

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 98 OF 2017

[Shri Kunal K. Rajput Vs. the State of Mah. & Ors.]

CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)

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

DATE :- 06.03.2017

Oral Order :-

1. Heard Shri Ninad P. Patil, learned Advocate holding for Shri P.B. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. The learned Presenting Officer has placed on record copy of the G.R. dated 19.12.2016 issued by the Home Department, Mantralaya, Mumbai and the same is taken on record.
3. The learned Advocate, on instructions from the applicant, submits that the applicant wants to withdraw the present original application in view of the aforesaid G.R. dated 19.12.2016 of the Home Department, which is specifically issued regarding upper age limit for the post of P.S.I.
4. Permission as sought for by the learned Advocate for the applicant is granted. The original application is disposed of as withdrawn without any order as to costs.

MEMBER (J)

ARJ ORAL ORDERS 6.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 322 OF 2015

[Shri Balasaheb M. Kulkarni Vs. the State of Mah. & Ors.]

CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)

DATE :- 06.03.2017

Oral Order :-

1. Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 7.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 6.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 703 OF 2011

[Dr. Ravindra M. Lahurikar Vs. the State of Mah. & Ors.]

CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)

DATE :- 06.03.2017

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. The learned Advocate for the applicant seeks time to replace the illegible documents. At his request, S.O. to 14.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 6.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 123 OF 2014

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

CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)

DATE :- 06.03.2017

Oral Order :-

1. Heard Shri Vivek G. Pingle, 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 copies of necessary Government Resolutions are required to be filed on record. At his request, S.O. to 15.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 6.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 38 OF 2015

[Dr. Kashinath N. Swami Vs. the State of Mah. & Ors.]

CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)

DATE :- 06.03.2017

Oral Order :-

1. Heard Shri A.D. Gadekar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 3 and Shri K.G. Salunke, learned Advocate for respondent nos. 4 & 5.

2. The learned Advocate for the applicant and learned Advocate for respondent nos. 4 & 5 seek accommodation to file the copy of the judgment rendered by the Principal Seat of this Tribunal at Mumbai in a similar matter. At their request, S.O. to 30.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 6.3.2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 324 OF 2015

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

CORAM :- Hon'ble Shri Justice M.T. Joshi, Member (J)

DATE :- 06.03.2017

Oral Order :-

1. Heard Shri D. J. Patil, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant files on record the copy of judgment of Hon'ble Supreme Court in the matter of **DEV DUTT VS. UNION OF INDIA AND ORS. [AIR 2008 SC 2513]**.

3. The learned Presenting Officer seeks time to go through the said judgment and make her submission. At her request S.O. to 22.3.2017. The matter be treated as part heard.

MEMBER (J)

ARJ ORAL ORDERS 6.3.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.149/2017

(Shri B.N.Dhongde V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

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

2. Issue notice to the respondents, returnable on 5th 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 5th April 2017.

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

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.322/2016
(Shri S.N.Kulkarni&Ors.V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri B.S.Kudale learned Advocate for the applicants and Shri N.U.Yadav learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant requested for adjournment. Adjournment granted.

3. S.O.12-04-2016.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.615/2016

(Shri M.W.Adhikar V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri Vishal Borkar learned Advocate holding for Shri V.S.Kadam learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondent nos.1 and 2. Shri G.N.Patil learned Advocate for respondent no.3 has filed **leave note** on record.

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

3. S.O.03-04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.760/2016
(Shri G.D.Muley&Ors.V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri A.S.Deshmukh learned Advocate for the applicant, Shri M.P.Gudelearned Presenting Officer for the respondent nos.1, 2, 3 & 5, and Shri Sham Patil learned Advocate for respondent no.4.

2. Learned P.O. files affidavit in reply on behalf of respondent no.5. It is taken on record. Copy thereof has been served on the other side.

3. Shri Sham Patil learned Advocate for respondent no.4 prays for time for filing reply on record. Time granted.

4. S.O.12-04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.761/2016
(Shri V.T.Chobe V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondent no.1. Shri G.N.Patil learned Advocate for respondent no.4 has filed **leave note** on record.

2. Learned P.O. seeks time to file reply on behalf of the respondent. Time granted.

3. S.O.12-04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.791/2016

(Shri Md. Fasiuddin Ansari V/s. State of Mah. &Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

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

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. S.O.12-04-2016.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.841/2016

(Shri S.S.Waghmare V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

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

2. Learned P.O. submits that he will file reply during the course. He also undertakes to serve copy of the reply on the other side.

3. S.O.13-04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.887/2016
(Shri A.R.Pawar V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Ku.AmrutaParanjape learned Advocate holding for Shri P.S.Paranjape learned Advocate for the applicant and Smt. PriyaBharaswadkar learned Presenting Officer for the respondents.

2. Earlier leave to amend has been granted. Accordingly, learned Advocate for the applicant submits she will amend the O.A. today itself.

3. S.O.16-03-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.03/2017

(Shri R.K.Gaikwad V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri V.B.Wagh learned Advocate for the applicant and Smt. Deepali Deshpande 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.16-03-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.10/2017
(Shri M.V.Surose V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

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

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

3. S.O.03-04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.No.176/2016 IN O.A.St.No.594/2016
(Shri A.C.Dhekale V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri C.R.Thorat learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.

2. Learned P.O. sought leave of the Tribunal to file M.A. for amendment.
3. Leave as prayed for is granted.
4. S.O.13-04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.No.94/2017 IN O.A.No.473/2016
(Dr. G.K.Reddy V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri Sham Patil learned Advocate holding for Shri V.B.Wagh learned Advocate for the applicant, Shri I.S.Thorat learned Presenting Officer for the respondents. Shri S.S.Manale learned Advocate for respondent no.4 is **absent.**

2. On consent of the parties, S.O.10-03-2017.
3. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.No.25/2017 IN O.A.St.No.3012/2016
(Shri R.M.Kannekar V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Smt. VidyaTaksal learned Advocate holding for
Ku. PritiWankhade learned Advocate for the applicant
andShri D.R.Patillearned Presenting Officer for the
respondents.

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

3. S.O.06-04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.601/2015
(Shri S.M.Ture V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri Kakasaheb B. Jadhav learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for the respondents.

2. Learned P.O. prays for time for filing a short affidavit.

Time granted.

3. S.O.24-03-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.697/2015
(Shri T.B.Thakare V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

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

2. Learned P.O. submitted that pension and other pensionary benefits have been sanctioned to the applicant in view of the letter dated 04-05-2016 issued by the Tahsildar, Manwat.

3. Learned Advocate for the applicant submitted that he has no instruction from the applicant in that regard. Therefore, he sought time to take necessary instruction from the applicant and will make submission accordingly on the next date.

3. S.O. 27-03-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.772/2016
(Shri S.G.Bilapatte V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Shri M.B.Kolpe learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for the respondents is present.

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

3. S.O.11-04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.800/2015
(Shri D.K.Kulkarni V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Shri M.B.Kolpe learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for the respondents is present.

2. Earlier on many occasions applicant as well as his advocate both remained absent. Today also none is present for the applicant.

3. Hence, S.O.11-04-2017 for dismissal.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.117/2016
(Shri R.T.Zade V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Shri P.A.Bharat learned Advocate for the applicant is
absent.

Heard Shri V.R.Bhumkar learned Presenting Officer for
the respondent no.1 and Shri S.S.Shinde learned Advocate
holding for Shri Vivek Bhavthankar learned Special Counsel
for respondent nos.2 to 4.

2. Since none is present for the applicant, S.O.17-
04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.365/2016

(Shri Sk. NizamuddinSallauddin V/s.The State of
Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri M.S.Shaikh learned Advocate holding for
Shri S.S.Deshmukh learned Advocate for the applicant
andSmt. SanjivaniGhatelearned Presenting Officer for the
respondents.

2. On last occasion, this case was fixed for dismissal as
none appeared for the applicant.

3. Today, learned Advocate for the applicant has
remained present and prayed for time for filing affidavit in
rejoinder. Time granted.

3. S.O.06-04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.429/2016
(Dr. S.K.Shinde V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri V.B.Wagh learned Advocate for the applicant, Shri S.K.Shirse learned Presenting Officer for the respondent nos.1 to 3 and Shri D.T.Devane learned Advocate for respondent no.6. Shri S.S.Mangle learned Advocate for respondent nos.4 and 5 is **absent**.

2. Learned Advocate for the applicant prays for adjournment since G.R. dated 30-12-2016 is not traceable. He submits that he will positively file G.R. dated 30-12-2016 on the next date without fail.

3. Time granted to the learned Advocate for the applicant as a last chance. Matter will be heard finally on merit on the adjourned date.

4. S.O.22-03-2016.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.577/2016
(Dr. B.L.Jadhav V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Shri J.S.Deshmukh learned Advocate for the applicant has filed **leave note** on record.

Smt. DeepaliDeshpandelearned Presenting Officer for the respondent nos.1 to 3 is present.

Shri H.P.Jadhav learned Advocate for respondent no.4 is **absent**.

2. In view of leave note of learned Advocate for the applicant, S.O.06-04-2017.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.658/2016

(Shri MahendraE.Mali V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

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

2. Applicant sought relief to quash and set aside the transfer order dated 20-08-2016 transferring him from the post of Tahsildar Parola, Dist. Jalgaon to Tahsildar, Shrigonda, Dist. Ahmednagar.

3. Matter has been fixed for hearing today. During the course of hearing, applicant has filed an application and sought permission to withdraw the O.A., unconditionally.

4. Learned Advocate for the applicant submitted that O.A. may be disposed of accordingly.

5. In view of the abovesaid fact, O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.659/2016

(Shri Deepak S. Patil V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

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

2. Applicant sought relief to quash and set aside the transfer order dated 20-08-2016 transferring him from the post of Tahsildar Pachora, Dist. Jalgaon to Tahsildar, Shevgaon, Dist. Ahmednagar.

3. Matter has been fixed for hearing today. During the course of hearing, applicant has filed an application and sought permission to withdraw the O.A., unconditionally.

4. Learned Advocate for the applicant submitted that O.A. may be disposed of accordingly.

5. In view of the abovesaid fact, O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.660/2016
(Shri N.R.Patil V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

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

2. Applicant sought relief to quash and set aside the transfer order dated 20-08-2016 transferring him from the post of Tahsildar SGY, Jalgaon City, Dist. Jalgaon to the post of Tahsildar, Pathardi, Dist. Ahmednagar.

3. Matter has been fixed for hearing today. During the course of hearing, applicant has filed an application and sought permission to withdraw the O.A., unconditionally.

4. Learned Advocate for the applicant submitted that O.A. may be disposed of accordingly.

5. In view of the abovesaid fact, O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.693/2016
(Shri D.M.Borude V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, S.O.14-03-2017 for final hearing.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.721/2016
(Shri P.V.Marwale V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, S.O.14-03-2017 for final hearing.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.813/2016
(Shri A.V.Gangode V/s.The State of Mah.&Ors.)

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondent nos.1 and 2. None is present for respondent nos.3 and 4.

2. On consent of the parties, S.O.08-03-2017 for final hearing.

MEMBER (J)

YUK ORAL ORDER 06-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.26/2017

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

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

DATE : 06-03-2017

ORAL ORDER:-

Heard Shri Sunil B. Jadhav learned Advocate for the applicant, Smt. PriyaBharaswadkarlearned Presenting Officerfor the respondent nos.1 to 3 and Shri V.B.Wagh learned Advocate for respondent no.4.

2. Applicant has challenged the transfer order dated 07-01-2017 by which he was transferred from Jamkhed to Kopargaon, World Bank Project Sub Division, Kopargaon-2 (Ahmednagar) and respondent no.4 has been posted in his place.

3. Learned Advocate has filed communication received from the applicant stating therein that he does not wish to prosecute the O.A. as he has requested the Government to cancel his transfer and his application is under consideration. Applicant, therefore, desires to withdraw the O.A.

4. In view thereof, O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

MA No.95/17 in CP St.240/17 in OA 716/15.

(Dr. V. P. Tambhale Vs. State of Mah.&Ors.)

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

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

DATE: 06.03.2017.

ORAL ORDER:-

Heard ShriShamsundar B. Patil, learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for the Respondents.

2. Issue notices to the respondents in MA, returnable on 14.03.2017.

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

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

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

-2-MA No.95/17 in CP St.240/17 in OA 716/15

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 14.03.2017.

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

MEMBER (J).

ORAL ORDERS 06-03-2017-ATP

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

ORIGINAL APPLICATION NO.815/2016.

(Shri T. N. Satpute&Ors. Vs. State of Mah.&Ors.)

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

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

DATE: 06.03.2017.

ORAL ORDER:-

Heard Shri S. K. Mathpati, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. The learned Advocate for the applicant submit that, in the similar matter with the same issue judgment is passed by the Division Bench of this Tribunal at Mumbai, which is at paper book page no.166. He submit that, writ petition against the said decision filed by the State Government was dismissed and now in the contempt proceeding before the Tribunal at Mumbai bench the State Govt. had made a statement that, the State is going to implement directions given in the said judgment.

3. Learned Advocate for the applicant seeks time to file documents in this respect. At his request, S.O. to 21.3.2017.

MEMBER (J).

ORAL ORDERS 06-03-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO.876/2016.

(ShriAnirudha R. Gavane Vs. State of Mah.&Ors.)

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

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

DATE: 06.03.2017.

ORAL ORDER:-

Heard Shri P. P. Kothari, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the Respondents.

2. Upon hearing both the sides, it appears that, the Respondent no.2 the Collector, Ahmednagar upon conducting inquiry came to the conclusion that, the signature on the answer sheet purported to have been made by the present applicant at the time of examination did not match with the signatures found over the six documents as detailed in the letter (Annexure A-8, page no.5). Therefore, the selection of the applicant for the post of Talathi was cancelled. The learned Advocate for the applicant submit that, in fact the comparison ought to have been made with the recent signatures found on various documents like Aadhar card etc. and not with the old documents.

3. It is found that, at page no.48 the applicant has supplied the copy of a statement recorded by the Resident Deputy Collector

on 6.6.2016 while conducting the inquiry. It bears the signature of the applicant. This may admittedly a recent document, having signature of the applicant.

4. The learned Advocate for the applicant submit that, the disputed document (answer sheet) along with the admitted documents containing natural signatures like the said statement and other documents may be sent to the Govt. Examiner of documents at the cost and expenses of the applicant to have a proper decision in the matter.

5. The learned P.O. seeks time to take instructions in this regard to find out as to whether the Respondent no.2 is ready for such an exercise. At her request, S.O. to 22.3.2017.

6. Learned P.O. is directed to act on the Steno copy.

MEMBER (J).

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

ORIGINAL APPLICATION NO.28/2017.

(Shri N. D. Sapkale Vs. State of Mah.&Ors.)

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

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

DATE: 06.03.2017.

ORAL ORDER:-

Heard Shri S. B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned P.O. files on record true copy of the decision of the D.P.C. dated 18.2.2017, which would show that, the grievance of the present applicant is settled.

3. The learned Advocate for the applicant submit that, he does not have any instructions in this regard. In the circumstances, at the request of the learned Advocate for the applicant, S.O. to 21.03.2017.

MEMBER (J).

ORAL ORDERS 06-03-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

MA NO.283/16 IN OA ST.NO.1167/2016.

(ShriS. M. Davkare Vs. State of Mah.&Ors.)

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

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

DATE: 06.03.2017.

ORAL ORDER:-

Heard Shri N. S. Chaudhary, learned Advocate for the applicant, Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents no.1 to 6, 8 & 9 and Shri D. P. Bakshi, learned Advocate for the Respondent no.7.

2. Upon hearing both sides, it prima facie appears that, no affidavit in reply is necessary, since in the O.A. there may not be any challenge to the law and statute. Both sides submit that, they would prepare for hearing on the next date.

3. Considering the issue involved in the present O.A., hearing appears to be necessary. In the circumstances, at the request of all the sides, S.O. to29.3.2017.

MEMBER (J).

ORAL ORDERS 06-03-2017-ATP

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

ORIGINAL APPLICATION NO.135/2010.

(Shri S. H. Kumthekar Vs. State of Mah.&Ors.)

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

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

DATE: 06.03.2017.

ORAL ORDER:-

Heard Shri S. B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant, Shri M. P. Gude, learned Presenting Officer for the Respondents no.1 to 4 and A. S. Deshmukh, learned Advocate for the Respondents no.5 and 6.

2. Learned P.O. submit that, the affidavit in reply would be filed during the course of the day. Upon filing it be accepted.

3. The matter is already admitted, hence with liberty to move the matter as and when the exigency is occurred.

MEMBER (J).

ORAL ORDERS 06-03-2017-ATP

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

ORIGINAL APPLICATION NO.326/2016.

(Shri C. G. Sawant Vs. State of Mah.&Ors.)

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

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

DATE: 06.03.2017.

ORAL ORDER:-

Heard Shri V. B. Wagh, learned Advocate for the applicant and Smt S. K. GhateDeshmukh, learned Presenting Officer for the Respondents.

2. The pleadings are complete. The arguable case is made out.
5. Admit.
6. Learned P.O. waives the notice for the respondents upon admission hearing.
7. The matter is kept for final hearing as and when the Division Bench is available.

MEMBER (J).

ORAL ORDERS 06-03-2017-ATP

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

ORIGINAL APPLICATION NO.743/2016.

(ShriR. D. Barela Vs. State of Mah.&Ors.)

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

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

DATE: 06.03.2017.

ORAL ORDER:-

Heard Shri D. K. Rajput, learned Advocate for the applicant, Smt R. S. Deshmukh, learned Presenting Officer for the Respondents no.1 to 3 and Shri Sharad S. Shinde, learned Advocate holding for Shri Vivek Bhavthankar, learned Special Counsel for the Respondents no.4 & 5.

2. Learned Advocate Shri S. S. Shinde submit that, he will file affidavit in reply on behalf of Respondents no.4 & 5 during the course of day. Upon filing it be accepted.

3. S.O. to 21.3.2017.

MEMBER (J).

ORAL ORDERS 06-03-2017-ATP

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

ORIGINAL APPLICATION NO.869/2016.

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

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

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

DATE: 06.03.2017.

ORAL ORDER:-

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

2. At the request of the learned P.O., S.O. to 23.3.2017.

MEMBER (J).

ORAL ORDERS 06-03-2017-ATP

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

MA NO.356/16 IN CP ST. 1518/16 IN OA 396/98.

(Shri Chandumal Seth Died. His Lrs. Smt.S. C. Seth
Vs. State of Mah.&Ors.)

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

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

DATE: 06.03.2017.

ORAL ORDER:-

None present for the applicant. Shri D. R. Patil, learned
Presenting Officer for the Respondents no.1 to 6, 8 & 9 and Shri
D. P. Bakshi, learned Advocate for the Respondent no.7.

2. The learned P.O. submit that, the order of the present
Tribunal is complied with, and affidavit in this regard will have to
be filed. At his request, S.O. to 24.3.2017.

MEMBER (J).

ORAL ORDERS 06-03-2017-ATP

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

MA ST. NO.1377/2015 IN OA ST.NO.945/2015.

(Miss Chaya B. Dhavadge @ Mrs. Chaya w/o
VasantHanwate Vs. State of Mah.&Ors.)

CORAM:HON'BLE SHRI JUSTICE M.T. JOSHI, MEMBER (J).

DATE: 06.03.2017.

ORAL ORDER:-

Shri ChetanJadhav, learned Advocate holding for Shri K. V. Pawar, 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 21.3.2017.

MEMBER (J).

ORAL ORDERS 06-03-2017-ATP