

MA 21/2016 IN OA 421/2015

[Shri Saiyed Gaus Saiyed Pasha Vs. the State of Mah. & Ors.]

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

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

DATE :- 08.02.2017

Oral Order :-

1. Heard Shri Suresh Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde (Upadhyay), learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The record shows that, in the original application also no affidavit in reply is filed, though from time to time, time was granted to the respondents. In the present misc. application also no affidavit in reply is filed by the respondents and the Stay to the order in question is continued from time to time.

3. In the circumstances, last chance to file affidavit in reply in both the proceedings is hereby granted at the request of learned Presenting Officer. It is, however, made clear that, in case affidavit in reply is not filed on the next date, the Tribunal would be constrained to call the responsible Officer before this Tribunal.

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MA 21/2016 IN
OA 421/2015

4. S.O. to 2.3.2017. The interim relief granted earlier to continue till filing of affidavit in reply.

5. The learned Presenting Officer to act upon the steno copy of this order.

MEMBER (J)

ARJ ORAL ORDERS 8.2.2017

MA 317/2016 IN CP ST. 1491/2016 IN OA 554/2013

[Dr. Ashok V. Biradar Vs. the State of Mah. & Ors.]

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

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

DATE :- 08.02.2017

Oral Order :-

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned Presenting Officer submits that the writ petition, challenging the order of this Tribunal dated 27.11.2015 passed in original application No. 554/2013, is already dismissed by Hon'ble Bombay High Court, Bench at Aurangabad. However, she has not received instructions, so far from the respondents. She further submits that, even she had made a communication with the concerned respondents.

3. In the circumstances, affidavit in reply, if any, be filed in this misc. application on or before the next date, in default, necessary notice as per the Rules directing the respondents to remain present before this Tribunal on each and every date may be passed.

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MA 317/2016 IN CP ST.
1491/2016 IN OA 554/2013

4. S.O. to 2.3.2017.
5. The learned Presenting Officer to act upon the steno copy of this order.

MEMBER (J)

ARJ ORAL ORDERS 8.2.2017

MA 234/2016 IN OA ST. NO. 629/2016

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

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

DATE :- 08.02.2017

Oral Order :-

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. The learned Presenting Officer submits that he would take instructions from the respondents regarding the relief sought by the applicant in the original application and he be permitted to file affidavit in the original application. Accordingly, the learned Presenting Officer is permitted to file affidavit in the original application on the next date.

4. S.O. to 8.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 8.2.2017

MA 348/2016 IN OA ST. NO. 1609/2016

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

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

DATE :- 08.02.2017

Oral Order :-

1. Heard Shri Vivek Pingle, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1, 3 & 6 and Shri Shamsundar B. Patil, learned Advocate for respondent nos. 2, 4 & 5.

2. The learned Presenting Officer submits that, similar relief in various original applications, viz. O.A. Nos. 86, 88, 89, 90, 92 & 93 all of 2016, are sought upon termination of the relevant applicants, upon completion of the project. In filing the accompanying original application, since the delay is caused, the applicant has filed the present misc. application for condonation of delay. The learned Presenting Officer further seeks time to file affidavit in reply in the misc. application. Time granted.

3. S.O. to 7.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 8.2.2017

MA 421/2016 WITH C.P. NO. 6/1998 IN O.A. NO. 1/1998

[Shri Shrikant S. Tupe Vs. the State of Mah. & Ors.]

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

DATE :- 08.02.2017

Oral Order :-

1. Heard Shri P.V. Suryawanshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 & 2.
2. Today, Shri Shamsundar B. Patil, learned Advocate has filed his V.P. for respondent nos. 3 to 5. It is taken on record.
3. At the request of learned Advocate for res. nos. 3 to 5, S.O. to 2.3.2017 for filing affidavit in reply.

MEMBER (J)

ARJ ORAL ORDERS 8.2.2017

MA 123/2014 IN OA 227/2014

[Jijabrao D. Khairnar Vs. the State of Mah. & Ors.]

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

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

DATE :- 08.02.2017

Oral Order :-

1. Heard Shri N.B. Jadhav, learned Advocate for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Nitin B. Patil, learned Advocate holding for Shri P.B. Patil, learned Advocate for respondent no. 4.

2. Considering all the material on record and finding that the present applicant had applied for the post of Peon and upon collecting all the necessary documents through Right to Information Act, 2005, he had ultimately filed the present misc. application for condonation of delay caused in filing the original application, the misc. application is allowed and disposed of. Delay of 360 days caused in filing the original application is condoned. There shall be no order as to costs.

3. The office is directed to place the original application on board for admission hearing on 23.2.2017.

MEMBER (J)

ARJ ORAL ORDERS 8.2.2017

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

ORIGINAL APPLICATION No.80/2017.

(Shri S.C. Chavan 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 : 08.02.2017.

ORAL ORDER:-

Heard Shri K. B. Jadhav, learned Advocate for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant's submission would show that, in the advertisement for the post of Forest Guard no post was shown reserved for VJNT-A category. The result of the running test however would show that, from the said category the candidates were to be selected to the post of Forest Guard. As there was no publication of selecting candidate from the said reserved category, Non-Creamy Layer certificate was not produced by the applicant. He stood first in the running test, as can be seen from Annexure A-6. However, Annexure A-7 would show that, since Non-Creamy Layer certificate was not supplied by applicant, he was declared as disqualified from the further process. In the meantime the applicant secured Non-Creamy Layer certificate. He was however, already disqualified.

Advocate Mr. K. B. Jadhav on instructions makes a statement that though in the advertisement Annexure-A-2 the programme is published, which would show that, next of the test of 25/16 kms running was to be held on 10.12.2016 and 11.12.2016 those tests are yet to be held. He further submit that, Respondent no.4 who is declared to be qualified by the Respondents from the VJNT-A category did not even qualify in the running test as can be seen from Annexure A-6.

3. Upon hearing Advocate Mr. K. B. Jadhav, as the next of the process is not yet started, it is hereby directed that, notices be issued to the Respondents, returnable on 22.2.2017. In the meantime, in case the next of the running test is held the Respondents are directed to permit the present applicant to participate in the same, upon accepting Non-Creamy Layer certificate regarding the applicant.

4. Issue notices to the Respondents, returnable on 22.2.2017.

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

6. Authorization for service of notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.
7. The service of notice may be done by the applicant by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry as far as possible before the due date.
8. Affidavit of service be filed one week before due date.
9. Learned P.O. is directed to communicate this order.
10. Affidavit in reply be filed before due date.
11. Steno copy and Hamdast is allowed to both parties.
12. S.O. to 22.2.2017.

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

ORIGINAL APPLICATION No.715/2016.

(Shri V. H. Patil & 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 : 08.02.2017.

ORAL ORDER:-

Heard Shri S. D. Dhongde, learned Advocate for the Applicants and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Liberty to make amendment in the prayer clause "B' is hereby granted.
3. At the request of the learned P.O. time to file affidavit in reply is granted.
4. S.O. to 22.3.2017.

MEMBER (J).

ORAL ORDERS 8-2-2017-ATP

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

ORIGINAL APPLICATION No.831/2016.

(Shri Pathan Hares Khan 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 : 08.02.2017.

ORAL ORDER:-

Heard Miss Bhavna Panpatil, learned Advocate holding for Shri S. B. Talekar, learned Advocate for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.

2. The learned P.O. submit that he will have to make the scrutiny of the affidavit in reply.

3. At the request of learned P.O., S.O. to 28.2.2017.

MEMBER (J).

ORAL ORDERS 8-2-2017-ATP

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

MA NO.19/2015 IN MA NO.289/12 IN OA ST.628/2012.

(Shri Raju M. Girbone & 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 : 08.02.2017.

ORAL ORDER:-

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

2. Nobody has appeared on 18.11.2016 also. In the circumstances, S.O. to 1.3.2017 for hearing or for passing necessary order.

MEMBER (J).

ORAL ORDERS 8-2-2017-ATP

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

ORIGINAL APPLICATION No.797/2016.

(Shri Gaurav A. Chavan 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 : 08.02.2017.

ORAL ORDER:-

Heard Smt. S.C. Thombre, learned Advocate holding for Shri C. V. Thombre, learned Advocate for the Applicant and Smt. P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 15.3.2017.

MEMBER (J).

ORAL ORDERS 8-2-2017-ATP

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

ORIGINAL APPLICATION No.872/2016.

(Shri Salim Shaikh & 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 : 08.02.2017.

ORAL ORDER:-

Heard Shri V. G. Pingale, 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. time to file the affidavit in reply is granted.

3. S.O. to 23.3.2017.

MEMBER (J).

ORAL ORDERS 8-2-2017-ATP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 514/2015
[Dr. Balaji S. Bahure Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Shri J.S. Deshmukh, 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 14.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 662/2015
[Dr. Pandurang Bharmal & Ors. Vs. The State of Mah. &
Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Shri J.S. Deshmukh, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1 to 4. Shri S.T. Shelke, learned Advocate for respondent no. 5, **absent**.

2. At the request of learned Advocate for the applicant, S.O. to 14.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 634/2016
[Dr. S. Shailaja Kuppaswamy Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Shri J.S. Deshmukh, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 642/2016
[Dr. Sanjay Ghogre & Ors. Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Shri J.S. Deshmukh, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 741/2016
[Dr. Varsha V. Rote Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

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

2. At the request of learned Advocate for the applicant, S.O. to 14.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 682/2015
[Shri Bapu Y. Sole & Ors. Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Heard Smt. Vinaya Muley-Dharurkar, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

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

3. At the request of learned Advocate, S.O. to 09.02.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 225/2016
[Smt. Rukhmin R. Dudhate Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Shri Vivek Deshmukh, learned Advocate for the Applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 & 2 and Shri K.G. Salunke, learned Advocate for respondent no. 3, are present.

2. The learned Advocate for respondent no. 3 seeks time to file affidavit in reply. Time granted as a last chance.

3. S.O. to 24.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 382/2016
[Shri Raju R. Dagadghate Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent nos. 1 & 2. Shri Ashish B. Rajkar, learned Advocate for respondent no. 3, absent.

2. The learned Presenting Officer seeks time to file short affidavit on behalf of respondent no. 2. Time granted.

3. S.O. to 28.02.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 387/2016
[Dr. Nomani M. Mufti Tahair Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Heard Smt. Vinaya Muley-Dharurkar, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

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

3. S.O. to 23.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 653/2016
[Smt. Sandhya B. Thakre Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Heard Shri A.P. Sonpethkar, learned Advocate holding for Shri P.N. Sonpethkar, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, 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 30.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-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 : 08.02.2017.

ORAL ORDER:

Shri V.G. Pingle, learned Advocate for the Applicant (**Absent**). Shri D.R Patil, learned Presenting Officer for respondent nos. 1 & 2, present.

2. Learned Advocate Shri Shamsundar B. Patil, appeared on behalf of respondent no. 3 and filed Vakalatnama. It is taken on record. He seeks time to file affidavit in reply on behalf of respondent no. 3. The learned Presenting Officer also seeks time to file affidavit in reply on behalf of respondent nos. 1 & 2. Time granted.

3. S.O. to 02.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 718/2016
[Shri Ashok T. Bari & Ors. Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Shri S.S. Deshmukh, learned Advocate for the Applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 & 2. It is taken on record.

3. S.O. to 22.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 812/2016
[Dr. Vijay M. Katte Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Heard Shri A.D. Gadekar, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 1 to 6. It is taken on record and the copy thereof has been served upon the learned Advocate for the applicant.

3. The learned Advocate for the applicant submits that he will go through the affidavit in reply and will file rejoinder affidavit, if necessary.

4. S.O. to 22.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

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

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

DATE : 08.02.2017.

ORAL ORDER:

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

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

3. S.O. to 01.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 853/2016
[Shri Sunil Poslya Gavit Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Shri Y.B. Bolkar, learned Advocate for the Applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for respondents, present.

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

3. S.O. to 30.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 862/2016
[Shri Shimant G. Gaikwad Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

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

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

3. S.O. to 22.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 917/2016
[Shri Suryakant G. Revalkar Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Shri R.N. Bharaswadkar, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

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

3. S.O. to 24.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 20/2017
[Shri Kishor J. Padvi Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

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

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

3. S.O. to 14.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 475/2016 in O.A. St. No. 2087/2016
[Shri Naresh G. Khardekar Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Smt. Vidya Taksal, learned Advocate holding for Ms. Preeti R. Wankhade, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents in M.A. Time granted.

3. S.O. to 24.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. St. No. 1377/2015 in O.A. St. No. 942/2015
[Miss Chaya B. Dhabadge Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

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

2. The learned Presenting Officer submits that he will file affidavit in reply during the course of the day.

3. S.O. to 16.02.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

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

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

DATE : 08.02.2017.

ORAL ORDER:

Shri S.R. Dheple, learned Advocate for the Applicant (**Leave Note**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents, present.

2. In view of the leave note filed by the learned Advocate for the applicant, S.O. to 20.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**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 : 08.02.2017.

ORAL ORDER:

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

2. The learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted.

3. S.O. to 21.03.2017.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 49/2017 in O.A. St. No. 160/2017
[Smt. Meena Ram Fattelashkari Vs. The State of Mah. &
Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting officer for the respondents.

2. Issue notices to the respondents in M.A., returnable on 10.03.2017.

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 M.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

//2//

M.A. 49/2017 in
O.A. St. 160/2017

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. Steno copy and Hamdast is allowed to both parties.

8. S.O. to 10.03.2017.

MEMBER (J)

ORAL ORDERS 08.02.2017-KPB(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 55/2017 in O.A. St. No. 167/2017
[Shri Abhimanyu S. Kalyan Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Shri S.R. Barlinge, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting officer for the respondents, present.

2. Issue notices to the respondents in M.A., returnable on 23.03.2017.

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 M.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

//2//

M.A. 55/2017 in
O.A. St. 167/2017

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. Steno copy and Hamdast is allowed to both parties.

8. S.O. to 23.03.2017.

MEMBER (J)

ORAL ORDERS 08.02.2017-KPB(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 47/2017 in O.A. St. No. 116/2017
[Shri Badrinath Yamaji Ghongade & Ors. Vs. The State of
Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

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

2. For the reason stated in the application and considering the fact that the relief claimed by all the applicants are similar in nature and hence, the M.A. for sue jointly is allowed and the same stands disposed of.

MEMBER (J)

ORAL ORDERS 8.2.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 116 OF 2017
[Shri Badrinath Yamaji Ghongade Vs. The State of Mah. &
Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting officer for the respondents, present.

2. Issue notices to the respondents, returnable on 02.03.2017.

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 O.A. 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. Steno copy and Hamdast is allowed to both parties.

8. S.O. to 02.03.2017.

MEMBER (J)

ORAL ORDERS 08.02.2017-KPB(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 937/2016
[Shaikh Shaharukh Shaikh Taher & Ors. Vs. The State of
Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Heard Shri P.V. Suryawanshi, learned Advocate for the Applicants and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Today, the learned Presenting Officer has filed separate affidavit in replies on behalf of respondent nos. 3, 4 and 5, respectively. The same are taken on record and the copies thereof have been served upon the learned Advocate for the applicant.

3. The applicants are working as Part Time Sweepers on different establishments. They have claimed benefit regarding payment of wages in view of the Government Notification dated 28.09.2010. It is their contention that the respondent authorities are not following the rules and regulations for implementing notification dated 28.09.2010 and therefore, sought direction in that regard.

4. The respondent no. 3 in his affidavit in reply in paragraph no. 7 has contended that it had extended the benefit of notification dated 28.09.2010 to the applicant nos. 1 and 2.

5. The respondent no. 4 in his affidavit in reply in paragraph no. 8 submitted that it has extended the benefit as per notification dated 28.09.2010 to the applicant no. 3 Smt. Kantabai Jagdish Dhole and complied the said notification.

6. The respondent no. 5 has not extended the benefit as per notification dated 28.09.2010 to the applicant Nos. 4 to 6.

7. The learned Advocate for the Applicants submits that the Tribunal has extended the benefits of said G.R. to various employees in different O.As. i.e. O.A. Nos. 192/2015, 166/2016, 34/2016, 474/2016. He has invited my attention towards copies of the order passed by this Tribunal in O.A. Nos. 192/2015, 166/2016, 34/2016, 474/2016. There is no reason why the remaining applicants i.e. applicant nos. 4 to 6 have not been given benefit as per said notification dated 28.09.2010 in spite of specific directions given by this

Tribunal in O.A. Nos. O.A. Nos. 192/2015, 166/2016, 34/2016, 474/2016. Not only this, but on perusal of the order passed by this Tribunal in O.A. No. 402/2015, it appears that the specific direction has been given to the respondent no. 2 i.e. the Director General of Police, Mumbai Region, Mumbai to ensure that the benefit of this order are available across the Police Establishment to all similarly placed Part Time Sweepers. In spite of that the respondent no. 2 has not taken necessary steps and therefore, the applicants have approached again and again to this Tribunal.

8. This Tribunal time and again directed the respondents regarding granting of the benefit of said notification to all the part time sweepers and the similarly situated persons. Therefore, it is just to allow the present O.A. with a direction to the respondent no. 5 to extend the benefits of wages to the applicant nos. 4 to 6 as per notification dated 28.09.2010.

9. The O.A. is allowed and the respondent no. 5 is directed to extend the benefits of notification dated 28.09.2010 and hence, the O.A. stands disposed of with no order as to costs.

MEMBER (J)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 877 OF 2016
[Shri Rajesh Natu Ahire Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting officer for the respondents.

2. The learned Advocate for the applicant seeks permission to withdraw the present original application as the purpose of filing of the same has been served. He has placed on record the pursis signed by the applicant along with relevant documents i.e. the order dated 17.01.2017 issued by the Joint Director (Dental), Medical Education and Research, Mumbai. It is taken on record and marked as Exhibit-X for the purposes of identification.

3. In view of above, the Original Application stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORAL ORDERS 02.02.2017-KPB(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 883 OF 2016
[Shri Dahraj Sukdev Mahale Vs. The State of Mah. & Ors.]**

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

DATE : 08.02.2017.

ORAL ORDER:

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting officer for the respondents.

2. The learned Advocate for the applicant seeks permission to withdraw the present original application as the purpose of filing of the same has been served. He has placed on record the pursis signed by the applicant along with relevant documents i.e. the order dated 17.01.2017 issued by the Joint Director (Dental), Medical Education and Research, Mumbai. It is taken on record and marked as Exhibit-X for the purposes of identification.

3. In view of above, the Original Application stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORAL ORDERS 02.02.2017-KPB(SB)