

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

**M.A. NO. 69/2015 IN OA ST. 1103/2014**

[Shri Khan Muzafar Ali 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 :- 08.03.2017**

**Oral Order :-**

1. None appears for the applicant. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, is present.
2. This misc. application has been filed by the applicant for condonation of one year, five months' and thirteen days' delay caused in filing the accompanying original application before the Tribunal.
3. The history of the case would show that for a period of last 6 months none is appearing for the applicant. In the circumstances, the misc. application is dismissed in default.
4. In view of dismissal of misc. application in default, which is filed by the applicant for condonation of delay caused in filing the original application, the registration of the original application is refused. There shall be no order as to costs.

**MEMBER (J)**

ARJ ORAL ORDERS 8.3.2017

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

**M.A. NO. 328/16 WITH MA ST. 1353/16 IN OA ST.  
1354/16**

[Maharashtra Rajya Rojandari Va Kayam Van Kamgar Kruti  
Samiti through General Secretary 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 :- 08.03.2017**

**Oral Order :-**

1. None appears for the applicants. Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.
  
2. The learned Presenting Officer has filed affidavit in reply on behalf of res. nos. 1 to 4. It is taken on record. He undertakes to serve copy thereof upon the learned Advocate for the applicants.
  
3. As none appears for the applicants, S.O. to 5.4.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 8.3.2017

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

**M.A. NO. 351/2016 WITH MA ST. 1540/2016 IN CP ST.  
1541/2016 IN OA 571/2012**

[Shri Jagannath N. Ghatge & Ors. Vs. 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 :- 08.03.2017**

**Oral Order :-**

1. None appears for the applicant. Heard Shri B.R. Survase, learned Advocate for respondent no. 1 and Shri M.P. Gude, learned Presenting Officer for the respondent nos. 2 & 3, are present.

2. The M.A. No. 351/2016 has been filed by the applicant for condonation of 365 days delay caused in filing the M.A. st. No. 1540/2016 for seeking permission of the Tribunal to file C.P. St. 1541/2016 against the respondents for non compliance of the order dated 20.11.2013 passed by this Tribunal in O.A. no. 571/2012.

3. Perused the affidavit in reply filed by the res. no. 1 in the misc. application no. 351/2016. The res. no. 1 has tendered his unconditional apology for complying the order of the Tribunal belatedly. It is accepted. It appears that the

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**M.A. NO. 351/16 WITH**  
**MA ST. 1540/16 IN CPST.154**  
**1/16 IN OA 571/12**

order passed by this Tribunal on 20.11.2013 in O.A. no. 571/2012 is already complied with though belatedly.

4. In the above circumstances, M.A. no. 351/2016, which is filed for condonation of 365 days caused in filing M.A. for permission to file C.P. against the respondents, the M.A. St. No. 1540/2016, which is filed for permission to file C.P. against the respondents for non compliance of the order of this Tribunal and C.P. St. No. 1541/2016 itself are disposed of without any order as to costs.

**MEMBER (J)**

ARJ ORAL ORDERS 8.3.2017

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

**M.A. NO. 63/2017 IN REV. 11/2016 IN OA 01/2012**

[Shri Kailas P. Bodkhe 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 :- 08.03.2017**

**Oral Order :-**

1. Heard Shri Kakasaheb Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.
2. This M.A. has been filed by the applicant for permission to add 'Shri Shivaji Madhukar Jadhav' as respondent no. 3 in the Review Application no. 11/2016.
3. Perused the M.A. Considered the contentions.
4. Since the proposed respondent no. 3 - 'Shri Shivaji Madhukar Jadhav' was already party respondent in the O.A. no. 1/2012, permission to add him as res. no. 3 in the Review Application is granted. The said amendment be carried out in the Review Application during the course of the day.
5. After the said amendment is carried out, issue notices to said newly added res. no. 3 in the Rev. Application, returnable on 12.4.2017.

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 Rev. Application. Respondent is 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 question 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. 12.4.2017.

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

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO. 31/2017**

[Shri Subhash R. Gutte 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 :- 08.03.2017**

**Oral Order :-**

1. Heard Shri S.P. Dhoble, learned Advocate holding for Shri A.V. Patil (Indrale), learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of Shri Dhoble, learned Advocate holding for Shri Patil (Indrale), learned Advocate for the applicant, S.O. to 17.3.2017.

3. Office is directed to tag the connected matter i. e. O.A. no. 159/2016 along with this O.A., on the next date.

**MEMBER (J)**

ARJ ORAL ORDERS 8.3.2017

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

**MA 234/2016 IN OA ST. 629/2016**

[Shri Chous Galeb Ahmed Amodi 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 :- 08.03.2017**

**Oral Order :-**

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
  
2. The learned Presenting Officer seeks time to file affidavit in reply in the original application as sought earlier as per the order dated 8.2.2017.
  
3. S.O. to 5.4.2017.
  
4. Steno copies of this order and also the order of 8.2.2017 be supplied to the learned Presenting Officer for the respondents.

**MEMBER (J)**

ARJ ORAL ORDERS 8.3.2017

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

**MA 446/2016 IN CP ST. 1979/2016 IN OA 227/2015**

[Shri Kacheshwar B. Pawar 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 :- 08.03.2017**

**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 Advocate, on instructions from the applicant, submits that, though there is revision in the pension, the benefits of leave encashment upon revision of the original pay scale of the applicant is yet to be granted and the applicant has made application with the respondents on 14.2.2017 in that regard.
3. The learned Presenting Officer seeks time to take instructions from the concerned respondents in this regard. At his request, S.O. to 10.3.2017.
4. Steno copy allowed for the use of learned Presenting Officer for the respondents.

**MEMBER (J)**

ARJ ORAL ORDERS 8.3.2017

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

**ORIGINAL APPLICATION NO. 580/2016**

[Shri Mayuresh R. Lohar 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 :- 08.03.2017**

**Oral Order :-**

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

2. The learned Advocate for the applicant submits that he will have to take instructions as to whether the original application can be withdrawn or not ? At his request, S.O. to 24.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 8.3.2017

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

**ORIGINAL APPLICATION NO. 134/2015**

[Malu Durgadas Pawar Vs. the State of Mah. & Ors.]

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

**DATE :- 08.03.2017**

**Oral Order :-**

1. Heard Shri M.C. Ghode, learned Advocate holding for Shri D.M. Shinde, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. At the request of Shri Ghode, learned Advocate holding for Shri Shinde, learned Advocate for the applicant, S.O. to 14.3.2017.

**MEMBER (J)**

ARJ ORAL ORDERS 8.3.2017

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

**ORIGINAL APPLICATION NO. 707/2013**

[Dr. Rekha A. Salunkhe Vs. the State of Mah. & Ors.]

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

**DATE :- 08.03.2017**

**Oral Order :-**

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

2. The learned Presenting Officer submits that directions may be given to the res. nos. 1 to 4 as prayed by the applicant i.e. to decide the representation submitted by the applicant on 19.3.2013. It is pertinent to note that despite lapse of long time, no decision is taken by the res. nos. 1 to 4 in the matter. In fact, if the res. nos. 1 to 4 find that directions issued by this Tribunal would be followed, it is very surprising to note that as to why they are not taking a decision and awaiting for order from the Tribunal.

3. In the circumstances, S.O. to 27.3.2017 with a direction to res. nos. 1 to 4 to take steps positively in the matter and submit the compliance report before the Tribunal on the next date. In case of failure, coercive action like

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**O.A. NO. 707/2013**

calling the responsible respondent to personally appear before the Tribunal or any other steps as permissible under Law will be taken.

4. The learned P.O. is directed to communicate this order to res. nos. 1 to 4.

5. Steno copy allowed for the use of learned Presenting Officer.

**MEMBER (J)**

ARJ ORAL ORDERS 8.3.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A.No.96/2017 IN O.A.St.No.310/2017**  
(Smt. Lata B. Darade V/s. The State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

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

2. Issue notice to the respondents in the M.A., returnable on 13<sup>th</sup> 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, 988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O.to 13<sup>th</sup> April 2017.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

YUK ORAL ORDER 08-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**M.A.No.97/2017 IN O.A.St.No.162/2017**  
(Shri Bhaudas D. Vaishnav V/s. State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

Heard Ku. 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 the respondents.

2. Issue notice to the respondents in the M.A., returnable on 13<sup>th</sup> 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, 988, and the questions such as limitation and alternate remedy are kept open.

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

7. S.O.to 13<sup>th</sup> April 2017.

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

**MEMBER (J)**

YUK ORAL ORDER 08-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

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

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

DATE : 08-03-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant prays for leave to further amend the M.A. as well as the O.A. Leave as prayed for is granted.

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

YUK ORAL ORDER 08-03-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.255/2016**  
(Shri Harikishan S. Maher V/s. State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

Heard Shri M.A.Matkar learned Advocate holding for Shri R.V.Gore learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for the respondent nos.1 and 2 and Shri V.B.Wagh learned Advocate for respondent no.3.

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

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

YUK ORAL ORDER 08-03-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.421/2016**  
(Shri Sachin V. Khillare V/s. The State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

Heard Shri V.B.Wagh learned Advocate for the applicant, Shri M.P.Gude learned Presenting Officer for the respondent. Shri Sham Patil learned Advocate for respondent no.2 is **absent**.

2. Learned Advocate for the applicant has produced G.R. dated 21-03-2013. It is taken on record. Copy thereof has been served on the learned P.O.

3. S.O.17-03-2017.

YUK ORAL ORDER 08-03-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.518/2016**  
(Shri Bharat P. Patil V/s. The State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

Shri S.S.Bora learned Advocate for the applicant is **absent.**

Heard Smt. Priya Bharaswadkar learned Presenting Officer for the respondent nos.1 to 3 and Shri D.A.Madake learned Advocate holding for Shri Girish Nagori learned Advocate for respondent no.4.

2. Learned P.O. files affidavit in reply on behalf of respondent no.3. It is taken on record. Copy thereof has been served on the other side.

3. Learned P.O. states that reply of respondent nos.1 and 2 is not necessary.

4. S.O.17-04-2017 for filing rejoinder, if any.

**MEMBER (J)**

YUK ORAL ORDER 08-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.826/2016**  
(Shri Laxman B. Parandkar V/s. The State of Mah. &  
Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

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

2. Learned P.O. seeks time to file reply on behalf of the respondent no.1. Time granted.

3. S.O.21-03-2017.

**MEMBER (J)**

YUK ORAL ORDER 08-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.838/2016**  
(Dr. Deepak S. Thakare V/s. The State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

Heard Shri J.B.Choudhary learned Advocate for the applicant, Shri S.K.Shirse learned Presenting Officer for the respondent nos.1 to 3 and Smt. Vaishali S. Choudhary learned Advocate for respondent no.4.

2. Learned P.O. files 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.05-04-2017 for filing rejoinder, if necessary.

**MEMBER (J)**

YUK ORAL ORDER 08-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

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

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

DATE : 08-03-2017

**ORAL ORDER:-**

Heard Shri J.B.Choudhary learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for the respondent nos.1 to 3 and Smt. Vaishali S. Choudhary learned Advocate for respondent no.4.

2. Learned P.O. files 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.05-04-2017 for filing rejoinder, if necessary.

**MEMBER (J)**

YUK ORAL ORDER 08-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.890/2016**  
(Shri Subhash P. Jaikar V/s. The State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

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

2. Learned P.O. has submitted that bills are sent to the office of District Forest Officer (DFO), Beed i.e. respondent no.2 for approval and passing bills. Approval for the same of the D.F.O. is awaited.

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

YUK ORAL ORDER 08-03-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.893/2016**  
(Shri Vijay N. Chavan V/s. The State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

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

2. Today, learned Advocate for the applicant has filed proof of service of notice.

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

4. S.O.10-04-2017.

YUK ORAL ORDER 08-03-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.911/2016**  
(Shri N.P.Kokane V/s. The State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

Heard Shri R.V.Naiknavare 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.10-04-2017.

YUK ORAL ORDER 08-03-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.912/2016**  
(Shri R.G.Kulkarni V/s. The State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

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

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

3. S.O.10-04-2017.

**MEMBER (J)**

YUK ORAL ORDER 08-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.948/2016**  
(Shri Hemant Bichkewar V/s. The State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

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

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

YUK ORAL ORDER 08-03-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.915/2016**  
(Shri Bhaskar A. Gaikwad V/s. The State of Mah. &  
Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

Shri A.S.Gandhi learned Advocate for the applicant is **absent**. Shri D.R.Patil learned Presenting Officer for the respondents is present.

2. None is present for the applicant. This O.A. is filed in December, 2016. It appears that respondents are not served with the notice till date.

3. Hence, S.O.13-04-2017 for dismissal.

YUK ORAL ORDER 08-03-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.844/2016**  
(Shri Deelip Padle V/s. The State of Mah. & Ors.)

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

DATE : 08-03-2017

**ORAL ORDER:-**

Heard Shri G.J.Karne learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for the respondents.

2. Respondent nos.3 and 4 have filed their affidavit in reply. It is taken on record. Copy thereof has been served on the other side.

3. Respondent nos.1 and 2 have not filed their reply affidavit till date though ample opportunity was given to them.

4. Applicant has prayed for direction of the Tribunal directing respondent nos.2 to 4 to consider and decide the application filed by him for appointment on compassionate ground treating him as eligible for the same.

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O.A.No.844/16

5. Respondent nos.3 and 4 have filed their reply affidavit today and submitted that the applicant has filed application for appointment on compassionate ground within one year after attaining age of majority. After scrutiny of the application, proposal was submitted to the respondent no.2 on 15-09-2005 and the same is pending before the respondent no.2, the Collector, since then.

6. It is evident that decision has not been taken till date in the matter, though proposal is pending before the Collector for more than a decade. It shows lethargy on the part of the respondent no.2. Therefore, it will be just and proper to direct respondent no.2 to take decision on the proposal sent by respondent nos.2 and 3 on 15-05-2005 within 2 months from the date of this order. Decision in this regard be communicated to the applicant in writing. O.A. stands disposed of accordingly, with no order as to costs.

**MEMBER (J)**

YUK ORAL ORDER 08-03-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 46/2017  
[Dr. Pramod A. Mhaske & Ors. Vs. The State of Mah. &  
Ors.]**

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

**DATE : 08.03.2017.**

**ORAL ORDER:**

Shri V.B. Wagh, learned Advocate for the Applicant and Shri S.K. Shirse, 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 10.04.2017.

**MEMBER (J)**

**ORAL ORDERS 8.3.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 353/2016 in O.A. St. No. 1548/2016  
[Shri Shubhamangal S. Bhakt Vs. The State of Mah. &  
Ors.]**

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

**DATE : 08.03.2017.**

**ORAL ORDER:**

Heard Shri M.B. Kolpe, 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 nos. 2 and 3. 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 for the applicant, S.O to 11.04.2017.

**MEMBER (J)**

**ORAL ORDERS 8.3.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. 378/16 with M.A. St. 1633/16 in O.A. St. 1634/16  
[Shri Vyankat S. More & Ors. Vs. The State of Mah. & Ors.]**

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

**DATE : 08.03.2017.**

**ORAL ORDER:**

Heard Shri T.B. Bhosale, learned Advocate for the Applicant and Shri S.K. Shirse, 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 22.03.2017.

**MEMBER (J)**

**ORAL ORDERS 8.3.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 441/2016 in O.A. St. No. 1841/2016  
[Shri Mahdukar R. Dusane Vs. The State of Mah. & Ors.]**

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

**DATE : 08.03.2017.**

**ORAL ORDER:**

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

2. At the request of learned Advocate for the applicant, S.O to 05.04.2017.

**MEMBER (J)**

**ORAL ORDERS 8.3.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 59/2016  
[Smt. Laxmibai D. Waghmare Vs. The State of Mah. & Ors.]**

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

**DATE : 08.03.2017.**

**ORAL ORDER:**

Shri V.S. Panpatte, learned Advocate for the Applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 07.04.2017.

**MEMBER (J)**

**ORAL ORDERS 8.3.2017-KPB(SB)BPP**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 165/2016  
[Shri Shashikant M. Ghoshir Vs. The State of Mah. & Ors.]**

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

**DATE : 08.03.2017.**

**ORAL ORDER:**

Shri Kiran B. Jadhavar, learned Advocate for the Applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondents, present.

2. On 18.08.2016, 28.09.2016, 8.11.2016, 9.12.2016 & 31.01.2017 the applicant and his counsel were absent. Today, also none appeared for the applicant. The applicant is not interested to prosecute the O.A.

3. Hence, S.O. to 07.04.2017 for dismissal.

**MEMBER (J)**

ORAL ORDERS 8.3.2017-KPB(SB)BPP

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 328 OF 2016**

**(Shri Kalidas Niwarati Jadhav Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 08.03. 2017.**

**ORAL ORDER:**

1. Shri Ganesh J. Kore – learned Advocate for the applicant (**absent**). Shri I.S. Thorat – learned Presenting Officer for the respondents, present.

2. It transpires from the proceedings that the copy of memo of Original Application along with annexures has not served to the respondent No. 3 i.e. the Accountant General Office, Pension Branch Office, Nagpur. However, the learned Presenting Officer has undertaken to supply the copy of the memo of the O.A. along with annexures to the office of Accountant General, Nagpur, so that the respondent No. 3 will be enable to file affidavit in reply in the matter.

3. Since nobody appears for the applicant, S.O. to 17<sup>th</sup> April, 2017.

4. Steno copy be provided to the learned Presenting Officer, at his request.

**MEMBER (J)**

ORAL ORDERS 08.03.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 813 OF 2016**

**(Shri Avinash V. Gangode Vs. The State of Maharashtra  
and Others.)**

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

**DATE : 08.03. 2017.**

**ORAL ORDER:**

1. Heard Shri Avinash S. Deshmukh – learned Advocate for the applicant and Shri M.S. Mahajan – learned Chief Presenting Officer for respondent Nos. 1 & 2. None appears for respondent Nos. 3 & 4.
2. At the request and by consent of both the parties, S.O. to 29<sup>th</sup> March, 2017 for final hearing.

**MEMBER (J)**

ORAL ORDERS 08.03.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 792 OF 2016**

**(Smt. Sarika Bhaskar Wandhekar Vs. The State of  
Maharashtra and Others.)**

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

**DATE : 08.03. 2017.**

**ORAL ORDER:**

1. Heard Shri V.B. Wagh – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents, present.
2. At the request of learned Advocate for the applicant, S.O. to 15<sup>th</sup> March, 2017.

**MEMBER (J)**

ORAL ORDERS 08.03.2017- HDD(SB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 383 OF 2016**

**(Shri Anil Guna Tayade Vs. The State of Maharashtra and  
Others.)**

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

**DATE : 08.03. 2017.**

**ORAL ORDER:**

1. Heard Shri Chetan T. Jadhav – learned Advocate for the applicant, Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for respondent Nos. 1 to 3 and Shri Vishnu M. Jaware – learned Advocate for respondent No. 4.

2. Learned Advocate for the applicant submitted that the Sub-Divisional Officer i.e. respondent No. 3 has to verify the Character of the candidates, who passed the written test and they have to produce the Character certificate from the Police Authorities, as per clause, in advertisement. Without following the said procedure, Sub Divisional Officer has selected the respondent No. 4 and published the list accordingly. He has submitted that the applicant has raised the objection dated 25.4.2016 before the Sub Divisional Officer, but objection raised by the applicant has not been considered by the Sub Divisional Officer till today and the same is pending.

3. Learned Presenting Officer has submitted that the objection raised by the applicant is not yet decided by the Sub Divisional Officer. He further submitted that the Sub Divisional Officer be directed to take decision on the objection raised by the applicant.

4. Learned Advocate for the respondent No. 4 submitted that respondent No. 4 has also objected for the candidature of

**O.A. NO. 383 OF 2016**

the applicant on the ground that he is affiliated to the political party. Accordingly, he filed complaint application on 27.1.2016 before the Sub Divisional Officer i.e. respondent No. 3 and Sub Divisional Officer has not decided the same till today.

5. The aforesaid submission made on behalf of respondent No. 4 cannot be taken into consideration in the present case, as the respondent No. 1 has not challenged the said fact independently. The present case pertains to challenge to the selection of the respondent No. 4 on the post of Police Patil of village Vichwa, Tq. Bodwad, Dist. Jalgaon. Therefore, the request made by respondent No. 4 cannot be considered in this application.

6. Considering the said fact and the submissions made by learned Presenting Officer, it will be just and proper to direct respondent No. 3, the Sub Divisional Officer, Bhusawal, Tq. Bhusawal, District Jalgaon, to decide the objection/representation dated 25.4.2016 raised by the applicant on merit by giving an opportunity to both the parties. This exercise shall be completed within a period of four weeks.

7. S.O. to 11<sup>th</sup> April, 2017.

8. The present case be treated as part heard.

9. Steno copy be provided to the learned Presenting Officer for the respondent Nos. 1 to 3, at his request.

**MEMBER (J)**

ORAL ORDERS 08.03.2017- HDD(SB)

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

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**MA NO.98/2017 IN CP ST.NO.317/17 IN  
TA No.1/2014 (WP NO.2104/2013)**

(Shri R. Y. Khotkar Vs. State of Mah.& Ors.)

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**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** : 08.03.2017.

**ORAL ORDER:-**

Heard Shri S. D. Dhongde, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. It is surprising to note that, the directions of this tribunal in T.A. No.1/2014 was only for acting on the instructions of the superior of Respondent no.3 Mr. A. R. Mande. The present application shows that, the directions of the present Tribunal to follow the directions of the superior is also not followed by the Respondent no.3 Mr. A.R. Mande even after the lapse of around five months.

3. It thus appears fit case for grant of permission to file contempt petition against Respondent no.3 Mr. A. R. Mande. However, before taking the said action it is necessary to issue notice to him. In the circumstances, issue notice only to Respondent no.3 Mr. A. R. Mande, returnable on 30.3.2017.

4. S.O. to 30.03.2017.

**MEMBER (J).**

ORAL ORDERS 08-03-2017-ATP

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

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**ORIGINAL APPLICATION NO. 80/2016.**

(Shri D. L. Ghuge Vs. State of Mah.& Ors.)

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**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** : 08.03.2017.

**ORAL ORDER:-**

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

2. Learned P.O. files on record the communication received to him from Respondent no.3 i.e. the next meeting of the D.P.C. the case of the present applicant for promotion would be considered.

3. Reading of the order dated 23.9.2016 would show that, the Presenting Officer has received the instructions at that time also that the next meeting of D.P.C. was expected to be held in December, 2016 and case of the present applicant would be placed before it for consideration.

4. It appears that, the Respondent no.3 is advancing only the promises after promises in the case.

5. In the circumstances, Respondent no.3 to explain as to when definitely the next meeting of the D.P.C. would be held, otherwise this Tribunal would be constrained to secure personal appearance of the Respondent no.3 and / or take coercive action against the Respondent no.3.

6. At the request of the learned P.O.,S.O. to 5.4.2017 for taking instructions in this regard.
7. Learned P.O. is directed to act on the Steno copy.

**MEMBER (J).**

ORAL ORDERS 08-03-2017-ATP

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

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**ORIGINAL APPLICATION NO.134/2016.**

(Shri M. S. Rajput Vs. State of Mah.& Ors.)

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**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** : 08.03.2017.

**ORAL ORDER:-**

Heard Shri A. S. Deshmukh, learned Advocate for the applicant, Smt S. K. Ghate Deshmukh, learned Presenting Officer for the Respondents no.1 to 3 and Shri K. B. Jadhav, learned Advocate for the Respondent no.4.

2. The pleadings are complete. The arguable case is made out.
3. Admit.
4. Learned P.O. waives the notice for the respondents upon admission hearing.
5. The matter is kept for final hearing in due course of time.

**MEMBER (J).**

ORAL ORDERS 08-03-2017-ATP

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

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**ORIGINAL APPLICATION NO. 696/2016..**

(Shri P. D. Ahirrao Vs. State of Mah.& Ors.)

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**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** : 08.03.2017.

**ORAL ORDER:-**

Heard Shri M. R. Wagh, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the Respondents.

2. Learned P.O. files on record a communication received to her from the Respondent no.3 to the effect that, he/she has sent the proposal to the superior and some time is required for taking decision in the matter.

3. At her request, S.O. to 6.4.2017.

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

**MEMBER (J).**

ORAL ORDERS 08-03-2017-ATP

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

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**ORIGINAL APPLICATION NO.773/2016.**

(Shri G. D. Nagargoje Vs. State of Mah.& Ors.)

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**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** : 08.03.2017.

**ORAL ORDER:-**

Heard Shri G. J. Karne, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for the Respondents.

2. The pleadings are complete. The arguable case is made out.
3. Admit.
4. Learned P.O. waives the notice for the respondents upon admission hearing.
5. The matter is kept for final hearing as and when the Division Bench is available.
6. Interim relief to continue till further order.

**MEMBER (J).**

ORAL ORDERS 08-03-2017-ATP

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

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**ORIGINAL APPLICATION NO.932/2016.**

(Shri S. A. Shisode Vs. State of Mah.& Ors.)

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**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** : 08.03.2017.

**ORAL ORDER:-**

None present for the applicant. Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents no.1 to 5 and Shri Shrikant Patil, learned Advocate for the Respondent no.6.

2. Learned P.O. files the affidavit in reply on behalf of Respondents no.1 to 5. The same is taken on record.

3. S.O. to 12.4.2017.

**MEMBER (J).**

ORAL ORDERS 08-03-2017-ATP

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

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

(Shri S. S. Chavan Vs. State of Mah.& Ors.)

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**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** : 08.03.2017.

**ORAL ORDER:-**

Heard Shri K. B. Jadhav, learned Advocate for the applicant, Shri D. R. Patil, learned Presenting Officer for the Respondent no.1 and Shri S. S. Shinde, learned Advocate holding for Shri Vivek Bhavthankar, learned Special Counsel for the Respondents no.2 & 3. None appears for the Respondent no.4.

2. Learned P. O. and the learned Advocate for the Respondents no.2 & 3 seek time to file affidavit in replies. Time to file affidavit in replies is hereby granted.

3. S.O. to 11.4.2017

4. Interim relief to continue till further order.

**MEMBER (J).**

ORAL ORDERS 08-03-2017-ATP

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

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**ORIGINAL APPLICATION NO.331/2017.**

(Shri D. V. Galande & Ors. Vs. State of Mah.& Ors.)

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**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** : 08.03.2017.

**ORAL ORDER:-**

Heard Shri M. C. Ghode, learned Advocate for the applicants and Smt R. S. Deshmukh, learned Presenting Officer for the Respondents.

2. Time to file affidavit in reply is hereby granted.
3. Learned Advocate for the applicant submit that, he will have to take instructions as to whether the present application can be withdrawn or not.
4. S.O. to 30.03.2017.

**MEMBER (J).**

ORAL ORDERS 08-03-2017-ATP