

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

ORIGINAL APPLICATION NO. 57/2017

(Shri Kiran S. Mashale V/s. the State of Maharashtra & Ors.)

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

DATE : 24.08.2017._

ORAL ORDER:-

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

2. The learned P.O. seeks time. Time granted.

3. S.O. to 13.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 24.8.2017

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

ORIGINAL APPLICATION NO. 305/2017

(Rajmudra M. Khillare V/s. the State of Maharashtra & Ors.)

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

DATE : 24.08.2017._

ORAL ORDER:-

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

2. The learned Advocate submitted that the request of the applicant to retain her in other office at Aurangabad has not been considered, while the requests of other 4 employees, who are serving at Aurangabad since last 8 to 34 years have been considered and they are transferred to Aurangabad in different offices.

3. The learned C.P.O. has submitted that the requests of other employees have been considered considering their genuine difficulties and the request of the applicant has been rejected as she was at Aurangabad since last 6 years. He has submitted that the competent authority might have recorded the reasons while rejecting the request of the applicant. He submitted that the original file containing the documents regarding rejection of request of applicant and allowing

requests of other employees is not available at present. He seeks time to produce the concerned file before the Tribunal. Time granted.

3. S.O. to 8.9.2017. The interim relief to continue till then.

4. Steno copy allowed for the use of learned C.P.O.

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

ORIGINAL APPLICATION NO. 574/2016

(Smt. Jyoti D. Siddhewar & Ors. V/s. the State of Maharashtra &
Ors.)

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

DATE : 24.08.2017._

ORAL ORDER:-

Heard Shri A.S. Deshmukh, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 24.8.2017

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

ORIGINAL APPLICATION NO. 631/2017

(Smt. (Vaidya) Ujwal A. Jadhav V/s. the State of Maharashtra &
Ors.)

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

DATE : 24.08.2017._

ORAL ORDER:-

Heard Shri T.M. Venjane, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant wants to produce on record copy of judgment delivered in similar O.As. Time granted.

3. S.O. to 20.9.2017. The interim relief to continue till then.

MEMBER (J)

ARJ ORAL ORDERS 24.8.2017

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

ORIGINAL APPLICATION NO. 840/2016

(Shri Hiralal L. Bhatewale V/s. the State of Maharashtra & Ors.)

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

DATE : 24.08.2017._

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, S.O. to 21.9.2017.

MEMBER (J)

ARJ ORAL ORDERS 24.8.2017

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

**O.A. NOS. 445, 446, 447, 449, 450, 451, 452, 453, 454,
455, 456, 457, 458, 459 & 494/2017**

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

DATE : 24.08.2017._

ORAL ORDER:-

Heard Shri A.S. Shelke, learned Advocate for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents in all these matters.

2. At the request of learned C.P.O., S.O. to 10.10.2017.

MEMBER (J)

ARJ ORAL ORDERS 24.8.2017

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

MA 111/2017 IN OA 641/2015

(Bhagatsing P. Patil (Pawar) Vs. the State of Mah. & Ors.)

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

DATE : 24.08.2017._

ORAL ORDER:-

Shri S.D. Joshi, learned Advocate for the applicant
(absent). Shri M.S. Mahajan, learned Chief Presenting Officer
for respondents, is present.

2. In view of absence of learned Advocate for the applicant,
S.O. to 11.10.2017.

MEMBER (J)

ARJ ORAL ORDERS 24.8.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. 153/17 IN M.A.St.513/17 IN O.A.ST.NO. 514/2017
(Smt. Nirmala W/o Popat Walke & Ors. Vs. the State of
Maha. and Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J)**

DATE : 24.08. 2017.

ORAL ORDER:

1. Heard Shri R.B. Temak – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.

2. This is an application filed by the applicant for condonation of delay of about 103 days caused in filing the accompanying Original Application.

3. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 3 & 4 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

4. In the Original Application the applicants have challenged the communication dated 31.12.2015, whereby their claim for compassionate appointment was rejected only on the ground that applicant No.1's husband was in the pay scale of Rs. 5500-9000, which comes under Group 'B'. On the similar point the Hon'ble High Court, as well as, this Tribunal had delivered the judgment and it has been held that the same pay scale comes under Group 'C'. Prima-facie, the relief claimed in the Original Application seems to be covered by those judgments and the applicants have a strong case.

5. Considering this aspect the M.A. filed for delay condonation deserves to be allowed. In view thereof, the M.A.

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**M.A. 153/17 IN M.A.St.513/17
IN O.A.ST.NO. 514/2017**

stands allowed and delay of about 103 days caused in filing accompanying Original Application stands condoned. The Original Application be registered and numbered. Accordingly, the M.A. No. 153/2017 stands disposed of with no order as to costs.

VICE CHAIRMAN (J)

ORAL ORDERS 24.08.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.St.513/17 IN O.A.ST.NO. 514/2017
(Smt. Nirmala W/o Popat Walke & Ors. Vs. the State of
Maha. and Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J)**

DATE : 24.08. 2017.

ORAL ORDER:

1. Heard Shri R.B. Temak – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. This is an application preferred by the applicants seeking leave to sue jointly.
3. For the reasons stated in the misc. application and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamp, if not paid, and accompanying O.A. be registered and numbered, and present M.A. stands disposed of accordingly. No order as to costs.

VICE CHAIRMAN (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST.NO. 514 OF 2017
(Smt. Nirmala W/o Popat Walke & Ors. Vs. the State of
Maha. and Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J)**

DATE : 24.08. 2017.

ORAL ORDER:

1. Heard Shri R.B. Temak – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 20th September, 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 O.A.. 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.
7. The respondents are directed to file affidavit in reply within a period of four weeks.
8. S.O. to 20th September, 2017.
9. Steno copy and hamdust is allowed to both the parties.

VICE CHAIRMAN (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A.NO. 228/2017 IN O.A.ST.NO. 842/2017
(Dr. Preeti Singh Vs. the State of Maha. and Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J)**

DATE : 24.08. 2017.

ORAL ORDER:

1. Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that he will file affidavit in reply to the present M.A. during the course of the day and seeks time. Time granted.
3. S.O. to 21st September, 2017.

VICE CHAIRMAN (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 703 OF 2011
(Dr. Ravindra M. Lahurikar Vs. the State of Maha. and Ors.)**

**CORAM : HON'BLE SHRI J.D. KULKARNI,
VICE CHAIRMAN (J)**

DATE : 24.08. 2017.

ORAL ORDER:

1. Heard Shri A.D. Gadekar – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. As per the order dated 14.3.2017, the respondents were directed to consider the case of the applicant afresh and to take appropriate decision afresh regarding regularization of service of the present applicant within a period of three month. Nothing was done within three months. This matter, therefore, was posted on 12.07.2017. In the order dated 12.7.2017 this Tribunal observed that it will be constrained to call the responsible respondents before the Tribunal or to impose heavy costs on them and the matter was posted on 9.8.2017.

3. This matter thereafter came before this Tribunal on 14.8.2017. However, on that date also nothing was done and on the contrary it was stated that the respondents have filed W.P. bearing St. No. 16607/2017 and therefore, the case of the applicant cannot be considered. There was no whisper as to whether the applicant's case was being considered by the competent authority as directed by the order dated 12.7.2017.

4. At the request of the learned Presenting Officer the matter was adjourned till today and it was stated that necessary action will be taken on or before 24.08.2017, and in case such action is not taken on or before 24.8.2017, the

O.A. NO. 703 OF 2011

respondent No. 1 will appear before this Tribunal to explain the circumstances as to why the case of the applicant has not been considered as directed by this Tribunal vide order dated 14.3.2017.

5. Today, learned Presenting Officer has placed on record a copy of communication dated 23rd August, 2017, a copy of which is taken on record and marked as Exhibit 'X' for the purposes of identification, from which it seems that the learned P.O. has been intimated that the opinion of the Finance Department, Law & Judiciary Department and General Administration Department has been asked for. This cannot be considered taking necessary steps in consequence of the order passed by this Tribunal.

6. Today, Shri Sanjay Kulkarni, Superintendent in the office of Joint Director, Higher Education, Aurangabad, is present before this Tribunal. This Tribunal has asked him to give name of the Secretary. He submits the name as under: -

**Shri Sitaram Kunte, IAS
Principal Secretary of Higher and
Technical Education, Mantraya,
Mumbai.**

7. Learned Presenting Officer is, therefore, directed to intimate Shri Sitaram Kunte, Principal Secretary, to appear before this Tribunal, as directed by this Tribunal in various orders, on the next date, to explain the situation as to why the order has not been complied with.

8. S.O. to 13th September, 2017.

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O.A. NO. 703 OF 2011

9. Steno copy be provided to the learned Presenting Officer at his request.

VICE CHAIRMAN (J)

ORAL ORDERS 24.08.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.147/2017

(Shri Ajitkumar Saswa V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, S.O. 10-10-2017, for arguing the matter finally.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.593/2017

(Shri Giridhar Thakur V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri A.S.Deshmukh 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 27-09-2017.

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 27-09-2017.

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

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.544/2016

(Dr. Seema Kulkarni & Ors. V/s.
The State of Maharashtra & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondents. Shri K.U.More learned Advocate for respondent no.5 and 6 is **absent**.

2. At the request of learned Advocate for the applicant,
S.O.07-09-2017.

YUK ORAL ORDER 24-08-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.545/2016

(Dr. Satish Runwal & Ors. V/s.
The State of Maharashtra & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh 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.07-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.817/2016

(Dr. Sanjay Joshi V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents. Shri A.D.Aghav learned Advocate for respondent no.4 and 5 is **absent**.

2. At the request of learned Advocate for the applicant, S.O.07-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.820/2016

(Shri Surendra Todewale V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondents and Shri S.R.Dheple learned Advocate for respondent no.4 and 5.

2. At the request of learned Advocate for the applicant, S.O.07-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.821/2016

(Smt. Basanti Mundhe V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondents. Shri A.D.Aghav learned Advocate for respondent no.4 and 5 is **absent**.

2. At the request of learned Advocate for the applicant, S.O.07-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.822/2016

(Dr. Subhash Jadhav V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents. Shri A.D.Aghav learned Advocate for respondent no.4 and 5 is **absent**.

2. At the request of learned Advocate for the applicant, S.O.07-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.922/2016
(Shri Vijay Sable V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri L.H.Kawale learned Advocate holding for Shri S.S.Dambe learned Advocate for the applicant, Smt. Sanjivani Ghate learned Presenting Officer for the respondents and Shri V.G.Pingle learned Advocate for respondent no.4.

2. At the request of learned Advocate for the applicant, S.O.11-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**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 : 24-08-2017

ORAL ORDER:-

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

2. Learned P.O. has filed affidavit in reply on behalf of the respondent no.1. It is taken on record. Copy thereof has been served on the other side.

3. S.O. 27-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.301/2017

(Dr. Seema Panad V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri V.B.Wagh learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for the respondents and Shri B.S.Mundhe learned Advocate for respondent no.3.

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

3. S.O.13-09-2017.

YUK ORAL ORDER 24-08-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.324/2017

(Dr. Vilas Vikhe Patil V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri Syed Zahed Ali learned Advocate holding for Shri Gajanan Kadam learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for the respondents and Shri S.R.Dheple learned Advocate for respondent nos.5 and 6.

2. Learned CPO seeks time to file affidavit in reply on behalf of respondent nos.1 and 2. Time granted as a last chance.

3. S.O. 13-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.363/2017

(Shri Vishwanath Kelkar V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

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

2. Learned CPO seeks time to file affidavit in reply on behalf of the respondents. Time granted.

3. S.O. 15-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.385/2017

(Shri Chandulal Sathe V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Ku. Preeti Wankhade learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Learned CPO seeks time to file affidavit in reply on behalf of the respondents. Time granted.

3. S.O. 13-09-2017.

YUK ORAL ORDER 24-08-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.390/2017
(Shri Vijay Tikole V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

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

2. At the request of both parties, S.O. to 01-09-2017.

YUK ORAL ORDER 24-08-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.391/2017
(Shri Sambhaji Patil V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

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. files reply to the affidavit in rejoinder. It is taken on record. Copy thereof has been serve on the other side.

3. S.O. 01-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.396/2017

(Shri Santosh Swami V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Shri Ganesh Gadhe learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for the respondents is present.

2. None appears for the applicant. From the record it is evident that the applicant has not removed office objection and has also not collected the notice since beginning.

3. It seems that the applicant is not interested in prosecuting the matter. Hence, O.A. stands dismissed in default.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.472/2017
(Shri Sanjay Kulkarni V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri Tukaram Venjane 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 the respondent no.2. It is taken on record. He undertakes to serve copy of the same on the other side.

3. Learned CPO states that reply of respondent no.1 is not necessary.

4. S.O.14-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.484/2017

(Shri Baban Jorwar V/s. The State of Mah. & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondents.

2. Shri D.T.Devane learned Advocate has filed Vakalatnama on behalf of respondent nos.2 and 3. It is taken on record.

3. Learned P.O. as well as the learned Advocate for respondent nos.2 and 3 sought time to file affidavit in reply on behalf of the respondents. Time granted.

4. S.O.27-09-2017.

MEMBER (J)

YUK ORAL ORDER 24-08-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.719/2016

(Shri Pandurang Chandanshiv V/s.
The State of Maharashtra & Ors.)

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

DATE : 24-08-2017

ORAL ORDER:-

Heard Shri L.H.Kawale learned Advocate holding for Shri K.J.Suryavanshi learned Advocate for the applicant, Shri V.R.Bhumkar learned Presenting Officer for the respondents and Shri A.R.Tapse learned Advocate holding for Shri P.D.Suryavanshi learned Advocate for respondent no.4 & 5.

2. Today, affidavit in reply has been filed by Shri Dhanraj s/o. Vaijinath Nila on his behalf and on behalf of Respondent 5 as in-charge Chief Executive Officer, Zilla Parishad, Beed in pursuance of the show cause notice issued by the Tribunal.

3. On perusal of affidavit of Shri Nila, it reveals that at page 203 in paragraph 4 he has made a bold statement that A.G.Nagpur has sanctioned only provisional pension

to the applicant till completion of departmental enquiry pending against him. Statement made by Shri Nila on oath appears to be misleading and incorrect.

4. On perusal of paper book page 87, it reveals that regular pension has been sanctioned by the A.G.Nagpur on 07-07-2015 and Pension Payment Order has been issued accordingly. In paragraph 5 (paper book page 159) of the affidavit in reply filed by respondent no.2, it is specifically stated that pensionary benefits were released to the applicant vide letter dated 07-07-2015. Not only this but again A.G.Nagpur has specifically mentioned in the letter dated 13-06-2017 (paper book page 181) addressed to Executive Engineer, P.W.D. Division-1, Zilla Parishad, Beed that it has sanctioned regular pension and regular pension was disbursed to the applicant till February, 2016. Copy of the letter was sent to C.E.O., Zilla Parishad, Beed.

5. In spite of these facts deponent Shri Nila has made a false statement in that regard. Therefore, issue show

cause notice to Shri Nila as to why action should not be initiated against him for making false statement on oath before the Tribunal.

6. On previous date, one Shri Swami Shivprasad Bapu, who appears to be Executive Engineer, Zilla Parishad, Beed was called upon to file his affidavit but has not filed his affidavit today. Hence, issue show cause notice to him as to why action should not be initiated against him for non-compliance and disobedience of the order of the Tribunal.

7. S.O. to 20-09-2017.

8. Steno copy may be provided to the parties on his request.

MEMBER (J)