

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 329/2017

(Shri Karwar D. Balbhim Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. At the request of learned C.P.O., S.O. to 5.7.2017 for taking instructions from the concerned respondent as per the directions contained in the order of the Tribunal dated 9.6.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION ST. NO. 402/2017

(Shri Gopal B. Mahajan Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

None appears for the applicant. Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

2. The record would show that, since 29.3.2017 nobody is appearing for the applicant in the matter though the case was posted time and again. In the circumstances, in the interest of justice, as a last chance S.O. to 24.7.2017, either for appearance or for passing necessary orders.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 685/2015

(Shri Rahul B. Kulkarni & Ors. Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

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

2. The record would show that nobody is appearing for the applicant since last 2 dates, i. e. from March, 2017. In the circumstances, S.O. to 24.7.2017, either for appearance or for passing necessary orders.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

CP NO. 03/2016 IN OA 239/2015

(Shri (Dr.) Sonali B. Sayamber Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

Shri V.B. Wagh, learned Advocate for the applicant **(absent)**. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.

2. The learned P.O. submits that, there is no instruction from the respondents as to whether the S.L.P. is filed in the Hon'ble Supreme Court and the result, if any, of the same. At her request, S.O. to 10.8.2017 as a last chance to place before the Tribunal up-to-date position as on the said date regarding filing of S.L.P. before the Hon'ble Supreme Court, its result and / or complying with the order in the O.A. positively by that date. In default this Tribunal would be constrained to impose heavy costs on the concerned respondent and / or would be constrained to call the responsible Officer before the Tribunal.

3. S.O. to 10.8.2017.

4. The learned P.O. to act upon the Steno copy of this order.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NOS. 07 & 65 BOTH OF 2016

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

Date : 28-06-2017

ORAL ORDER:-

Heard Shri H.P. Jadhav, learned Advocate for the applicants in both the matters and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents in both the matters.

2. With the consent of both the sides, S.O. to 28.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 133/2016

(Smt. Laxmibai N. Atkulwar Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

S/shri M.A. Golegaonkar / Anil Golegaonkar, learned Advocates for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

2. The learned P.O. seeks time to comply with the order of the Tribunal dated 13.6.2017. At his request, S.O. to 2.8.2017 for compliance of the said order.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 803/2016

(Shri Sayyed Kalim Sayyed Mohboob Vs. State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

Shri V.B. Wagh, learned Advocate for the applicant **(leave note)**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. Shri Uttam Chavan, Police Inspector, Parbhani is present in the Court for giving instructions to the learned Presenting Officer. The learned P.O. files on record a communication dated 27.6.2017 received from the Superintendent of Police, Parbhani, which is taken on record and marked as document 'X'. The said communication, however, would show that, no mind is applied by the learned Superintendent of Police, Parbhani, to the order of the Tribunal dated 5.5.2017. On the last date itself, it was made clear that, in case in future irresponsible behavior as has been noted on that day was continued, this Tribunal may be constrained to impose exemplary costs upon the concerned respondent / responsible Officer, who would visit the learned P.O. for giving instructions. The learned P.O., however,

submits that, in the meantime the Superintendent of Police, Parbhani is transferred.

4. In the circumstances, the present Superintendent of Police, Parbhani is directed to go through the ex-facie mistake committed by the earlier Superintendent of Police. In earlier affidavit in reply as well as in additional affidavit in reply dated 27.3.2017 (para 4), the earlier Superintendent of Police had wrongly averred that, in O.A. no. 483/2016 this Tribunal has directed to intimate the last candidate in the list of "OBC Ex-servicemen category" that, his appointment shall be subject to outcome of O.A. no. 483/2016. The earlier Superintendent of Police, however, herself has filed the copy of the order in O.A. no. 483/2016 dated 8.3.2017. The said order would show that, it is not a interim order, but a final order. Moreover, para nos. 6 & 7 would show that, res. no. 3 – the Superintendent of Police therein was directed to give appointment to the applicant therein as a Police Constable from S.C. (Ex-servicemen category). As such, earlier learned S.P. has inadvertently made a mistake in considering the final

order in O.A. no. 483/2016 as the present applicant is claiming appointment from OBC (General) category.

5. In the circumstances, as a last chance, S.O. to 10.7.2017 to rectify the mistake.

6. The learned P.O. to act upon the Steno copy of this order.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 869/2016

(Shri Dhanraj T. Lazade Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

Heard Shri A.K. Tiwari, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that, out of 2 candidates for the post, the candidate, who was selected, has not joined the post. The present applicant could not receive the intimation regarding oral interview as one of the 2 mobile numbers as specified in the application form (Annex. A-9 paper book pages 24 to 26 of the O.A.) was stolen and no S.M.S. regarding oral interview was sent on the second mobile. He further submits that, as the present applicant is Blind (Low Vision), he was unable to check E-mail that might have been received on his Mail I.D.

3. In the circumstances, he submits that, as the only two candidates, including the present applicant were to appear for the post of Assistant Professor from handicapped category i.e.

Blindness or Low Vision (Annex. A. 8 page 22), the res. no. 2 may be directed to consider for calling the applicant for oral interview specifically when the res. no. 2 would be again required to spent money and waste the time for re-advertising the post.

4. The above submission appears to be reasonable. In the circumstances, the res. no. 2 is directed to consider the issue afresh in the line of suggestion as made above and to submit compliance in this regard on the next date. S.O. to 8.8.2017, for compliance.

5. 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. 897/2016

(Smt. Shalini R. Raut Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

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

2. On the last date, it was pointed out that there are certain mistakes in the affidavit in reply, though the same were not specified in order in the benefit of the respondents. The learned P.O. submits that, he still have no instructions.

3. It is hereby noted that, in her application the applicant has specifically intimated that, she did not want to take any benefit of reservation including concession from payment of fees being a candidate from S.C. category, still in the affidavit in reply, the res. no. 2 at para 10 has wrongly averred that the applicant has applied from S.C. category and she paid the fees for the Open category i. e. Rs. 365/-. The applicant, however, has clearly mentioned in the application that, she was not seeking exemption of age or other benefits available to S.C.

category, still the above averments are made by the res. no. 2 in para 10 of the reply.

4. The learned P.O. to bring this fact to the notice of res. no. 2 and file his amended affidavit in reply, if any, by the next date. At the request of learned P.O., as a last chance, S.O. to 3.8.2017, for compliance.

5. The learned P.O. to act upon the Steno copy of this order.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 898/2016

(Shri Vyankat L. Nilawar Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

Heard Shri H.P. Jadhav, learned Advocate holding for Shri K.G. Salunke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to file rejoinder. Considering the past history, last chance is granted for filing rejoinder. S.O. to 24.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 16/2016 IN OA ST. 45/2016

(Shri Anil M. Tambe Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

Heard Shri Amit S. Dhongde, learned Advocate holding for Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 212/2016 IN OA ST. 664/2016

(Shri Nandkishor C. Khicchi Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

Heard Shri Nandkishor C. Khicchi – party in person -
and Shri M.P. Gude, learned Presenting Officer for the
respondents.

2. The Party-in-person requests for six weeks time to file on
record the written note of arguments. At his request, S.O. to
18.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 214/2017 IN OA 150/2017

(Shri Balasaheb P. Mane Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

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

2. The learned C.P.O. seeks time to take instructions on the line of para 7 of the order dated 8.6.2017 of the Tribunal in O.A. on 8.6.2017. At his request, S.O. to 29.6.2017 for taking instruction.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 217/2000

(Shri (Dr.) Subhash P. Kumbhare Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The office has taken the present status of the writ petition no. 3966/2000 from the official website of Hon'ble High Court, which would show that, the said writ petition was fixed for pronouncement of judgment on 27.6.2017. The learned Advocate for the applicant submits that definite instructions in this regard would be taken. Therefore, at her request, S.O. to 10.7.2017, for instruction.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 295/2003

(Shri Pradeep S. More & Ors. Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to make submissions as to whether there is connection between the writ petition no. 4676/2007, which is pending before the Hon'ble High Court and the present O.A. At her request, S.O. to 6.7.2017 for making submission.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A. NOS. 59 WITH 438/2005

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

Date : 28-06-2017

ORAL ORDER:-

O.A. NO. 59/2005

Shri V.B. Wagh, learned Advocate for the applicant has filed leave note. Shri M.P. Gude, learned Presenting Officer for res. nos. 1 & 2 and Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for respondent no. 3, are present.

O.A. NO. 438/2005

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned P.O. for res. nos. 1 & 2. Shri V.B. Wagh, learned Advocate for respondent no. 3 has filed leave note.

2. Read the order dated 3.7.2012 of the Tribunal. It appears that both the matters are interlinked and reliefs claimed in both these matters are regarding disputed promotion given to applicant Shri Pundlik P. Darade in O.A. no. 438/2005. Applicant Shri Manik P. Darade in O.A. no. 59/2005 is claiming promotion in place of applicant Shri

::-2-::
O.A. NOS. 59 WITH 438/2005

Darade i.e. applicant in O.A. no. 438/2005. Applicant Shri Pundlik P. Darade in O.A. no. 438/2005 has approached Hon'ble High Court against the order of this Tribunal, wherein his promotion was cancelled and the Hon'ble High Court has granted stay to the order of this Tribunal. The writ petition number, however, is not referred in the said order.

3. In the circumstances, in view of fact that Shri Wagh, learned Advocate for the applicant is on leave, S.O. to 11.7.2017 for seeking clarification on the above issues.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 569/2005

(Shri Suryakant K. Yannekar Vs. The State of Mah. & Ors.)

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

Date : 28-06-2017

ORAL ORDER:-

Shri V.B. Wagh, learned Advocate for the applicant **(leave note)**. Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

2. The order dated 13.2.2013 would show that the order for removing the O.A. from board was passed in view of the pendency of the criminal appeal filed by the applicant against the conviction in the Hon'ble High Court.

3. The O.A. is filed against the punishment of reversion after a departmental inquiry. It appears that independently criminal case was lodged. In view of the fact that the learned Advocate is on leave, S.O. to 28.7.2017 to seek clarification from the applicant.

VICE CHAIRMAN

ARJ ORAL ORDERS 28.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 902/2016
[Shri Sandip V. Jadhav Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Shri S.R. Patil, learned Advocate for the Applicant
(**Absent**). Smt. Resha S. Deshmukh, learned Presenting
Officer for respondents, present.

2. As none present for the applicant, S.O. to
31.07.2017.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 905/2016
[Shri Mahavir C. Gosavi Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Ms. Ashlesha Raut, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondent nos. 1 to 3. Shri D.T. Devane, learned Advocate for respondent no. 4, absent.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 & 2. Same is taken on record and the copy thereof, has been served upon the learned Advocate for the applicant.

3. S.O. to 24.07.2017.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 10/2017
[Shri Manaji V. Surose Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Shri Kakasaheb B. Jadhav, learned Advocate for the Applicant, Shri I.S. Thorat, learned Presenting Officer for respondent no. 1 and Shri Vivek Pingle, learned Advocate holding for Shri G.N. Patil, learned Advocate for respondent no. 2.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent no. 1. Time granted as a last chance.

3. S.O. to 18.07.2017.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 58/2017
[Shri Maruti M. Kakad Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Shri M.B. Kolpe, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent no. 1. Time granted.

3. S.O. to 31.07.2017.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 75/2017
[Shri Abud Bin Abdulla Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Shri A.D. Sugdare, learned Advocate for the Applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent nos. 3 & 4.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1 & 2. Time granted.

3. S.O. to 24.07.2017.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 81/2017
[Shri Pandurang S. Shete Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Shri V.B. Wagh, learned Advocate for the Applicant
(**Leave Note**). Shri D.R. Patil, learned Presenting Officer
for respondents, present.

2. Learned Presenting Officer has filed affidavit in reply
on behalf of respondent nos. 1 to 4. Same is taken on
record.

3. In view of leave note filed by the learned Advocate for
the applicant, S.O. to 31.07.2017.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 141/2017
[Smt. Vijaya R. Jetty Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Shri A.C. Deshpande, learned Advocate for the Applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

2. It transpires from the proceedings that the notices are issued on 3.3.2017, but the said notices are not served on the respondents since long by the applicant.

3. Hence, S.O. to 18.07.2017, for passing necessary orders.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 826/2016
[Shri Laxman B. Parandkar Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant,
S.O. to 14.07.2017.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 196/2016
[Shri Dnyanoba L. Thakur Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Shri H.K. Munde, learned Advocate for the Applicant
(**Absent**). Shri I.S. Thorat, learned Presenting Officer for
respondent nos. 1 to 3, present. Shri S.K. Sawangikar,
learned Advocate for respondent no. 4, absent.

2. As none present for the applicant, S.O. to
18.07.2017, for dismissal.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 197/2016
[Shri Arjun H. Mekane Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Shri H.K. Munde, learned Advocate for the Applicant
(**Absent**). Shri M.S. Mahajan, learned Chief Presenting
Officer for respondent nos. 1 to 3 and Shri D.M. Shinde,
learned Advocate for respondent no. 4, are present.

2. As none present for the applicant, S.O. to
18.07.2017, for dismissal.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 203/2016
[Sow. Jaishree K. Dudhate Vs. The State of Mah. & Ors.]

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

DATE : 28.06.2017.

ORAL ORDER:

Shri H.K. Munde, learned Advocate for the Applicant
(**Absent**). Shri D.R. Patil, learned Presenting Officer for
respondent nos. 1 to 3 and Shri D.M. Shinde, learned
Advocate for respondent no. 4, are present.

2. As none present for the applicant, S.O. to
18.07.2017, for dismissal.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 204/2016
[Shri Parmeshwar N. Pawar Vs. The State of Mah. & Ors.]

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

DATE : 28.06.2017.

ORAL ORDER:

Shri H.K. Munde, learned Advocate for the Applicant
(**Absent**). Smt. Deepali S. Deshpande, learned Presenting
Officer for respondent nos. 1 to 3, present. Shri V.D.
Jadhav, learned Advocate for respondent no. 4, absent.

2. As none present for the applicant, S.O. to
18.07.2017, for dismissal.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 205/2016
[Shri Pradip J. Jadhav Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Shri H.K. Munde, learned Advocate for the Applicant
(**Absent**). Shri M.S. Mahajan, learned Chief Presenting
Officer for respondent nos. 1 to 3 and Shri D.M. Shinde,
learned Advocate for respondent no. 4, are present.

2. As none present for the applicant, S.O. to
18.07.2017, for dismissal.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 320/2016
[Shri Meena N. Bangal Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Heard Shri V.P. Golewar, learned Advocate for the Applicant, Shri S.K. Shirse, learned Presenting Officer for respondent nos. 1 to 4 and Shri R.P. Bhumkar, learned Advocate holding for Shri M.S. Dhapate, learned Advocate for respondent no. 5.

2. Today, the learned Advocate for respondent no. 5 has placed on record a copy of Domicile Certificate and Extract of Form No. 8 of respondent no. 5. Same are taken on record and marked as Exhibit-X-1 & X-2.

3. The learned Advocate for the applicant seeks time to take instructions from the applicant as regards documents produced by the respondent no. 5. Time granted.

4. S.O. to 26.07.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 694/2016
[Shri Sanjay K. Gaikwad Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Heard Shri S.R. Sapkal, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 2. Same is taken on record and the copy thereof has been served upon the learned Advocate for the applicant.

3. After hearing the matter for considerable time, the learned Advocate for the applicant sought time to study the matter and for making final submissions. Time granted. He has requested to continue the interim relief granted earlier in his favour.

4. On perusal of the order dated 26.08.2016, it reveals that the interim relief was granted to the applicant till filing of the affidavit in reply by the respondents and the respondents were directed not to relieve the applicant, in

//2//

O.A. No. 694/2016

case, he is not yet relieved from his post of Wireless Operator in the office of S.P., Ahmednagar, till reply affidavit is filed by the respondents.

5. The respondent no. 2 has filed affidavit in reply on 21.11.2016 and thereafter, interim relief granted earlier was not continued. Therefore, no question of continuing interim relief arises. Hence, the request of the applicant for continuation of interim relief is rejected.

6. S.O. to 24.07.2017.

MEMBER (J)

ORAL ORDERS 28.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 237/2016
[Shri Md. Salim Naim Vs. The State of Mah. & Ors.]**

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

DATE : 28.06.2017.

ORAL ORDER:

Shri S.R. Pande, learned Advocate for the Applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondent nos. 1 & 2 and Shri U.D. Dalvi, learned Advocate for respondent no. 3, are present.

2. Today, the learned Presenting Officer has placed on record a copy of communication dated 20.06.2017, sent by the District Agricultural Superintendent, Aurangabad to the applicant and respondent no. 3 as well as others, by which he has intended to send proposal regarding grant of 50% pension to the applicant. The copy of the said communication is taken on record and marked as Exhibit-'X' for the purposes of identification.

3. Learned Advocate for respondent no. 3 submits that the respondent no. 3 intends to challenge the said proposal of the respondent no. 2 and sought time. Time granted.

4. S.O. to 26.07.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 278/2016

[Shri Mohan K. Devbone Vs. The State of Mah. & Ors.]

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

DATE : 28.06.2017.

ORAL ORDER:

Shri K.M. Nagarkar, learned Advocate for the Applicant (**Absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for respondent, present.

2. The applicant has challenged the order dated 24.12.2009 passed by the respondent no. 2 and order dated 23.10.2013 passed by the respondent no. 3. On perusal of the order dated 23.10.2013, it reveals that it is not an order as contended by the applicant, but it is a recommendation of Special Inspector General of Police, State Reserve Police Force, Nagpur, to the Director General of Police, Maharashtra State, Mumbai. It seems that the Review Petition is still pending with the Inspector General of Police.

3. Hence, the applicant is directed to explain as to whether the Review Petition filed by him has been decided by the Inspector General of Police. If it is pending, the applicant has to clarify how the application is maintainable.

4. S.O. to 24.07.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 529 OF 2015

**(Shri Gangaram Natu Shirsath Vs. The State of
Maharashtra and Others.)**

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

DATE : 28.06. 2017.

ORAL ORDER:

1. Heard Shri R.P. Bhumkar – 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. to 2nd August, 2017, to satisfy of this Tribunal on the issue that certain orders in Writ Petition were required to be complied with, which are made the cause of initiation of Departmental Enquiry in which the punishment is ordered.
3. At his request time to file the copy of the decision etc. in the Writ Petitions is hereby granted.
4. S.O. to 2nd August, 2017.

VICE CHAIRMAN

ORAL ORDERS 28.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 802 OF 2015

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

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

DATE : 28.06. 2017.

ORAL ORDER:

1. Heard Shri G.R. Jadhav, learned Advocate holding for Shri A.S. Shelke – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that he has no instructions on the line of the order passed on 21st December, 2016, 23rd February, 2017 and 16th June, 2017. It is to be noted that vide order dated 16th June, 2017 a warning was given that in case no steps are taken, this Tribunal would be constrained to take coercive action against the respondents.

3. In the circumstances, S.O. to 25th July, 2017. In the meantime, respondent No. 3 is directed to take action on the line of the earlier orders to file the report on the due date and also to deposit costs of Rs. 10,000/- (Rs. Ten thousand only) by the Government cheque, failing which summons in the name of the present Tahsildar, Loha, may be issued by this Tribunal for his personal appearance before this Tribunal.

4. S.O. to 25th July, 2017 for compliance by the respondents.

5. Learned Presenting Officer shall act upon the steno copy of this order.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 347 OF 2015

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

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

DATE : 28.06. 2017.

ORAL ORDER:

1. Heard Shri G.R. Jadhav, learned Advocate holding for Shri A.S. Shelke – learned Advocate for the applicants and Shri N.U. Yadav – learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that he has no instructions on the line of the order passed on 21st December, 2016, 23rd February, 2017 and 16th June, 2017. It is to be noted that vide order dated 16th June, 2017 a warning was given that in case no steps are taken, this Tribunal would be constrained to take coercive action against the respondents.

3. In the circumstances, S.O. to 25th July, 2017. In the meantime, respondent No. 3 is directed to take action on the line of the earlier orders to file the report on the due date and also to deposit costs of Rs. 10,000/- (Rs. Ten thousand only) by the Government cheque, failing which summons in the name of the present Tahsildar, Loha, may be issued by this Tribunal for his personal appearance before this Tribunal.

4. S.O. to 25th July, 2017 for compliance by the respondents.

5. Learned Presenting Officer shall act upon the steno copy of this order.

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 598 OF 2015

**(Shri Noorunnisa Begum W/o. Abdul Rehman Vs. The State
of Maharashtra and Others.)**

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

DATE : 28.06. 2017.

ORAL ORDER:

1. None appears for the applicant. It is reported that Smt. (Dr.) Kalpalata Patil Bharaswadkar – learned Advocate for the applicant has filed leave note. Shri D.R. Patil – learned Presenting Officer for the respondents, present.

2. Reading of the record would show that the present applicant is seeking family pension upon death of her husband, who was receiving compassionate pension.

3. The affidavit in reply of respondent No. 2 would show that the deceased husband of the present applicant was in fact removed from the Government service after regular departmental enquiry, he was however, granted compassionate pension as per the provisions of the Maharashtra Civil Services (Pension) Rules, 1982 vide rule 101 (2) (wrongly quoted as Rule 100 (2) by the respondent No. 2 in the affidavit in reply at page-23).

4. It is the contention of the respondents that as a regular pension was not granted and as the deceased employee was not

:: - 2 - ::

O.A. NO. 598 OF 2015

superannuated or retired, the scheme of grant of family pension would not be applicable in this case.

5. In view of leave note filed by the learned Advocate for the applicant, S.O. to 25th July, 2017, to seek clarifications on the above issues.

VICE CHAIRMAN

ORAL ORDERS 28.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.ST.1338/2015 IN O.A.ST.NO. 811/2015

**(Shri Chandrakant S/o. Baburao Kadam Vs. The State of
Maharashtra and Others.)**

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

DATE : 28.06. 2017.

ORAL ORDER:

1. Heard Shri A.A. Shelke, learned Advocate holding for Shri P.D. Suryawanshi – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant has submitted that he has no instructions regarding carrying out the amendment in the application. It should be noted that the applicant is very negligent in taking steps, which are highlighted by the order dated 24.03.2017. However, since Shri P.D. Suryawanshi, learned Advocate for the applicant on record is absent, S.O. to 10th July, 2017 either for taking steps or for passing necessary orders.
3. S.O. to 10th July, 2017.

VICE CHAIRMAN

ORAL ORDERS 28.06.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 316/2015 IN O.A.ST.NO. 709/2015

**(Dr. Pralhad S/o. Mariappa Kamble Vs. The State of
Maharashtra and Others.)**

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

DATE : 28.06. 2017.

ORAL ORDER:

1. Heard Shri M.N. Deshmukh – learned Advocate for the applicant and Shri I.S. Thorat – learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer, S.O. to 19th July, 2017.

VICE CHAIRMAN

ORAL ORDERS 28.06.2017-HDD