7.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.36/17 WITH MA ST.2094/16 IN OA ST.2095/16.

(Marathwada_Rajya Rojandari Wa Kayam Van Kamgar
Kruti Samiti & Ors. Vs. the State of Mah. & Ors.)

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

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

DATE : 21-07-2017

ORAL ORDER:-

MA NO.36 OF 2017

Heard Shri G. R. Jadhav learned Advocate holding for Shri A. S. Shelke learned Advocate for the applicant and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant files on record the order delivered by this Tribunal in group of cases including M.A. No.388/15 with MA St.860/15 in OA St. 861/15 and group of matters dated 11.07.2017. The same is accepted on record and marked as "X" for the purpose of identification.

3. Reading of the order would show that, the delay in filing the O.A. by similarly situated employees ranging from 34 days to 908 days was condoned by this Tribunal.

In the present application the delay of 1083 days is caused. The similar cause is shown in the present application. In the circumstances, sufficient cause is made out. The application for condonation is therefore, allowed without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA ST.2094/16 IN OA ST.2095/16.
**(Marathwada_Rajya Rojandari Wa Kayam Van Kamgar
Kruti Samiti & Ors. Vs. the State of Mah. & Ors.)**

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 21-07-2017

ORAL ORDER:-

MA St. No.2094 OF 2016

Heard Shri G. R. Jadhav learned Advocate holding
for Shri A. S. Shelke learned Advocate for the applicant
and Smt S. K. Ghate Deshmukh learned Presenting
Officer for the respondents.

2. This is an application preferred by the applicants
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.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

OA ST.2095/16.

**(Marathwada_Rajya Rojandari Wa Kayam Van Kamgar
Kruti Samiti & Ors. Vs. the State of Mah. & Ors.)**

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

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

DATE : 21-07-2017

ORAL ORDER:-

1. Heard Shri G. R. Jadhav learned Advocate holding
for Shri A. S. Shelke learned Advocate for the applicant
and Smt S. K. Ghate Deshmukh learned Presenting
Officer for the respondents.

2. S.O. 24.08.2014. Be tagged with Group.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.439/2010.
(Shri D. S. Karle Vs. State of Mah. & Ors.)

CORAM: Hon. Shri Justice M. T. Joshi, Vice Chairman.
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 21-07-2017

ORAL ORDER:-

Heard Miss Ashlesha Raut learned Advocate holding
for Shri S. B. Talekar learned Advocate for the applicant
and Smt D. S. Deshpande learned Presenting Officer for
the respondents.

2. The learned Advocate for the applicant submits that
the amendment application is allowed and amendment is
required to be carried out.

3. S. O. to 27.07.2017.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.948/2016.
(Shri H. J. Bichkewar Vs. State of Mah. & Ors.)

CORAM: Hon. Shri Justice M. T. Joshi, Vice Chairman.
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 21-07-2017

ORAL ORDER:-

Heard Miss Ashlesha Raut learned Advocate holding
for Shri S. B. Talekar learned Advocate for the applicant
and Shri S. K. Shirse learned Presenting Officer for the
respondents.

2. The learned P. O. seeks time to file reply of other
respondents.

3. S. O. to 14.8.2017 for filing reply of other
respondents.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.107/2017.
(Shri S. M. Bedre Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 21-07-2017

ORAL ORDER:-

Heard Miss Preeti Wankhade learned Advocate for the applicant and Shri M. P. Gude learned Presenting Officer for the respondents no.1 & 2. None present for the Respondents no.3 & 4.

2. The learned Advocate for the applicant files a G.R. dated 16.10.2012 as directed by order dated 9.6.2017. The copy of the G.R. is annexed with the Annexures for services of the Respondents. It is taken on record and marked as "X" for the purpose of identification.

3. Issue notices to the respondents, returnable on 14.08.2017.

4. Applicant is authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.

5. Authorization for service of notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

(Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.

6. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry as far as possible before the due date.

7. Affidavit of service be filed one week before due date.

8. Learned P.O. is directed to communicate this order.

9. Affidavit in reply be filed before due date.

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

11. S.O. to 14.08.2017.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.176/17 IN OA NO. 154/2017.
(Naseem B. Patel Vs. The State of Mah. & Ors.)

CORAM: Hon. Shri Justice M. T. Joshi, Vice Chairman.
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 21-07-2017

ORAL ORDER:-

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

2. Nobody has appeared on the last date also. In the circumstances, S. O. to 08.08.2017 either for hearing on admission or for passing necessary orders.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.720/2013.
(Shri U. V. Padgilwar Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 21-07-2017

ORAL ORDER:-

Heard Shri Praphul Bodhade learned Advocate holding for Shri J. B. Chaudhary learned Advocate for the applicant and Shri N. U. Yadav learned Presenting Officer for the respondents.

2. Shri Praphul Bodhade learned Advocate holding for Shri J. B. Chaudhary learned Advocate for the applicant seeks time to take instructions from the applicant regarding developments, if any, occurred during the pendency of the present application. At his request, S. O. to 22.8.2017 for taking instructions.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.734/2013.

(Shri Abhay Macchindra Thorat Vs.
State of Mah. & Ors.)

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

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

DATE : 21-07-2017

ORAL ORDER:-

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

2. The learned Advocate for the applicant on instructions submits that, applicant wishes to withdraw the application. Allowed to withdraw and disposed of without any order as to costs.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.735/2013.
(Shri S. Y. Khairnar Vs. State of Mah. & Ors.)

CORAM: Hon. Shri Justice M. T. Joshi, Vice Chairman.
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 21-07-2017

ORAL ORDER:-

None present for the applicant. Heard Smt R. S. Deshmukh learned Presenting Officer for the respondents.

2. It appears that, the decision on merit by the Division Bench is required. Remove from the board.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.728/2013.
(Shri P. N. Jadhav & Ors. Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 21-07-2017

ORAL ORDER:-

Heard Shri A. S. Deshmukh learned Advocate for the applicant and Shri S. K. Shirse learned Presenting Officer for the respondents no.1 & 2. None present for the remaining Respondents.

2. The learned Advocate for the applicant submits that, the Writ Petition No.4078/2015 against the decision rendered by the Principal Bench of this Tribunal in OA No.767/2013 & 284/2014 is still pending with the Hon'ble High Court, wherein same issue is involved. In the circumstances, remove from the board.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

OA Nos.443 and 444 of 2015.

(Shri B. R. Gunwant & Oths.Vs. State of Mah. & Ors.)

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

DATE : 21-07-2017

ORAL ORDER:-

None present for the applicants. Heard Shri V. R. Bhumkar learned Presenting Officer for the respondents in both the matters.

2. The record would show that, earlier the applicants have agreed to submit fresh representations to the respondents. This representations however, were not made for a considerable period, and no appearance was put in the applications. Therefore, on 3.10.2016 the Tribunal observed that, the matters be placed for dismissal.

3. Thereafter, on 18.4.2017 the applicants as well as respondents made submission that, the claim regarding the Transfer Travel Allowances as well as Traveling Allowances were made to the concerned authorities,

however, no details regarding the claim of the applicants have been made and therefore, for giving details again the matters were adjourned, but nobody has appeared on the last date also. In the circumstances, both the applications are dismissed in default.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

MA NO.27/2016 IN OA ST.80/2016.
(Shri M. S. Bangale Vs. State of Mah. & Ors.)

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

DATE : 21-07-2017

ORAL ORDER:-

Heard Shri S. K. Mathpati learned Advocate for the applicant and Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S. O. to 23.8.2017.

VICE CHAIRMAN.

ORAL ORDERS 21.07.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

OA Nos.489 & 492 of 2017.

- (1) ORIGINAL APPLICATION NO.489/2017.
(Shri Madhu R. Munmane Vs. State of Mah. & Ors.)
&
(2) ORIGINAL APPLICATION NO.492/2017.
(Shri Badri D. Babar Vs. State of Mah. & Ors.)

CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 21-07-2017

ORAL COMMON ORDER:-

Heard Shri Ajinkya Kale learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicant in OA No.489/2017 and Shri S. K. Mathpati learned Advocate for the applicant in OA No.492/2017, and Shri M. S. Mahajan learned Chief Presenting Officer for the respondents in both the matters.

2. In both the applications the applicants are seeking quashing and setting aside the advertisement issued for Departmental Examination directly leading to the promotion to the post of Deputy Education Officer, Group-B (Gazetted).

3. As per the rules it appears that, five years regular service in District Technical Services, Group-C is required for appearance of the examination and resulting promotions. The advertisement Annexure-A, page 21 in OA No.489/2017 would show that, the cutoff date for counting of the period of five years was 1.1.2017. Totally 92 posts from the cadre of District Technical Services Group "C" are required to be filled in.

4. The seniority list filed in O.A.No.492/2017 at page no.41 would show that, the present applicants are at Sr.Nos.42 & 56. Because of the cutoff date however, they would be short of some months for completion of five years.

5. It further can be gathered that, while 92 posts presently are vacant the Respondents would not get even the employee at Sr.No.1, Mr. Umesh Jain, who was appointed on 7.1.2012 and has not completed five years

as on the cutoff date. Thus because of the administrative decision in cutoff date, all the 92 posts would remain vacant.

6. In the circumstances, the concerned Respondents are therefore, directed to reconsider this issue in the interest of the State itself to see that posts shall not remain vacant and to reconsider the cutoff date, so that fresh opportunity to the employees can be given.

7. Considering the fact that, challenge to the advertisement itself is made in the applications, though this Tribunal is not granting any interim injunction, the decision be taken at the earliest and be communicated to this Tribunal on or before 11.8.2017.

8. S. O. to 11.8.2017.

9. The learned C.P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN.