

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 273/2017 with O.A. No. 467/2017  
(Shri Praveen R. Solanke V/s. the State of Mah. & Ors. )**

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

**DATE : 24.07.2017.\_**

**ORAL ORDER:-**

Shri A.S. Deshmukh, learned Advocate for the applicant in M.A. and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 2 & 3. Shri S.D. Joshi, learned Advocate for respondent no. 1 (applicant in O.A.) has filed **leave note**.

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

3. At the request of learned Presenting Officer, S.O. to 25.07.2017.

**MEMBER (J)**

**KPB ORAL ORDER 24-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 274/2017 with O.A. No. 468/2017  
(Shri Sharad R. Waghmare V/s. the State of Mah. & Ors. )**

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

**DATE : 24.07.2017.\_**

**ORAL ORDER:-**

Shri A.S. Deshmukh, learned Advocate for the applicant in M.A. and Shri D.R. Patil, learned Presenting Officer for respondent nos. 2 & 3. Shri S.D. Joshi, learned Advocate for respondent no. 1 (applicant in O.A.) has filed **leave note**.

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

3. At the request of learned Chief Presenting Officer, S.O. to 25.07.2017.

**MEMBER (J)**

**KPB ORAL ORDER 24-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**O.A. No. 469/2017**

**(Shri Kishan B. Pathade V/s. the State of Mah. & Ors. )**

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

**DATE : 24.07.2017.\_**

**ORAL ORDER:-**

Shri S.D. Joshi, learned Advocate for the applicant  
(**Leave Note**). Smt. Deepali S. Deshpande, learned  
Presenting Officer for respondents, present.

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

3. At the request of learned Chief Presenting Officer,  
S.O. to 25.07.2017.

**MEMBER (J)**

**KPB ORAL ORDER 24-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A. No. 192/2017 with O.A. No. 792/2015**  
(Shri (Dr.) Chetal K. Shingane & Ors. V/s. the State of Mah. & Ors. )

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

**DATE : 24.07.2017.\_**

**ORAL ORDER:-**

Heard Shri A.S. Deshmukh, learned Advocate for the applicants in M.A., Shri N.U. Yadav, learned Presenting Officer for respondent nos. 8 & 9 and Shri Vishnu Dhoble, learned Advocate for respondent nos. 1 to 7 (applicants in O.A.).

2. Learned Advocate for respondent nos. 1 to 7 (applicant in O.A.) has filed affidavit in reply on behalf of respondent nos. 1, 3 & 5. Same is taken on record and the copy thereof has been served on the other side.

3. Learned Advocate for respondent Nos. 1 to 7(applicants in O.A.) seeks time to file affidavit in reply on behalf of other respondents. Time granted.

4. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 8 & 9. Time granted.

5. S.O. to 08.08.2017.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION 278/2016**  
(Shri Mohan K. Devbone V/s. the State of Mah. & Ors. )

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

**DATE : 24.07.2017.\_**

**ORAL ORDER:-**

Shri R.S. Shejul, learned Advocate holding for Shri K.M. Nagarkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 24-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION 694/2016**

**(Shri Sanjay Kisan Gaikwad V/s. the State of Mah. & Ors. )**

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

**DATE : 24.07.2017.\_**

**ORAL ORDER:-**

Shri V.B. Wagh, learned Advocate holding for Shri S.R. Sapkal, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 24-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION 554/2016**  
**(Shri Ramdas N. Sangle V/s. the State of Mah. & Ors. )**

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

**DATE : 24.07.2017.\_**

**ORAL ORDER:-**

Shri V.B. Wagh, 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 10.08.2017.

**KPB ORAL ORDER 24-07-2017**

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION 373/2016**

**(Shri Anant K. Rankhambe V/s. the State of Mah. & Ors. )**

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

**DATE : 24.07.2017.\_**

**ORAL ORDER:-**

Heard Shri G.G. Suryawanshi, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent nos. 1 to 3 and Shri V.H. Solunke, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for the applicant, S.O. to 02.08.2017.

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

**MEMBER (J)**

**KPB ORAL ORDER 24-07-2017**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 762/2016  
(Shri Nakul S. Mhaske V/s. the State of Mah. & Ors. )**

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

**DATE : 24.07.2017.\_**

**ORAL ORDER:-**

Heard Shri A.S. Deshmukh, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. Today, the learned Presenting Officer has placed on record a copy of communication dated 21.07.2017 received to him from the Deputy Commissioner (EGS), Nashik, along with the communication dated 20.07.2017 issued by the Deputy Secretary, State of Maharashtra to the Divisional Commissioner, Nashik Division, Nashik. He has submitted that the Secretary, (Planning Department) EGS, Mumbai has sought time to take decision on the enquiry report submitted against the applicants and others and therefore, he prayed to grant six weeks time. Copy of the same communication is placed on record and marked as document 'X' for the purposes of identification.

3. Learned Advocate for the applicant has submitted that the matter is pending since September-2016. The enquiry report has been submitted long back i.e. in May-2017, but the respondents have not taken decision. Therefore, he prayed to reject the request of the learned Presenting Officer.

4. Since the matter is pending before the Secretary, (Planning Department) EGS, Mumbai, for taking final decision on the enquiry report submitted against the 46 employees in the month of May-2017, it is just and proper to grant four weeks time for taking decision on the enquiry report. The Secretary, (Planning Department) EGS, Mumbai viz. Shri (Dr.) Eknath Devale, is directed to take final decision in the matter within a period of four weeks from today. If he fails to take decision in stipulated time, he has to mention the reasons for not taking decision by filing his personnel affidavit on the next date.

5. S.O. to 21.08.2017.

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

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 833/2016**

**(Shri (Dr.) Sanjay K. Muley V/s. the State of Mah. & Ors.)**

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

**DATE : 24.07.2017.\_**

**ORAL ORDER:-**

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

2. Today, the learned Chief Presenting Officer has placed on record a copy of communication dated 24.07.2017 received to him from the Additional Secretary, Maharashtra State, Mumbai, informing that one year study leave has been granted to the applicant w.e.f. 01.07.2016 to 30.06.2017 in view of the provisions of Sections 80(3)(a)(b), 81(1)(a) and 83(4)(a) of the Maharashtra Civil Services (Leave) Rules, 1981 and further one year's leave has been sanctioned on receipt of proposal from the Director, Health Services, Mumbai along with certificate of passing in the first of the course for which the applicant is applying. Copy of the said communication is taken on record and marked as Document-'X' for the purposes of identification.

3. Learned Advocate for the applicant has submitted that in view of the said communication, necessary order may be passed in the present matter.

4. The respondents have considered the leave application of the applicant and granted one year study leave w.e.f. 01.07.2016 to 30.06.2017 in view of the provisions of the Sections 80(3)(a)(b), 81(1)(a) and 83(4) (a) of the Maharashtra Civil Services (Leave) Rules, 1981. The respondents have submitted that they will consider the application of the applicant secondly on production of certificate of passing of first year. Since the respondents have submitted to consider proposal for second year leave, the O.A. deserves to be disposed of.

5. In view of the above said facts and circumstances, the O.A. stands disposed of with no order as to costs.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 350 OF 2017  
(Shri Vyankat B. Bhosale Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri D.B. Bhange – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the present Original Application.
3. Leave to amend the Original Application is granted. The learned Advocate for the applicant undertakes to amend the Original Application by tomorrow i.e. on 25.07.2017.
4. S.O. to 3<sup>rd</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 351 OF 2017  
(Shri Baban B. Shinde Vs. The State of Maha. and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri D.B. Bhange – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the present Original Application.
3. Leave to amend the Original Application is granted. The learned Advocate for the applicant undertakes to amend the Original Application by tomorrow i.e. on 25.07.2017.
4. S.O. to 3<sup>rd</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 615 OF 2017  
(Shri Tarachand K. Jadhav Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri D.B. Bhange – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the present Original Application.
3. Leave to amend the Original Application is granted. The learned Advocate for the applicant undertakes to amend the Original Application by tomorrow i.e. on 25.07.2017.
4. S.O. to 3<sup>rd</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 616 OF 2017  
(Shri Chandu R. Kayasth Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri D.B. Bhange – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the present Original Application.
3. Leave to amend the Original Application is granted. The learned Advocate for the applicant undertakes to amend the Original Application by tomorrow i.e. on 25.07.2017.
4. S.O. to 3<sup>rd</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 617 OF 2017  
(Shri Kashinath T. Chauthmal Vs. The State of Maha.  
and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri D.B. Bhangе – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the present Original Application.
3. Leave to amend the Original Application is granted. The learned Advocate for the applicant undertakes to amend the Original Application by tomorrow i.e. on 25.07.2017.
4. S.O. to 3<sup>rd</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 766 OF 2017  
(Shri Ratnakar S. Vaidya Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri D.B. Bhange – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the present Original Application.
3. Leave to amend the Original Application is granted. The learned Advocate for the applicant undertakes to amend the Original Application by tomorrow i.e. on 25.07.2017.
4. S.O. to 3<sup>rd</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 428 OF 2017  
(Shri Raghunath J. Mardode Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Shri G.K. Muneshwar – learned Advocate for the applicant (**absent**). Shri M.P. Gude – learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant, S.O. to 10<sup>th</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 841 OF 2016  
(Shri Sambhaji S. Waghumbare & 07 Ors. Vs. The State  
of Maha. and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri V.B. Wagh – learned Advocate for the applicants and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 21<sup>st</sup> August, 2017, to enable him to produce on record the copy of Government Resolution dated 29<sup>th</sup> September, 2003.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 434 OF 2016  
(Dr. Abdul Salim Abdul Karim Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri J.B. Choudhary – learned Advocate for the applicant, Shri I.S. Thorat – learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent Nos. 4 & 5.

2. It transpires from the proceedings that the affidavit in reply on behalf of respondent Nos. 1 to 3 has already been filed on record. It further transpires from the proceedings that affidavit in rejoinder to the reply filed on record on behalf of respondent Nos. 1 to 3 has already been filed by the applicant.

3. In that view of the matter and considering the cause made out in the present Original Application, the same is **admitted** and kept for final hearing on 21<sup>st</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 75 OF 2017  
(Shri Abdul Bin Abdulla Vs. The State of Maha. and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Shri A.D. Sugdare – learned Advocate for the applicant has filed leave note. Shri V.R. Bhumkar – learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Shamsundar Patil – learned Advocate for respondent Nos. 3 & 4, were present

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 14<sup>th</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO.87/2017 IN O.A.ST.NO. 280/2017  
(Shri Punamchand S. Bainade Vs. The State of Maha.  
and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi – learned Advocate for the applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.

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

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 398 OF 2017  
(Shri Devendra D. Joshi Vs. The State of Maha. and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri B.D. Bachate – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Learned Chief Presenting Officer for the respondents prays for time for filing affidavit in reply. Time granted.
3. S.O. to 7<sup>th</sup> August, 2017. Interim relief granted earlier to continue till then.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 305 OF 2017  
(Smt. Rajmudra M. Khillare Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

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

2. At the request of learned Chief Presenting Officer, S.O. to 28<sup>th</sup> July, 2017, to enable him to place on record necessary documents. Status quo granted earlier to continue till then.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 215 OF 2017  
(Shri Kalim F. Tamboli Vs. The State of Maha. and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Avishkar S. Shelke – learned Advocate for the applicant, Shri M.P. Gude – learned Presenting Officer for respondent Nos. 1 & 2 and Shri S.B. Choudhari – learned Advocate for respondent No. 3.
2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.
3. S.O. to 14<sup>th</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 167 of 2017  
(Shri Fakirrao A. Wadhve Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

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

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

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICAATION NO. 71 OF 2017  
(Shri Mahadeo G. Kandalgaonkar & Ors. Vs. The State of  
Maha. and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Vivek Pingle – learned Advocate for the applicant and Shri S.K. Shirse – learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 21<sup>st</sup> August, 2017, to enable him to file affidavit in reply.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 654 OF 2016  
(Shri Murlidhar H. Suryawanshi Vs. The State of Maha.  
and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri R.P. Adgaonkar – learned Advocate for the applicant and Shri S.K. Shirse – learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 8<sup>th</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 15 OF 2017  
(Shri Subhash M. Sonwane Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Sanjay Kachare – learned Advocate for the applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondents.
2. Learned Presenting Officer prays for time for filing affidavit in reply on behalf of respondent No. 6. Time granted as a last chance.
3. S.O. to 7<sup>th</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 04 OF 2017  
(Shri Ramlal B. Brahmane Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri V.G. Pingle, learned Advocate holding for Shri V.B. Wagh – learned Advocate for the applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant prays for time for filing affidavit in rejoinder. Time granted.
3. S.O. to 22<sup>nd</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 922 OF 2016  
(Shri Vijay P. Sable Vs. The State of Maha. and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Manoj SHinde – learned Advocate for the applicant, Mrs. Deepali S. Deshpande – learned Presenting Officer for respondent Nos. 1 to 3 and SHri V.G. Pingle – learned Advocate for respondent No. 4.
2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.
3. S.O. to 9<sup>th</sup> August, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 905 OF 2016  
(Shri Mahavir C. Gosavi Vs. The State of Maha. and Ors.)**

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

**DATE : 24.07. 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 3 and Shri D.T. Devane – learned Advocate for respondent No. 4.
2. Learned Presenting Officer sought one week's time to take instructions as to whether the respondent No. 4 can be accommodated at Shrirampur. Time granted.
3. S.O. to 31<sup>st</sup> July, 2017.

**MEMBER (J)**

ORAL ORDERS 24.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 491 OF 2017  
(Shri Santosh U. Gomsale Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri S.M. Kaushe, learned Advocate holding for Shri S.S. Salve – learned Advocate for the applicant and Shri S.K. Shirse – learned Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 28<sup>th</sup> 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 28<sup>th</sup> August, 2017.
8. Steno copy and hamdust is allowed to both the parties.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 484 OF 2017  
(Shri Baban K. Jorwar Vs. The State of Maha. and Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Shri Avinash S. Deshmukh – learned Advocate for the applicant and Shri I.S. Thorat – learned Presenting Officer for the respondents.

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

3. The applicant is serving as Civil Engineering Assistant i.e. in Group-C Cadre. He retired on 31<sup>st</sup> December, 2016. Learned Advocate for the applicant has submitted that applicant's pay has been re-fixed by granting him the benefits of TPBS and ACPS w.e.f. 22/09/2001 and 22/09/2013 respectively and the recovery of Rs. 6,85,326 has been ordered by issuing another impugned order dated 13.05.2017. Learned Advocate for the applicant has submitted that the amount has not been yet recovered from the applicant.

4. In these circumstances, it is just and proper to stay the execution of the impugned order till filing the affidavit in reply to the present Original Application by the respondents. Hence, the execution of impugned order dated 13.05.2017 is hereby stayed till filing of the affidavit in reply.

5. Issue notices to the respondents, returnable on 24<sup>th</sup> August, 2017.

**O.A. NO. 484 OF 2017**

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

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

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

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

10. S.O. to 24<sup>th</sup> August, 2017.

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

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.ST.968/17 IN M.A.ST.969/17 IN O.A.ST.970/17  
(Shri Kailas M. Jadhav & Ors. Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Avishkar S. Shelke – learned Advocate for the applicants and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. The present Miscellaneous Application St. No. 968/2017 has been filed by the applicants for condonation of delay of about 6 months 22 days caused in filing the accompanying Original Application St. No. 970/2017.
3. Issue notices to the respondents in M.A. St No. 968/2017, returnable on 21<sup>st</sup> August, 2017.
4. Tribunal may take the case/s for final disposal at this stage and separate notice for final disposal shall not be issued.
5. 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 M.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. 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.
7. 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.
8. S.O. to 21<sup>st</sup> August, 2017.
9. Steno copy and hamdust is allowed to both the parties.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 370 OF 2017  
(Shri Madan B. Dhembare Vs. The State of Maha. and  
Ors.)**

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

**DATE : 24.07. 2017.**

**ORAL ORDER:**

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

2. Learned Advocate for the applicant has filed service affidavit and the same is taken on record.

3. Learned Chief Presenting Officer for the respondents 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 on the learned Advocate for the applicant.

4. Learned Advocate for the applicant has submitted that this Tribunal has granted stay to the impugned order of transfer on 20.06.2017. He further submitted that despite of the stay order, the respondents relieved the applicant on 23.06.2017. He has further submitted that the respondent No. 3 passed an order on 21<sup>st</sup> June, 2017 and directed one Shri P.V. Pawar to join at the place of applicant. He has submitted that the said order is in contravention of the stay order granted by this Tribunal earlier and it amounts the breach of the said order.

5. Learned Chief Presenting Officer has submitted that the applicant has been relieved from his post on 22.06.2017

and one Shri P.V. Pawar was posted on 21<sup>st</sup> June, 2017. He has submitted that he wants to take instructions from the concerned officer and seeks time.

6. In view of this, the respondents are directed to give names of the officers, who have passed the relieving order of the applicant and posting order of one Shri P.V. Pawar in place of the applicant, in spite of the stay granted to the transfer order of the applicant by this Tribunal on 20.06.2017.

7. S.O. to 10<sup>th</sup> August, 2017. Interim relief granted earlier to continue till then.

8. Learned Chief Presenting Officer to act upon the steno copy of this order.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.27/2017 IN C.P.St.No.36/2017 IN  
O.A.No.593/2015  
(Shri Sandu Ukhaji Gawali V/s.  
The State of Maharashtra & Ors.)**

**CORAM : HON'BLE SHRI JUSTICE A.H. JOSHI,  
CHAIRMAN**

**DATE : 24-07-2017**

**ORAL ORDER:**

Shri S.D.Joshi learned Advocate for the applicant has filed leave note on record. Shri D.R.Patil learned Presenting Officer for the respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O.04-08-2017.

**CHAIRMAN**

YUK ORAL ORDER 24-07-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.St.No.871/2017 in C.P.St.No.872/2017 IN  
O.A.No.838/2015  
(Shri Ramdas T. Patil V/s.  
The State of Maharashtra & Ors.)**

**CORAM : HON'BLE SHRI JUSTICE A.H. JOSHI,  
CHAIRMAN**

**DATE : 24-07-2017**

**ORAL ORDER:**

Heard Shri Mahesh S. Dhapate learned Advocate holding for Shri R.P.Bhumkar 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. 04-08-2017.

**CHAIRMAN**

YUK ORAL ORDER 24-07-2017

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

**ORIGINAL APPLICATION NO.296/2017.**

(Shri Panchamlal Laxman Salve 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** : 24-07-2017

**ORAL ORDER:-**

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

2. The learned Advocate for the applicant on instructions does not want to press the application. Hence allowed to withdraw and disposed of without any order as to costs.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**MA NO.383/16 IN OA ST.1756/16.**  
**(Smt. Mangal S. Kathar Vs. State of Mah. & Ors.)**

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

**DATE : 24-07-2017**

**ORAL ORDER:-**

Heard Shri D. T. Devane learned Advocate for the applicant and S-mt D. S. Deshpande learned Presenting Officer for the respondents.

2. The learned advocate for the applicant seeks time till tomorrow. At his request, S. O. to 25.07.2017.

3. Be tagged with MA No.353/2-16.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**O. A. Nos. 639, 640, 676, 681, 682, 864, 897, 803, 860, 905, 906,  
907, 908, 909, 910 all of 2012 &  
OA Nos. 243, 259, 260 and 325 of 2013.**

**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** : 24-07-2017

**COMMON ORAL ORDER:-**

Heard Shri S. S. Dambe learned Advocate for the applicants  
in all the matters and Shri V. R. Bhumkar learned Presenting  
Officer for the respondents in all the matters.

2. The learned Advocate for the applicants makes a statement  
that, the issue in all the present O.As. is pending before Hon'ble  
The Supreme Court of India. In the circumstances, remove from  
the Board.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.685/2015.**  
**(Shri Rahul Kulkarni & 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** : 24-07-2017

**ORAL ORDER:-**

Heard Shri R. P. Adgaonkar learned Advocate for the applicant and Shri N. U. Yadav learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant on instructions submits that, some of the applicant has joined other services and therefore, he will have to take definite instructions from the applicant. At his request, S. O. to 28.8.2017 for taking instructions for filing rejoinder and for hearing on admission.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.599/2016.**  
**(Sunita Ramdas Bahiram 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** : 24-07-2017

**ORAL ORDER:-**

Heard Shri D. J. Patil learned Advocate for the applicant and  
Shri N. U. Yadav learned Presenting Officer for the respondents.

2. The learned P. O. seeks time to take steps as directed by  
order dated 8.6.2017. It is to be noted that, the case is already  
protracted for one reason or the other. In the circumstances, S. O.  
to 22.8.2017 for taking steps.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.898/2016.**  
**(Shri V. L. Nilawar 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** : 24-07-2017

**ORAL ORDER:-**

Heard Shri M. R. Kulkarni learned Advocate holding for Shri K. G. Salunke learned Advocate for the applicant and Shri S. K. Shirse learned Presenting Officer for the respondents.

2. Shri M. R. Kulkarni learned Advocate holding for Shri K. G. Salunke learned Advocate for the applicant seeks time to file rejoinder. The record would show that, since 13.2.2017 for four dates nobody has appeared for the applicant. On the last date i.e. on 28.6.2017 last chance was granted for filing rejoinder. Hence, S. O. to 10.8.2017 for filing rejoinder or to proceed the case without any rejoinder.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.274/2017.**  
**(Shri A. A. Beedkar & 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** : 24-07-2017

**ORAL ORDER:-**

None present for the applicant. Smt D. S. Deshpande learned  
Presenting Officer for the respondents is present.

2. The order dated 13.7.2017 would show that, the learned  
Advocate for the applicant was required to take instructions and /  
or to file rejoinder, if any.

3. In view of the absence of the learned Advocate for the  
applicant, S. O. to 22.8.2017 either for making submission or for  
passing necessary orders.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**



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

**ORIGINAL APPLICATION NO.384/2017.**  
**(Shri R. J. Patil 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** : 24-07-2017

**ORAL ORDER:-**

Heard Shri P. B. Patil 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 23<sup>rd</sup> August, 2017.

3. 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.

4. 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.

5. 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.

6. Affidavit of service be filed one week before due date.
7. Learned P.O. is directed to communicate this order.
8. Affidavit in reply be filed before due date.
9. Steno copy and Hamdast is allowed to both parties.
10. S.O. to 23.08.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.540/2016.**  
**(Shri R. D. Sapkale 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** : 24-07-2017

**ORAL ORDER:-**

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

2. Shri B. S. Deshmukh learned Advocate for the applicant submits that, he is unable to proceed further and seek time about the G.R. as ordered on 13.06.2017 as the applicant has expressed wish for engaging another Advocate. At his request, S. O. to 22.8.2017 for taking instructions.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.187/2017.**  
**(Shri S. T. Bhange 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** : 24-07-2017

**ORAL ORDER:-**

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

2. The learned P. O. submits that during course of the day  
affidavit in reply would be filed. Copy be served on the other side.

3. S.O. to 10.8.2017 for hearing on admission.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.403/2015.  
(Shri V. M. Khare Vs. State of Mah. & Ors.)**

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

**DATE : 24-07-2017**

**ORAL ORDER:-**

Heard Shri S. G. Shinde learned Advocate for the applicant and Shri S. K. Shirse learned Presenting Officer for the respondents.

2. The arguable case is made out.
3. Admit.
4. Learned P.O. waives the notice for the respondents upon admission hearing.
5. S. O. to 24.08.2017 for final hearing.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**MA NO.345/2016 IN OA ST.1511/2016.**

**(Shri P. N. Mule Vs. State of Mah. & Ors.)**

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

**DATE : 24-07-2017**

**ORAL ORDER:-**

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

2. Upon hearing the learned Advocate for the applicant it appears that, the present applicant is aggrieved by not granting time bound promotion. However, the date of grant of this benefit to his junior is not known to the present applicant. In fact, the present applicant is seeking revision in his pension upon grant of time bound promotion. Therefore, the cause of action had arisen on the date he was superseded in grant of time bound promotion.

3. The learned Advocate for the applicant therefore, seeks time to take definite instructions in this regard.

4. S. O. to 13.09.2017 for taking instructions.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.772/2015.**  
**(Shri S. G. Bilapatte Vs. State of Mah. & Ors.)**

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

**DATE : 24-07-2017**

**ORAL ORDER:-**

Heard Shri D. T. Devane learned Advocate holding for Shri M. B. Kolpe learned Advocate for the applicant and Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to file affidavit in reply. At his request, S. O. to 10.08.2017 for filing reply by the respondents.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.327/2017.**

**(Shri A. R. Pofale 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 : 24-07-2017**

**ORAL ORDER:-**

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

2. In view of the orders dated 8.6.2017 and 16.6.2017 the learned P.O. submits that, the certificates produced by the Respondents no.3 & 4 are also forwarded to the competent authority for verification. The concerned Respondent is directed also to forward the copy of page nos.59 to 62, which would show that, the Respondents no.3 & 4 were earlier disqualified by the competent authority when they participated in another selection process with a different establishment.

3. Considering the specific case of the applicant as placed at page nos. 59 to 62 that the Respondents no. 3 & 4 were also disqualified for the same reasons that are



raised in the present application Respondents no.3 & 4 shall not be appointed until further orders to the post advertised for.

3. Issue notices to the respondents, returnable on 28<sup>th</sup> August, 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 28.08.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.339/2017.**  
**(Shri R. A. Kakad & 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** : 24-07-2017

**ORAL ORDER:-**

Heard Shri A. S. Deshmukh learned Advocate for the applicant, Shri I. S. Thorat learned Presenting Officer for the respondents no.1 & 2, Shri M. R. Kulkarni learned Advocate for the Respondent no.3 and Shri Chapalgaonkar, learned Advocate for the remaining Respondents.

2. The learned P.O. for Respondents no.1 & 2, learned Advocate for the Respondent no.3 as well as the learned Advocate for remaining Respondents seek time to file affidavit in replies.

3. Shri M. R. Kulkarni the learned Advocate for the Respondent no.3 M. P. S.C. files on record true copy of the order passed by principal Bench of this Tribunal in

.....2..

OA No.524/2017 dated 12.7.2017. It is taken on record and marked as "X" for the purpose of identification.

4. In view of the statement made in the said O.A. the appointments are not going to be made within a period of two months.

5. S.O. to 04.09.2017 for filing affidavit in replies.

**VICE CHAIRMAN.**

**ORAL ORDERS 24.07.2017-ATP**