

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.189/2017

(Shri Sambhaji Mande V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri R.D.Khadap learned Advocate holding for Shri S.S.Thombre learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 28th April 2017.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O.to 28th April 2017.

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

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.St.No.236/2017 IN O.A.St.No.237/2017
(Shri Ramdas Firke V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

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.28-04-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.235/2016

(Shri Balasaheb Ghodke V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

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

3. S.O.03-05-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.656/2016

(Shri Gangaram Maske V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Shri S.P.Chate learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for the respondents is present.

2. Since none present for the applicant,
S.O.04-05-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.734/2016

(Shri Sainath Turakane V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri S.D.Joshi learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for the respondent nos.1 to 3 and Shri Pramod Dhorde learned Advocate for the respondent no.4.

2. Reply has already been filed by the learned P.O. on the last occasion. It seems that copy of the reply is not served on the other side.

3. Learned P.O. shall serve copy of the reply on the other side.

4. S.O. 19-04-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.780/2016

(Shri Wasim M. Sq. V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Shri J.M.Murkute learned Advocate for the applicant is **absent**. Smt. Resha Deshmukh learned Presenting Officer for the respondents is present.

2. Since none present for the applicant,
S.O.05-05-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.790/2016

(Shri Pitambar Khairnar V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Shri S.S.Patil learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for the respondents is present.

2. Since none present for the applicant,
S.O.05-06-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.824/2016

(Dr. Asha Kadam V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri R.D.Khadap learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondent nos.1 to 3. Shri P.P.More learned Advocate for the respondent nos.4 and 5 is **absent.**

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

3. S.O.05-05-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**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 : 05-04-2017

ORAL ORDER:-

Shri B.S.Deshmukh learned Advocate for the applicant is **absent**.

Heard Shri D.R.Patil learned Presenting Officer for the respondent nos.1 to 3 and Shri Ashish Rajkar learned Advocate holding for Shri S.D.Joshi learned Advocate for the respondent no.4.

2. Learned Advocate for respondent no.4 states that he will reply during the course of the day. He shall serve copy of the same on the other side.

3. Learned PO seeks time to file reply on behalf of the respondents. Time granted as a last chance.

4. S.O.19-04-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.838/2016

(Dr. Deepak Thakare V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri J.B.Choudhary learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for the respondent nos.1 to 3. Shri V.S.Choudhary learned Advocate for respondent no.4 is **absent**.

2. Learned Advocate for the applicant has filed rejoinder. It is taken on record. Copy thereof has been served on the learned PO. Learned Advocate undertakes to serve copy of the rejoinder on respondent no.4.

3. S.O.24-04-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.839/2016
(Dr. Anil Valvi V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri J.B.Choudhary learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondent nos.1 to 3. Shri V.S.Choudhary learned Advocate for respondent no.4 is **absent**.

2. Learned Advocate for the applicant has filed rejoinder. It is taken on record. Copy thereof has been served on the learned PO. Learned Advocate undertakes to serve copy of the rejoinder on respondent no.4.

3. S.O.24-04-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.849/2016

(Shri Ratnakar Kahat V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Shri A.G.Deshmukh learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for the respondents is present.

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

3. S.O.05-05-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.892/2016

(Smt. Babita Rathod V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri Ashish Rajkar learned Advocate holding for Shri S.D.Joshi learned Advocate for the applicant and Shri D.R.Patil 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.11-04-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.896/2016

(Shri Sahebrao Anchule V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Ku. Bhavana Panpatil learned Advocate holding for Shri S.B.Talekar learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

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

3. S.O.04-05-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.20/2017
(Shri Kishor Padvi V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

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. files reply on behalf of respondent no.2. It is taken on record. Copy thereof has been served on the other side.

3. Learned P.O. submits that she will take instruction from the concerned authorities regarding decision of provisions pension to be granted to the applicant within a week.

4. Learned P.O. also seeks time to file reply of other respondents. Time granted.

5. S.O. 10-04-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.22/2017
(Shri Pradeep Kale V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri J.B.Choudhary 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.24-04-2017.

YUK ORAL ORDER 05-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.127/2017
(Shri Trimbak Tompe V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri P.B.Jadhav learned Advocate holding for
Shri V.P.Golewar 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.05-05-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.147/2017

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

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

DATE : 05-04-2017

ORAL ORDER:-

Shri V.B.Wagh learned Advocate for the applicant is **absent**. Shri M.P.Gude learned Presenting Officer for the respondents is present.

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

3. S.O.04-05-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.158/2017

(Dr. Surekha More V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

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

2. Learned P.O. seeks time to take instruction in the matter. Time granted.
3. S.O.26-04-2017.
4. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A.No.114/2015 WITH M.A.St.No.376/2015 IN
O.A.St.No.377/2015**

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

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

DATE : 05-04-2017

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.02-05-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.64/2016 IN O.A.St.No.1991/2015
(Shri Appa Chikte V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Shri D.B.Gaikwad learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for the respondents is present.

2. Since none present for the applicant,
S.O.05-06-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.69/2016 IN O.A.St.No.132/2015
(Smt. Shantabai Bidve V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

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.02-05-2017.

YUK ORAL ORDER 05-04-2017

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A.No.439/2016 WITH M.A.ST.No.1937/2016 IN
O.A.St.No.1938/2016**

(Smt. Ranjana Pagare & Ors. V/s. State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Shri R.B.Temkar learned Advocate for the applicant is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for the respondents is present.

2. Since none present for the applicant,
S.O.05-06-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.441/2016 IN O.A.St.No.1841/2016
(Shri Madhukar Dusane V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant,
S.O.02-05-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.358/2016
(Shri Kishor Chaudhary V/s. The State of Mah. & Ors.)**

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

DATE : 05-04-2017

ORAL ORDER:-

Shri Kakasaheb B. Jadhav learned Advocate for the applicant is **absent**.

Heard Shri S.K.Shirse learned Presenting Officer for the respondent nos.1 and 2 and Shri Ashish Rajkar learned Advocate for respondent no.3.

2. None is present for the applicant. Matter be kept for passing dismissal order on 19-04-2017.

3. S.O.19-04-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION No.579/2016

(Shri Dnyaneshwar Gavad & Ors V/s. The State of Mah.
& Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, S.O.26-04-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.779/2016
(Md. Munawar Dastgir V/s. The State of Mah. & Ors.)**

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri S.D.Dhogde 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.26-04-2017.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.263/2016**

(Shri Bhagwat Betkar V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri J.M.Murkute learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents.

2. Applicant has challenged letter dated 19-03-2016 sent by Sub Divisional Officer, Parbhani to Deputy Secretary, Home Department, Government of Maharashtra, Mumbai by which he sought guidelines as regards candidature of the applicant on the ground that he was involved in the criminal offences and subsequently acquitted in the said case. On the said communication Government has not taken any decision till today. Neither the Government nor Sub Divisional Officer rejected the candidature of the applicant. Said matter is still pending.

=2=

O.A.No.263/2016

3. In such circumstances, it will be just and proper to direct the concerned authorities to take decision on the said letter dated 19-03-2016 within 4 weeks from the date of this order and communicate decision to the applicant in writing. Accordingly, O.A. stands disposed of with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 05-04-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.417/2016

(Shri Raosaheb Kale V/s. The State of Mah. & Ors.)

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

DATE : 05-04-2017

ORAL ORDER:-

Heard Shri J.M.Murkute learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.

2. Applicant has challenged the order dated 25-07-2011 passed by the Superintendent of Police, Ahmednagar directing recovery towards rent of the Government Quarter unauthorisedly occupied by the applicant. The applicant has challenged the said order by filing appeal/representation before the competent authority. Not only this but the applicant has filed Writ Petition No.7819/2014 before the Hon'ble Bombay High Court Bench at Aurangabad which was disposed of on 10-09-2014 with direction to the respondent no.1 i.e. Government of Maharashtra to decide the appeal/representation filed by the applicant expeditiously and preferably within 9 months from the date of that order.

3. It is the contention of the applicant that respondent has not decided the said representation, and therefore, he has approached this Tribunal. In view of Section 20 of the Administrative Tribunals Act, 1985 the Tribunal shall not ordinarily admit an application unless it is satisfied that the applicant had availed of all the remedies available to him under relevant service rules as to redressal of grievances.

4. In this matter, applicant has availed remedy available and challenged order dated 25-07-2011. His appeal/representation is still pending. Moreover, Hon'ble High Court has given direction to the respondents to decide it expeditiously. In these circumstances, the original application is not maintainable under Section 20 of the Administrative Tribunals Act, 1985. Hence, it is disposed of accordingly with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.418/2016**

(Shri Manoranjan Gatkal V/s. The State of Mah. & Ors.)

CORAM: Hon'ble Shri B. P. Patil, Member (J)
DATE : 05-04-2017

ORAL ORDER:-

Heard Shri J.M.Murkute learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Applicant has challenged the communication dated 7th May 2012 as regards recovery of rent of the Government Quarter occupied by him unauthorisedly. The applicant has filed representation dated 02-09-2015 challenging the said order, which is still pending before the Secretary, Home Department, Government of Maharashtra. The applicant has filed this O.A. on 2nd February 2016 i.e. before expiry of 6 months as provided under Section 21(2)(b) of the Administrative Tribunals Act, 1985.

3. Learned Advocate for the applicant has submitted that the concerned authorities of the respondents have

not decided the representation dated 02-09-2015 till today. Therefore, he prayed for disposal of the O.A. with direction to the respondents to decide his representation expeditiously.

4. Considering the said facts and provisions of Section 21(2)(b) of the Administrative Tribunals Act, 1985, it will be just and proper to dispose of the O.A. with direction to the respondents to decide the representation of the applicant dated 02-09-2015 expeditiously and preferably within 3 months from the date of this order. Decision thereon be communicated to the applicant in writing. O.A. stands disposed of with these directions. There shall be no order as to costs.

MEMBER (J)

MA 131/2017 WITH MA 16/2016 IN OA ST. 45/2016

[Shri Anil Madan Tambe Vs. the State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

1. Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. The present misc. application has been filed by the applicant for permission to amend the original application. The draft amendment is incorporated in para no. 4 of the misc. application.
3. Perused the application. Considered the contentions.
4. For the reasons stated in the misc. application, the same is allowed and the applicant is permitted to amend the original application suitably. There shall be no order as to costs.
5. The learned Advocate for the applicant undertakes to carry out the said amendment in the original application by tomorrow.

CHAIRMAN

ARJ ORAL ORDERS 5.4.2017

OA ST. NO. 45/2016 WITH MA NO. 16/2016

[Shri Anil Madan Tambe Vs. the State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

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

2. After hearing the learned Advocate for the applicant for some time what has transpired is as follows :-

(i) The prayer clauses (B) & (C) in the present original application read as under :-

“(B) That, the record and proceeding of the order dated 19.1.2012 issued by the respondent no. 2 thereby cancelling the applicant's selection to the post of police constable SRPF Group No. 3, Jalna be called for and after examining the legality, validity and propriety thereof; the order dated 19.1.2012 issued by the respondent no. 2 thereby cancelling the applicant's selection to the post of police constable SRPF Group No. 3, Jalna may kindly be quashed and set aside.

(C) That, the respondents herein may kindly be directed to issue the appointment order in favour of the applicant on the post of police Constable, SRPF, Group No. 3, Jalna w.e.f. January 2012 along with all consequential benefits.”

(ii) The prayer (B) in the earlier original application no. 166/2012 reads thus :-

“(B) That the impugned letter / order dtd. 19.1.2012 issued by respondent no. 2 may kindly be quashed and set aside.”

(3) The original application no. 166/1012 filed by the applicant was decided by this Tribunal vide its order dated 29.2.2012.

(4) In view of the foregoing observations, the question arises as to how the order dated 19.1.2012 passed by the res. no. 2, which has merged in the order dated 29.2.2012 passed by this Tribunal earlier, can be challenged by the applicant now by filing the present original application bearing stamp no. 45/2016.

(5) At this stage the learned Advocate for the applicant prays for time to contact the applicant and take suitable stance.

(6) Time as prayed is granted

(7) S.O. to 17.4.2017.

MA 539/2015 IN OA ST. 1019/2015

[Shri Sunil Shivaji Sonwane Vs. the State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

1. Shri P.V. Balkhande, learned Advocate for the applicant **(absent)**. Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.
2. List the matter before the Division Bench as and when it is available.

CHAIRMAN

ARJ ORAL ORDERS 5.4.2017

**MA 98/2017 IN CP ST. 317/2017 IN TA 1/2014 (WP
2104/13)**

[Shri Raghunath Y. Khotkar Vs. the State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

1. Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. The learned Presenting Officer, on instructions from Smt. Rohila Naaz, Law Officer of the office of res. no. 3 and Shri N.K. Chavan, Accountant of office of res. no. 3, who are present in the Court hall, submits that the applicant's case is sent to the Pay Verification Unit and compliance of the same would be reported on the next date.
3. In the circumstances, S.O. to 17.4.2017.

CHAIRMAN

ARJ ORAL ORDERS 5.4.2017

MA 19/2016 IN MA 289/2012 IN OA ST. 628/2012

[Shri Raju M. Girbone & Ors. Vs. the State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

1. Shri A.G. Mhaske, learned Advocate for the applicants **(absent)**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.
2. The learned Presenting Officer states as follows :-
 - (i) The brief of the present matter belonging to the office of learned C.P.O., is not traceable.
 - (ii) Some time may be granted to trace out the file.
3. Time granted.
4. S.O. to 17.4.2017.

CHAIRMAN

MA 234/2016 IN O.A. NO. 629/2016

[Shri Chous Galeb Ahmed Amodi Vs. State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. The learned Presenting Officer seeks time to file affidavit in reply in the original application itself.
3. Time granted.
4. S.O. to 21.4.2017.

CHAIRMAN

ARJ ORAL ORDERS 5.4.2017

**MA 328/2016 WITH MA ST. 1353/2016 IN O.A. ST.
1354/16**

[Maharashtra Rajja Rojandari Va Kayam Vankamgar Kruti
Samiti & Ors. through its General Secretary Shri
Harishchandra S. Sonawane & ors. Vs. State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

1. Heard Shri A.S. Shelke, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 3.5.2017.

CHAIRMAN

ARJ ORAL ORDERS 5.4.2017

MA 348/2016 IN O.A. ST. NO. 1609/2016

[Shri Abhiman M. Kale Vs. State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

1. Shri V.G. Pingle, learned Advocate for the applicant has filed leave note for today. Shri I.S. Thorat, learned Presenting Officer for the respondent no. 1 and Shri Shamsundar B. Patil, learned Advocate for respondent nos. 2 to 6.

2. Shri Patil, learned Advocate has filed affidavit in reply on behalf of res. nos. 2 to 6. It is taken on record. He undertakes to serve copy thereof upon the learned Advocate for the applicant.

4. In view of leave note of learned Advocate for the applicant, S.O. to 24.4.2017.

CHAIRMAN

ARJ ORAL ORDERS 5.4.2017

MA 183/2016 IN CP ST. 686/2016 IN O.A. NO. 352/2014

[Shri Rohidas S. Jadhav Vs. State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

1. Shri J.S. Deshmukh, learned Advocate for the applicant has filed leave note for today. Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.
2. In view of leave note of learned Advocate for the applicant, S.O. to 24.4.2017.

CHAIRMAN

ARJ ORAL ORDERS 5.4.2017

MA 111/2017 IN O.A. NO. 641/2015

[Shri Bhagatsing P. Patil Vs. State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. The learned Presenting Officer seeks time to file affidavit in reply in the misc. application.
3. Time granted.
4. S.O. to 19.4.2017.

CHAIRMAN

ARJ ORAL ORDERS 5.4.2017

MA 26/2017 IN O.A. NO. 472/2016

[Shri Sd. Fahimoddin Moiuddin Vs. State of Mah. & Ors.]

CORAM :- Hon'ble Justice Shri A.H. Joshi, Chairman

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

DATE :- 5.4.2017

Oral Order :-

1. Shri M.P. Gude, learned Presenting Officer for the applicants in the present misc. application / respondents in the original application is present. Shri Sd. Fahimoddin Moiuddin, respondent in the present misc. application / applicant in the original application **(absent)**.

2. In view of absence of respondent in the present misc. application, S.O. to 17.4.2017.

CHAIRMAN

ARJ ORAL ORDERS 5.4.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 557/2016
[Smt. Varsha Bhagwat Patil Vs. The State of Mah. & Ors.]**

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

DATE : 05.04.2017.

ORAL ORDER:

Shri S.S. Kulkarni, learned Advocate for the Applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondent nos. 2 to 5 and Smt. Seema T. Pawar, learned Advocate holding for Shri Ajay Talhar, learned Advocate for respondent no. 1, are present.

2. As none present for the applicant, S.O.to 4.5.2017, for dismissal.

MEMBER (J)

ORAL ORDERS 05.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 669/2016
[Shri Chandrakant S. Shinde Vs. The State of Mah. & Ors.]**

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

DATE : 05.04.2017.

ORAL ORDER:

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

2. At the request of learned Presenting Officer for respondents, S.O.to 10.4.2017.

3. The matter is to be treated as part heard.

MEMBER (J)

ORAL ORDERS 05.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 670/2016
[Shri Dineshing Latu Patil Vs. The State of Mah. & Ors.]**

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

DATE : 05.04.2017.

ORAL ORDER:

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

2. At the request of learned Presenting Officer for respondents, S.O.to 10.4.2017.

3. The matter is to be treated as part heard.

MEMBER (J)

ORAL ORDERS 05.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 813/2016
[Shri Avinash V. Gangode Vs. The State of Mah. & Ors.]**

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

DATE : 05.04.2017.

ORAL ORDER:

Heard Shri A.S. Deshmukh, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 & 2. Shri S.T. Shelke, learned Advocate for respondent nos. 3 & 4, **absent.**

2. Learned Advocate for the applicant and learned Chief Presenting Officer have placed on record relevant documents and the same are taken on record.

3. Learned Chief Presenting Officer seeks time to produce documents as regards declaration of election. Time granted.

4. S.O. to 07.04.2017.

MEMBER (J)

ORAL ORDERS 05.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 12/2016
[Smt. Suvarna B. Ghodke Vs. The State of Mah. & Ors.]**

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

DATE : 05.04.2017.

ORAL ORDER:

Heard Shri S.R. Dheple, learned Advocate for the Applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for respondents, S.O. to 20.04.2017.

ORAL ORDERS 05.04.2017-KPB(SB)BPP

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 186/2016
[Shri Narayan R. Dagadghate Vs. The State of Mah. & Ors.]**

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

DATE : 05.04.2017.

ORAL ORDER:

Shri K.B. Jadhav, learned Advocate for the Applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 & 2 and Shri Ashish B. Rajkar, learned Advocate for respondent no. 3, are present.

2. As none present for the applicant, S.O.to 19.4.2017 for dismissal.

MEMBER (J)

ORAL ORDERS 05.04.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 790/2016
[Shri Pitambar T. Khairnar Vs. The State of Mah. & Ors.]**

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

DATE : 05.04.2017.

ORAL ORDER:

Heard Shri S.S. Patil, learned Advocate for the Applicant and Smt. Sanjiavani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing.

3. S.O.to 25.04.2017.

ORAL ORDERS 05.04.2017-KPB(SB)BPP

MEMBER (J)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.550/2014.

[Shri S. K. Suryawanshi 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 :- 05.04.2017

Oral Order :-

1. Heard Shri H.A. Joshi, learned Advocate for the applicant and Smt S. K. Ghate Deshmukh, learned Presenting Officer for the respondents.
2. The service affidavit is filed. It is taken on record.
3. S.O. to 28.4.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

C.P. NO.4/2016 IN OA NO.610/2019.

[Shri S. V. Navthar 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 :- 05.04.2017

Oral Order :-

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

2. Learned C.P.O. files affidavit in reply on behalf of added Respondent no.4. The same is taken on record. He seeks time for filing affidavit in reply on behalf of Respondent no.3. At his request, S.O. to 24.4.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.80/2016.

[Shri D. L. Ghuge 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 :- 05.04.2017

Oral Order :-

1. None present for the applicant. Shri V. R. Bhumkar, learned Presenting Officer for the respondents is present.

2. Learned P.O. on the basis of the instructions and communication from Respondent no.3 which is filed on record submits that, the D.P.C. meeting would be held in the month of May 2017 and necessary decision in this regard would be taken. At his request, S.O. to 06.06.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

OA Nos. 86, 88, 89, 90, 92 & 93 of 2016.

[Shri B. N. Ghule 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 :- 05.04.2017

Oral Order :-

1. Heard Shri A. D. Gadekar, learned Advocate for the applicants, Shri N. U. Yadav, Smt. R. S. Deshmukh, Smt. S. K. Ghate Deshmukh, , Smt. D. S. Deshpande, Shri V. R. Bhumkar and Smt. D. S. Deshpande, learned Presenting Officers for the respondent no.1 in respective matters and Shri Sham Patil, learned Advocate for the Respondents no.2 to 4 in all the matters.

2. Learned Advocate for the applicants submit that, the Original Applications pending before the Division Bench were fixed for hearing on 4.4.2017, the reference of which is made in order dated 7.3.2017 by another Single Bench. However, due to holiday on 4.4.2017 those matters are not listed today. In the circumstances, S.O. to 04.05.2017.

3. Learned Advocate for the applicants submit that, present O.A. be tagged with those O.As. In the circumstances, the present O.A. be tagged with OA No.148/2016, 149/2016, 150/2016 and 226 of 2016 on 04.05.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.267/2016.

[Shri A. L. Shejul & 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 :- 05.04.2017

Oral Order :-

1. Heard Shri R. R. Bangar, learned Advocate for the applicant, Smt R. S. Deshmukh, learned Presenting Officer for the respondents no.1 to 3 and Shri G. N. Patil, learned Advocate for the RespondentsNo.4,10,11,14,15,16,18,23,26,27 & 40. None appears for other respondents.
2. The pleadings are complete. The arguable case is made out.
3. Admit.
4. Learned P.O. waives the notice for the respondents upon admission hearing.
5. Remove from the Board.
6. Liberty to move the matter as and when the Division Bench is available.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 547/2016.

[Shri D. U. Rathod 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 :- 05.04.2017

Oral Order :-

1. Heard Shri S. D. Dhongde, learned Advocate for the applicant and Shri D. R. Patil, learned Presenting Officer for the respondents.
2. Learned P.O. submit that, since Advocate Shri S.D. Dhongde had earlier filed leave note he is not prepared with the case.
3. S.O. to 25.4.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.602/2016.

[Shri H. S. Gawali 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 :- 05.04.2017

Oral Order :-

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

2. Learned P.O. submit that, the responsible Officer of Respondent no.2 is present. He further submit that, sometime is required to take decision about which reference is made in order dated 2.3.2017. At his request, S.O. to 03.05.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.713/2016.

[Shri Mohd. Anwar 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 :- 05.04.2017

Oral Order :-

1. Heard Shri R. M. Kolekar, learned Advocate holding for Shri M. D. Godhangaonkar, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant on written instructions of the applicant submit that, applicant does not wish to proceed with the application. In the circumstances, allowed to withdraw. The O.A. is disposed of without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.740/2016.

[Shri S. H. Jadhav 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 :- 05.04.2017

Oral Order :-

1. None present for the applicant. Smt R. S. Deshmukh, learned Presenting Officer for the respondents no.1 to 3 and Shri Sudhir P. Telgote, learned Advocate holding for Shri Swapnil Tawshikar, learned Advocate for the Respondents no.4 & 5.

2. Shri Sudhir P. Telgote, learned Advocate holding for Shri Swapnil Tawshikar, learned Advocate for the Respondents no.4 & 5 seeks time to file affidavit in reply. At his request, S.O. to 04.05.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.811/2016.

[Shri S. S. Vighe 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 :- 05.04.2017

Oral Order :-

1. Heard Shri R. V. Gore, learned Advocate for the applicant and Smt S. K. Ghate Deshmukh, learned Presenting Officer for the respondents.
2. Learned advocate for the applicant seeks time to file rejoinder. Time to file rejoinder is granted.
3. S.O. to 13.04.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.835/2016.

[Shri H. G. Shinde 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 :- 05.04.2017

Oral Order :-

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

2. Upon hearing both the sides it prima facie appears that, order in terms of prayer clauses "A" & "B" can very well be issued by the Respondent no.2 subject to the validation of the caste certificate of the present applicant. The respondent is therefore, directed to scrutinize the matter in view of the direction of the Hon'ble High Court and if found fit to take corrective steps as directed above, and report about the same on or before 03.05.2017.

3. S.O. to 03.05.2017.

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

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.873/2016.

[Shri M. P. Ladde & 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 :- 05.04.2017

Oral Order :-

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

2. Learned P.O. files affidavit in reply on behalf of Respondents no.2 & 3. The same is taken on record. Its copy is served on the other side. He seeks time to file reply on behalf of Respondent no.1. At his request, S.O. to 13.04.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.881/2016.

[Mah. State Civil Engg. Asstt. Employees through its
President 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 :- 05.04.2017

Oral Order :-

1. Heard Shri S. D. Joshi, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.
2. At the request of the learned C.P.O. as a last chance, S.O. to 28.04.2017 for filing affidavit in reply.
3. Interim relief to continue till then.
4. Learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.897/2016.

[Smt S. 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 :- 05.04.2017

Oral Order :-

1. Heard Shri S.P. Slagar, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for the respondents.

2. Upon hearing both the sides it appears that, the clarification is required from Respondent no.2 M.P.S.C. as to how the online applications as like Annexure "B" are processed wherein the last of the column the candidate shows his unwillingness to take benefit of being from reserved category and further what definite action in this regard can be proposed.

3. At the request of the learned P.O., S.O. to 25.04.2017.

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

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.70/2017.

[Shri R. S. Shendge 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 :- 05.04.2017

Oral Order :-

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

2. At the request of the learned C.P.O., S.O. to 24.04.2017 for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.108/2017.

[Shri K. P. Shinde 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 :- 05.04.2017

Oral Order :-

1. Heard Shri R. B. Bhosale, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply to both the applications. At his request, S.O. to 02.05.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.128/2017.

[Shri G. B. Nalawade 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 :- 05.04.2017

Oral Order :-

1. Heard Shri V. B. Wagh, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for the respondents.
2. Provisions of Rule 27 of M.C.S. (Pension) Rules coupled with G.R. dated 21.3.2013, Annexure A-4 prima facie show that, taking corrective steps in the matter by the Respondents would be in the interest of both the parties.
3. In the circumstances, the Respondents are directed to consider as to whether the corrective steps can be taken and file report in this regard on or before 4.5.2017. Upon consideration if the respondents come to the conclusion that, corrective steps cannot be taken then reply be filed on the next date.
4. S.O. to 04.05.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.130/2017.

[Smt P. A. Dongre 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 :- 05.04.2017

Oral Order :-

1. Heard Shri R. V. Gore, learned Advocate holding for Shri S. K. Chavan, learned Advocate for the applicant, Shri V. R. Bhumkar, 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. Learned P.O. seeks time to take instructions as directed earlier vide order dated 01.03.2017. Learned Advocate for the Respondent no.5 also seeks time for filing reply. At their request, S.O. to 02.05.2017.

3. Interim relief to continue till then.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.139/2017.

[Shri Shaikh Liyakat 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 :- 05.04.2017

Oral Order :-

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

2. Learned P.O. seeks time to file affidavit in reply. At his request, S.O. to 19.04.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.154/2017.

[Smt Naseem Banu 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 :- 05.04.2017

Oral Order :-

1. Heard Shri A. N. Nagargoje, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the respondents.

2. It is an admitted fact that, before filing of the present O.A. the order of suspension of the present applicant has already come into effect. Therefore, stay to the same cannot be granted.

3. Learned C.P.O. seeks time for filing affidavit in reply. Considering the fact that the applicant is suspended, last chance is granted for filing affidavit in reply.

4. 19.04.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

OA No.146/2017 with OA No.170/2017.

[Shri N. K. Chukalwar & 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 :- 05.04.2017

Oral Order :-

1. Heard Shri V. M. Vibhute, learned Advocate for the applicants and Shri V. R. Bhumkar, learned Presenting Officer for the respondents in both the matters. None present for the Respondent no.2.

2. Learned P.O. seeks time to file affidavit in reply. The Special Counsel Shri Vivek Bhavthankar for Respondent no.2 is absent.

3. It is to be noted that, one post is directed to be kept vacant by interim order of this Tribunal. However, in view of the absence of the learned Special Counsel for the Respondent no.2, S.O. to 20.4.2017.

4. Interim relief to continue till then.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

REV. NO.3/2017 IN OA NO.341/2014.

[Shri S. K. Suryawanshi 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 :- 05.04.2017

Oral Order :-

1. None present for the applicant. Shri S. K. Shirse, learned Presenting Officer for the respondents is present.

2. S.O. to 07.06.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.813/2015.

[Smt P. S. Bane 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 :- 05.04.2017

Oral Order :-

1. Heard Shri A. J. Deshpande, learned Advocate holding for Shri V. D. Gunale, learned Advocate for the applicant, Shri N. U. Yadav, learned Presenting Officer for the respondents no.1 to 3 and Smt. S. S. Pandit, learned Advocate for the Respondent no.4.

2. Upon hearing both the sides it appears that, the concerned record i.e. the printed copy of the online application submitted by Respondent no.4 and Non Creamy Layer certificate submitted by Respondent no.4 later on is required to be perused.

3. In the circumstances, the Respondent no.2 Collector, Nanded is hereby directed to produce the relevant record in this Tribunal for perusal.

4. S.O. to 27.04.2017.

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

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.726/2016.

[Shri D. B. Kharat 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 :- 05.04.2017

Oral Order :-

1. None present for the applicant. Shri S. K. Shirse,
learned Presenting Officer for the respondents is present.

2. S.O. to 02.05.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.775/2013.

[Shri J. H. Sonwane Vs. the State of Mah. & Ors.]

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

Date :- 05.04.2017

Oral Order :-

1. Heard Shri Santosh B. Bhosale, learned Advocate holding for Shri S. P. Brahme, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate Shri Bhosale holding for Shri S.P. Brahme, learned Advocate for the applicant on written instructions of the applicant filed on record submits that the applicant does not wish to proceed with the application. In the circumstances, allowed to withdraw. The O.A. is disposed of without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.395/205.

[Shri R. J. Gaikwad & Ors. Vs. the State of Mah. & Ors.]

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

Date :- 05.04.2017

Oral Order :-

1. Heard Shri R. R. Bangar, learned Advocate for the applicant, Shri I. S. Thorat, learned Presenting Officer for the respondents. Shri S. D. Dhongde, learned Advocate for the Respondent no.7 has filed leave note.

2. At the request of the learned Advocate for the applicant, S.O. to 02.05.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.205/2013.

[Shri B. S. Londhe Vs. the State of Mah. & Ors.]

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

Date :- 05.04.2017

Oral Order :-

1. Heard Shri G. N. Gilche, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for the respondents.
2. Learned Advocate prays for amendment in the O.A. He is permitted to do so. The amendment be carried today.
3. S.O. to 28.04.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

O. A. Nos.721/2016 & 693/2016.

[Shri D. M. Borude & Ors. Vs. the State of Mah. & Ors.]

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

Date :- 05.04.2017

Oral Order :-

1. Heard Shri V. B. Wagh, learned Advocate for the applicants and Smt. S. K. Ghate Deshmukh and Smt. D. S. Deshpande, learned Presenting Officers for the respondents in respective matters.
2. Learned P.O. placed on record the communication dated 3.4.2017. The same is taken on record and marked as Exh.X. for the purpose of identification.
3. S.O. to 12.4.2017.
4. Be treated as Part Heard.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.123/2014.

[Shri R. R. Potpallewar Vs. the State of Mah. & Ors.]

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

Date :- 05.04.2017

Oral Order :-

1. Heard Shri K. G. Salunke, learned Advocate holding for Shri V. G. Pingle, learned Advocate for the applicant and Shri I. S. Thorat, learned Presenting Officer for the respondents.
2. Learned P.O. files affidavit in reply on behalf of Respondentno.2. The same is taken on record.
3. S.O. to 10.4.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.204/2015.

[Shri S. D. Deshpande Vs. the State of Mah. & Ors.]

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

Date :- 05.04.2017

Oral Order :-

1. Heard Shri G. S. Suryawanshi, learned Advocate for the applicant, Shri M. P. Gude, learned Presenting Officer for the respondents no.1 to 3 and Shri G. N. Patil, learned Advocate for the Respondent no.4.

2. Learned Advocate for the Respondent no.4 files affidavit in reply on behalf of Respondent no.4. The same is taken on record. Its copy is served on the other side.

3. Learned P.O. seeks time to file short affidavit as directed earlier. Considering the history of the case time to file reply is hereby granted as a last chance. In case affidavit in reply is not filed on that date the Tribunal may be constrained to pass order for coercive action as may be deemed fit.

4. S.O. to 24.04.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.324/2015.

[Shri B. K. Shinde Vs. the State of Mah. & Ors.]

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

Date :- 05.04.2017

Oral Order :-

1. Heard Shri D. J. Patil, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the respondents.
2. Learned P.O. files short affidavit on behalf of Respondents no.2 & 3. The same is taken on record. Its copy is served on the other side.
3. S.O. to 3.5.2017.

VICE CHAIRMAN

ORAL ORDERS 05.04.2017-ATP