

MA ST. 198/2017 IN CP ST. 199/2017 IN OA 604/2014

{Smt. Vaishali P. Kadam Vs. The State of Mah. & Ors.}

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

DATE :- 23.02.2017

Oral Order :-

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. Issue notices to the respondents in the misc. application, returnable on 27.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 23.2.2017

ORIGINAL APPLICATION NO. 227 OF 2014

{Shri Jijabrao D. Khairnar Vs. The State of Mah. & Ors.}

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

DATE :- 23.02.2017

Oral Order :-

1. None appears for the applicant. Shri D.R. Patil, learned Presenting Officer for the respondent nos. 1 to 3 and Shri P.B. Patil, learned Advocate for respondent no. 4 are present.

2. The learned P.O. as well as learned Advocate for res. no. 4 seek time to file affidavits in replies on behalf of respective respondents. At their request S.O. to 23.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 23.2.2017

C.P. NO. 3/2016 IN O.A. NO. 239/2015

{Dr. Sonali B. Sayamber Vs. The State of Mah. & Ors.}

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

DATE :- 23.02.2017

Oral Order :-

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

2. The learned Advocate for the applicant seeks leave of this Tribunal to amend the name of res. no. 1 in the contempt petition. The leave as sought for by the learned Advocate for the applicant is granted. The learned Advocate for the applicant to carry out the said amendment during the course of the day.

3. The learned Presenting Officer has filed affidavit sworn by Shri Shailesh R. Patankar, Chief Administrative Officer in the office of Director of Health Services, Mumbai. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

4. The learned Advocate for the applicant files on record the true copy of the order dated 6.2.2017 passed by the Hon'ble Bombay High Court, Bench at Aurangabad in writ petition no. 259/2017. The said order would show that the earlier dispute regarding the same subject was already decided by the Hon'ble Supreme Court and still the concerned Department is challenging the individual cases in the Hon'ble High Court and now they may go up to the Hon'ble Supreme Court and again thus wasting the public money.

5. In the circumstances, call explanation from res. nos. 1 to 3 as to why unnecessarily the order in the original application was challenged before the Hon'ble High Court. The said explanation be submitted on or before 12.4.2017, failing which the order for directing the said respondents to appear in this Tribunal for seeking explanation may be passed.

::-3-::
C.P. NO. 3/2016 IN O.A. NO.
239/2015

6. S.O. to 12.4.2017.
7. The learned P.O. to act on the steno copy of this order.

MEMBER (J)

ARJ ORAL ORDERS 23.2.2017

ORIGINAL APPLICATION NO. 267/2016

{Shri Ashok L. Shejul & Ors. Vs. The State of Mah. & Ors.}

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

DATE :- 23.02.2017

Oral Order :-

1. Heard Shri R.R. Bangar, learned Advocate for the applicants, Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos. 1 to 3 and Shri G.N. Patil, learned Advocate for respondent nos. 4,10,11,14,15,16,18,23, 26, 27 & 40. None appears for other respondents.

2. Shri Patil, learned Advocate for res. nos. 4,10,11,14,15,16,18,23, 26, 27 & 40 submits that the benefit is already extended to some of the applicants. The learned Advocate for the applicants seeks time to take instructions in this regard. Time granted.

3. S.O. to 5.4.2017.

MEMBER (J)

ARJ ORAL ORDERS 23.2.2017

ORIGINAL APPLICATION NO. 327/2016

{Shri Dnyandeo B. Thite Vs. The State of Mah. & Ors.}

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

DATE :- 23.02.2017

Oral Order :-

1. None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.
2. The learned Presenting Officer seeks time to file affidavit in reply on behalf of res. no. 4. The reply of res. no. 5 is already filed on record. At his request, S.O. to 11.4.2017.

MEMBER (J)

ARJ ORAL ORDERS 23.2.2017

ORIGINAL APPLICATION NO. 476/2016

{Smt. Ashvini P. Ganage Vs. The State of Mah. & Ors.}

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

DATE :- 23.02.2017

Oral Order :-

1. Heard Shri S.P. Dhoble, learned Advocate holding for Shri A.V. Patil (Indrale), learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Shri Dhoble, learned Advocate holding for Shri A.V. Patil (Indrale), learned Advocate for the applicant seeks time to file rejoinder of the applicant. At his request, S.O. to 23.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 23.2.2017

ORIGINAL APPLICATION NO. 706/2016

{Shri Sachitanand A. Shejwal Vs. The State of Mah. & Ors.}

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

DATE :- 23.02.2017

Oral Order :-

1. None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.
2. The learned Presenting Officer is unable to make a statement as to whether the errors are corrected in the appointment order as pointed out in the order of this Tribunal dated 13.1.2017.
3. In the circumstances, S.O. to 30.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 23.2.2017

ORIGINAL APPLICATION NO. 739/2016

{Shri Datta B. Mukhade Vs. The State of Mah. & Ors.}

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

DATE :- 23.02.2017

Oral Order :-

1. Heard Shri S.P. Dhoble, learned Advocate holding for Shri A.V. Patil (Indrale), learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

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

3. S.O. to 30.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 23.2.2017

ORIGINAL APPLICATION NO. 37/2015

{Shri Balasaheb N. Raut & Ors. Vs. The State of Mah. & Ors.}

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

DATE :- 23.02.2017

Oral Order :-

1. Heard Shri S.S. Dambe, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to file application of urgent nature and he submits that copy thereof would be supplied to the learned C.P.O. in advance. At his request, S.O. to 1.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 23.2.2017

ORIGINAL APPLICATION NO. 70/2017

{Shri Rajaram S. Shendge Vs. The State of Mah. & Ors.}

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

DATE :- 23.02.2017

Oral Order :-

1. Heard Smt. Vidhya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply of the respondents. Time granted.

3. S.O. to 5.4.2017.

MEMBER (J)

ARJ ORAL ORDERS 23.2.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.50/2017 IN O.A.St.No.107/2017
(Shri Niwruttee Suradkar V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Shri V.G.Salgare learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for the respondents is present.

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

3. S.O.03-04-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION STAMP NO.3022/2016
(Shri S.R.Phalegavkar V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant submits that the applicant has instructed him to withdraw the O.A. unconditionally and prays for leave to withdraw the same. Leave granted.

3. O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.183/2016
(Shri R.V.Davne V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri S.P.Landge learned Advocate holding for Shri V.S.Tanwade learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for the respondent nos.1 & 3 and Shri P.A.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent nos.2 and 4.

2. Learned Advocate for the applicant submits that the applicant has received entire amount of pensionary benefits after filing this O.A. but the respondents have not granted interest on the said amount though the payments were made belatedly. He has submitted that there is inordinate delay in making the payment, and therefore, the applicant is entitled for interest.

3. Learned P.O. as well as the learned Advocate for the respondents submitted that entire pensionary benefits

have been paid to the applicant but the applicant has suppressed this fact. On perusal of the documents, it seems that the pensionary benefits are paid to the applicant and there was delay in payment of pensionary benefits to the applicant and the interest on the said amount has not been paid.

4. Affidavits in reply on behalf of respondent nos.1, 2, 3 and 5 have already been filed on record. Since pleadings are complete, case is admitted and it may be kept for final hearing on 20-03-2017.

5. S.O.20-03-2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.338/2016

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

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri P.B.Rakhunde learned Advocate holding for Shri S.B.Bhapkar learned Advocate for the applicant Smt. Deepali Deshpande learned Presenting Officer for the respondent nos.1 and 2 and Shri Nilesh N. Desale learned Advocate for respondent no.3.

2. Learned Advocate for the applicant prays for leave to produce certain documents on record. Leave granted.

3. S.O.21-03-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.628/2016
(Shri S.S.Jawale V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Shri R.D.Khadap learned Advocate for the applicant is **absent**. Shri S.V.Jaigude learned Advocate for respondent no.3 is **absent**. Shri D.R.Patil learned Presenting Officer for the respondents is present.

2. Since none is present for the applicant,
S.O.21-03-2017.

YUK ORAL ORDER 23-02-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.946/2016
(Shri K.S.Edke V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri S.A.Deshmukh 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.

3. S.O.09-03-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.40/2017

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

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

DATE : 23-02-2017

ORAL ORDER:-

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

2. Learned P.O. 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. Learned P.O. prays for time to file reply on behalf of respondent no.5. Time granted.

4. Learned Advocate for the applicant states that this O.A. and other O.A.No.246/2016, 572/2016 and 765/2016 are identical in nature since the similar relief is sought against the same respondents. He, therefore, prays for leave to tag these cases together. Leave granted. These cases be tagged together and be kept for final hearing on 23-03-2017.

5. S.O.23-03-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.246/2016
(Shri R.M.Dabhade & Ors. V/s. State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

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

2. At the request of both sides, S.O. 23-03-2017 for final hearing.

YUK ORAL ORDER 23-02-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.572/2016
(Shri S.M.Sulfile & Ors. V/s. State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri P.V.Suryavanshi learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for the respondents.

2. At the request of both sides, S.O. 23-03-2017 for final hearing.

YUK ORAL ORDER 23-02-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.765/2016
(Shri B.H.Tarte & Ors. V/s. State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri P.V.Suryavanshi learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. At the request of both sides, S.O. 23-03-2017 for final hearing.

YUK ORAL ORDER 23-02-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.65/2017

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

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

DATE : 23-02-2017

ORAL ORDER:-

Shri S.D.Joshi learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for the respondents is present.

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

3. S.O.29-03-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.147/2016 IN O.A.St.No.532/2016
(Shri A.R.Patil V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri A.D.Sugdare learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondent nos.1 to 3. Smt. Chaitali Choudhary/Kutti learned Advocate for respondent no.4 is **absent.**

2. This M.A.No.147/2016 has been filed for condonation of delay caused in filing the O.A.

3. Arguments of both sides are heard on the point of delay condonation. M.A. is closed for order.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.381/2016 IN O.A.No.761/2015
(Shri L.P.Ratnaparkhi V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri G.J.Kore learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. Learned P.O. files reply in the M.A. on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant prays for leave to make suitable amendment in the M.A. Leave granted.

4. S.O.03-04-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.421/2016
(Shri S.V.Khillare V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri V.B.Wagh learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for the respondent and Shri Shamsundar B. Patil learned Advocate for respondent no.2.

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

3. S.O.03-03-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.649/2015

(Shri Shakir Kadir Shaikh V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Smt. Supriya Bhilegaonkar learned Advocate for the applicant, Smt. Resha Deshmukh learned Presenting Officer for the respondent no.1 and Shri Vivek Bhavthankar learned Special Counsel for respondent nos.2 and 3.

2. Shri Bhavthankar learned Special Counsel has produced certain documents on record. Those are taken on record and served on the other side.

3. Learned Advocate for the applicant prays for adjournment for arguing the matter finally. Adjournment granted.

4. S.O.09-03-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.155/2016
(Dr. J.S.Veer V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Shri M.P.Gude learned Presenting Officer for the respondent nos.1 to 4 and Shri N.B.Jadhav learned Advocate holding for Shri S.N.Rodge learned Advocate for respondent nos.5 and 6.

2. Learned P.O. prays for time for filing affidavit in reply on behalf of the respondents. Time granted as a last chance.

3. S.O.27-03-2017.

YUK ORAL ORDER 23-02-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.481/2016
(Shri V.R.Bangar V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri M.R.Kulkarni learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for the respondents.

2. Applicant has added respondent no.5 as party respondent. Hence, issue notice to added respondent no.5, returnable on 07-04-2017.

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 respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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 questions such as limitation and alternate remedy are kept open.

=2=

O.A.No.481/16

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. Steno copy and Hamdast is allowed to both parties.

8. S.O.07-04-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.552/2016
(Shri S.B.Bagal V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri N.K.Choudhary learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for the respondent nos.1 to 4 and Shri Y.VDhole learned Advocate for respondent no.5.

2. Learned Advocate for the applicant prays for time for filing rejoinder. Time granted.

3. S.O.09-03-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.623/2016

(Shri A.P.Katkar V/s. The State of Mah. & Ors.)

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

DATE : 23-02-2017

ORAL ORDER:-

Heard Shri S.B.Mene learned Advocate holding for Shri Ajay Deshpande learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for the respondent and Shri G.N.Patil learned Advocate for respondent no.2.

2. Learned Advocate for the applicant prays for adjournment for arguing the matter finally and he submits that he will positively argue the matter on that date.

3. Adjournment granted to the applicant as a last chance. Further adjournments will not be granted and applicant to argue the matter positively on 27-03-2017.

4. S.O.27-03-2017.

MEMBER (J)

YUK ORAL ORDER 23-02-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 695/2016
[Shri Jagdish S. Pandalwar Vs. The State of Mah. & Ors.]**

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

DATE : 23.02.2017.

ORAL ORDER:

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

2. At the request of learned Presenting Officer for the respondents, S.O to 31.03.2017.

MEMBER (J)
ORAL ORDERS 23.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 11/2017
[Shri Subhash Kisan Dahale Vs. The State of Mah. & Ors.]**

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

DATE : 23.02.2017.

ORAL ORDER:

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

2. The matter is heard at length and the learned Advocate for the applicant sought time to amend the O.A. Time granted.

3. The matter is to be treated as part heard.

4. S.O to 27.03.2017.

5. Steno copy allowed to the learned Advocate for the applicant at his request.

MEMBER (J)

ORAL ORDERS 23.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 358/2014 IN O.A.ST.1184/2014

**(Dr. Gangadhar Dattatray Ghate Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE JUSTICE SHRI M.T. JOSHI,
MEMBER (JUDICIAL)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 23.02. 2017.

ORAL ORDER:

1. Shri S.V. Mundhe – learned Advocate for the applicant (**absent**). Smt. Resha S. Deshmukh – learned Presenting Officer for the respondent Nos. 1 to 3 and Shri R.D. Thorat, learned Advocate holding for Shri P.D. Suryawanshi – learned Advocate for respondent No. 4.

2. Learned Presenting Officer seeks time to file affidavit in reply. In the circumstances, S.O. to 22nd March, 2017 for appearance of the applicant and for filing affidavit in reply, in case of default, necessary orders will be passed.

MEMBER (J)

ORAL ORDERS 23.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 05/2016 IN O.A.ST.1547/2015

**(Shri K.B. Bahure Vs. The State of Maharashtra and
Others.)**

**CORAM : HON'BLE JUSTICE SHRI M.T. JOSHI,
MEMBER (JUDICIAL)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 23.02. 2017.

ORAL ORDER:

1. Heard Shri V.B. Wagh – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.
2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 22nd March, 2017 for filing affidavit in reply.

MEMBER (J)

ORAL ORDERS 23.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 108/2016 IN O.A.ST.103/2016

**(Shri Bhajandas S/o. Jairam Kanhekar Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE JUSTICE SHRI M.T. JOSHI,
MEMBER (JUDICIAL)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 23.02. 2017.

ORAL ORDER:

1. Heard Shri M.N. Deshmukh – 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 27th February, 2017.

MEMBER (J)

ORAL ORDERS 23.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A. 166/16 IN C.P.ST.609/16 IN O.A.94/14

**(Shri Ashok R. Sanap Vs. The State of Maharashtra and
Others.)**

**CORAM : HON'BLE JUSTICE SHRI M.T. JOSHI,
MEMBER (JUDICIAL)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 23.02. 2017.

ORAL ORDER:

1. Shri K.G. Salunke – learned Advocate for the applicant (**absent**). Shri M.P. Gude – learned Presenting Officer for the respondent Nos. 1 to 4 and Shri Shamsuindar B. Patil – learned Advocate for respondent No. 5, were present.

2. This Miscellaneous Application No. 166/2016 has been filed by the applicant seeking permission to file contempt petition against the respondent authorities for non-compliance of judgment and order dated 12.01.2015 passed by this Tribunal in O.A. No. 94/2014.

3. Learned Presenting Officer submits that in fact order is complied with and the statement in this regard has been made in the affidavit in reply.

3. In that view of the matter, nothing survives in the M.A. No. 166/2016 and the same stands disposed of accordingly. Consequently, Contempt Petition St. No. 609/2016 also stands disposed of. There shall be no order as to costs.

MEMBER (J)

ORAL ORDERS 23.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A. 183/16 IN C.P.ST.686/16 IN O.A.352/14

**(Shri Rohidas Sadashiv Jadhav Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE JUSTICE SHRI M.T. JOSHI,
MEMBER (JUDICIAL)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)**

DATE : 23.02. 2017.

ORAL ORDER:

1. Heard Shri J.S. Deshmukh – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer S.O. to 5th April, 2017, as a last chance, in default of compliance, necessary orders will be passed.
3. Learned Presenting Officer to act upon the Steno Copy.

MEMBER (J)

ORAL ORDERS 23.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 347 OF 2015

**(Shri Dipak S/o Dnyanoba Edke & Ors. Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE JUSTICE SHRI M.T. JOSHI,
MEMBER (JUDICIAL)**

DATE : 23.02. 2017.

ORAL ORDER:

1. Heard Shri G.R. Jadhav, learned Advocate holding for Shri Avishkar S. Shelke – learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.
2. The applicants in their rejoinder vide paragraph No. 6 had averred as under: -

“6. I say and submit that, during pendency of the Original Application, the applicants in O.A. No. 449/2015 came to be appointed as Kotwal pursuant to the order dated 16/10/2015. The applicants were called for interview vide letter dated 13/05/2016. The applicants attended the interview held on 23/05/2016. The applicants also pointed out that, their case is also similar of the applicants in O.A. No. 449/2015. However, the respondents did not take further steps in view of the pendency of the present Original Application. The applicants further state that, as on today, 5 posts of Kotwal are vacant under Loha Tahsil. The copy of the information given to the applicants on 13/06/2016 by Tahsildar Loha is annexed herewith and marked as **ANNEXURE-“AR-5”**.

O.A. NO. 347 OF 2015

3. It is hereby clarified that pendency of the present Original Application would not be in any way an obstruction in taking further decisions in the matter by the authorities. In the circumstances, if the contents of the present affidavit in rejoinder are true, the concerned respondents are directed to take positive steps within a period of three months from today and to file reply in this regard.

4. If however, the contents are not true, the respondents would be at liberty to contest the same by filing sur-rejoinder.

5. With these observations, S.O. to 30th March, 2017. Learned Presenting Officer to act upon the steno copy.

MEMBER (J)

ORAL ORDERS 23.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 802 OF 2015

**(Shri Raosaheb S/o. Jairam Mhaske Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE JUSTICE SHRI M.T. JOSHI,
MEMBER (JUDICIAL)**

DATE : 23.02. 2017.

ORAL ORDER:

1. Heard Shri G.R. Jadhav, learned Advocate holding for Shri Avishkar S. Shelke – learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.

2. The applicant in his rejoinder vide paragraph No. 5 had averred as under: -

“5. I say and submit that, during pendency of the Original Application, the applicants in O.A. No. 449/2015 came to be appointed as Kotwal pursuant to the order dated 16/10/2015. The applicants were called for interview vide letter dated 13/05/2016. The applicants attended the interview held on 23/05/2016. The applicants also pointed out that, their case is also similar of the applicants in O.A. No. 449/2015. However, the respondents did not take further steps in view of the pendency of the present Original Application. The applicants further state that, as on today, 5 posts of Kotwal are vacant under Loha Tahsil. The copy of the information given to the applicants on 13/06/2016 by Tahsildar Loha is annexed herewith and marked as **ANNEXURE-“AR-4”**.

O.A. NO. 802 OF 2015

3. It is hereby clarified that pendency of the present Original Application would not be in any way an obstruction in taking further decisions in the matter by the authorities. In the circumstances, if the contents of the present affidavit in rejoinder are true, the concerned respondents are directed to take positive steps within a period of three months from today and to file reply in this regard.

4. If however, the contents are not true, the respondents would be at liberty to contest the same by filing sur-rejoinder.

5. With these observations, S.O. to 30th March, 2017. Learned Presenting Officer to act upon the steno copy.

MEMBER (J)

ORAL ORDERS 23.02.2017- HDD(DB)