

**ORIGINAL APPLICATION NO. 735 OF 2016**

{K.G. Shinde Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 27.10.2016**

**Oral Order :-**

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

2. At the request of learned C.P.O., S.O. to 30.11.2016 for filing reply of the respondents.

**MEMBER (J)**

ARJ 26.10.2016

**ORIGINAL APPLICATION NO. 778 OF 2016**

{A.N. Wadekar Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. Heard Shri A.T. Jadhavar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 2.12.2016 for filing reply of the respondents.

**MEMBER (J)**

ARJ 26.10.2016

**ORIGINAL APPLICATION ST. NO. 814 OF 2015**

{P.K. Joshi & Ors. Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. Heard Shri M.C. Ghode, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. At the request of learned P.O., S.O. to 7.12.2016 for filing reply of the respondents.

**MEMBER (J)**

ARJ 26.10.2016

**ORIGINAL APPLICATION NO. 318 OF 2016**

{N.E. Wagh Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. Heard Shri C.J. Jadhav, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for respondent no. 4.
2. With consent, S.O. to 7.12.2016 for final hearing.

**MEMBER (J)**

ARJ 26.10.2016

**ORIGINAL APPLICATION NO. 468 OF 2016**

{P.S. Ghodke Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. Heard Shri S.S. Shinde, learned Advocate holding for Shri Nilesh Patil, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. With consent, S.O. to 7.12.2016 for final hearing.

**MEMBER (J)**

ARJ 26.10.2016

**ORIGINAL APPLICATION NO. 672 OF 2016**

{Pandurang M. Kamble Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The learned P.O. submits that, para-wise remarks are received to him from the respondents and he requires some time for preparing reply in the matter.

3. The applicant a Forest Labourer is knocking the doors of the various Courts seeking correction of his date of birth. The applicant has filed writ petition no. 1079/2014 before Hon'ble Bombay High Court, Bench at Aurangabad, which is decided by Hon'ble High Court by passing order on 24.9.2014 (A.4 page 21). Hon'ble High Court has observed to get corrected date of birth from the different authorities. Thereafter the applicant approached to the Education Officer and got the appropriate certificate in respect of correction of his date of birth.

4. Thereafter the applicant made representation to the Chief Conservator of Forest, which is reflected in the internal communication dated 18.3.2015 (A. 7 page 25). From this communication, it appears that, there is some confusion about the date of submission of representation by the applicant. Still the fact remains that the applicant has made a representation in the year 2015 based on the directions of Hon'ble High Court in the writ petition No. 1079/2014 (supra). However, the said representation is not decided by the competent authority of the respondents.

5. The learned Advocate for the applicant submits that the date of birth of the applicant is 1.12.1960, but wrongly it is recorded in his service record as 1.12.1956. That aspect is to be considered by the competent authority of the respondents.

6. The applicant is to retire by the end of November, 2016. Therefore, it is desirable to direct the competent authority of the respondents to decide the representation of the applicant regarding change in his date of birth before he superannuates since it is pending since long.

7. The learned P.O. submits that it is not clear whether the applicant has actually given the representation or not. From the internal communication (A.7 page 25) (supra) it is clear that the applicant has submitted his representation. However, to make everything clear, the applicant can submit a fresh representation, if it is not already submitted, to the competent authority on or before 2.11.2016.

8. A specific direction is given to the competent authority to decide the representation of the applicant by the next date, because one year has elapsed from the submission of the representation by the applicant, and though there are certain observations made by the Hon'ble High Court in the W.P. filed by the applicant, the aspect is not considered by the respondents till now.

9. S.O. to 23.11.2016. The competent authority of the respondents to decide the representation of the applicant before 20.11.2016 giving reasons and also to communicate the decision thereof to this Tribunal and to the applicant in writing.

10. S.O. to 23.11.2016.



11. Steno copy allowed for the use of learned P.O. for the respondents.

**MEMBER (J)**

ARJ 26.10.2016

**ORIGINAL APPLICATION NO. 891 OF 2012**

{Arshad Ayub Khan Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondent no. 1 and Shri S.S. Shinde, learned Advocate holding for Shri Vivek Bhavthankar, learned Advocate for respondent nos. 2 & 3.

2. As none appears for the applicant, S.O. to 24.11.2016.

**MEMBER (J)**

ARJ 27.10.2016

**ORIGINAL APPLICATION NO. 592 OF 2015**

{R.S. Nikale Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 27.10.2016**

**Oral Order :-**

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

2. At the request of learned Advocate for the applicant, S.O. to 24.11.2016.

**MEMBER (J)**

ARJ 27.10.2016

**ORIGINAL APPLICATION NO. 476 OF 2016**

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

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. Heard Shri A.V. Patil (Indrale), learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. has filed reply for res. nos. 1 to 3. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. At the request of learned Advocate for the applicant, S.O. to 30.11.2016 for filing rejoinder, if any.

**MEMBER (J)**

ARJ 27.10.2016

**ORIGINAL APPLICATION NO. 487 OF 2016**

{Md. Badar Akbar Siddiqui Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. Heard Shri Asif Ali, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. With consent, S.O. to 16.1.2017.

**MEMBER (J)**

ARJ 27.10.2016

**MA 426/2015 IN OA ST. 1577/2015**

{T.D. Kubade Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. Shri S.D. Dhongde, learned Advocate for the applicant (**leave note**). Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

2. In view of leave note of the learned Advocate for the applicant, S.O. to 2.12.2016.

**MEMBER (J)**

ARJ 27.10.2016

**MA 43/2016 IN OA 836/2015**

{D.K. Sarder Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.
2. As none appears for the applicant, S.O. to 2.12.2016.

**MEMBER (J)**

ARJ 27.10.2016

**MA 44/2016 IN OA 837/2015**

{D.A. Bhagat Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 27.10.2016**

**Oral Order :-**

1. None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.
2. As none appears for the applicant, S.O. to 2.12.2016.

**MEMBER (J)**

ARJ 27.10.2016



**MA 326/2016 IN CP ST. 1528/2016 IN OA 568/2015**

{Mohd. Hussain Tayyubsab Inamdar Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri S.S. Hingne, Member (J)**  
**(This matter is placed before the Single Bench due to non-availability of Division Bench.)**

**DATE :- 27.10.2016**

**Oral Order :-**

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

2. The learned Advocate for the applicant wants to take necessary steps regarding adding necessary party respondents in the array of the respondents. He therefore seeks time. Time granted.

3. S.O. to 30.11.2016.

**MEMBER (J)**

**LATER ON :-**

1. The learned P.O. appeared and has filed two separate replies on behalf of res. nos. 4 & 5 respectively and the same are taken on record. He undertakes to serve copies of the said replies upon the learned Advocate for the applicant.

2. S.O. to 30.11.2016.

**MEMBER (J)**

ARJ 27.10.2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.598/2016**

(R.S.Mundlod V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri S.S.Hingne, Member (J)

DATE : 27-10-2016

**ORAL ORDER:-**

Heard Shri Sham Patil learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for respondent nos.1 to 3 and Shri R.P.Adgaonkar learned Advocate for respondent no.4.

2. At the request of learned Advocate for the applicant, S.O.23-11-2016, for final hearing.

**MEMBER (J)**

YUK ORAL ORDER 27-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.753/2016**

(Dr. M.M.Ghodke & Ors. V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri S.S.Hingne, Member (J)  
**(This matter is placed before the Single Bench  
due to non-availability of the Division Bench)**

DATE : 27-10-2016

**ORAL ORDER:-**

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

2. At the request of learned CPO, **S.O.01-12-2016** for filing affidavit in reply on behalf of the respondents.

YUK ORAL ORDER 27-10-2016

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.38/2016**

(L.N.Sormare V/s. The State of Mah. & Ors.)

**ORIGINAL APPLICATION NO.39/2016**

(N.L.Gaikwad V/s. The State of Mah. & Ors.)

**ORIGINAL APPLICATION NO.40/2016**

(A.G.Borade V/s. The State of Mah. & Ors.)

**ORIGINAL APPLICATION NO.378/2016**

(S.N.Wagh V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri S.S.Hingne, Member (J)  
**(This matter is placed before the Single Bench  
due to non-availability of the Division Bench)**

DATE : 27-10-2016

**ORAL ORDER:-**

Shri P.A.Kulkarni learned Advocate for the applicants is **absent**. Shri S.K.Shirse learned Presenting Officer for respondents in O.A.No.38/2016, 39/2016 and 40/2016 and Shri I.S.Thorat learned Presenting Officer for respondents in O.A.No.378/2016.

2. Learned P.O. Shri I.S.Thorat files affidavit in reply on behalf of respondent nos.2 to 4 in O.A.No.378/2016. It is taken on record. He undertakes to serve copy of the reply on the other side.

3. S.O.17-12-2016.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.No.287/2016 WITH O.A.St.No.1256/2016**

(V.B.Pawar & Ors. V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri S.S.Hingne, Member (J)  
**(This matter is placed before the Single Bench  
due to non-availability of the Division Bench)**

DATE : 27-10-2016

**ORAL ORDER:-**

Heard Shri Asif Ali learned Advocate holding for Smt. A.N.Ansari learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. For the reasons stated in the M.A., it is allowed. Delay caused in filing the O.A. is condoned. M.A.No.287/2016 stands dispose of accordingly with no order as to costs.

3. Matter be placed before Registrar. Applicant shall remove office objection, if any. Thereafter O.A. be registered, numbered and placed before the Tribunal for hearing.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.949/2012**

(N.D.Waghmare V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri S.S.Hingne, Member (J)

DATE : 27-10-2016

**ORAL ORDER:-**

Heard Shri J.B.Choudhary learned Advocate for the applicant, Smt. Resha Deshmukh learned Presenting Officer for respondents and Shri Ashish Rajkar learned Advocate holding for Shri G.N.Patil learned Advocate for respondent nos.3 and 4.

2. At the request of Shri Ashish Rajkar learned Advocate holding for Shri G.N.Patil learned Advocate for respondent nos.3 and 4, S.O. 02-12-2016.

**MEMBER (J)**

YUK ORAL ORDER 27-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.399/2016**

(Dr. P.K.Rathod V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri S.S.Hingne, Member (J)

DATE : 27-10-2016

**ORAL ORDER:-**

Heard Shri Sham Patil learned Advocate holding for Shri V.B.Wagh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of respondents. It is taken on record. Copy thereof has been served on the other side.

3. S.O.02-12-2016 for filing rejoinder, if necessary.

**MEMBER (J)**

YUK ORAL ORDER 27-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.336/2016**

(G.E.Patil V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri S.S.Hingne, Member (J)

DATE : 27-10-2016

**ORAL ORDER:-**

Heard Shri Ajay Pawar learned Advocate for the applicant is **absent**.

Heard Shri V.R.Bhumkar learned Presenting Officer for respondents and Shri B.A.Chavan learned Advocate holding for Shri S.S.Kulkarni learned Advocate for respondent no.4.

2. At the request of Shri B.A.Chavan learned Advocate holding for Shri S.S.Kulkarni learned Advocate for respondent no.4, S.O. 07-12-2016.

**MEMBER (J)**

YUK ORAL ORDER 27-10-2016



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.337/2016**

(S.J.Shelke V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri S.S.Hingne, Member (J)

DATE : 27-10-2016

**ORAL ORDER:-**

Heard Shri Ajay Pawar learned Advocate for the applicant is **absent**. Shri G.A.Nagori learned Advocate for respondent no.2 is **absent**.

Heard Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Since none present for the applicant, S.O. 07-12-2016.

**MEMBER (J)**

YUK ORAL ORDER 27-10-2016

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.383/2016**

(A.G.Tayade V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri S.S.Hingne, Member (J)

DATE : 27-10-2016

**ORAL ORDER:-**

Heard Shri Ajay Pawar learned Advocate for the applicant is **absent**.

Heard Smt. Sanjivani Ghate learned Presenting Officer for respondents and Shri V.M.Jaware learned Advocate for respondent no.4.

2. Since none present for the applicant, S.O. 07-12-2016.

YUK ORAL ORDER 27-10-2016

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO. 638 OF 2016**

**[Shri Ghansham Rambhau Palwade Vs. The State of Mah. &  
Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Heard Shri A.S. Deshmukh – learned Advocate for the Applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.

2. The learned Advocate for the Applicant undertakes to file affidavit in rejoinder during the course of the day and serve the copy of the same upon the learned Presenting Officer.

3. **S.O. to 23<sup>rd</sup> November, 2016.**

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 665 OF 2016**

**[Shri Ghansham Rambhau Palwade Vs. The State of Mah. &  
Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Heard Shri A.S. Deshmukh – learned Advocate for the Applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.

2. The learned Advocate for the Applicant undertakes to file affidavit in rejoinder during the course of the day and serve the copy of the same upon the learned Presenting Officer.

3. **S.O. to 23<sup>rd</sup> November, 2016.**

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 585 OF 2016**

**[Shri Pralhad Munjaji Raner Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10.2016.**

**ORAL ORDER:**

Heard Shri D.T. Devane – learned Advocate for the Applicant, Shri M.S. Mahajan – learned Chief Presenting Officer for respondent Nos. 1 to 4 and Shri A.S. Deshmukh – learned Advocate for respondent No. 5.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 2 to 4 and the same is taken on record and copy thereof has been served upon the other side.

3. At the request of learned Advocate for respondent No. 5, S.O. to 16<sup>th</sup> November, 2016 for filing affidavit in reply.

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 473 OF 2016**

**[Shri Dr. Govind Kishanrao Reddy Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10.2016.**

**ORAL ORDER:**

Heard Shri Kakasaheb Jadhav, learned Advocate holding for Shri V.B. Wagh – learned Advocate for the Applicant and Shri I.S. Thorat – learned Presenting Officer for the respondent Nos. 1 to 3. Shri S.S. Manale – learned Advocate for respondent No. 4 (**absent**).

2. At the request of learned Presenting Officer for respondent Nos. 1 to 3, S.O. to 30<sup>th</sup> November, 2016 for filing affidavit in reply.

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 323 OF 2016**

**[Sarla W/o Rajendra Sutar Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Shri Chetan Bhadane – learned Advocate for the Applicant (**absent**). Shri N.U. Yadav – learned Presenting Officer for the respondents, present.

2. Since none appears for the applicant, **S.O. to 7<sup>th</sup> December, 2016.**

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 279 OF 2016**

**[Shri Kalyan Sopanrao Pawar Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Shri Vivek G. Pingle – learned Advocate for the Applicant has filed leave note. Smt. Sanjivani Ghate-Deshmukh – learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, **S.O. to 13<sup>th</sup> December, 2016.**

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**



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

**ORIGINAL APPLICATION NO. 254 OF 2016**

**[Shaikh Hamid Dagdumiya & Ors. Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Shri Vivek G. Pingle – learned Advocate for the Applicant has filed leave note. Shri M.G. Gude – learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, **S.O. to 13<sup>th</sup> December, 2016.**

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 184 OF 2016**

**[Smt. Lata Dadarao Shirsath Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Heard Shri K.B. Jadhav – learned Advocate for the Applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondents.

2. Admit.
3. Learned Presenting Officer for the respondents waives service of notice for the respondents.
4. S.O. to 13<sup>th</sup> December, 2016.

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 175 OF 2016**

**[Shri Bajani Bhagwan Chilgar Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Shri M.P. Kale – learned Advocate for the Applicant (**absent**).  
Shri N.U. Yadav – learned Presenting Officer for the respondents,  
present.

2. Since nobody appears for the applicant, **S.O. to 7<sup>th</sup>  
December, 2016.**

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 142 OF 2016**

**[Shri Gopikisan Bapurao Pujari Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash Deshmukh – learned Advocate for the Applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 4 and the same is taken on record and the copy thereof has been served upon the learned Advocate for the Applicant.

3. At the request of learned Advocate for the applicant, **S.O. to 13<sup>th</sup> December, 2016.**

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 797 OF 2015**

**[Shri Vasantsingh Shaligram Patil Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Shri Kailas B. Jadhav – learned Advocate for the Applicant (**absent**). Smt. Sanjivani Ghate-Deshmukh – learned Presenting Officer for the respondents, present.

2. At the request of learned Presenting Officer, **S.O. to 30<sup>th</sup> November, 2016 for filing affidavit in reply, by way of last chance.**

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 403 OF 2015**

**[Shri Vasant Madhavrao Khare Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Heard Shri D.S. Shinde, learned Advocate holding for Shri S.G. Shinde – learned Advocate for the Applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. Learned Presenting Officer undertakes to file affidavit in reply on behalf of respondent Nos. 1 to 4 during the course of the day and serve copy thereof upon the learned Advocate for the applicant.

3. **S.O. to 7<sup>th</sup> December, 2016.**

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 315 OF 2000**

**[Shri Arvind Julaisingh Pardeshi Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10.2016.**

**ORAL ORDER:**

None appears for the Applicant. Shri N.U. Yadav – learned Presenting Officer for the respondents, present.

2. Learned Advocate Shri R.P. Adgaonkar holding for Shri Vijay B. Patil, learned Advocate for the applicant on record appeared today and submits that he has also no instructions and wants to discharge his appearance.

3. It appears from the office note that this Tribunal has issued the notice applicant, as well as, respondents. It further reveals from the said office note that notices were sent to the applicant as well as respondents by R.P.A.D. along with order passed by the Tribunal on 1.9.2016 and acknowledge to that effect are received to this office on 28.9.2016. Thereafter, this case was adjourned to 30<sup>th</sup> September, 2016 for hearing. However, on 30.09.2016 also none appears for the applicant. Thereafter this case was kept to today's date i.e. on 27.10.2016 for dismissal and it was reflected on the board "**for dismissal**". Despite of this, the applicant is absent today also. Hence, this case is dismissed in default. No order as to costs.

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION ST. NO. 1906 OF 2016**

**[Dr. Deepak Sonu Thakare Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Heard Shri J.B. Choudhary – learned Advocate for the Applicant and Shri S.K. Shirase – learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 23<sup>rd</sup> November, 2016. Learned P.O. waives service for respondent No.1.

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

4. Applicants are 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



**O.A. ST. NO. 1906 OF 2016**

affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 23<sup>rd</sup> November, 2016.
8. Steno copy and hamdust is allowed to both the parties.

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION ST. NO. 1907 OF 2016**

**[Dr. Anil Gulabsing Valvi Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Heard Shri J.B. Choudhary – learned Advocate for the Applicant and Shri I.S. Thorat – learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 23<sup>rd</sup> November, 2016. Learned P.O. waives service for respondent No.1.

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

4. Applicants are 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

**O.A. ST. NO. 1907 OF 2016**

affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 23<sup>rd</sup> November, 2016.
8. Steno copy and hamdust is allowed to both the parties.

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**

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

**ORIGINAL APPLICATION NO. 382 OF 2016**

**[Shri Raju Raghunath Dagadghate Vs. The State of Mah. & Ors.]**

**CORAM : Hon'ble Shri S.S. Hingne, Member (J)**

**DATE : 27.10. 2016.**

**ORAL ORDER:**

Heard Shri Kakasaheb B. Jadhav – learned Advocate for the Applicant, Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Ashish Rajkar – learned Advocate for respondent No. 3.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and the same has been taken on record and copy thereof has been served upon the other side.

3. The applicant has filed this Original Application on the plea that respondent No. 3 has secured highest marks, but he is not resident of village Jivrag Takli, Tq. Sillod, Dist. Aurangabad.

4. It appears from the proceeding that the Respondent No. 3 has already filed affidavit in reply and stated in paragraph 2 that he is not interested to work on the post of Police Patil of village Jivrag Takli, Tq. Sillod and any other candidate may be appointed.

5. Learned Presenting Officer has submitted that appointment order on the post of Police Patil is not yet issued.

6. In the above state of affairs, the present Original Application can be disposed of with direction to the respondent No. 2 – the Sub Divisional Officer/Magistrate, Sillod, Dist. Aurangabad, to appoint the other candidate, according to law.

**7. At this stage, learned Advocate for the Applicant submits that the directions be given to the respondent No. 2 that the Applicant be appointed being second in the merit list. Such direction cannot be given to the respondent authorities, because appointing authority has to consider several aspects, while making appointment and the Tribunal cannot usurp that role.**

8. At the request of learned Advocate for the Applicant, S.O. to 13<sup>th</sup> December, 2016.

**MEMBER (J)**

**27.10.2016-HDD(SB).doc**