

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 370/2015 IN CP ST. 1129/2015 IN OA 199/2014**  
(Shri Uttam N. Vendait Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri P.M. Shinde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The learned P.O. files on record the communication dated 27.7.2017 received to him from the concerned respondent. It is taken on record and marked as document 'X' for the purpose of identification.

3. The learned Advocate for the applicant submits that, in fact, the respondents are merely protracting the decision without adverting the fact that not only a decision is rendered by the Tribunal in the original application, but the Hon'ble Supreme Court has also dismissed the S.L.P. filed against the said decision.

4. Since the matter is being processed on the ground that it is referred to the Committee of the senior Secretaries, it is hereby directed that the said Committee should discuss all the facts and rendered a decision in the matter at the earliest

and compliance report thereof be filed before the Tribunal on or before 13.9.2017, failing which this Tribunal would be constrained to grant permission to the applicant to proceed against the concerned respondents in the contempt petition.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 423/2015 IN OA ST. 1369/2015**

(Shri Navnath B. Khaire Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri H.M. Shaikh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Permission to file written notes of arguments is hereby granted to the learned Advocate for the applicant. The same be filed on or before 10.8.2017 and thereupon, necessary orders would be passed in the matter.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 493/2017**

((Dr.) S.K. Khachane Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

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

2. At the request of learned Advocate for the applicant, S.O. to 31.7.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 426/2016 IN OA ST. 1824/2016**

(Shri Krushna B. Joshi Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 7.9.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 430/2016 IN OA ST. 1778/2016**

(Shri Shaligram M. Sonawane Vs. The State of Maharashtra &  
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 : 28.07.2017**

**ORAL ORDER:-**

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

2. At the request of learned P.O. for the respondents, S.O. to 17.9.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 481/2016 IN OA ST. 1995/2016**

(Smt. Aruna V. Shinde Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.

2. Read the orders dated 11.4.2017, 14.6.2017 & 3.7.2017 and it appears therefrom that, no steps are taken by the applicant for services of notices upon the respondents. On the last date also it was warned that, in case no steps are taken, the matter will be dismissed in default.

3. In the circumstances, the misc. application filed by the applicant for condonation of 8 years delay caused in filing the original application stands dismissed in default. Consequently the original application also stands dismissed. There shall be no order as to costs.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 64/2017 IN OA ST. 100/2017**

(Shri Milind V. Sonkamble Vs. The State of Maharashtra &  
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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. This matter is wrongly placed on today's board. Hence, S.O. to 28.8.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 116/2017 IN CP ST. 362/2017 IN OA 211/2017**  
(Shri Omprakash D. Mane Vs. The State of Maharashtra &  
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 : 28.07.2017**

**ORAL ORDER:-**

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

2. The learned P.O. files on record affidavit in reply of res. no. 2 in the misc. application, which would show that a proposal had been moved for dropping the departmental enquiry as charges leveled against the applicant are not so serious and as the applicant is superannuated. The learned P.O. also annexed the communication to that effect along with reply at paper book page 31.

3. In the circumstances, it is hereby directed that decision on the aforesaid proposal shall be taken at the earliest by the concerned authority. S.O. to 6.9.2017 for reporting the decision of the authority.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 227/2017 IN CP ST. 570/2017 IN OA 374/2016**  
(Shri David S. Ganthur Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri R.S. Shejule, learned Advocate holding for Shri K.M. Nagarkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned P.O. files on record communication received by him which would show that representation of the applicant is decided by the res. no. 2. It is accepted on record and marked as document 'X' for the purpose of identification.

3. It appears that in view of the decision of the res. no. 2 on the representation of the applicant, the order in O.A. is complied with by the respondents. Hence, present M.A., which is filed for permission to file contempt petition against the respondents, stands disposed of. Consequently the contempt petition under stamp no. 570/2017 also stands disposed of. There shall be no order as to costs.

**VICE CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 743/2016**

(Shri Rakesh D. Barela Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri D.K. Rajput, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The learned P.O. submits that, some time would be required for taking instructions on the line of order dated 11.7.2017. At his request, as a last chance, S.O. to 31.8.2017.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 763/2013**

(Shri M.P. Idekar Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

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

2. The learned Advocate for the applicant submits that, since the present O.A. is taken on board after 2014, at present he has no instructions from the applicant regarding the hitch in granting promotion to him. He seeks time to take up to date instructions from the applicant. In the circumstances, S.O. to 7.9.2017 for taking instructions by the learned Advocate for the applicant.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 764/2013**

(Shri Chandramohan D. Bhate Vs. The State of Maharashtra  
& 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that, in the present matter decision on merit is required by the Division Bench. Hence, place the matter before the D.B. for final hearing on 2.8.2017.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 326/2012**

(Shri Madhav C. Padvi Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Shri F.R. Tandale, learned Advocate for the applicant **(absent)**. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 4 and Shri Umesh S. Shriram, learned Advocate for respondent no. 5, are present.

2. The learned C.P.O. seeks time for compliance of the order dated 1.7.2017. He files on record the communication in this regard. It is accepted and marked as document 'X' for the purpose of identification. In view of communication of respondents, S.O. to 6.9.2017, as a last chance.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 123/2017**

(Shri Krishna G. Jadhav Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned P.O. files on record affidavit in reply. She draws attention of the Tribunal as well as of the learned Advocate for the applicant to the submissions made in para 21 of the reply and the provisions of sub rule 6 (a) of rule 27 of the Maharashtra Civil Services (Pension) rules, 1982, which would provide deemed date for institution of the departmental enquiry in the case of suspension.

3. In the circumstances, to have detailed submissions on this point from both the sides, S.O. to 29.8.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 555/2015**

(Shri Madhav C. Padvi Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

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

2. In view of absence of learned Advocate for the applicant, S.O. to 6.9.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 110/2016 WITH MA 287/2015 IN OA 444/2014**  
(Shri Sk. Tajoddin Sk. Manikji Kasar & Ors. Vs. The State of  
Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Shri S.S. Gangakhedkar, learned Advocate for the applicants (absent). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. Today Shri S.P. Salgar, learned Advocate appeared in the matter and submits that he is under instructions to appear in the matter on behalf of the applicant. He further submits that, he will file his V.P. on the next date. Permission to do is hereby granted.

3. Shri Salgar, learned Advocate seeks time to advance his submissions in the matter. At his request, S.O. to 17.8.2017 for appearance of learned Advocate.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 474/2016 IN OA ST. 2044/2016**

(Shri Suresh M. Tulapurkar Vs. The State of Maharashtra &  
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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, 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 12.9.2017 for filing reply of res. nos. 3 to 5 in the misc. application.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 133/2017 IN OA 949/2016**

(Shri Dinesh D. Kachare Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri H.A. Joshi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant states that, some steps are already taken by the respondents. He further submits that pendency of the present matter may be hindrance in completing that process. In the circumstances, it is hereby made clear that pendency of present matter would not be any obstructions in taking appropriate steps by the respondents in the matter. S.O. to 29.8.2017 for reporting compliance by the learned P.O.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 117/2017 IN CP ST. 257/2017 IN OA 663/2014**  
(Shri Nagorao S. Bele Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

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

2. The learned P.O. seeks time for taking instructions on the line of order dated 9.6.2017. As a last chance S.O. to 7.9.2017. Upon failure to comply the order dated 9.6.2017, permission as sought by the applicant to proceed against the respondent under contempt may be granted.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 569/2005**

(Shri Suryakant K. Yannewar Vs. The State of Maharashtra &  
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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that the criminal appeal filed by the applicant against conviction in the Hon'ble High Court is still pending. In the circumstances, the present matter is removed from the board awaiting the decision of the Hon'ble High Court in the criminal appeal.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 140/2017 IN CP ST. 472/2017 IN OA 63/2015**  
(Shri Saylu P. Nawod Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned P.O. files on record copy of the communication of the concerned respondent dated 5.7.2017 along with decision dated 25.7.2017, which is taken on record and marked as document 'X' for the purpose of identification. The learned Advocate submits that, additional affidavit of the applicant is required to be filed in the matter to make the situation clear. In the circumstances, S.O. to 22.8.2017 for filing additional affidavit by the applicant.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 493/2017**

((Dr.) S.K. Khachane Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

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

2. At the request of learned Advocate for the applicant, S.O. to 31.7.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 393/2016 IN CP ST. 1798/2017 IN OA 122/2015**  
(Shri Dr. Ashok B. Havelikar Vs. The State of Maharashtra &  
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 : 28.07.2017**

**ORAL ORDER:-**

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

2. The learned P.O. submits that, provisional pension as directed by the Tribunal in the judgment in O.A. is being imparted to the applicant and bill is sent to the Treasury Office. He has also filed photo copy of said bill on record. It is taken on record and marked as document 'X' for the purpose of identification. In the circumstances, S.O. to 11.9.2017 only to see as to whether provisional pension is paid to the applicant or not.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 237/2013**

(Kaveri d/o Vithalrao Chavan @ Smt. Kaveri wd/o Santoshrao  
Bagal Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri P.G. Gunale, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 to 4. None appears for respondent no. 5.

2. The learned P.O. seeks time to file reply to the amended O.A. At his request, S.O. to 28.8.2017 for filing reply by the respondents to the amended O.A.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**O.A. NOS. 86, 88, 89, 90, 92, 93, 148, 149, 150 ALL OF  
2016 WITH O.A. 226 OF 2015**

**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 : 28.07.2017**

**ORAL ORDER:-**

Heard Shri A.D. Gadekar, learned Advocate for the applicants in all these matters, S/shri I.S. Thorat, N.U. Yadav, M.P. Gude, V.R. Bhumkar, D.R. Patil, Smt. Priya R. Bharaswadkar, Smt. Resha S. Deshmukh, Smt. Sanjivani Deshmukh Ghate, Smt. Deepali S. Deshpande, learned Presenting Officers for the respondent no. 1 in all these matters, Shri Sham Patil, learned Advocate for respondent nos. 2 to 4 in O.A. Nos. 86, 88, 89, 90, 92, 93, 148, 149, 150 ALL OF 2016 and Shri G.N. Patil, learned Advocate for respondent nos. 2 to 4 in O.A. no. 226/2015.

2. All sides submit that pleadings in all these matters are complete. S.O. to 6.9.2017 for hearing on applications.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 50/2017**

(Balesh D. Bhendekar Vs. The State of Maharashtra & 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 : 28.07.2017**

**ORAL ORDER:-**

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The learned P.O. submits that, in fact, the res. no. 2 – the Maharashtra Public Service Commission, Mumbai – though filed affidavit in reply on the previous date, the standing order issued by the concerned authority on 5.8.2011 was remained to be annexed therewith and also averments in that regard are also remained to be made in the said affidavit in reply.

3. It is to be mentioned herewith that, though the matter is adjourned from time to time, wherein specific queries were made by this Tribunal, it is found that the res. no. 2 is gross negligent in filing the affidavit in reply along with relevant documents and due to this attitude of res. no. 2 the valuable time of the Tribunal and both the Counsels was wasted and the interim relief granted in favour of the applicant is continued.

**O.A. NO. 50/2017**

4. In the circumstances, time till 22.8.2017 is hereby granted to res. no. 2 to file additional reply along with relevant documents, subject to payment of costs of Rs. 5,000/- either by the res. no. 2 personally or any other Officer as may be decided by the res. no. 2. The interim relief to continue till then.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 64/2016 IN OA ST. 1991/2015**

(Shri Appa D. Chikate Vs. The State of Maharashtra & Ors.)

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

**Date : 28.07.2017**

**ORAL ORDER:-**

Heard Shri D.B. Gaikwad, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to take appropriate steps in the matter. At his request, S.O. to 24.8.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 382/2016 IN OA ST. 1730/2016**

(Shri Bhagwat T. Chaudhari Vs. The State of Maharashtra &  
Ors.)

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

**Date : 28.07.2017**

**ORAL ORDER:-**

Heard Shri A.D. Sugdare, learned Advocate for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent no. 1 and Shri S.D. Dhongde, learned Advocate for respondent nos. 2 & 3.

2. The learned P.O. seeks time to file affidavit in reply in the misc. application. At her request, as a last chance, S.O. to 23.8.2017 for filing reply in the M.A.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 322/2013**

(Shri B.M. Kulkarni & Ors. Vs. The State of Maharashtra &  
Ors.)

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

**Date : 28.07.2017**

**ORAL ORDER:-**

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, 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 7.9.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**O.A. NO. 576/2013**

(Shri R.G. Ubale & Ors. Vs. The State of Maharashtra & Ors.)

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

**Date : 28.07.2017**

**ORAL ORDER:-**

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

2. The learned Advocate for the applicant seeks time. At his request, S.O. to 6.9.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**O.A. NO. 781/2013**

(Shri S.D. Shinde Vs. The State of Maharashtra & Ors.)

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

**Date : 28.07.2017**

**ORAL ORDER:-**

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. It appears that though vide order dated 6.6.2017 it was directed to not to place this matter before the bench to which Justice M.T. Joshi is a member, still the office has wrongly placed this matter before this bench.

3. In view of this, the matter is removed from this court with a direction to the office of place the matter before Hon'ble B.P. Patil, Member (Judicial) in view of the order dated 6.6.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 28.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**O.A. NO. 573/2013**

(Ajinath K. Kharat Vs. The State of Maharashtra & Ors.)

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

**Date : 28.07.2017**

**ORAL ORDER:-**

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

2. The learned C.P.O. is directed to file the copy of the map regularly prepared in due course of business by the res. no. 4 – the Executive Engineer, P.W.D., Ahmednagar – to find out as to whether the village Bolhegaon, Ahmednagar City is within 8 Kms. away from the concerned place i. e. from the office of the applicant or not. S.O. to 10.8.2017 for compliance by the learned C.P.O.

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

4. Though this Tribunal has directed the learned C.P.O. for production of certain documents on record, still the learned Advocate continued with her argument and, therefore, it is not conducive to appear this matter before me in future. Hence, office is directed to not to place this matter before the bench to which Justice M.T. Joshi is a member.

**VICE CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 414/2017  
(Shri (Dr.) Vitthal W. Tidke V/s. the State of Mah. & Ors. )**

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

**DATE : 28.07.2017.**

**ORAL ORDER:-**

Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 4. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of other respondents. Time granted.

4. S.O. to 14.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 28-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 467/2017**

**(Smt. Sharmila R. Nikale V/s. the State of Mah. & Ors.)**

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

**DATE : 28.07.2017.**

**ORAL ORDER:-**

Shri S.D. Joshi, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 & 2 and Shri A.S. Deshmukh, learned Advocate for respondent no. 3.

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof, has been served on the other side.

3. Learned Chief Presenting Officer has submitted that the respondent no. 2 i.e. the Regional Deputy Commissioner, Aurangabad, has passed the impugned transfer order dated 31.05.2017 in view of the powers delegated to him by respondent no. 1. He has attracted my attention towards the G.R. dated 15.05.2017. He has submitted that the proposal of the respondent no. 2 was placed before the Civil Services Board and after recommendation of the Civil Services Board, the respondent no. 1 approved the recommendation and directed the respondent no. 2 to issue transfer order.

4. On going through the G.R. dated 15.05.2017, it reveals that the powers of the competent transferring authority has been delegated to the different authorities in view of the said G.R. and so far as the employees in Group-C, powers are given to the Regional Deputy Commissioner excluding mid-term and mid-tenure transfers and those powers are given to the Commissioner, Social Welfare. But in this case, the Commissioner has delegated the powers regarding transfer of employees, who has been transferred mid-term and mid-tenure to the Regional Deputy Commissioner. Therefore, it is necessary to direct the respondent no. 1 to file his personal affidavit explaining under which authority he has delegated powers of transfer to the respondent no. 2 for issuing impugned transfer order.

5. S.O. to 11.08.2017.

6. Steno copy allowed to the learned Chief Presenting Officer at his request.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 468/2017  
(Smt. Meena M. Survey V/s. the State of Mah. & Ors.)**

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

**DATE : 28.07.2017.**

**ORAL ORDER:-**

Shri S.D. Joshi, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for respondent nos. 1 & 2 and Shri A.S. Deshmukh, learned Advocate for respondent no. 3.

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof, has been served on the other side.

3. Learned Chief Presenting Officer has submitted that the respondent no. 2 i.e. the Regional Deputy Commissioner, Aurangabad, has passed the impugned transfer order dated 31.05.2017 in view of the powers delegated to him by respondent no. 1. He has attracted my attention towards the G.R. dated 15.05.2017. He has submitted that the proposal of the respondent no. 2 was placed before the Civil Services Board and after recommendation of the Civil Services Board, the respondent no. 1 approved the recommendation and directed the respondent no. 2 to issue transfer order.

4. On going through the G.R. dated 15.05.2017, it reveals that the powers of the competent transferring authority has been delegated to the different authorities in view of the said G.R. and so far as the employees in Group-C, powers are given to the Regional Deputy Commissioner excluding mid-term and mid-tenure transfers and those powers are given to the Commissioner, Social Welfare. But in this case, the Commissioner has delegated the powers regarding transfer of employees, who has been transferred mid-term and mid-tenure to the Regional Deputy Commissioner. Therefore, it is necessary to direct the respondent no. 1 to file his personal affidavit explaining under which authority he has delegated powers of transfer to the respondent no. 2 for issuing impugned transfer order.

5. S.O. to 11.08.2017.

6. Steno copy allowed to the learned Presenting Officer at his request.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 469/2017  
(Shri Kishan B. Pathade V/s. the State of Mah. & Ors.)**

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

**DATE : 28.07.2017.**

**ORAL ORDER:-**

Shri S.D. Joshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof, has been served on the learned Advocate for the applicant.

3. Learned Chief Presenting Officer has submitted that the respondent no. 2 i.e. the Regional Deputy Commissioner, Aurangabad, has passed the impugned transfer order dated 31.05.2017 in view of the powers delegated to him by respondent no. 1. He has attracted my attention towards the G.R. dated 15.05.2017. He has submitted that the proposal of the respondent no. 2 was placed before the Civil Services Board and after recommendation of the Civil Services Board, the respondent no. 1 approved the recommendation and directed the respondent no. 2 to issue transfer order.



4. On going through the G.R. dated 15.05.2017, it reveals that the powers of the competent transferring authority has been delegated to the different authorities in view of the said G.R. and so far as the employees in Group-C, powers are given to the Regional Deputy Commissioner excluding mid-term and mid-tenure transfers and those powers are given to the Commissioner, Social Welfare. But in this case, the Commissioner has delegated the powers regarding transfer of employees, who has been transferred mid-term and mid-tenure to the Regional Deputy Commissioner. Therefore, it is necessary to direct the respondent no. 1 to file his personal affidavit explaining under which authority he has delegated powers of transfer to the respondent no. 2 for issuing impugned transfer order.

5. S.O. to 11.08.2017.

6. Steno copy allowed to the learned Presenting Officer at his request.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 479/2017**

**(Smt. Sujata H. Lasure V/s. the State of Mah. & Ors.)**

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

**DATE : 28.07.2017.**

**ORAL ORDER:-**

Shri A.D. Gadekar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 & 2 and Shri S.D. Joshi, learned Advocate for respondent no. 3.

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

3. Learned Chief Presenting Officer has submitted that the respondent no. 2 i.e. the Regional Deputy Commissioner, Aurangabad, has passed the impugned transfer order dated 31.05.2017 in view of the powers delegated to him by respondent no. 1. He has attracted my attention towards the G.R. dated 15.05.2017. He has submitted that the proposal of the respondent no. 2 was placed before the Civil Services Board and after recommendation of the Civil Services Board, the respondent no. 1 approved the recommendation and directed the respondent no. 2 to issue transfer order.

4. On going through the G.R. dated 15.05.2017, it reveals that the powers of the competent transferring authority has been delegated to the different authorities in view of the said G.R. and so far as the employees in Group-C, powers are given to the Regional Deputy Commissioner excluding mid-term and mid-tenure transfers and those powers are given to the Commissioner, Social Welfare. But in this case, the Commissioner has delegated the powers regarding transfer of employees, who has been transferred mid-term and mid-tenure to the Regional Deputy Commissioner. Therefore, it is necessary to direct the respondent no. 1 to file his personal affidavit explaining under which authority he has delegated powers of transfer to the respondent no. 2 for issuing impugned transfer order.

5. S.O. to 11.08.2017.

6. Steno copy allowed to the learned Chief Presenting Officer at his request.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 117/2016  
(Smt. Radhabai T. Zade V/s. the State of Mah. & Ors. )**

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

**DATE : 28.07.2017.**

**ORAL ORDER:-**

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

2. At the request of learned Advocate for the applicant, S.O. to 11.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 28-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 136/2016  
(Shri Shamsundar M. Choudhari V/s. the State of Mah. & Ors. )**

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

**DATE : 28.07.2017.**

**ORAL ORDER:-**

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

2. Learned Presenting Officer has submitted that he has received communication dated 29.05.2017 from the Deputy Commissioner of Police (Headquarter), Aurangabad, stating that the applicant has referred to the Medical Board for medical examination and to produce fitness certificate and he has submitted that the medical examination of the applicant has not yet been conducted. Therefore, he prayed to grant time to send proposal and to consider it by the respondent no. 2.

3. Learned Advocate for the applicant has submitted that the applicant has produced fitness certificate dated 18.05.2015, issued by the Medical Board, Govt. Medical College and Hospital, Aurangabad, wherein it has been

specifically mentioned that the applicant is not fit to discharge duties as Police Inspector. He has submitted that the respondents intentionally prolonging the matter and they have not complied with the order of the Tribunal dated 25.04.2017.

4. The respondents were specifically directed by this Tribunal to take decision on the point that whether the benefit of Section 47 of the Persons with Disabilities Act, 1995 can be extended to the applicant, within three months. But the respondent nos. 1 & 2 have not take decision, in spite of specific time and opportunities were given to them. They have flouted the order of the Tribunal.

5. Hence, the respondent no. 2 is directed to file short affidavit for not following the directions given by this Tribunal in stipulated time.

6. S.O. to 18.08.2017.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 623/2016  
(Shri Anil P. Kattar V/s. the State of Mah. & Ors. )**

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

**DATE : 28.07.2017.**

**ORAL ORDER:-**

Heard Shri Ajay Deshpande, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent no. 1 and Shri G.N. Patil, learned Advocate for respondent no. 2.

2. At the request of learned Presenting Officer, S.O. to 18.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 28-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 387/2016**

**(Dr. Nomani Muhammed Mufti Tahair V/s. the State of Mah. & Ors. )**

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

**DATE : 28.07.2017.**

**ORAL ORDER:-**

Smt. Vinaya Muley, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted as a most last chance.

3. S.O. to 21.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 28-07-2017**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.891/2016**  
(Shri Anil Salve V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

Heard Shri S.D.Dhongde learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant,  
S.O. 04-09-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A.No.281/2017 IN O.A.St.No.131/2017**

(Shri Shaikh Khudbuddin V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

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

2. Issue notices to the respondents in the M.A., returnable on 31-08-2017.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O.to 31-08-2017.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.366/2016**

(Dr. Shweta Wange V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

Heard Shri S.P.Dheple learned Advocate holding for Shri A.N.Gaddime learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for the respondents. Shri P.D.Suryavanshi learned Advocate for the respondent no.4 is **absent**.

2. Learned PO has filed affidavit in reply on behalf of the respondent no.3. It is taken on record. Copy thereof has been served on the applicant. He undertakes to serve copy the reply on the respondent no.4.

3. Learned P.O. seeks time to file reply on behalf of respondent nos.1 and 2. Time granted as a last chance.

4. S.O. 21-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.837/2016**

(Shri Sham Fulgaonkar V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

Heard Shri B.S.Deshmukh learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for the respondents and Shri S.D.Joshi learned Advocate for the respondent no.4.

2. Learned CPO states that reply of the respondent nos.1 and 2 is not necessary.

3. Learned CPO prays for time for filing certain G.R. on record. Time granted.

3. S.O. 23-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.802/2016**  
(Shri Dattu Sable V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

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

2. Since none is present for the applicant,  
S.O.29-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**REVIEW APPLICATION NO.06/2017**

**IN**

**ORIGINAL APPLICATION NO.110/2017**

(Shri Dinesh Kurekar V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Learned P.O. states that decision in O.A. has been challenged before the Hon'ble High Court.

3. Learned Advocate for the applicant as well as the learned PO prays for adjournment. Adjournment granted.

4 S.O. to 31-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**REVIEW APPLICATION NO.07/2017**

**IN**

**ORIGINAL APPLICATION NO.111/2017**

(Shri Ramesh Baviskar V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents.

2. Learned P.O. states that decision in O.A. has been challenged before the Hon'ble High Court.

3. Learned Advocate for the applicant as well as the learned PO prays for adjournment. Adjournment granted.

4 S.O. to 31-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.14/2017**

(Shri Ravindra Varade V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted as a most last chance.
3. S.O. to 07-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.68/2017**

(Shri Prakash Dapke V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

Heard Shri R.P.Bhumkar learned Advocate for the applicant, Smt. Priya Bharaswadkar learned Presenting Officer for the respondents and Shri Shamsundar B. Patil learned Advocate for respondent no.2.

2. Learned P.O. for respondents as well as the learned Advocate for the respondent no.2 sought time to file affidavit in reply. Time granted.

3. S.O. to 23-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.276/2017**

(Shri Prashant Bibrare V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

Shri K.J.Suryavanshi learned Advocate for the applicant is **absent**. Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted.
3. S.O. to 28-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.301/2017**

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

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

DATE : 28-07-2017

**ORAL ORDER:-**

Heard Shri V.B.Wagh learned Advocate for the applicant, Shri D.R.Patil learned Presenting Officer for the respondents and Shri M.D.Gite learned Advocate holding for Shri B.S.Munde learned Advocate for respondent no.3.

2. Learned Advocate for respondent no.3 as well as the learned P.O. for respondents sought time to file reply on behalf of the respondents. Time granted as a last chance.

3. S.O. to 14-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.305/2017**  
(Rajmudra Khillare V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

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

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

3. S.O. 11-08-2017.

4. Interim relief granted earlier to continue till then.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.354/2017**  
(Rajmudra Khillare V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

Heard Ku. Ashlesha Raut learned Advocate holding for Shri S.B.Talekar learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant states that she will produce service proof of notice on respondent no.1 on the next date.

3. S.O. 16-08-2017.

4. Interim relief granted earlier to continue till then.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.505/2017**

(Shri Vijaykumar Shinde V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant has submitted that the applicant has completed his tenure of posting and he was due for transfer in annual general transfers of the 2017. He has submitted that applicant has given his options regarding choice of his place of transfer. Respondent has issued transfer order on 17-07-2017, which is against the provisions of the Transfer Act. He has submitted that the respondents have not considered his request and applicant has been transferred to Solapur from Osmanabad. He has submitted that the impugned order of transfer is against the provisions of Transfer Act, and therefore, he prayed to stay the operation of the impugned order dated 17-07-2017 to the extent of the transfer of the applicant.

3. Learned CPO submits that he wants to file detail reply, and therefore, he requested time.

4. Impugned order of the transfer has been passed in July, 2017. It is in contravention of the provisions of the Transfer Act. Therefore, it would be just and proper to stay the execution of the impugned order so far as the applicant is concerned, till filing reply on the respondents. The impugned order is therefore stayed so far as the applicant is concerned, till filing reply of the respondents.

5. Issue notice to the respondents in the O.A., returnable on 31-08-2017.

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

7. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper

book of the case. Respondents are 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 questions 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 31-08-2017.

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

**MEMBER (J)**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.3049/2016**  
(Shri Uttam Patil V/s. The State of Mah. & Ors.)

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

DATE : 28-07-2017

**ORAL ORDER:-**

Heard Shri G.M.Ghongade learned Advocate holding for Shri S.G.Chapalgaonkar learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant has sought time to remove office objections.

3. On perusal of the record and proceedings of the O.A., it reveals that the applicant is challenging G.R. dated 01-07-2011. Said subject matter is within the jurisdiction of the Division Bench, therefore, matter be placed before the Division Bench.

4. S.O.04-09-2017.

**MEMBER (J)**

YUK ORAL ORDER 28-07-2017

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

**ORIGINAL APPLICATION NO.303/2017.**  
**( Pallavi B. Dabhade Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

None present for the applicant. Heard Shri V. R. Bhumkar learned Presenting Officer for the respondents.

2. Reading order dated 09.06.2017 there is no compliance from the side of the applicant.

3. The learned P. O. submits that, in fact the application has become infructuous. However, in absence of the learned Advocate for the applicant without going into merit the application is dismissed in default without any order as to costs.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.321/2017.**  
**(Smt. Manisha P. Jagtap Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

Heard Shri P. A. Kulkarni learned Advocate for the applicant and Shri I. S. Thorat learned Presenting Officer for the respondents.

2. Upon hearing both sides it appears that, the affidavit in reply on behalf of Respondents is necessary. In the circumstances, issue notice to the respondents, returnable on 12.09.2017.

3. Applicant is authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.

4. Authorization for service of notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

(Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.

5. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry as far as possible before the due date.

6. Affidavit of service be filed one week before due date.

7. Learned P.O. is directed to communicate this order.

8. Affidavit in reply be filed before due date.

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

10. S.O. to 12.09.2017.

**VICE CHAIRMAN.**

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

**ORIGINAL APPLICATION St. No.936/2017.**  
**(Shri S. S. Bhalerao Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

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

2. Subject to the objection of the limitation, issue notices to the respondents, returnable on 25.09.2017. In the meantime the respondents shall report as to why the appeal filed by the applicant (Annexure A-2, page 13) dated 23.5.2002 is not decided as yet and also take steps for deciding the appeal by calling applicant and to see that by the next date appeal would be decided.

2. Issue notice to the respondents, returnable on 25.09.2017.

3. Applicant is authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.

4. Authorization for service of notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.
5. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry as far as possible before the due date.
6. Affidavit of service be filed one week before due date.
7. Learned P.O. is directed to communicate this order.
8. Affidavit in reply be filed before due date.
9. Steno copy and Hamdast is allowed to both parties.
10. S.O. to 25.09.2017 for filing reply as well as report.

**VICE CHAIRMAN.**

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

**ORIGINAL APPLICATION NO.307/2016.**  
**(Dr. N. R. Pawar Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 28-07-2017**

**ORAL ORDER:-**

Heard Shri V. B. Wagh learned Advocate for the applicant and Shri S. K. Shirse learned Presenting Officer for the respondents.

2. The learned P. O. again seeks time to file affidavit in reply. It is to be noted that, since 24.10.2016 time and again accommodation was granted to the respondents. Ultimately vide order dated 21.6.2017 it was cautioned that, in case reply is not filed on the next date then the Tribunal will be constrained to impose heavy costs.

3. The learned P.O. submits that, the earlier Secretary has taken voluntary retirement and therefore, the present Secretary will have to deal with the matters.

4. It is to be noted that, in fact Head of the Department have least concern with the day today work

mechanically like draft of reply etc. It therefore, appears that, merely the pretexts are made for the negligence of the office of the respondents no.1 & 2.

5. In the circumstances, only to have the decision on merit last chance granted for filing reply on condition that, on the next date the reply shall be filed and also cost of Rs.10,000/- by Govt. cheque forfeited to the Treasury is also deposited. At his request, S.O. to 29.08.2017.

6. The learned P.O. is directed to act on the Steno copy of this order.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**



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

**ORIGINAL APPLICATION NO.466/2016.**

**(Shri S. B. Kakandikar & Ors. Vs. State of Mah. & Ors.)**

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

(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

Heard Shri S. D. Dhongde learned Advocate for the applicant and Shri D. R. Patil learned Presenting Officer for the respondents.

2. The learned P.O. seeks time for filing affidavit in reply. The last date order dated 22.6.2017, the steno copy of which is also provided to the learned P.O. itself would show that, the respondents are not paying heed to the persuasion of the learned P.O. In the circumstances only to have decision on merit last chance is granted for filing reply on condition that, each of the respondent shall deposit a cost of Rs.10,000/- each by Govt. cheque along with reply on the next date. The cost shall be forfeited to the Govt. upon deposit.

3. S. O. to 31.08.2017.

4. The learned P.O. is directed to act on the steno copy of this order.

**ORAL ORDERS 28.07.2017-ATP**

**VICE CHAIRMAN.**

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

**OA NO.567/2016 WITH MA 39/2017.**  
**(Shri V. K. Shirsat Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

Heard Shri A. S. Deshmukh learned Advocate for the applicant, Shri M. P. Gude learned Presenting Officer for the respondents no.1 & 2 and Shri V. B. Wagh learned Advocate for the respondent no.3.

2. The learned P.O. files on record the affidavit in reply on behalf of Respondent no.3. The same is taken on record. Its copy is served on the other side.

3. Read the order dated 16.2.2017 and more particularly para no.4 of the said order which runs as under :-

“We find that this Original Application was filed on 19.7.2016 and till today, affidavit in reply has not been filed by the Respondents. The Applicant has not being informed as to why he was not found eligible for promotion. The respondents are

directed to file affidavit in reply within a period of three weeks, explaining the reasons for not promoting the Applicant. If the DPC meeting is held before this matter is decided and decision goes against the applicant, orders of promotion may not be issued till the decision of this Original Application.”

4. Despite these directions short reply on behalf of Respondent no.3 does not explain the facts and merely repeat what is on record.

5. It is nowhere explained as to why information regarding the present applicant in the minutes of the DPC meeting are absent. It therefore, appears that, the Members of the D.P.C. have not adverted their attention to any of the facts on record and had simplicitor took decision regarding promotion mechanically or otherwise.

6. In the circumstances, the applicant is directed to add all the Members of the DPC as party respondents to the present application. The addition be carried within one week from the date of this order. Upon carrying

necessary amendment, notices be issued to the added respondents, returnable on 6<sup>th</sup> Sept. 2017.

7. Applicant is authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.

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

9. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry as far as possible before the due date.

10. Affidavit of service be filed one week before due date.

11. Learned P.O. is directed to communicate this order.
12. Affidavit in reply be filed before due date.
13. Steno copy and Hamdast is allowed to both parties.
14. S.O. to 06.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.602/2016.**  
**(Shri H. S. Gawali Vs. State of Mah. & Ors.)**

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

(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

Heard Shri A. D. Gadekar learned Advocate for the applicant and Shri S. K. Shirse learned Presenting Officer for the respondents.

2. Shri U. D. Gaikwad, the Office Superintendent of the concerned department is present today before the Tribunal. The learned P.O. files on record the communication received to him from Respondent no.2. It is taken on accepted and marked as document "X" for the purpose of identification. It would however, show that, no attention was adverted to the order of this Tribunal dated 13.6.2017 and specifically para nos.4 & 5. The learned P.O. therefore, seeks time to have interaction with the concerned Respondent and to have a definite and legal decision in this matter. At his request, S. O. to 29.8.2017 for compliance.

**-2- ORIGINAL APPLICATION NO.602/2016**

3. The learned P.O. is directed to act on the steno copy of this order.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**



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

**ORIGINAL APPLICATION NO.722/2016.**  
**(Shri K. S. Hinge Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 28-07-2017**

**ORAL ORDER:-**

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

2. The learned P.O. files short affidavit on behalf of Respondent no.4. The same is taken on record. Its copy is served on the other side.

3. S. O. to 22.8.2017 for hearing on admission.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.872/2016.**

(Shri Salim Shagir Shaikh & Oths.  
Vs. State of Mah. & Ors.)

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

(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

Heard Shri V. G. Pingale, learned Advocate for the applicant, Shri N. U. Yadav learned Presenting Officer for the respondents no.1 Shri S. D. Dhongde, learned Advocate for the remaining Respondents.

2. Shri S. D. Dhongde, learned Advocate for the Respondents no.2 and 3 submits that, there shall be consultation between him and respondent no.5 and corrective steps, if any, would be taken.

3. In the circumstances it is hereby directed the matters be reconsidered by the concerned and corrective steps as per law shall be taken and report of the same be filed on or before 01.09.2017.

4. S. O. to 01.09.2017.

5. The learned P. O. is directed to act on the Steno copy of this order.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.873/2016.**  
**(Shri M. P. Ladde & Ors. Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 28-07-2017**

**ORAL ORDER:-**

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

2. The learned P.O. seeks time to file reply on behalf of Respondent no.1. It is to be noted that, after granting time for more than reasonable period ultimately last chance was granted vide last of the order dated 18.7.2017. In the circumstances, only to have decision on merit time to file reply on behalf of Respondent no.1 is granted till 11.8.2017 with a caveat that, in case no reply on behalf of Respondent no.1 is filed by that date, heavy costs may be imposed.

3. S. O. to 11.8.2017.

4. The learned P.O. is directed to act on the Steno copy of this order.

ORAL ORDERS 28.07.2017-ATP

**VICE CHAIRMAN.**

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

**ORIGINAL APPLICATION NO.920/2016.**  
**(Smt Sunita M. Gabale Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

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

2. The learned Advocate for the applicant seeks time to satisfy this Tribunal on the line of the order dated 9.6.2017 on the ground that, in the intervening period he was not able to find the provision, reference of which is made in the said order. At his request S. O. to 06.09.2017 for satisfying the query.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.80/2017.**

(Shri Sachin Subhash Chavan Vs.  
The State of Mah. & Ors.)

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

(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

Heard Shri K. B. Jadhav learned Advocate for the applicant, Shri D. R. Patil learned Presenting Officer for the respondent no.1 and Shri D. K. Rajput, learned Advocate for the Respondent no.4. None present for the remaining respondents with consent.

2. The learned Advocate for the applicant submits that, the reply of the Respondents no.1 to 3 it would show that, the present applicant is not qualified in the further examination, the present application may be disposed of. Accordingly, the original application stands disposed of without any order as to costs.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.130/2017.**  
**(Pryanka Appasaheb Dongre Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 28-07-2017**

**ORAL ORDER:-**

Heard Shri S. K. Chavan learned Advocate for the applicant, Shri N. U. Yadav learned Presenting Officer for the respondents no.1 to 4 and Shri R. D. Khadap learned Advocate holding for Shri S. S. Thombre learned Advocate for the Respondent no.5.

2. The learned Advocate for the applicant files affidavit in rejoinder. The same is taken on record. Its copy is served on the other side.

3. The learned Advocate for the Respondent no.5 seeks time. Considering the past history, as a last chance time to file reply is hereby granted.

4. S. O. to 21.8.2017 for filing reply on behalf of Respondent no.5.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**



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

**ORIGINAL APPLICATION NO.143/2017.**  
**(Shri V. R. Naglot Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

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

2. The learned P.O. submits that, reply is ready. In fact, vide order dated 26.4.2017 it was directed to take decision on the representation and only in case the decision of the representation is unfavourable to the applicant the reply should be filed.

3. The learned P.O. submits that, he has no instructions as to whether decision is taken. It appears that, Respondent no.2 is not paying attention to the order of this Tribunal. In the circumstances, last chance granted for taking decision on the line of the order dated 26.04.2017, failing which coercive action like calling

concerned Officer before the Tribunal and / or imposing heavy costs may be passed. With this direction, the matter is adjourned till 29.8.2017 for compliance of the order dated 26.4.2017.

4. S.O. to 29.8.2017.

5. The learned P.O. is directed to act on the Steno copy of this order.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.83/2017.**  
**(Shri Sayyed Jarinabi Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

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

2. S. O. to 13.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION St. No.658/2017.**  
**(Shri B. M. AmbalkarVs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

None present for the applicant. Heard Shri M. P. Gude learned Presenting Officer for the respondents.

2, The record would show that, the steps for filing the second set is not complied with. The ex-parte interim relief was granted to the applicant vide order dated 16.5.2017. Thereafter, for last three dates nobody has appeared for the applicant. In the circumstances, as a last chance, S. O. to 28.08.2017 either for compliance or for passing necessary orders in default.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.345/2017.**  
**(Shri A. M. Kale Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

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

2. Shri Sham Patil learned Advocate for the Respondent no.4 seeks time to file affidavit in reply.

3. S. O. to 13.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.503/2017.**  
**(Shri P. L. Salve Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

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

2. Issue notice to the respondents, returnable on 12.09.2017.

3. Applicant is authorized and directed to serve on all respondents notice of O.A. authenticated by Registry, along with complete paper book of O.A. stating that this Tribunal may take the case for final disposal at this stage and a separate notice for final disposal not be issued.

4. Authorization for service of notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.

5. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry as far as possible before the due date.
6. Affidavit of service be filed one week before due date.
7. Learned P.O. is directed to communicate this order.
8. Affidavit in reply be filed before due date.
9. Steno copy and Hamdast is allowed to both parties.
10. S.O. to 12.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.173/2017.**  
**(Shri M. B. Lokhande Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-+**

None present for the applicant. Heard Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. Read the order dated 20.06.2017. As a last chance S. O. to 13.09.2017 either for taking steps or for passing necessary order.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**



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

**ORIGINAL APPLICATION NO.858/2016.**

**(Shri S. L. Jadhav & Ors. Vs. State of Mah. & Ors.)**

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

(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

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

2. The learned Advocate for the applicant today files on record concerned extract of the Maharashtra Police Manual. The same is accepted and marked as document "X" for the purpose of identification. Its copy be served on the other side.

3. Place for hearing on admission to 22.08.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.07/2016.**  
**(Shri A. D. Ingole Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

Heard Shri H. P. Jadhav learned Advocate for the applicant and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to file an application for filing documents. At his request, S. O. to 04.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**

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

**ORIGINAL APPLICATION NO.65/2016.**  
**(Shri A. P. Awad & Ors. Vs. State of Mah. & Ors.)**

**CORAM:Hon. Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE** : 28-07-2017

**ORAL ORDER:-**

Heard Shri H. P. Jadhav learned Advocate for the applicants and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents.

2. The learned Advocate for the applicants seeks time to file an application for filing documents. At his request, S. O. to 04.09.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 28.07.2017-ATP**