

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.775/2016**

(Shri Dnyanoba Jagtap & Ors. V/s. The State of Mah. &  
Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Heard Shri V.B.Wagh learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant,

S.O.27-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 21-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.38/2017**

(Shri Mir Firasat Ali V/s. The State of Mah. & Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Heard Shri Vivek Pingle learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents. Shri Shamsundar Patil learned Advocate for respondent no.4 is **absent**.

2. Learned Advocate for the applicant seeks time to file affidavit in rejoinder. Time granted.
3. S.O.11-07-2017.

YUK ORAL ORDER 21-06-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.140/2017**

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

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

DATE : 21-06-2017

**ORAL ORDER:-**

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

2. Learned CPO files affidavit in reply on behalf of respondent no.3. It is taken on record. Copy thereof has been served on the other side.

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

**MEMBER (J)**

YUK ORAL ORDER 21-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.262/2016**

(Shri Dagdu Bansode V/s. The State of Mah. & Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Heard Shri Kakasaheb B. Jadhav learned Advocate holding for Shri A.D.Gadekar learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has requested for adjournment. Adjournment granted.

3. S.O.25-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 21-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 625/2016**

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

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

DATE : 21-06-2017

**ORAL ORDER:-**

Shri S.B.Solanke learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for the respondent nos.1 & 2 and Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for respondent no.3.

2. Since none present for the applicant,  
S.O.25-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 21-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.727/2016**

(Shri Sadashiv Sawai V/s. The State of Mah. & Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Heard Shri Kakasaheb B. Jadhav learned Advocate holding for Shri A.D.Gadekar learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted as a most last chance.

3. S.O.18-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 21-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.19/2017**

(Shri Yogesh Patil V/s. The State of Mah. & Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Heard Ku. Preeti Wankhade learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents.

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O.25-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 21-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.106/2017**  
(Jayshree Kakde V/s. The State of Mah. & Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Shri S.B.Solanke learned Advocate for the applicant is **absent**. Smt. Priya Bharaswadkar learned Presenting Officer for the respondents is present.

2. Learned P.O. states that she will file reply on behalf of the respondents during the course of the day. She also undertakes to serve copy of the same on the other side.

3. S.O.25-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 21-06-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.116/2017**

(Dr. Dhanraj Kendre V/s. The State of Mah. & Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Heard Shri S.K.Sawangikar learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

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

3. S.O.26-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 21-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.223/2017**

(Shri Vinayak Banchod V/s. The State of Mah. & Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Heard Shri P.G.Tambde learned Advocate holding for Shri S.S.Jadhavar learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 26-07-2017.

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

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

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

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

7. S.O.to 26-07-2017.

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

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.614/2017**  
(Shri Sham More V/s. The State of Mah. & Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Heard Shri U.S.Patil learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that the applicant's father was serving as Assistant Police Inspector (API) and he had on 07-11-1995 when he was in service. At that time applicant was minor, and therefore, his application dated 02-01-1996 for appointment on compassionate ground has not been considered by the respondents and he was directed to file application after completing 18 years of age. He has submitted that the applicant was born on 17-10-1978. He has completed 18 years and attained majority on 16-10-1996. He has filed another application dated 05-12-1997 for appointment on compassionate ground but it was resisted on the ground that application has not been filed within 1 year of completing 18 years of age.

He has submitted that the applicant has filed several applications for compassionate appointment but the respondents have rejected his applications on the same ground. He has submitted that in view of the several representations made by the applicant this O.A. is in time.

3. Learned P.O. has submitted that the application of the applicant for appointment on compassionate ground has not been filed within one year after attaining age of majority as provided under G.R. dated 11-09-1996. Therefore, it was rejected by the respondents on the ground that he has not filed application for compassionate appointment within 1 year on attaining majority. Again applicant filed another application, which was also rejected by communication dated 22-09-2006. She has submitted that the applicant has not challenged the said order within 1 year and there is inordinate delay in filing the present O.A. and as such it is barred by limitation.

4. On perusal of record, it reveals that after attaining age of majority on 16-10-1996, applicant has filed the application dated 05-12-1997 with the respondents. Said application was not filed within 1 year on attaining majority, therefore, it was rejected by the respondents. Again another application of the applicant was rejected by the respondents by communication dated 22-09-2006 (page 25) on the same ground. Even assuming that application was rejected in the year 2006 for the first time, from that date also, the present application has not been filed within limitation as provided u/s.21 of the Administrative Tribunals Act. It is barred by limitation as per Section 21 of the Administrative Tribunals Act, 1985. As the O.A. is barred by limitation, it cannot be entertained. Hence, O.A. stands dismissed accordingly.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.320/2017**

(Shri Shivkumar Khadekar V/s. The State of Mah. &  
Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Heard Shri R.D.Biradar learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that the applicant is serving as Assistant Superintendent in Rural Hospital Murum, District Osmanabad since 11-06-2015. It is his submission that daughter of the applicant is studying in 10<sup>th</sup> Standard in academic year 2017 and she is studying in a school at Latur. He has submitted that the applicant has made representation with the respondents in view of the Circular dated 31-03-2017 issued by the Director, Health Services, Government of Maharashtra on account of general transfers of the year 2017. He has submitted that though the applicant has made out reasonable ground for

considering his request transfer, respondents have not considered the same and he has not been transferred from Murum to the places where he has given options. He has submitted that the department has maintained seniority list as per Circular but the said seniority list has not been considered, and therefore, he has filed the present O.A.

3. Learned CPO has submitted that the Circular has been issued by the Director of Health Services in view of the provisions of Transfer Act and at the same time he has called the applications of the employees who were desirous to be transferred on request on personal ground along with documents. He has submitted that it is not mandatory in view of the provisions of the Transfer Act to consider request of all the employees. After considering the reasons and grounds mentioned in the request applications made for transfer of those employees who are not due for transfer but requested for transfer on their personal ground, their transfers have been made.



He has submitted that respondents might not have considered request of the applicant as they thought that the grounds for transfer of the applicant are not justifiable. He has submitted that the applicant has not challenged any order and he is not aggrieved by any order. He has not been transferred as he was not due for transfer in view of the provisions of the Transfer Act, and therefore, he prayed to reject the present O.A. as it is not maintainable.

4. On considering submissions of both parties, it seems that the applicant is not aggrieved by any order passed by the respondents. Only grievance of the applicant is that his request for transfer has not been considered by the respondents. He has mentioned that Circular dated 31-03-2017 by which the applications from the employees who are not due for transfer but seeking transfer on request, were also called and some of the employees were transferred but the applicant has not

been transferred on his request. Said grievance cannot be challenged in the present O.A.

5. In these circumstances and as the applicant is not aggrieved by any order of the respondents, the present O.A. is not maintainable. Consequently, it is liable to be dismissed. Hence, O.A.No.320/2017 stands dismissed as not maintainable. There shall be no order as to costs.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.167/2017**  
(Shri Fakirrao Arjun Wadhve V/s. The State of  
Maharashtra & Ors.)

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

DATE : 21-06-2017

**ORAL ORDER:-**

Heard Smt. Juee Palekar-Parlikar learned Advocate holding for Shri S.D.Joshi learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has placed on record letter dated 18-05-2017 issued by the Accounts Officer, A.G. by which A.G. requested Collector, Parbhani to send No Dues Certificate and No Enquiry Certificate. She has submitted that there was delay on the part of the respondents for sanctioning regular pension to the applicant inspite of direction of the Tribunal.

3. Learned P.O. submits that the applicant was retired as Deputy Collector and he was a Group "A" employee, and therefore, No Dues Certificate and No Enquiry Certificate has to be issued by the Government. Therefore, Divisional Commissioner sent proposal to the Principal Secretary, Revenue and Forest Department, Government of Maharashtra on 16-05-2017 and again another letter dated 19-05-2017. She has produced

copies of the said letters on record. She has further submitted that she has personally contacted Mr. Shinde, Under Secretary, Revenue and Forest Department, Government of Maharashtra who informed her that proposal is not yet received to his office but he will call papers from the Divisional Commissioner Office and pass necessary orders within 2 weeks. Therefore, she sought 2 weeks' time.

4. In view of this, it will be just to grant 2 weeks' time for passing necessary decision on the proposal sent by the Divisional Commissioner for issuing No Dues Certificate and No Enquiry Certificate as required by the A.G. Office.

5. S.O.11-07-2017.

6. Steno copy may be provided to the learned P.O. on her request.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**OA 743/2016**

(Shri Rakesh D. Barela Vs. The State of Mah. & Ors.)

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

**Date : 21-06-2017**

**ORAL ORDER:-**

Heard Shri D.K. Rajput, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30.6.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 385 OF 2017**

**(Shri. Chandulal S/o. Barku Sathe Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 21.06. 2017.**

**ORAL ORDER:**

1. Ms. Preeti R. Wankhade – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. Heard both the sides on the issue of interim relief.

3. Learned Advocate for the applicant has submitted that the applicant has entered the Government service in the department of Medical Education and Drugs Department, M.S. Mumbai on the post of Social Service Superintendent on 18.08.1994 and posted under the Dean, Shri Bhausahab Hire Government Medical College & Hospital, Dhule. Thereafter, by an order dated 26.06.2009 he has been transferred at Aurangabad on administrative ground. She has further submitted that thereafter on 31.05.2011 the applicant was transferred from Aurangabad to Dhule by mutual consent.

4. She has submitted that the applicant has been transferred from Dhule to Ambajogai, by transfer order dated 16.06.2017, a copy of which is placed on record at Annexure "A-3" page-18 of paper book of the O.A. Learned Advocate for

the applicant has submitted that the impugned transfer order has been issued to accommodate other employees. She has further submitted that no list of the employees, who were due for transfer, has been prepared as provided under Section 4 (2) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (In short "the Transfer Act of 2005), and therefore, the impugned transfer order is illegal. She has further submitted that other employees, who were overdue and staying at Dhule for the period more than the period of applicant, are not transferred and, therefore, she prayed to stay the execution of the impugned transfer order.

5. Learned Presenting Officer has submitted that the applicant has completed his tenure of posting at Dhule. He is due for transfer, and therefore, his transfer is made on administrative ground. She has submitted that the applicant has been relieved on yesterday i.e. on 20.06.2017. She has produced the communication dated 20.06.2017, a copy of which is taken on record and marked as document 'X' for the identification purposes. She has submitted that the office note for relieving the applicant has been approved on

19.06.2017. She has further submitted that yesterday she had made a statement before the Tribunal that the applicant has been relieved on 19.6.2017 on the basis of information received to her from Dr. Zombade, Assistant Professor. She has submitted that Dr. Zombade informed her that he has received information from Shri Deogaonkar, Administrative Officer. She has submitted that on the basis of information received her, she has made statement at bar. She has tendered apology for making such statement on the basis of wrong information received to her. She has submitted that the applicant has been relieved from the post at Dhule on 20.06.2017 and his transfer has been made in view of the provisions of the Transfer Act of 2005, no question of granting interim relief arises. Therefore, she urged that the request made by the applicant for grant of interim relief may be rejected.

6. On going through the documents placed by both the sides, it reveals that the applicant is serving at Dhule since 31.5.2011. He has completed his tenure of posting and he is due for transfer. Prima facie, it seems that his transfer has been effected on administrative ground. There is no illegality



in issuing the impugned transfer order. As regards other grievances raised on behalf of the applicant, the same can be considered at the time of final hearing and deciding the present Original Application on merit. In these circumstances, in my opinion, since the applicant has already been relived from the present post, no question to grant interim relief in favour of the applicant, arises. Hence, the prayer made on behalf of the applicant for grant of interim relief stands rejected.

7. On going through the record, it reveals that yesterday the learned Presenting Officer has made a statement before this Tribunal at bar that the respondents have relived the applicant yesterday i.e. on 19.6.2017. Today, the learned Presenting Officer has produced a copy of communication i.e. office order dated 20.06.2017 issued by the Dean, Shri Bhausahab Hire Government Medical College & Hospital, Dhule showing that the applicant has been relived on 20.06.2017 afternoon.

8. Learned Presenting Officer has submitted that she had made statement before this Tribunal on the basis of information received to her from Dr. Zombade, Assistant

Professor, Shri Bhausahab Hire Government Medical College & Hospital, Dhule. She has submitted that Dr. Zombade had informed her on the basis of information received to him from Shri Deogaonkar, Administrative Officer. The said fact shows that on the basis of wrong information supplied by Dr. Zombade and Shri Deogaonkar, learned Presenting Officer has made statement that the applicant has been relieved on 19.6.2017 though he was not relieved on that day. In fact, he was relieved on 20.06.2017 afternoon. This shows irresponsibility on the part of the Dr. Zombade and Shri Deogaonkar. They supplied false information to the learned Presenting Officer and on the basis of it, learned P.O. made a statement in that regard before the Tribunal. Hence, issue show cause notice to Dr. Zombade and Shri Deogaonkar, calling explanation as to why action should not be initiated against them for misleading the Tribunal by supplying false information.

9. Issue notices to the respondents, returnable on 14<sup>th</sup> July, 2017.

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

11. 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.

12. 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.

13. 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.

14. S.O. to 14<sup>th</sup> July, 2017.

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

**MEMBER (J)**

ORAL ORDERS 21.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 386 OF 2017**

**(Shri. Prabhakar Dagduji Shinde Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 21.06. 2017.**

**ORAL ORDER:**

1. Shri J.B. Choudhary – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.

2. Heard both the sides on the issue of interim relief.

3. Learned Advocate for the applicant has submitted that the applicant entered Government Service as Steno-Typist in Government Dental College, Aurangabad in the year 1986. Thereafter. he was promoted on the post of Lower Grade Stenographer and posted at Government Medical College & Hospital on 12.08.2011. Learned Advocate for the applicant has submitted that the applicant is working at Aurangabad since 12.8.2011. He has not completed two normal tenures on the post as per the Transfer Act, 2005, but he has been transferred from Aurangabad to Pune in place of res. No. 4 by the impugned order dated 17.6.2017. He has submitted that the impugned transfer order is issued to accommodate other

employees. He has submitted that, applicant's wife is suffering from hypertension and paralysis and she is under treatment at Aurangabad. Therefore, he urged to grant stay to the execution of the impugned transfer order.

4. Learned C.P.O. submitted that the applicant was promoted as a Stenographer (Lower Grade) in the year 2011 and since then he is working at Aurangabad. He has further submitted that, prior to promotion, the applicant was working in the same office / department as Steno Typist and he has completed more than 6 years' tenure in the same office / department and, therefore, his transfer has been effected on administrative ground. He has submitted that, he wants to take instructions from the respondents and file detailed affidavit in reply and, therefore, he sought time.

5. On perusal of the documents placed on record, it reveals that, the applicant was serving at Aurangabad since the year 1986. In the year 2011 he was promoted as a Stenographer (Lower Grade) and posted in the same establishment i. e. Government Medical College & Hospital, Aurangabad. It shows that, he has completed tenure of posting at Aurangabad and therefore he has been transferred.

Prima-facie, there is no illegality in issuing the impugned transfer order. Therefore, in my view, it is not a fit case to grant interim relief as prayed for. Hence, prayer made on behalf of the applicant for grant of interim relief stands rejected.

6. Issue notices to the respondents, returnable on 26<sup>th</sup> July, 2017.

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

8. 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.

9. 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.

10. 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.

11. S.O. to 26<sup>th</sup> July, 2017.

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

**MEMBER (J)**

ORAL ORDERS 21.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 76/2017 IN OA ST. 252/2017**

**(Shri. Subhash D. Thale Vs. The State of Maharashtra and  
Others.)**

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

**DATE : 21.06. 2017.**

**ORAL ORDER:**

1. Shri V.G. Salgare – learned Advocate for the applicant **(absent)**. Smt. Priya R. Bharaswadkar – learned Presenting Officer for the respondents, is present.

2. It transpires from the record that, since 21.2.2017 nobody is appearing on behalf of the applicant. Hence, place this matter on board on 27.7.2017 either for appearance of the learned Advocate for the applicant or for passing necessary orders.

**MEMBER (J)**

ORAL ORDERS 21.06.2017-HDD



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 148/2017  
(Shri Kailash M. Goswami V/s. the State of Mah. & Ors. )**

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

**DATE : 21.06.2017.**

**ORAL ORDER:-**

Heard Shri R.D. Biradar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30.06.2017, to enable him to make submissions on the point of maintainability in view of provisions of Section 20 of the Administrative Tribunals Act, 1985.
3. S.O. to 30.06.2017.

**MEMBER (J)**

**KPB ORAL ORDER 21-06-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 234/2017**  
**(Shri Chandrakant B. Ghule & Ors. V/s. the State of Mah. & Ors)**

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

**DATE : 21.06.2017.**

**ORAL ORDER:-**

Heard Shri A.S. Kulkarni, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for respondents.

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

3. S.O. to 04.07.2017.

**MEMBER (J)**

**KPB ORAL ORDER 21-06-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 235/2017  
(Shri Krushna P. Kotole & Ors. V/s. the State of Mah. & Ors.)**

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

**DATE : 21.06.2017.**

**ORAL ORDER:-**

Heard Shri A.S. Kulkarni, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for respondents.

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

3. S.O. to 04.07.2017.

**MEMBER (J)**

**KPB ORAL ORDER 21-06-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 315/2017  
(Shri Sambhaji D. Karle V/s. the State of Mah. & Ors)**

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

**DATE : 21.06.2017.**

**ORAL ORDER:-**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondent nos. 1 & 2.

2. Learned Advocate Shri Ashwin Hon, has filed VAKALATNAMA on behalf of respondent no. 3. Same is take on record.

3. Learned Advocate for the applicant has filed service affidavit. Same is taken on record.

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

**MEMBER (J)**

**KPB ORAL ORDER 21-06-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 25/2017 in O.A. St. No. 3012/2016  
(Shri Rajaram M. Kannewar V/s. the State of Mah. & Ors)**

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

**DATE : 21.06.2017.**

**ORAL ORDER:-**

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to file on record certain citations. Time granted.

3. S.O. to 04.07.2017.

**MEMBER (J)**

**KPB ORAL ORDER 21-06-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 32/2017 in O.A. St. No. 883/2016  
(Smt. Dwarkabai P. Ramteke V/s. the State of Mah. & Ors)**

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

**DATE : 21.06.2017.**

**ORAL ORDER:-**

Heard Smt. Kalpalata Patil-Bharaswadkar, 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 10.07.2017.

**MEMBER (J)**

**KPB ORAL ORDER 21-06-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 207/2016  
(Shri Ganpat J. Waghmare V/s. the State of Mah. & Ors)**

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

**DATE : 21.06.2017.**

**ORAL ORDER:-**

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.06.2017.

**MEMBER (J)**

**KPB ORAL ORDER 21-06-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 123/2017**

(Shri Krishna G. Jadhav Vs. The State of Mah. & Ors.)

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

**Date : 21-06-2017**

**ORAL ORDER:-**

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

2. The hearing of both the sides would show that, challenge to the departmental enquiry is on the ground that the charge no. 1 (paper book page 34 of the O.A.) is regarding the alleged misconduct, which had occurred in the year 2008-09. As the applicant in the present case was superannuated from the Government service on 31.5.2014 and, therefore, the departmental enquiry could not have been initiated, in view of Rule 27 (4) of the Maharashtra Civil Services (Pension) Rules, 1982.

3. The learned Advocate for the applicant submits that, till this date even no Enquiry Officer is appointed, while the learned P.O. has no instructions in this regard.



4. In the circumstances, the res. no. 1 is hereby directed to go through the above issues and to take corrective steps, if any, and file the report thereof on or before the next date.
  
5. S.O. to 28.7.2017 for the compliance.
  
6. The learned P.O. to act upon the Steno copy of this order.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 187/2017**

(Shabdashree T. Bhangre Vs. The State of Mah. & Ors.)

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

**Date : 21-06-2017**

**ORAL ORDER:-**

Heard Shri R.B. Gaikwad, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to file affidavit in reply in the present original application. Time granted as a last chance.

3. S.O. to 24.7.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**O.A. NOS. 194, 196 & 200 ALL OF 2017**

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

**Date : 21-06-2017**

**ORAL ORDER:-**

Heard Shri V.B. Wagh, learned Advocate for the applicants in all these three matters and Shri M.P. Gude, learned Presenting Officer for the respondents in all these three matters.

2. At the request of learned Presenting Officer, S.O. to 2.8.2017 for taking instructions in the present matters from the concerned respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 230/2017**

(Shri (Dr.) Kole Nagnath Vinayakrao Vs. The State of Mah. &  
Ors.)

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

**Date : 21-06-2017**

**ORAL ORDER:-**

Heard the applicant in person and Shri M.P. Gude,  
learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to file affidavit in reply in  
the present original application. At his request, S.O. to  
27.7.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 251/2017**

(Shri (Dr.) Sham P. Toshniwal Vs. The State of Mah. & Ors.)

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

**Date : 21-06-2017**

**ORAL ORDER:-**

Heard Shri G.J. Toshniwal, 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 file affidavit in reply in the present original application. At his request, S.O. to 10.8.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 192/2016 IN OA ST. 1940/2016**

(Shri Bhalchandra H. Rampure & 1 another Vs. The State of  
Mah. & Ors.)

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

**Date : 21-06-2017**

**ORAL ORDER:-**

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

2. The learned P.O. seeks time to file affidavit in reply in  
the present misc. application. The record would show that,  
previously many chances were granted by the Tribunal  
therefor. In the circumstances, affidavit in reply be filed by  
the respondents on or before 12.7.2017 positively, in default,  
the misc. application will be heard on its merits without  
having affidavit in reply on record.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 121/2017 IN OA ST. 364/2017**

(Shri Sachin R. Salve Vs. The State of Mah. & Ors.)

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

**Date : 21-06-2017**

**ORAL ORDER:-**

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to file affidavit in reply in the present misc. application. At his request, S.O. to 13.7.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 203/2017 IN OA 931/2016**

(Shri Chudaman D. Pawar Vs. The State of Mah. & Ors.)

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

**Date : 21-06-2017**

**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 present misc. application has been filed by the applicant seeking leave of the Tribunal to amend the original application as per the proposed amendment mentioned in the said misc. application.

3. Perused the application. Considered the contentions.

4. For the reasons stated in the misc. application, it is allowed and disposed of without any order as to costs and the applicant is permitted to carry out necessary amendment in the original application, on or before 4.7.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**OA 931/2016**

(Shri Chudaman D. Pawar Vs. The State of Mah. & Ors.)

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

**Date : 21-06-2017**

**ORAL ORDER:-**

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

2. Today by passing a separate order in M.A. no. 203/2017 this Tribunal granted leave to the applicant to amend the O.A. as per the proposed amendment as mentioned in the said M.A. on or before 4.7.2017. Hence, S.O. to 4.7.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**OA 930/2016**

(Shri Chudaman D. Pawar Vs. The State of Mah. & Ors.)

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

**Date : 21-06-2017**

**ORAL ORDER:-**

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

2. With consent of both the sides, this matter be placed on board on 4.7.2017 along with O.A. no. 931/2016.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.6.2017

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

**ORIGINAL APPLICATION NO.307/2016.**  
**(Dr. N. R. Pawar 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** : 21-06-2017

**ORAL ORDER:-**

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

2. The learned P.O. seeks time. The record would show that, earlier last chance was granted to the respondents to file reply, however, as learned P.O. seeks accommodation as a last chance S. O. to 28.7.2017. In case no reply is filed on the next date the Tribunal will be constrained to impose heavy costs.

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

**VICE CHAIRMAN.**

**ORAL ORDERS 21-06-2017-ATP**

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

**ORIGINAL APPLICATION NO.941/2016.**  
**(Shri R. L. Kuskar 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 : 21-06-2017**

**ORAL ORDER:-**

Heard Shri M. B. Ubale learned Advocate holding for Shri L. K. Pradhan learned Advocate for the applicant and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant on instructions submit that, the applicant would be satisfied if directions are issued to the concerned Respondent/ Respondents to decide various representations of the applicant including last representation dated 4.2.2016 within a period of 4 months. The submissions are reasonable. In the circumstances, the original application is disposed of without any order as to costs with direction to the concerned Respondent/ Respondents to decide the representations of the applicant within a period of 4 months.

**VICE CHAIRMAN.**

**ORAL ORDERS 21-06-2017-ATP**

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

**ORIGINAL APPLICATION NO.50/2017.**  
**(Shri B. D. Bhendekar 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** : 21-06-2017

**ORAL ORDER:-**

Heard Miss Preeti Wankhade 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 reply. The order dated 25.1.2017 under which the notice was issued to the Respondents would prima facie show that, the Respondent no.2 is acting against the rules and more particularly Rule 7 of the Maharashtra Public Service Commission Rules of Procedure of 2005, which runs as under :-

***“(7) Wait-List.- Based on the merit of the candidates in their respective category, the Commission may maintain a reserve list up to the 10% of the vacancies in each category. Provided further that the candidates from the reserved list may be recommended to the Government only if the candidates recommended earlier are unable to accept the offer of appointment for any reason.***

***This waiting list shall not be operative for any additional number of posts, other than those advertised. Further this reserve list and entire merit list shall be maintained confidentially with the Secretary of the Commission only. This reserve list shall lapse or the declaration of date of subsequent examination for the same category or after a period of two years from the date of preparation of this reserve list whichever is earlier.***

3. Respondent no.2 is therefore, directed to take corrective steps, if any, according to Rules and other legal provisions and shall file report on the next date, which would indicate as to whether the compliance can be made according to Law or not.
4. S. O. to 25.7.2017 for compliance.
5. The learned P.O. is directed to act on the Steno copy of this order.

**VICE CHAIRMAN.**

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

**ORIGINAL APPLICATION NO.77/2017.**  
**(Shri R. B. Yawalkar 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** : 21-06-2017

**ORAL ORDER:-**

1. Shri S. R. Barlinge learned Advocate for the applicant (Absent).
2. Heard Applicant Shri Rajesh B. Yawalkar, the Party in Person and Smt D. S. Deshpande learned Presenting Officer for the respondents.
3. Applicant seeks time to satisfy the Tribunal on the issue as to whether after receipt of the communication dated 14.5.2012 (Annexure A-1, page 10) he took any steps for applying for the post or contacted District Selection Committee as communicated by the said letter. At his request, S. O. to 25.7.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 21-06-2017-ATP**

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

**OA NO.567/12016 with MA No.39/2017.**  
**(Shri V. K. Shirsat 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** : 21-06-2017

**ORAL ORDER:-**

Heard Shri A. S. Deshmukh learned Advocate for  
the applicant and Smt R. S. Deshmukh learned  
Presenting Officer for the respondents.

2. Shri V. B. Wagh learned Advocate files  
Vakalatnama on behalf of Respondent No.3. The same is  
taken on record. He seeks time to file affidavit in reply.  
Time to file reply is hereby granted.

3. S. O. to 28.7.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 21-06-2017-ATP**



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

**ORIGINAL APPLICATION NO.881/2016.**

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

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

**DATE** : 21-06-2017

**ORAL ORDER:-**

Heard Shri S. D. Joshi learned Advocate for the applicant and Smt R. S. Deshmukh learned Presenting Officer for the respondents.

2. The learned P.O. files on record "short affidavit in reply", which runs into 18 pages. The same is accepted. Its copy is served on the other side.

3. This Tribunal vide order dated 10.2.2017 had merely attracted attention of the Respondent that the provisional seniority list dated 27.11.2015 yet remained to be finalized and same should be finalized at the earliest.

4. The learned P.O. on the basis of short affidavit submit that, Committee is constituted, as referred in para no.15. In the circumstances, it is hereby finally

directed that, the decision be taken within a period of 8 weeks failing which this Tribunal would be constrained to take coercive action including calling of the responsible Officer before the Tribunal and/or imposing exemplary costs on the official which would at default.

5. S. O. to 23.8.2017.

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

**VICE CHAIRMAN.**

**ORAL ORDERS 21-06-2017-ATP**

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

**ORIGINAL APPLICATION NO.128/2017.**  
**(Shri G. B. Nalawade 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** : 21-06-2017

**ORAL ORDER:-**

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

2. Learned P.O. submits that he will file affidavit in reply during course of the day. Besides this, he seeks two weeks time to make compliance in view of the order dated 5.4.2017. At his request, S. O. to 13.7.2017 for compliance.

**VICE CHAIRMAN.**

**ORAL ORDERS 21-06-2017-ATP**

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

**ORIGINAL APPLICATION NO.171/2017.**  
**(Miss. D. M. Tengare 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 : 21-06-2017**

**ORAL ORDER:-**

None appears for the applicant. Shri N. U. Yadav  
learned Presenting Officer for the respondents is present.

2. The learned P.O. files affidavit in reply on behalf of  
Respondent no.2. The same is taken on record. He  
further submit that, there is a decision of the Hon'ble  
Supreme Court supporting the G.R. which would show  
that, life of select list would be for one year from the date  
of publication and as such the ratio of the decision of the  
Hon'ble High Court in W.P.No.6916 of 2011 as referred in  
order dated 21.3.2017 of this Tribunal would not be  
applicable. He wants to satisfy this Tribunal on the  
strength of the said judgment.

3. In the above circumstances, S. O. to 05.07.2017  
for hearing on admission.

**VICE CHAIRMAN.**

**ORAL ORDERS 21-06-2017-ATP**

