

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

**MA NO. 73/2016 IN OA ST. 215/2016**

[Shri Ashok B. Wagh Vs. the State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Avishkar S. Shelke, learned Advocate for the applicant, Shri M.G. Gude, learned Presenting Officer for the respondent nos. 1 & 2 and Shri Vivek Bhavthankar, learned special Counsel for respondent nos. 3 to 5.
2. The present misc. application has been filed by the applicant for condonation of delay of 802 days caused in filing the accompanying original application before this Tribunal.
3. The learned P.O. for res. nos. 1 & 2 and learned Special Counsel for res. nos. 3 to 5 oppose the plea of condonation of delay.
4. Perused the application. Considered the contentions.
5. For the reasons stated in the misc. application, the same is allowed without any order as to costs and the delay of 802 days caused in filing the accompanying original application is condoned. The office is directed to register the original application after its proper scrutiny.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**ORIGINAL APPLICATION ST. 215/2016**

[Shri Ashok B. Wagh Vs. the State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Avishkar S. Shelke, learned Advocate for the applicant, Shri M.G. Gude, learned Presenting Officer for the respondent nos. 1 & 2 and Shri Vivek Bhavthankar, learned special Counsel for respondent nos. 3 to 5.
2. Issue notices to the respondents in the original application, returnable on 6.6.2017.
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. 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. 6.6.2017.
8. Steno copy & hamdust allowed to both the parties.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**MA NO. 210/2016 IN OA ST. 816/2016**

[Shri Shamrao G. Wagatkar Vs. the State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. The present misc. application has been filed by the applicant for condonation of delay of six months and twenty five days caused in filing the accompanying original application before this Tribunal.
3. The learned P.O. for opposes the plea of condonation of delay.
4. Perused the misc. application. Considered the contentions.
5. For the reasons stated in the misc. application, the same is allowed without any order as to costs and the delay of six months and twenty five days caused in filing the accompanying original application is condoned. The office is directed to register the original application after its proper scrutiny.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**ORIGINAL APPLICATION ST. 816/2016**

[Shri Shamrao G. Wagatkar Vs. the State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. Issue notices to the respondents in the original application, returnable on 6.6.2017.
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. 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. 6.6.2017.
8. Steno copy & hamdust allowed to both the parties.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**MA NO. 148/2016 WITH MA ST. 534/2016 IN OA**  
**167/2016**

[Shri Mamel K. Inamdar Vs. the State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.
  
2. As the applicant and his learned Advocate are absent, S.O. to 27.4.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**MA NO. 285/2016 WITH MA 144/2016 IN OA ST.  
1950/2016**

[Shri Nagnath G. Jadhav & Ors. Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Suresh D. Dhongde, learned Advocate for the applicants 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 12.4.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**MA NO. 347/2016 IN OA ST. 1606/2016**

[Shri Balasaheb L. Deshmukh Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

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

2. The applicant has filed the present misc. application for condonation of 271 days delay caused in filing the accompanying original application before this Tribunal regarding the entitlement of the applicant for pension and pensionary benefits.

3. The learned C.P.O. opposes the plea of condonation of 271 days.

4. Perused the application. Considered the contentions.

5. Since grant of pension and pensionary benefits would be recurring cause of action, the delay of 271 days caused in filing the accompanying original application is hereby condoned. The misc. application is accordingly disposed of without any order as to costs. The office is directed to register the original application after its proper scrutiny.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**MA NO. 373/2016 IN OA ST. 1721/2016**

[Smt. Hemlata M. Humbhar Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Vinod Patil, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 & 4 and Shri Vivek Bhavthankar, learned special Counsel for respondent nos. 2 & 3.

2. Shri Bhavthankar, learned special Counsel has filed affidavit in reply of res. nos. 2 & 3 in the present misc. application. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. The learned P.O. submits that res. no. 4 is not required to file affidavit in reply as he would not be concerned with the issue involved in the original application.

4. In the circumstances, place the matter on board for hearing on 3.5.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017



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

**ORIGINAL APPLICATION NO. 707 OF 2013**

[Dr. Rekha A. Salunkhe Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. None appears for the applicant. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, is present.

2. The learned Presenting Officer files on record the copy of communication received by her, which would show that the representation of the applicant would be considered within a period of 3 weeks. In the circumstances, at her request, S.O. to 3.5.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**ORIGINAL APPLICATION NO. 697 OF 2015**

[Shri Totaram B. Thakre Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Vivek G. Pingle, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. Today, Shri Madhukar G. Misal, Naib Tahsildar from the office of res. no. 5 is present before the Tribunal.
3. Considering the factual position, the concerned respondent is directed to issue reminder to the Accountant General – II, Nagpur by pointing out that the present issue is pending before this Tribunal.
4. As regards leave encashment, the learned Advocate for the applicant submits that the res. no. 5 – The Tahsildar, Manwat, Dist. Parbhani – is negligent in preparing the proposal, though the same should have been processed 5 years back.

5. In the circumstances, the res. no. 5 is directed to take steps for sending a proposal to res. no. 4 positively within a period of ten days from today and thereafter the res. no. 4 should process the said proposal within a period of 2 weeks therefrom. Considering the fact that the applicant was retired as a Naib Tahsildar is pursuing his cause since last 5 years i. e. from the date of his retirement, the res. no. 4 – the Dist. Collector, Jalna – and the res. no. 5 – the Tahsildar, Manwat, Dist. Parbhani – are expected to take a sympathetic view in the matter and to expedite the process.

6. S.O. to 27.4.2017 for filing the compliance report.

7. The learned P.O. to act upon the steno copy of this order.

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 13 OF 2016**

[Shri Laxman R. Kulkarni Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri P.M. Shinde, learned Advocate holding for Shri V.P. Golewar, 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. to 6.4.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**ORIGINAL APPLICATION NO. 145 OF 2016**

[Shri Ramrao B. Dhakne Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.
  
2. It appears that, none is appearing for the applicant since 14.9.2016. In the circumstances, place the matter on 18.4.2017 for passing necessary orders.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**ORIGINAL APPLICATION NO. 196 OF 2016**

[Shri Dnyanoba L. Thakur Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Vivek Bhavthankar, learned Advocate holding for Shri H.K. Mundhe, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 to 3 and Shri S.K. Sawangikar, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for the applicant, S.O. to 18.4.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**ORIGINAL APPLICATION NO. 197 OF 2016**

[Shri Arjun H. Mekane Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Vivek Bhavthankar, learned Advocate holding for Shri H.K. Mundhe, learned Advocate for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 to 3 and Shri D.M. Shinde, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for the applicant, S.O. to 18.4.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**ORIGINAL APPLICATION NO. 203 OF 2016**

[Smt. Jayshree K. Dudhate Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Vivek Bhavthankar, learned Advocate holding for Shri H.K. Mundhe, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent nos. 1 to 3 and Shri D. M. Shinde, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for the applicant, S.O. to 18.4.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017



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

**ORIGINAL APPLICATION NO. 204 OF 2016**

[Shri Parmeshwar N. Pawar Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Vivek Bhavthankar, learned Advocate holding for Shri H.K. Mundhe, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 3 and Shri V.D. Jadhav, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for the applicant, S.O. to 18.4.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

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

**ORIGINAL APPLICATION NO. 205 OF 2016**

[Shri Pradip J. Jadhav Vs. State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Vivek Bhavthankar, learned Advocate holding for Shri H.K. Mundhe, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 to 3 and Shri D.M. Shinde, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for the applicant, S.O. to 18.4.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.3.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.241/2016**

**DISTRICT: JALGAON**

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Kevalmani s/o Devram More,  
Age : 42 years, Occ : Agriculture,  
R/o: Bohare, Tq. Amalner,  
Dist. Jalgaon.

..APPLICANT

V/s.

1] The Collector Jalgaon,  
Dist. Jalgaon.

2] The Sub Divisional Officer,  
Tq. Amalner, Dist. Jalgaon.

...RESPONDENTS

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APPEARANCE: Shri M.B.Sandanshiv learned Advocate  
for the applicant.

Shri V.R.Bhumkar learned Presenting  
Officer for respondents.

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CORAM: Hon'ble Shri Justice M.T.Joshi, Vice Chairman

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DATE : 27-03-2017  
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**ORAL ORDER:-**

Heard Shri M.B.Sandanshiv learned Advocate for  
the applicant and Shri V.R.Bhumkar learned Presenting  
Officer for the respondents.

2. Present applicant is seeking his appointment to the post of Police Patil of Village Bohare, Tq. Amalner, Dist. Jalgaon. Paper book page 21 would show that the applicant was the only person qualified for selection on the said post. As per procedure he was to be orally interviewed, and thereafter, decision regarding his posting and appointment to the post of Police Patil was to be taken.

3. In the meantime, complaint with Police Station, Marwad was lodged against him on 8<sup>th</sup> December, 2016. He was accused of beating complainant and his mother and to abuse them. Complainants therein showed unwillingness for medical examination. The offences were punishable u/s. 323, 504 and 506 of the Indian Penal Code. The case was held to be non-cognizable by the concerned Police Station, therefore, no further action was taken in the matter.

4. On 29<sup>th</sup> February, 2016, respondent no.2 Sub Divisional Officer, Amalner has passed an order mentioning therein that he has received complaint dated 30<sup>th</sup> December, 2016 that the applicant indulges in political activities and that the non-cognizable offence was registered against him. Notice u/s. 149 of the Criminal Procedure Code was issued to the applicant.

5. It is an admitted fact that no enquiry less a preliminary enquiry in the complaint received by the respondent no.2 as detailed above is made. Applicant was only confronted and he had admitted that earlier he had contested election for Panchayat Samiti from political party named Shiv Sena. Clause 6 of the terms and conditions of the advertisement would show that candidate should not have affiliation with any political party.

6. Considering all these facts on record only registration of non-cognizable offence cannot be called as

disqualification but respondent no.2 in his discretion found that the applicant is affiliated to one political party. To counter this, learned Advocate for the applicant submits that applicant had already resigned from the said political party, and therefore, it cannot be a reason for disqualification of the applicant. The learned Presenting Officer also submits that the respondent no.2 be directed to reconsider the matter.

7. This Tribunal is not sitting in appeal against the said decision of the Sub Divisional Officer. Discretion exercised by the Sub Divisional Officer, Amalner cannot be called as arbitrary as it is based on certain material available on record. It is as per the terms of the advertisement. Therefore, no interference is called for in the impugned order. O.A stands dismissed accordingly with no order as to costs.

**VICE CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.468/2016**  
(Shri Padmakar Ghodke V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri Justice M.T.Joshi, Vice Chairman

DATE : 27-03-2017

**ORAL ORDER:-**

Heard Shri Amol Jagtap learned Advocate holding for Shri Nilesh Patil learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file reply on behalf of the respondent no.4. Time granted.

3. S.O.27-04-2017.

**VICE CHAIRMAN**

YUK ORAL ORDER 27-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.522/2016**  
(Shri Atul Waghmare V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri Justice M.T.Joshi, Vice Chairman

DATE : 27-03-2017

**ORAL ORDER:-**

Heard Shri N.S.Kadam learned Advocate holding for Shri D.M.Mane learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O.12-04-2017.

**VICE CHAIRMAN**

YUK ORAL ORDER 27-03-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.623/2016**  
(Shri Anil Katkar V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri Justice M.T.Joshi, Vice Chairman

DATE : 27-03-2017

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

S.O. 07-04-2017.

**VICE CHAIRMAN**

YUK ORAL ORDER 27-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.666/2016**  
(Shri Vikas Thorat V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri Justice M.T.Joshi, Vice Chairman

DATE : 27-03-2017

**ORAL ORDER:-**

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

2. At the request of both sides, S.O.06-04-2017.

**VICE CHAIRMAN**

YUK ORAL ORDER 27-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.11/2017**  
(Shri Subhash Dahale V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri Justice M.T.Joshi, Vice Chairman

DATE : 27-03-2017

**ORAL ORDER:-**

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

2. At the request of learned Advocate for the applicant, S.O. 18-04-2017.

**VICE CHAIRMAN**

YUK ORAL ORDER 27-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION STAMP NO.349/2017**  
(Shri Sunil Pawar V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri Justice M.T.Joshi, Vice Chairman

DATE : 27-03-2017

**ORAL ORDER:-**

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

2. At the request of learned Advocate for the applicant, S.O.12-04-2017.

**VICE CHAIRMAN**

YUK ORAL ORDER 27-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

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

CORAM: Hon'ble Shri Justice M.T.Joshi, Vice Chairman

DATE : 27-03-2017

**ORAL ORDER:-**

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

2. At the request of learned P.O. **S.O. 06-06-2017** for filing affidavit in reply on behalf of the respondents.

**VICE CHAIRMAN**

YUK ORAL ORDER 27-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 198 OF 2017**

**(Yousufuddin Qamruddin Vs. The State of Maharashtra  
and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Ms. A.N. Ansari – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.
2. Heard both the sides on the point of interim relief.
3. Learned Advocate for the applicant submit that the applicant has in fact filed the copy of Ration Card to show that Mohd. Fazluddin S/o. Yousufuddin in fact was not son of the present applicant Yousufuddin, still the enquiry officer (page No. 42) though found that there is no definite evidence against the applicant, did not exonerate him.
4. Considering the fact that from the pension of the Class-IV employee deduction @ 6% p.m. for a period of two years is directed, presently interim stay to the execution of the said order is hereby granted till the next date.
5. In the meantime, issue notices to the respondents, returnable on 6<sup>th</sup> June, 2017.
6. Tribunal may take the case/s for final disposal at this stage and separate notice for final disposal shall not be issued.

**O.A. NO. 198 OF 2017**

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 6<sup>th</sup> June, 2017.

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

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 202 OF 2016**

**(Shri Amol S/o Prakash Purnapatre Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Mr. A.M. Kulkari – learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents, present.
2. Since nobody appeared for the applicant, S.O. to 6<sup>th</sup> June, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 717 OF 2016**

**(Shivnanda W/o Shrirang Rathod Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Shri U.P. Giri – learned Advocate for the applicant (**absent**). Shri I.S. Thorat – learned Presenting Officer for the respondents, present.
2. It appears from the proceedings that on the last date nobody appeared for the applicant. However, today also nobody appeared for the applicant.
3. In the circumstances, S.O. to 14<sup>th</sup> June, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 730 OF 2016**

**(Shri Dipak S/o. Kundlik Bahir Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Heard Shri N.K. Tungar – learned Advocate for the applicant, Shri D.R. Patil – learned Presenting Officer for the respondent Nos. 1 & 2 and Shri R.E. Pathade – learned Advocate for respondent Nos. 3 to 5. None appears for respondent Nos. 6 & 7.

2. At the request of learned Advocate for the respondent Nos. 3 to 5, S.O. to 14<sup>th</sup> June, 2017 as a last chance.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 136 OF 2017**

**(Mrs. Madhuri Bhagwan Banait Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Heard Shri Avinash S. Deshmukh – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. Learned Chief Presenting Officer seeks time to file affidavit in reply.
3. Considering the decision rendered by the Hon'ble High Court & Hon'ble Supreme Court, which are annexed to the present Original Application, the respondents may take corrective steps in regard to the present applicant also and submit a report about the same or in the alternative file affidavit in reply on or before 4<sup>th</sup> May, 2017.
4. S.O. to 4<sup>th</sup> May, 2017, as a last chance.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 278/2015 IN O.A.ST.NO. 1137/2014**

**(Smt. Kalpana Jagdish Shinde Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Shri Vinod P. Patil – learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents, present.
2. Since nobody appeared for the applicant, S.O. to 4<sup>th</sup> May, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 443/2016 IN O.A.NO. 453/2011**

**(Shri Sopan Bhagoji Adkine Vs. The State of Maharashtra  
and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Shri R.J. Godbole – learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents, present.
2. Since nobody appeared for the applicant, S.O. to 24<sup>th</sup> April, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 92/2017 IN O.A.NO. 37/2017**

**(Shri Balasaheb S/o. Nagorao Raut Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Heard Shri S.S. Dambe – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. The present Miscellaneous Application No. 92/2017 has been filed by the applicant seeking permission of this Tribunal to amend the Original Application.
3. Since the present Miscellaneous Application for amendment as regards development that took place during the pendency of the Original Application No. 37/2017, the application for amendment is allowed.
4. The applicant shall carry out the necessary amendment in the O.A. No. 37/2017 within a period of two days'.
5. S.O. to 19<sup>th</sup> April, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**O.A.ST.427/14 WITH M.A.ST.1448/16 WITH M.A.317/16**

**(Shri Santosh Arjun Bansode Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 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. On instructions, Learned Advocate for the applicant seeks permission of this Tribunal to withdraw the present Original Application St. No. 427/2014 with liberty to file similar application, in case exigency arises. He has also filed copy of withdrawal pursis signed by the learned Advocate for the applicant and applicant himself, to that effect, and the same is taken on record and marked as document 'X' for the identification purpose.

3. Permission granted. Withdrawal is allowed. Accordingly, the present Original Application stands disposed of as withdrawn with liberty as prayed for by the applicant, as per the provisions of law.

4. As the Original Application St. No. 427/2014 itself stood disposed of as withdrawn today itself, nothing survives in the M.A. St. 1448/2016 & M.A. No. 317/2016 and both these M.As. also stand disposed of. There shall be no order as to costs.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 126/2017 IN O.A.ST.NO. 427/2017**

**(Shri Nitin Harishchandra Sonawane & 2 Other. Vs. The  
State of Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

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

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 427/2017**

**(Shri Nitin Harishchandra Sonawane & 2 Other. Vs. The  
State of Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Heard Shri. V.B. Wagh – learned Advocate for the applicants and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. issue notices to the respondents, returnable on 26<sup>th</sup> April, 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

**:: - 2 - ::**

**O.A. ST. NO. 427/2017**

with affidavit of compliance in the Registry before due date.  
Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 26<sup>th</sup> April, 2017.
8. Steno copy and hamdust is allowed to both the parties.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 194 OF 2017**

**(Shri Subhash C. Nannaware Vs. The State of Maharashtra  
and Others.)**

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

**DATE : 27.03. 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. issue notices to the respondents, returnable on 26<sup>th</sup> April, 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

**:: - 2 - ::**

**O.A. NO. 194/2017**

with affidavit of compliance in the Registry before due date.  
Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 26<sup>th</sup> April, 2017.
8. Steno copy and hamdust is allowed to both the parties.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 195 OF 2017**

**(Shri Sunil Sonilal Rathod Vs. The State of Maharashtra  
and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Heard Shri. V.B. Wagh – learned Advocate for the applicant and Shri N.U. Yadav – learned Presenting Officer for the respondents.
2. issue notices to the respondents, returnable on 26<sup>th</sup> April, 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

**:: - 2 - ::**

**O.A. NO. 195/2017**

with affidavit of compliance in the Registry before due date.  
Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 26<sup>th</sup> April, 2017.
8. Steno copy and hamdust is allowed to both the parties.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 196 OF 2017**

**(Shri Sagar Sanjay Jagtap Vs. The State of Maharashtra  
and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Heard Shri. V.B. Wagh – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 26<sup>th</sup> April, 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

**:: - 2 - ::**

**O.A. NO. 196/2017**

with affidavit of compliance in the Registry before due date.  
Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 26<sup>th</sup> April, 2017.
8. Steno copy and hamdust is allowed to both the parties.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 381 OF 2013**

**(Shri Uttam Raosaheb Kshirsagar Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Heard Shri. V.B. Wagh – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 31<sup>st</sup> March, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 768 OF 2015**

**(Dr. Pradeep S/o. Nagnath Pensalwar Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Heard Shri. J.S. Deshmukh – learned Advocate for the applicant, Smt. Resha S. Deshmukh – learned Presenting Officer for the respondent Nos. 1 to 3 and Shri P.R. Tandale – learned Advocate for respondent No. 4.

2. As per the directions issued by this Tribunal by its order dated 16<sup>th</sup> February, 2017, the Learned Presenting Officer has filed affidavit of the officer as directed. He has also filed copy of the judgment delivered in the Review Application No. 25/2015 IN O.A. 469/2012 With O.A. Nos. 682/2013 & 879/2105. The copy of the same also supplied to the learned Advocate for the applicant.

3. The present case to be heard along with O.A. Nos. 485 & 769 both of 2015 on 20<sup>th</sup> April, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 769 OF 2015**

**(Dr. Samb S/o. Sangramappa Shivpuje Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Heard Shri. J.S. Deshmukh – learned Advocate for the applicant, Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondent Nos. 1 to 3 and Shri P.R. Tandale – learned Advocate for respondent No. 4.
2. As per the directions issued by this Tribunal by its order dated 16<sup>th</sup> February, 2017, the Learned Presenting Officer has filed affidavit of the officer as directed. He has also filed copy of the judgment delivered in the Review Application No. 25/2015 IN O.A. 469/2012 With O.A. Nos. 682/2013 & 879/2105. The copy of the same also supplied to the learned Advocate for the applicant.
3. The present case to be heard along with O.A. Nos. 485 & 768 both of 2015 on 20<sup>th</sup> April, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 485 OF 2015**

**(Dr. Vinayak Bhagwan Sawale Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 27.03. 2017.**

**ORAL ORDER:**

1. Heard Shri. J.S. Deshmukh, learned Advocate holding for Shri B.K. Patil – learned Advocate for the applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. As per the directions issued by this Tribunal by its order dated 16<sup>th</sup> February, 2017, the Learned Presenting Officer has filed affidavit of the officer as directed. He has also filed copy of the judgment delivered in the Review Application No. 25/2015 IN O.A. 469/2012 With O.A. Nos. 682/2013 & 879/2105. The copy of the same also supplied to the learned Advocate for the applicant. The learned Presenting Officer submits that he is going to deposit Demand Draft amounting to Rs. 10,000/- towards payment of costs today itself.

3. The present case to be heard along with O.A. Nos. 768 & 769 both of 2015 on 20<sup>th</sup> April, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.03.2017- HDD(DB)

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

**ORIGINLA APPLICATION St. No.394/2017.**

[Smt. Rajubai S. Patil Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri S. K. Mathpati, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Since grant of family pension is also continues cause of action the application is within limitation. The office objection is therefore, waived.

3. Issue notice to the respondents, returnable on 25.4.2017.

4. 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. 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 25.4.2017.

8. Steno copy & hamdust allowed to both the parties.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO.567/2015.**

[Dr. N. B. Chavan Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri J. S. Deshmukh, learned Advocate for the applicant and Shri D. R. Patil, learned Presenting Officer for the respondents no.1 to 3. None present for the Respondent no.4.

2. Learned P.O. seeks time to file affidavit in reply. As a last chance time granted for filing reply.

3. S.O. to 20.4.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO.767/2016.**

[Shri L. N. Pawar Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri M. M. Kadtu, learned Advocate for the applicant and Smt. D. S. Deshpande, learned Presenting Officer for the respondents.
  
2. At the request of the learned Advocate for the applicant, S.O. to 27.4.2017 for hearing.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP



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

**ORIGINLA APPLICATION NO.770/2016.**

[Shri M. P. Paratwath & Ors.Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri S. D. Joshi, learned Advocate for the applicants and Shri N. U. Yadav, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 27.4.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO. 846/2016.**

[Shri K. A. Bagul Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. None present for the applicant. Shri D. R. Patil, learned Presenting Officer for the respondents is present.
2. Learned P.O. submits that, he will file affidavit in reply during the course of the day.
3. S.O. to 3.5.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO.848/2016.**

[Dr. Md. Gulam Subhani Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Quadri Taher Ali, learned Advocate holding for Shri Zia Ul Mustafa, learned Advocate for the applicant, Smt P. R. Bharaswadkar, learned Presenting Officer for the respondents no.1 to 3, Shri N. S. kadam, learned Advocate for the Respondentsno.4 & 5 and Shri V. B. Wagh, learned Advocate for the Respondent no.6.

2. At the request of the learned P.O., S.O. to 2.5.2017 for filing reply of Respondents no.1 to 3.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO.27/2017.**

[Dr. Ashwamedh B. Jagtap Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri V. B. Wagh, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the respondents no.1 to 3 and Shri A. S. Deshmukh, learned Advocate for the Respondent no.4.

2. Shri V. B. Wagh, learned Advocate for the applicant seeks time. At his request, S.O. to 31.3.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO.36/2017.**

[Shri K. B. Vyawahare Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri S. K. Vyawahare, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Learned P.O. files affidavit in reply on behalf of Respondent no.1. The same is taken on record.
3. S.O. to 28.4.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO.61/2017.**

[Smt. Vandana M. Kharmale Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri S. B. Patil, learned Advocate for the applicant, Smt P. R. Bharaswadkar, learned Presenting Officer for the respondents no.1 to 3 and Shri V. B. Wagh, learned Advocate for the Respondent no.4.

2. Learned P.O. files affidavit in reply on behalf of Respondents no.1 & 2. The same is taken on record. Its copy is served on the other side.

3. S.O. to 12.4.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO.62/2017.**

[Smt. Vandana M. Kharmale Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri S. B. Patil, learned Advocate for the applicant, Smt P. R. Bharaswadkar, learned Presenting Officer for the respondents no.1 to 3 and Shri V. B. Wagh, learned Advocate for the Respondent no.4.

2. Learned P.O. files affidavit in reply on behalf of Respondents no.1 & 2. The same is taken on record. Its copy is served on the other side.

3. S.O. to 12.4.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO.87/2017.**

[Shri D. R. Suravase Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri K. N. Farooqui, learned Advocate holding for Shri N. L. Jadhav, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply. As a last chance, time granted for filing reply.

3. S.O. to 20.4.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP



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

**ORIGINLA APPLICATION NO.129/2017.**

[Shri Shafi Pasha Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri Quadri Taher Ali, learned Advocate holding for Shri Zia Ul Mustafa, learned Advocate for the applicant, Smt P. R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., S.O. to 2.5.2017 for filing reply of Respondents no.1 to 3.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO.144/2017.**

[Shri Sharad R. Pathak Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Shri A. S. Deshpande, learned Advocate for the applicant (Leave Note). Smt S. K. Ghate Deshmukh, learned Presenting Officer for the respondents is present.
2. It is reported that Shri A. S. Deshpande, learned Advocate for the applicant has filed leave Note.
3. S.O. to 6.4.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP

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

**ORIGINLA APPLICATION NO.178/2017.**

[Dr. K. P. Pokharkar Vs. The State of Mah. & Ors.]

**Coram :- Hon'ble Shri Justice M.T. Joshi, Vice Chairman**

**Date :- 27.03.2017**

**Oral Order :-**

1. Heard Shri A. S. Deshmukh, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Learned C.P.O. seeks time to file affidavit in reply.  
Time granted.
3. S.O. to 30.3.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.3.2017.ATP