

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 253 OF 2017

(Shri Sanjay P. Jagtap V/s. 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 : 07-06-2017

ORAL ORDER:-

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

2. The learned P.O. points out that today the applicant was required to satisfy this Tribunal on the query regarding the tenability of the present original application.

3. In view of absence of the learned Advocate for the applicant, S.O. to 18.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 459/2012 IN CP ST. 1521/2012 IN OA 215/1995

(Shri Dhansing D. Prasad V/s. 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 : 07-06-2017

ORAL ORDER:-

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

2. The learned P.O. seeks time to file affidavit in reply in the present misc. application. It is to be noted that prima-facie the directions given by this Tribunal vide its order dated 21.12.2000 passed in O.A. no. 215/1995 are still to be complied with by the respondents.

3. In the circumstances, it is directed that the order in question be complied with by the respondents by the next date. As a last chance, time till 20.7.2017, is hereby granted to the respondents to file affidavit in reply. Upon failure to do so, besides following the action of contempt for breach of the order of this Tribunal the respondents would also be saddled with heavy costs.

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MA 459/2012 IN CP ST.
1521/2012 IN OA
215/1995

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

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 503/2015 IN CP ST. 1812/2015 IN OA 142/2013

(Shri (Dr.) Jeevansingh D. Taji V/s. 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 : 07-06-2017

ORAL ORDER:-

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

2. The present misc. application has been filed by the applicant for permission to file the accompanied contempt petition against the respondents for non compliance of the order of the Tribunal dated 8.12.2014 passed in O.A. no. 142/2013.

3. The learned Advocate for the applicant submits that the compliance of the order in question has been made by the respondents except prayer clause (F) of the O.A. He further submits that the proposal is already sent to the Administrative Officer on 11.1.2017, which is clear from the copy of communication filed on record at paper book page 17 of the present M.A. He therefore submits that by giving suitable direction to the respondents to decide this

departmental proposal at the earliest, the present M.A. and accompanied contempt petition may be disposed of.

4. In the circumstances, the present misc. application and the contempt petition stand disposed of with a direction to the respondents to decide the said proposal dated 11.1.2017 (paper book page 17 of the M.A.) within a period of 3 months from today and also to communicate the decision thereof to the applicant in writing.

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 474/2016 IN OA ST. 2044/2016

(Shri Suresh M. Tulapurkar V/s. 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 : 07-06-2017

ORAL ORDER:-

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

2. The learned P.O. files on record affidavit in reply on behalf of res. nos. 1 & 2 and the same is taken on record. She undertakes to supply copy of the said reply to the learned Advocate for the applicant.

3. The learned P.O. seeks time to file affidavit in reply on behalf of other respondents. At her request, S.O. to 28.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA 479/2016 IN OA ST. 2092/2016

(Shri Sunil P. Wakchaure V/s. 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 : 07-06-2017

ORAL ORDER:-

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

2. From the record, it appears that the present misc. application is filed by the applicant for condonation of 21 days' delay caused in filing the original application. In view of absence of learned Advocate for the applicant, S.O. to 11.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA NO. 150/2017 IN OA 157/2015

(The State of Mah. & Ors. Vs. Shri Ashok B. Shinde & 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 : 07-06-2017

ORAL ORDER:-

Heard Shri I.S. Thorat, learned Presenting Officer for the applicants in the present misc. application / respondents in the original application. None appears for the respondents in the present misc. application / applicants in the original application

2. The present misc. application has been filed by the applicants in the present misc. application / respondents in the original application for extension of six months' period from 17.4.2017 for compliance of the order of this Tribunal dated 18.10.2016 in O.A. no. 157/2015 with M.A. no. 153/2015.

3. Read the order of the Tribunal dated 24.4.2017 passed in the present misc. application. The learned P.O. has made a statement that the copy of the present misc. application has already been served upon the learned Advocate for the respondents in the present misc. application / applicants in

the original application. However, he was absent on the earlier date and today also he is absent.

4. Perused the misc. application. Considered the contentions.

5. For the reasons stated in the misc. application the same is allowed and disposed of in terms of prayer clause (B) of the misc. application, as a last chance. There shall be no order as to costs. The said prayer clause (B) reads as under :-

“(B) Be please to extend further period of six months from 17.4.2017 passed in the order dated 18.10.2016 in M.A. no. 153/2015 in O.A. no. 157/2015.”

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

VICE CHAIRMAN

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA NO. 170/2017 IN CP ST. 586/2017 IN OA 811/2015

(Shri Shahadeo S. Bangar V/s. 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 : 07-06-2017

ORAL ORDER:-

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

2. The learned P.O. submits that none is present to give her instructions in the present misc. application. Read the order dated 3.5.2017 passed by the Tribunal in the present misc. application. It prima-facie appears that the res. no. 3 is unnecessarily sitting over the issue of grant of pensionary benefits to the applicant, though it is already sanctioned by the Accountant General.

3. In the circumstances, time till 3.7.2017 to file affidavit in reply is hereby granted, subject to payment of costs of Rs. 10,000/- by the res. no. 3 to the applicant on the next date, as a condition precedent. In case no compliance is made on the next date and no affidavit in reply is filed by the respondents, the applicant would be permitted to file the accompanied contempt petition against the respondents.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MA NO. 185/2017 IN OA 296/2017

(Shri Panchamlal L. Salve V/s. 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 : 07-06-2017

ORAL ORDER:-

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

2. The present misc. application has been filed by the applicant for issuance of direction to the respondents to declare the result of the of the applicant in view of the interview held on 25.5.2017 pursuant to the advertisement no. 55/2016 for the post of Joint Director, Ground Water Survey and Development Agency, (Group - A).

3. Since the present applicant has gone through the selection process in view of the interim relief granted by the Tribunal vide its order dated 23.5.2017 in the O.A., the respondents herein are directed to declare the result of the said process as regards the present applicant, on or before 29.6.2017.

4. With the above direction, the present misc. application is disposed of without any order as to costs.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 733/2016

(Shri Vithal L. Badhe V/s. 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 : 07-06-2017

ORAL ORDER:-

None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, is present.

2. Vide order dated 12.4.2017 of the Tribunal, it was already recorded that the affidavit in reply of other respondents is not necessary.

3. In the circumstances, place the present original application for hearing on admission on 5.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 797/2016

(Shri Gaurav A. Chavan V/s. 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 : 07-06-2017

ORAL ORDER:-

None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, is present.

2. The learned P.O. has already submitted that the affidavit in reply of res. nos. 1 to 4 is not necessary. Hence, place the original application for admission hearing on 12.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 183/2017
(Shri Ajit B. Navale V/s. 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 : 07-06-2017

ORAL ORDER:-

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

2. Issue notices to the respondents in the original application, returnable on 12.7.2017.

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.

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. 12.7.2017.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 249/2017

(Shri Raja V. Lakkamwad V/s. 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 : 07-06-2017

ORAL ORDER:-

Heard Miss. Preeti Wankhade, learned Advocate for the applicant and Smt. M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned C.P.O., on instructions, makes a statement that there is no vacancy available.

3. Issue notices to the respondents in the original application, returnable on 13.7.2017.

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

5. 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.

6. 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.

7. 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.

8. S.O. 13.7.2017.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 419/2012

(Shri Anilkumar Y. Baste V/s. State of Mah. & Ors.)

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

Date : 07-06-2017

ORAL ORDER:-

None appears for the applicant. Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 5.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 308/2014

(Shri Ambadas N. Paikrao & Ors. V/s. State of Mah. & Ors.)

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

Date : 07-06-2017

ORAL ORDER:-

Heard Shri Kiran Nagarkar, learned Advocate holding for Shri R.S. Shejule, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. seeks time to take instructions from the respondents regarding the present status of the representation reference of which is made in the order of this Tribunal dated 29.3.2017. At his request, S.O. to 10.7.2017.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A. NO. 802/2015 WITH O.A. NO. 347/2015

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

Date : 07-06-2017

ORAL ORDER:-

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

2. The learned P.O. is hereby directed to take instructions from the concerned respondents regarding compliance of the order of this Tribunal dated 23.2.2017, by the next date.

4. S.O. to 16.6.2017.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 219/2012

(Shri Vasant B. Maral V/s. State of Mah. & Ors.)

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

Date : 07-06-2017

ORAL ORDER:-

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

2. At the request of learned Advocate for the applicant, S.O. to 16.7.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 7.6.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.307/2017

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

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. Learned PO seeks time to file reply on behalf of the respondents. Time granted.
3. S.O.04-07-2017.
4. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 07-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.138/2017
(Shri Babu Phule V/s. The State of Mah. & Ors.)

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. It seems that affidavit of service of notice is not placed on record. Learned Advocate for the applicant prays for issuance of fresh notice.

3. Issue notices to the respondent nos.1 and 3, returnable on 10-07-2017.

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

5. 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.

6. 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.

7. 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.

8. Learned CPO seeks time to file reply on behalf of the respondent no.2.

9. S.O.to 10-07-2017.

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

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.409/2016 IN O.A.St.No.1662/2016
(Shri Mohan Sanap V/s. The State of Mah. & Ors.)

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. Learned Advocate for the applicant sought time to file certain documents on record. Time granted.

3. S.O.11-07-2017.

MEMBER (J)

YUK ORAL ORDER 07-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NOS.38/2015, 677/2015,
679/2015, 680/2015 AND 681/2015**

(Dr. Kashinat Swami & Ors. V/s. The State of Mah. &
Ors.)

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

DATE : 07-06-2017

ORAL ORDER:-

Heard Shri A.D.Gadekar (O.A.No.38/2015) and Shri J.S.Deshmukh (other O.As.) learned Advocate for the applicants and S/Shri I.S.Thorat, S.K.Shirse, M.P.Gude S/Smt. Deepali Deshpande and Resha Deshmukh learned Presenting Officers for the respondents in respective matters.

2. Learned Advocates for the applicants have filed copy of judgment dated 22-01-2015 passed by the Principal Seat of the Tribunal. It is taken on record. It is marked as document "X" for identification.

3. Learned Advocates for the applicants pray for adjournment for taking instruction from the applicant.

4. S.O.22-06-2017.

MEMBER (J)

YUK ORAL ORDER 07-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.785/2015

(Shri Chhagan Nerkar V/s. The State of Mah. & Ors.)

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

DATE : 07-06-2017

ORAL ORDER:-

Shri L.M.Kulkarni learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for the respondents is present.

2. None appears for the applicant. On previous dates also nobody appeared for the applicant. It seems that applicant is not interested in prosecuting the O.A., hence, it stands dismissed in default.

MEMBER (J)

YUK ORAL ORDER 07-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.104/2016

(Dr. Laxmikant Dolas V/s. The State of Mah. & Ors.)

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. Learned P.O. seeks time to take some instructions from the respondents. Time granted.

3. S.O.14-06-2017.

MEMBER (J)

YUK ORAL ORDER 07-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.563/2016

(Shri Devidas Kardule V/s. The State of Mah. & Ors.)

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. At the request of both sides, S.O.05-07-2017.

MEMBER (J)

YUK ORAL ORDER 07-06-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

M.A.No.75/2017 IN O.A.St.No.124/2017
(Shri Bajirao Khade V/s. The State of Mah. & Ors.)

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. Learned P.O. files affidavit in reply in the M.A. on behalf of the respondent nos.3 and 5. It is taken on record. Copy thereof has been served on the other side.

3. Learned P.O. submits that other respondent nos.1, 2 and 4 do not wish to file reply in the M.A.

4. Heard both sides on the point of condonation of delay caused in filing the O.A. Perused documents on record. The applicant has filed application for condonation of delay of 6 years and 5 months caused in filing the O.A. challenging the punishment order dated 12-01-2010 passed by the respondent no.2 in the departmental enquiry. It is the contention of the applicant that he was held guilty in the departmental enquiry, and accordingly, was punished by order dated

12-01-2010 by the disciplinary authority. Against the said order the applicant had preferred appeal dated 17-02-2010 before the Secretary, E.G.S., Department of Planning, Government of Maharashtra, Mantralaya, Mumbai. But the said appeal has not been decided by the appellate authority till date. Thereafter, he has retired from service on attaining age of superannuation on 31-05-2016 but pensionary benefits have been withheld by the respondents. Therefore, applicant approached to the appellate authority time and again with a request to decide his appeal as early as possible. But the appellate authority has not decided the appeal, therefore, the applicant has filed this O.A.

5. It is the contention of the applicant that as the appeal is pending before the appellate authority he could not be able to file O.A. within time. Applicant has prayed to allow the M.A. and condone delay caused in filing the O.A. as his valuable rights are involved in the O.A.

6. Respondents have submitted that applicant has not properly explained the delay caused in filing the O.A.,

and therefore, M.A. filed by the applicant for condonation of delay be dismissed. It is further contended by the respondents that as per Section 20 of the Administrative Tribunals Act, 1985 applicant ought to have filed O.A. within 1 year after expiry of 6 months from the date of presentation of the appeal. But the applicant has not availed such opportunity and hence the M.A. deserves to be dismissed.

7. Learned Advocate for the applicant has submitted that the applicant has preferred an appeal challenging the order passed in departmental enquiry dated 12-01-2010 (page 55). He has submitted that the appellate authority has not decided the appeal till today. The applicant has made several representations i.e. on 01-08-2016 (page 67), 03-08-2016 (page 71) and 04-08-2016 (page 75) but the appellate authority i.e. Secretary, E.G.S., Planning Department has not decided the appeal. He waited for a long time but the appeal has not been decided even after his retirement,

and therefore, delay has been caused in filing the O.A. It is submitted by him that the delay has been properly and satisfactorily explained by the applicant, therefore, prayed to condone the delay caused in filing the O.A.

8. Learned Advocate for the applicant has placed reliance on the judgment delivered by Hon'ble the Supreme Court in the matter of **Ashok Kumar V/s. State of Bihar & Ors.** reported in [**AIR 2008 SC 2723**] and submitted that the appeal of the appellant has not been decided by the State Government, i.e. Secretary, E.G.S., Planning Department and he waited for a long time. The said fact itself is sufficient for condonation of delay caused for filing O.A.

9. Learned P.O. has submitted that delay is extraordinary and inordinate and no just reasons are given for condonation of delay caused in filing the O.A. He, therefore, prayed to reject the application filed for condonation of delay.

10. I have gone through the documents on record. On perusal of the same, it reveals that after passing order in departmental enquiry on 12-01-2010, applicant has moved an appeal dated 17-02-2010 before the appellate authority. Appellate authority has not decided the appeal within a reasonable period, and therefore, he filed applications / representations dated 01-08-2016 (page 67), 03-08-2016 (page 71) and 04-08-2016 (page 75) and requested the appellate authority to decide the appeal as early as possible. In spite of several representations made by the applicant appellate authority has not decided the appeal challenging punishment imposed upon him in the departmental enquiry. No doubt, the applicant ought to have approached this Tribunal after expiry of 6 months of filing appeal and within a period of 1 year in view of the provision of Section 20 of the Administrative Tribunals Act, 1985. But he waited expecting that appellate authority would decide his appeal, and therefore, he could not be able to file O.A. within stipulated time.

11. In these circumstances, in my opinion, reasons given by the applicant seems to be genuine satisfactory and are sufficient to condone the delay caused in filing the O.A. Valuable rights of the applicant are involved in the matter. Therefore, the O.A. requires to be decided on merit. Ratio laid down in the case (supra) is appropriately applicable in the present case. Hence, delay caused in filing the O.A. requires to be condoned by allowing the M.A.

12. In these circumstances, delay of 6 years and 5 months caused in filing the O.A. is hereby condoned. Hence, M.A. is allowed and disposed of accordingly with no order as to costs.

13. O.A. be registered and numbered after removal of office objections, if any.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

O.A.St.No.124/2017

(Shri Bajirao Khade V/s. The State of Mah. & Ors.)

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. S.O. 11-07-2017.

YUK

ORAL

ORDER

MEMBER (J)
07-06-2017

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

1)ORIGINAL APPLICATION NO.864/2016
(Shri V. S. Londhe Vs. State of Mah. & Ors)

2)ORIGINAL APPLICATION NO.865/2016
(Shri V. E. Jogdand Vs. State of Mah. & Ors)

3)ORIGINAL APPLICATION NO.866/2016
(Shri V. G. Deshmukh Vs. State of Mah. & Ors)

4)ORIGINAL APPLICATION NO.867/2016
(Shri S. S. Solanke Vs. State of Mah. & Ors)

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

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

DATE : 07-06-2017

ORAL ORDER:-

Heard Shri V. B. Jogdand Patil learned Advocate for the applicants in all the matters and S/Shri V. R. Bhumkar, M. P. Gude, I. S. Thorat, V. R. Bhumkar and N. U. Yadav learned Presenting Officers for the respondents in respective matters. None present for the Respondent no.5 in OA Nos. 865, 866 & 867 of 2016.

2. Learned Presenting Officers seek time to take instructions regarding decision in the departmental appeal, if any, as is referred vide order dated 29.3.2017. At their request, S.O. to 5.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

MA NO.187/2017 IN OA St.714/2017.

(Shri R. A. Kakad & Ors.V/s. The State of Mah. & Ors.)

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

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the M.A. and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid multiplicity, leave to sue jointly is granted, subject to payment of court fee stamps, unless it is paid already.

4. M.A. stands disposed of accordingly. There shall be no order as to costs.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

OA St.714/2017.

(Shri R. A. Kakad & Ors. V/s. The State of Mah. & Ors.)

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

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. The learned counsel for the applicants seeks interim relief. The learned P.O. submit that, he would take instructions regarding implementation of declaration as is found at Annexure A-3 (page no.45) and also as to why the said declaration is not given effect while selecting the candidate as are found at Annexure A-5 (page no.81). At his request S.O. to 13.6.2017.

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

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.622/2015.

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

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

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

DATE : 07-06-2017

ORAL ORDER:-

Heard Shri Vivek Deshmukh learned Advocate for the applicant and Shri M. P. Gude learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 20.6.2017.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.604/2016.

(Shri A. L.Bhosale & Ors. V/s. The State of Mah. & Ors.)

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

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

DATE : 07-06-2017

ORAL ORDER:-

It is reported that Shri R. P. Bhumkar learned Advocate for the applicant has filed leave note. Smt R. S. Deshmukh learned Presenting Officer for the respondents is present.

2. S. O. to 05.07.2017.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

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

ORIGINAL APPLICATION NO.739/2016.

(Shri D. B. Mukhade V/s. The State of Mah. & Ors.)

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

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. Earlier the applicant has requested for time to file
affidavit in rejoinder. In the circumstances, in absence of
the learned counsel for the applicant, S.O. to 10.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

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

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

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

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

DATE : 07-06-2017

ORAL ORDER:-

Shri M. R. Wagh learned Advocate holding for Shri
R. B. Narwade Patil learned Advocate for the applicant
and Shri S. K. Shirse learned Presenting Officer for the
respondents is present.

2. At the request of the learned Advocate for the
applicant S. O. to 13.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.82/2017.

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

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

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

DATE : 07-06-2017

ORAL ORDER:-

Heard Advocate Ashlesha Sham Raut holding for Shri S. B. Talekar learned Advocate for the applicant and Shri S. K. Shirse learned Presenting Officer for the respondents.

2. Learned P. O. seeks time to file affidavit in reply on behalf of Respondents no.1 & 2. At his request, S.O. to 11.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.321/2017.

(Manisha Patilsaheb Jagtap V/s. The State of Mah. & Ors.)

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

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. At the request of the learned Advocate for the applicant, S.O. to 13.6.2017.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.83/2017.

(Manisha Patilsaheb Jagtap V/s. The State of Mah. & Ors.)

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

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. Learned P.O. files affidavit in reply on behalf of Respondent no.1 along with Annexures. The same is taken on record. The copy is served on the learned Advocate for the applicant.

3. S.O. to 13.6.2017.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.114/2017.

(Marathwada Sarva Shramik Sanghatana & Ors. V/s.
The State of Mah. & Ors.)

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

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

DATE : 07-06-2017

ORAL ORDER:-

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

2. The learned P.O. seeks time to file affidavit in reply.
At her request, S.O. to 20.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.88/2017.

(Dr. Shaikh Faiz Mohammad V/s. The State of Mah. & Ors.)

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

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

DATE : 07-06-2017

ORAL ORDER:-

Heard Shri R. R. Bangar learned Advocate holding for Shri I. D. Maniyar learned Advocate for the applicant and Smt R. S. Deshmukh learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file reply. Learned Advocate for the applicant also seeks time to answer the queries of this Tribunal. He has to explain on which ground challenge to the very initiation of the D. E. is being made. At the request of both sides, S.O. to 4.7.2017.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.198/2017.

(Shri Yousuffuddin Qamruddin V/s. The State of Mah. & Ors.)

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

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

DATE : 07-06-2017

ORAL ORDER:-

1. It is to be reported that Mrs. A. N. Ansari learned Advocate for the applicant has filed leave note. Shri V. R. Bhumkar learned Presenting Officer for the respondents is present.

2. It is to be noted that interim relief is already granted till the next date.

3. The learned P.O. also seeks time to file affidavit in reply. At his request, S. O. to 14.7.2017.

4. Interim relief to continue till then.

VICE CHAIRMAN.

ORAL

ORDERS

07-06-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD..

ORIGINAL APPLICATION NO.825/2016.

(Shri P. A. Gaikwad V/s. The State of Mah. & Ors.)

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

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

DATE : 07-06-2017

ORAL ORDER:-

Heard Shri V. B. Jogdand Patil learned Advocate for the applicant, Shri V. R. Bhumkar learned Presenting Officer for the respondents and Shri A. K. Tiwari learned Advocate for the Respondent no.2.

2. Learned Advocate Shri A. K. Tiwari, who has filed Vakalatnama on behalf of Respondent no.2 submit that, as simpliciter notice was served upon Bombay Municipal Corporation he has filed Vakalatnama on behalf of Bombay Municipal Corporation as Respondent no.2.

3. Now, however, upon going through copy of the application it is found that, the Respondent no.2 is an organ of General Administration Department of the Govt. of Maharashtra and he therefore, revoke to file Vakalatnama.

4. Since the learned Advocate for the applicant is absent the decision about the revocation would be taken on the next date.

5. S.O. to 05.07.2017.

VICE CHAIRMAN.

ORAL ORDERS 07-06-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 226/2016
[Shri Shivram N. Dhapate Vs. The State of Mah. & Ors.]**

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

DATE : 07.06.2017.

ORAL ORDER:

Shri P.B. Jadha, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

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

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 554/2016
[Shri Ramdas N. Sangle Vs. The State of Mah. & Ors.]**

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

DATE : 07.06.2017.

ORAL ORDER:

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

2. At the request of learned Advocate for the applicant, S.O. to 01.07.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 714/2016
[Shri Subhash D. Mahale Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Shri V.G. Pingle, learned Advocate for the Applicant, Shri N.U. Yadav, learned Presenting Officer for respondent no. 1 and Shri V.B. Wagh, learned Advocate holding for Shri Shamsundar B. Patil, learned Advocate for respondent nos. 2 & 3.

2. Learned Advocate for respondent nos. 2 & 3 has submitted that he will file affidavit in reply during the course of the day.

3. S.O. to 05.07.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 319/2017

[Shri Parsharam W. Shinde Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Heard Shri Kiran G. Salunke, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 01-07-2017.

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 01-07-2017.

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

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 322/2017

[Shri Rajesh P. Deshmukh Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

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

2. Learned Advocate for the applicant has submitted that the applicant has not completed his two tenures on the present post i.e. Senior Clerk in the Government College of Pharmacy, Aurangabad, but he has been transferred by impugned order dated 31.05.2017 on administrative ground only to accommodate the respondent no. 4. The applicant is not due for transfer. He has submitted that his transfer has been made at the behest of respondent no. 3. He has submitted that the applicant is on medical leave from 12.07.2016 and he has not yet been relieved from the present post. Therefore, he prayed to grant stay to the execution of the impugned transfer order.

3. Learned Presenting Officer has submitted that the applicant is serving at Aurangabad since the year 2005

and there are several complaints against him and therefore, he has been transferred on administrative ground. After issuance of impugned order, the applicant has been relieved from the present post on 3.6.2017 and the relieving order has been sent to him by R.P.A.D. He has submitted that as the applicant is relieved from the present post, no question of granting interim relief arises.

4. Since, the learned Presenting Officer has made submissions at bar that the applicant is relieved on 3.6.2017, no question to grant stay to the impugned order arises. Hence, prayer made by the applicant for grant of interim relief is rejected.

5. Issue notices to the respondents, returnable on 29.06.2017.

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

7. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly

authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

10. S.O.to 29-06-2017.

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

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

**M.A. St. No. 370/2017 in O.A. St. No. 371/2017
[Shri Sadanand M Gupta & Ors. Vs. The State of Mah. & Ors.]**

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

DATE : 07.06.2017.

ORAL ORDER:

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

2. Learned Advocate for the applicants has submitted that the applicants do not want to proceed with the M.A. and O.A. and sought leave of this Tribunal to file separate O.As. in respect of each applicant.

3. In view of the aforesaid submissions made on behalf of the applicants, M.A. and O.A. both stand disposed of as withdrawn with liberty as prayed for by the applicants. There shall be no order as to costs.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 320/2017
[Shri Shivkumar R. Khadkekar Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Heard Shri R.D. Biradar, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant requires time to produce on record document as regards maintainability of the present O.A. Time granted.

3 S.O. to 21.06.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 505/2016
[Smt. Manjula A. Suralkar Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Heard Shri N.K. Tungar, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

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

3. S.O. to 01.07.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 785/2016

[Dr. Aruna S. Pardeshi Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

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

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents.

3. It transpires from the proceedings that the ample opportunities were given to the respondents for filing affidavit in reply. It further transpires that on the previous date, i.e. on 28.04.2017 a most last chance was granted to the respondents for filing affidavit in reply. Learned Presenting Officer has also submits that the proposal for regularization of suspension period of the applicant was sent to the Director of Health Services, Mumbai and she has received the instructions from the respondents in that regard and sought time.

4. In view of the aforesaid fact, in the interest of justice a most last chance is granted for filing affidavit in reply.

5. S.O. to 14.06.2017.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 913/2016
[Shri Rameshwar S. Waghmare Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Shri S.D. Hiwrekar, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

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

3. S.O. to 23.06.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 54/2017
[Shri Balaji V. Malchpure Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Shri S.D. Hiwrekar, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

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

3. S.O. to 23.06.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 23/2017
[Shri Bandu B. Chavan Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Shri K.G. Salunke, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

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

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1 & 2. Time granted as a last chance.

3. S.O. to 01.07.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 97/2017

[Shri Sayyed Mujahed Ali Sayyed Khurshid Ali Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

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

2. Learned Presenting Officer has submitted that he will file affidavit in reply during the course of the day.

3. S.O. to 01.07.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 131/2017
[Smt. Anita T. Shinde Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Shri D.K. Dagadkhair, learned Advocate for the Applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

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

3. S.O. to 03.07.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 157/2017
[Shri Dadasaheb P. Satdive Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Shri Kakasaheb B. Jadhav, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 5. It is taken on record and the copy thereof has been served upon the learned Advocate for the applicant.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1 to 4. Time granted.

4. S.O. to 01.07.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 208/2017

[Marathwada Sarva Shramik Sanghatana and Ors. Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Shri A.S. Shelke, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

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

3. S.O. to 04.07.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 209/2017

[Marathwada Sarva Shramik Sanghatana and Ors. Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Shri A.S. Shelke, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O. to 04.07.2017.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 305/2017
[Smt. Rajmudra M. Khillare Vs. The State of Mah. & Ors.]

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

DATE : 07.06.2017.

ORAL ORDER:

Ms. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

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

3. S.O. to 03.07.2017. Status-quo granted earlier to continue till then.

MEMBER (J)

ORAL ORDERS 07.06.2017-KPB(SB)BPP