

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A.NOS.227/2013, 228/2013 AND 229/2013

DISTRICT – LATUR/PARBHANI

O.A.No.227/2013

1. Sangameshwar Vishvambhar Badnale,
Age : 31 years, Occ : Service,
R/o. At Post Salala (Khd.),
Tq. Ahmedpur, Dist. Latur.

O.A.No.228/2013

2. Ganesh Vithalrao Londhe,
Age : 33 years, Occ : Service,
R/o. c/o. Prof. D.B.Bhosale,
Maulinagar Khanapur Phata,
Vasmat Road, Parbhani.

O.A.No.229/2013

3. Santosh Prabhakar Bhalerao,
Age : 27 years, Occ : Service,
R/o. Mathuranagar, Basmat Road,
Parbhani.

...APPLICANT

V E R S U S

1. The State of Maharashtra
Through Secretary,
General Administration Department,
Mantralaya Mumbai.

2. The Maharashtra State Public Service
Commission, Bank of India Building,
3rd floor, Mahatma Gandhi Road,
Hutatma Chowk, Mumbai. ...COMMON RESPONDENTS

APPEARANCE :Shri P.G.Rodge learned Advocate for the
applicants.

Smt. Priya Bharaswadkar, learned
Presenting Officer for the respondents.

=2=

O.A.Nos.227/2013, 228/2013 AND 229/2013

CORAM: Hon'ble Shri Rajiv Agarwal, Vice-Chairman (A)
A N D
Hon'ble Shri B. P. Patil, Member (J)

DATE: 17th February, 2017.

COMMON ORAL ORDER [PER: VICE-CHAIRMAN (A)]

Heard Shri P.G.Rodge, learned Advocate for the Applicants and Smt. Priya Bharaswadkar, learned Presenting Officer (PO) for the Respondents.

2. Learned Advocate Shri Rodge stated that in these O.As. applicants were seeking reliefs that they may be called for oral interview by the Maharashtra Public Service Commission (MPSC). However, no interim relief was granted and during the pendency of these O.As. selection process has been completed by the MPSC and the results have also been declared. In view of this, nothing survives in these O.As.

3. Considering the submissions made by the learned Advocate Shri Rodge, these O.As. are disposed of as they have worked themselves out. No costs.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

O.A.NO.928/2016 WITH M.A.No.13/2017
(Shri G.J.Dhole V/s. The State of Mah. & Ors.)

**CORAM : Hon'ble Shri Rajiv Agarwal,
Vice-Chairman (A)
AND
Hon'ble Shri B. P. Patil, Member (J)**

DATE : 17TH FEBRUARY, 2017

ORAL ORDER:

Heard Shri S.D.Dhongde learned Advocate for the Applicant, Shri M.S.Mahajan learned Chief Presenting Officer for the Respondent nos.1 and 2, and Shri P.S.Paranjape learned Advocate for respondent no.3.

2. This O.A. was heard at some length. The applicant is claiming that he should be given exemption from passing Sub Service Departmental Examination under the Maharashtra Sub Service Departmental Examinations (for the cadre of Talathis) Rules, 1997 and also under the Maharashtra Revenue Qualifying Examination for promotion to the post of Circle Officer (from the cadre of Talathis) Rules, 1988 on attaining age of 45 years. As he has joined service on 06-07-2012 (he was selected from part time employees category), after attaining the age of 45 years, he is entitled for exemption from the date of appointment. The applicant claims that as per Government Circular dated 13th September, 2012, his seniority in the cadre of the Talathi should be counted from the date of his initial appointment.

3. We have perused the affidavit in reply filed by the respondent no.2. In paragraph 4, it is mentioned that an

=2=

O.A.NO.928/2016 WITH M.A.No.13/2017

employee will be entitled for grant of exemption from passing departmental examination, even after he has crossed age of 45 years, only after he completes the minimum service required for the next promotion. No rule or G.R. is quoted which requires a Talathi to put in minimum of 3 years' service before he could be promoted. Probably, the Respondent No.2 is relying on G.R./rule which provides that an employee cannot be promoted unless he has put in minimum service of three years in the lower post. Whether that has any relevant with the date of exemption has to be explained.

4. Learned CPO stated that there is some provision in this regard which he will produce on the next date. He also sought leave of the Tribunal to file an additional affidavit covering this issue. Learned CPO may also obtain copy of Full Bench judgment of this Tribunal on this issue, which may help in clarifying his ideas on this issue.

5. S.O.17th March, 2017.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.297/2013

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

**CORAM : Hon'ble Shri Rajiv Agarwal,
Vice-Chairman (A)**

AND

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

DATE : 17TH FEBRUARY, 2017

ORAL ORDER:

Shri Amol G. Vasmatkar learned Advocate for the Applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for the Respondents is present.

2. None is present for the Applicant. Applicant was absent on 12-02-2014, 26-03-2014 and 10-06-2014. Then matter was placed before us on 15-02-2017 when also applicant was absent. The matter was kept for dismissal on today. Today also applicant is absent. Hence, O.A. stands dismissed in default.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.439/2013

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

**CORAM : Hon'ble Shri Rajiv Agarwal,
Vice-Chairman (A)**

AND

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

DATE : 17TH FEBRUARY, 2017

ORAL ORDER:

Shri R.D.Khadap learned Advocate for the Applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for the Respondents is present.

2. This matter was kept before us on 15-02-2017 when none was present for the applicant. It is thereafter kept for dismissal today. Today also none is present for the applicant. Hence, O.A. is dismissed in default.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.135/2010

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

**CORAM : Hon'ble Shri Rajiv Agarwal,
Vice-Chairman (A)
AND
Hon'ble Shri B. P. Patil, Member (J)**

DATE : 17TH FEBRUARY, 2017

ORAL ORDER:

Heard Shri Ajay Deshpande learned Advocate for the Applicant, Shri M.P.Gude learned Presenting Officer for the Respondent nos.1 to 4. Shri A.S.Deshmukh learned Advocate for respondent nos.5 and 6 (**absent**).

2. None for the respondent nos.5 and 6 but the absence is explained. However, from the information submitted on behalf of the respondent no.2, it is seen that a total of 22 Open posts were advertised on 21-11-2009. The details of persons selected against these vacancies have been given on a sheet of paper, which shows that 7 women were appointed against 7 vacancies of Open Female category, 3 persons from Ex-Serviceman category, 1 person from Open Part Time vacancies (two persons did not join), 1 person from Open Project Affected Person (PAP) and 1 Open Sports category (he also did not join), that means only 12 persons have joined from these categories. 8 posts were filled from Muster

=2=

O.A.No.135/2010

Assistant category as per order of the Divisional Commissioner. It seems that 2 posts remained unfilled.

3. Respondent no.2 is directed to place these facts on record by filing an affidavit. Marks obtained by all the Open category candidates who participated in the selection process including the applicant, may also be placed on record with the affidavit. This should be done within a period of 2 weeks from today.

4. S.O.06-03-2017.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.497/2014
(Shri K.R.Godam V/s. The State of Mah. & Ors.)

**CORAM : Hon'ble Shri Rajiv Agarwal,
Vice-Chairman (A)**

AND

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

DATE : 17TH FEBRUARY, 2017

ORAL ORDER:

Heard Shri A.S.Deshpande learned Advocate for the Applicant and Shri N.U.Yadav learned Presenting Officer for the Respondents.

2. This matter may be placed before the Division Bench as per its turn whenever Division Bench is available.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.556/2014
(Shri S.R.Patange V/s. The State of Mah. & Ors.)

**CORAM : Hon'ble Shri Rajiv Agarwal,
Vice-Chairman (A)
AND
Hon'ble Shri B. P. Patil, Member (J)**

DATE : 17TH FEBRUARY, 2017

ORAL ORDER:

Heard Shri A.S.Deshpande learned Advocate for the Applicant and Shri V.R.Bhumkar learned Presenting Officer for the Respondents.

2. This matter may be placed before the Division Bench as per its turn whenever Division Bench is available.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.891/2012

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

**CORAM : Hon'ble Shri Rajiv Agarwal,
Vice-Chairman (A)**

AND

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

DATE : 17TH FEBRUARY, 2017

ORAL ORDER:

Heard Shri K.M.Nagarkar learned Advocate for the Applicant and Shri S.S.Shinde learned Advocate holding for Shri Vivek Bhavthankar learned Special Counsel for the Respondent no.1. None present for respondent nos.2 and 3.

2. Earlier this case was heard on 14-02-2017 and reserved for order. It transpires that after restoration of the O.A., notice is not issued to the respondent nos.2 and 3.

3. Issue notice to private respondent nos.2 & 3, returnable on 15-03-2017.

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

=2=

O.A.No.891/2012

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. Respondents shall file affidavit countering each para and each averment in the O.A.

9. Steno copy may be granted to the parties on their request.

10. S.O.15-03-2017.

MEMBER (J)

VICE CHAIRMAN (A)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. 388/15 WITH M.A.St.860/15 IN O.A.St.861/15
M.A. 389/15 WITH M.A.St.864/15 IN O.A.St.865/15
M.A. 390/15 WITH M.A.St.858/15 IN O.A.St.859/15
M.A. 392/15 WITH M.A.St.871/15 IN O.A.St.872/15
M.A. 393/15 WITH M.A.St.873/15 IN O.A.St.874/15
M.A. 394/15 WITH M.A.St.875/15 IN O.A.St.876/15
M.A. 395/15 WITH M.A.St.866/15 IN O.A.St.867/15
M.A. 396/15 WITH M.A.St.862/15 IN O.A.St.863/15
M.A. 397/15 WITH M.A.St.869/15 IN O.A.St.870/15
M.A. 074/16 WITH M.A.St.217/16 IN O.A.St.218/16
M.A. 075/16 WITH M.A.St.220/16 IN O.A.St.221/16
M.A. 220/16 WITH M.A.St.785/16 IN O.A.St.786/16
M.A. 221/16 WITH M.A.St.788/16 IN O.A.St.789/16**

(Maharashtra Rajya Rojandari Va Kayam Van Kamgar Kruti Samiti V/s.
State of Maharashtra & Ors)

**CORAM : HON'BLE SHRI JUSTICE A. H. JOSHI, CHAIRMAN
(D.B.Matter)**

DATE : 17-02-2017.

ORAL ORDER :

Heard Shri A.S.Shelke learned Advocate for the Applicant, Shri M.S.Mahajan learned Chief Presenting Officer, Shri M.P.Gude, Shri V.R.Bhumkar, Shri I.S.Thorat, Smt. Sanjivani Ghate, Smt. Deepali Deshpande, Smt. Resha Deshmukh, learned Presenting Officers for Respondents and Shri S.S.Shinde learned Advocate holding for Shri Vivek Bhavthankar learned Special Counsel for respondent nos.3 to 5.

2. Shri Shelke learned Advocate for applicants prays for time to ascertain whether the O.As. require amendment. Time granted.

3. S.O. 20-02-2017.

CHAIRMAN

M.A. NO. 426/2016 IN OA ST. 1824/2016

{Shri Krishna B. Joshi Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

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

2. With the consent of both the sides, S.O. to 6.4.2017.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

M.A. NO. 430/2016 IN OA ST. 1773/2016

{Shri Sahligram M. Sonawane Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

1. Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 6.4.2017.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

ORIGINAL APPLICATION NO. 762 OF 2016

{Shri Nakul S. Mhaske & 9 Ors. Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

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

2. Upon hearing both the sides it is clear that, the enquiry is already completed and upon service of the copy of the enquiry report, the representations are also made by the present applicants against the said report and the matter is pending before the res. no. 1 for taking final decision, since September, 2015.

3. In the circumstances, without prejudice to the relief claimed by the applicants in the present original application, it is hereby directed that the res. no. 1 – the Principal Secretary, Agriculture, Animal Husbandry, Dairy Development and Fisheries Department, M.S., Mumbai - to take a decision according to Law in the enquiry within a period of 2 months from the date of this order and the final order thereof be filed in this Tribunal.

O.A. NO. 762/2016

4. S.O. to 21.4.2017.
5. The learned P.O. to act upon the steno copy of this order.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

ORIGINAL APPLICATION NO. 793 OF 2016

{Shri Rajendra R. Pathade Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

1. Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. In M.A. No. 194/2016 (for condonation of delay), the respondents have made a statement that the representations of the present applicant are under consideration. This affidavit was filed by the respondents on 9.8.2016. The history of the case would show that the representations of the applicant are pending since the years 2002, 2010 and 2016.

3. In the circumstances, the concerned respondents are directed to consider the representations of the applicant and take a final decision on or before 28.4.2017 and submit a compliance report to that effect in this Tribunal. Failing to comply with these directions may entail into saddling heavy costs individually or calling responsible Officer/s of the respondents before this Tribunal.

O.A. NO. 793/16

4. S.O. to 28.4.2017.
5. The learned P.O. to act upon the steno copy of this order.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

ORIGINAL APPLICATION NO. 913 OF 2016

{Shri Rameshwar S. Waghmare Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

1. Heard Shri S.D. Hiwrekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 23.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

ORIGINAL APPLICATION NO. 875 OF 2016

{Shri Akhil Ahemad Suleman Juneri Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

1. Heard Shri D.T. Devane, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. The learned Advocate, on instructions from the applicant, seeks permission to withdraw the present original application.
3. Accordingly, permission as sought for by the learned Advocate for the applicant is granted and the original application is disposed of as withdrawn without any order as to costs.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

MA 27/2016 IN OA ST. 80/2016

{Shri Mahadu S. Bangale Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

1. Heard Shri S.K. Mathpati, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 23.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

ORIGINAL APPLICATION NO. 395 OF 2015

{Shri Rajaram J. Gaikwad & Ors. Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

1. Heard Shri R.R. Bangar, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 6 and Shri Suresh D. Dhongde, learned Advocate for respondent no. 7.

2. In view of the order dated 10.1.2017 passed by this Tribunal, the learned Advocate for the applicant files on record short affidavit in rejoinder along with annexures. It is taken on record and copy thereof has been served upon the learned Presenting Officer. The original application is already admitted.

3. S.O. to 22.3.2017 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 733 OF 2015

{Shri Harishchandra G. Lohkare Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

1. None appears for for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondent nos. 1, 3 & 4, is present. None appears for respondent no. 2.

2. At the request of learned Presenting Officer, S.O. to 15.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

ORIGINAL APPLICATION NO. 195 OF 2016

{Smt. Gita B. Shejwal Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

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

2. The learned Advocate for the applicant seeks leave to file certain documents on record. Leave as sought for is granted and the said documents are taken on record and copies thereof are served upon the learned Advocate for the applicant. The learned P.O. seeks time to go through the said documents. Time granted.

3. S.O. to 27.2.2017.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

ORIGINAL APPLICATION NO. 242 OF 2016

{Shri Govind R. Sakhare Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

1. Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 & 2. None appears for respondent no. 3.

2. The learned Presenting Officer files affidavit in reply on behalf of res. no. 4. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. The learned Presenting Officer submitted that additional affidavit in reply from res. no. 2 is not required.

3. S.O. to 8.3.2017.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

ORIGINAL APPLICATION NO. 535 OF 2016

{Shri Ravindra P. Salve Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

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

2. The learned files on record the communication dated 13.2.2017 received from the res. no. 4 – the Executive Engineer, Public Works Department, Aurangabad – accompanying with the documents i. e. true copy of the relevant pages of service book of the applicant. It is taken on record. The learned Advocate for the applicant submits that he has duplicate service book of the applicant with him.

3. In that view of the matter, S.O. to 23.3.2017 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 661 OF 2016

{Smt. Vandana V. Dudhe Vs. The State of Mah. & Ors.}

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

DATE :- 17.02.2017

Oral Order :-

1. Heard Shri S.B. Mene, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 to 3 and Shri M.R. Kulkarni, learned Advocate for respondent no. 4.

2. It seems from the order dated 10.2.2017 that, this matter is treated as part heard by Hon'ble Member (J) Shri Bhojraj P. Patil. In the circumstances, the matter be placed before the said court on the next date.

3. S.O. to 28.2.2017.

MEMBER (J)

ARJ ORAL ORDERS 17.2.2017

M.A. NO. 427/2016 IN OA 325/2012

{The State of Mah. & Ors. Vs. Shri Ratan A. Suradkar}

CORAM :- Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
Hon'ble Shri B.P. Patil, Member (J)
(Division Bench matter)

DATE :- 17.02.2017

Oral Order :-

1. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the applicants in misc. application / respondents in the original application and Amruta Paranjape, learned Advocate for the respondent in the misc. application / applicant in the original application.

2. The misc. application has been filed by the applicants / respondents in the original application for extension of 2 months time for compliance of the order dated 20.10.2016 passed by this Tribunal in the original application.

3. The learned Chief Presenting Officer seeks permission to withdraw the misc. application. Permission as sought for by the learned Presenting Officer is granted.

4. Accordingly, misc. application stands disposed of as withdrawn. There shall be no order as to costs.

MEMBER (J)

VICE CHAIRMAN (A)

ARJ ORAL ORDERS 17.2.2017

ORIGINAL APPLICATION NO. 233 OF 2016

{Shri Pankaj W. Pangul Vs. The State of Mah. & Ors.}

**CORAM :- Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)
AND
Hon'ble Shri B.P. Patil, Member (J)
(Division Bench matter)**

DATE :- 17.02.2017

Oral Order :-

1. Heard Shri S.K. Mathpati, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, this matter be placed before the next Division Bench whenever it is available, for final hearing.

MEMBER (J)

VICE CHAIRMAN (A)

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

ORIGINAL APPLICATION NO.102/2017.

(ShriS. G. Chavan Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard ShriG. K. Kshirsagar, learned Advocate for the Applicant and ShriM. S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 2.3.2017.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.105/2017.

(Shri N. S. Mapari Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard Shri G. K. Kshirsagar, learned Advocate for the Applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Leave to join the party respondents as well as file additional documents is hereby granted.

3. At the request of the learned Advocate for the applicant, S.O. to 22.3.2017.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.134/2016..

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

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard Smt. VidyaTaksal, learned Advocate holding for Shri A. S. Deshmukh, learned Advocate for the Applicant and Smt D. S. Deshpande, learned Presenting Officer for the Respondents no.1 to 3.

2. Shri K. B. Jadhav, learned Advocate for the Respondent no.4 has filed Leave Note, hence S.O. to 8.3.2017.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.599/2016.

(SunitaRamdasBahiram Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard Shri S. B. Bhosale, learned Advocate holding for Shri D. J. Patil, learned Advocate for the Applicant, Shri N. U. Yadav, learned Presenting Officer for the Respondents no.1 & 2 and Shri Vivek Bhavthankar, learned Special Counsel for the Respondent no.3.

2. At the request of the learned Advocate for the applicant, S.O. to 14.3.2017.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.801/2016.

(Shri S. B. Jagtap Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard Shri N. L. Choudhari, learned Advocate for the Applicant and Smt D. S. Deshpande, learned Presenting Officer for the Respondents.

2. Learned P.O. files on record affidavit in reply on behalf of Respondents no.1 & 2. The same is taken on record. Its copy is served on the other side.

3. S.O. to 16.3.2017.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.843/2016.

(ShriS. G. Wagatkar Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard Smt. SuchitaDhongde, learned Advocate holding for ShriS. D. Dhongde, learned Advocate for the Applicant and Shri V. R. Bhumkar, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to take instructions regarding the applicant's representation as directed vide order dated 21.10.2016. At his request, S.O. to 16.3.2017.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.845/2016.

(ShriD. B. Bagul Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

None present for the Applicant.Shri M. P. Gude, learned Presenting Officer for the Respondents is present.

2. Learned P.O. files affidavit in reply on behalf of Respondent no.1. The same is taken on record.

3. Learned P.O. submit that, the issue pertains to the deemed date of promotion and seniority and therefore, the reply from respondents no.2 & 3 is not required.

4. The pleadings are complete. The arguable case is made out.

5. Admit.

6. Learned P.O. waives the notice for the respondents upon admission hearing.

7. The matter is kept for final hearing in due course of time.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.874/2016.

(Shri S. T. Mahajan Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

None present for the Applicant. Shri M. P. Gude, learned Presenting Officer for the Respondents is present.

2. Learned P.O. submit that, he will file affidavit in reply during the course of the day.

3. S.O. to 22.3.2017 for hearing.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO. 25/2017.

(Shri F. H. Tamboli Vs. State of Mah. & Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard Shri K. N. Farouqi learned Advocate holding for Shri N. L. Jadhav, learned Advocate for the Applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. At the request of the learned C.P.O. S.O. to 24.3.2017 for filing reply.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.54/2017.

(ShriB. V. Malchapure Vs. State of Mah.&Ors.)

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

DATE : 17.02.2017.

ORAL ORDER:-

Heard ShriS. D. Hiwrekar, learned Advocate for the Applicant and ShriM. S. Mahajan, learnedChief Presenting Officer for the Respondents.

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

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

MA NO.43/2016 IN OA836/2015.

(ShriD. K. Sardar Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard ShriV. S. Panpatte, learned Advocate, learned Advocate for the Applicant and Smt S. K. GhateDeshmukh, learned Presenting Officer for the Respondents.

2. In view of the order dated 3.2.2016 both the sides concede that nothing survives in the present M.A. The M.A. is therefore dismissed and disposed of with no order as to costs.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

OA 836/2015.

(Shri D. K. Sardar Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard Shri V. S. Panpatte, learned Advocate, learned Advocate for the Applicant and Smt S. K. GhateDeshmukh, learned Presenting Officer for the Respondents.

2. Learned P. O. files on record the affidavit in reply on behalf of Respondents no.1 to 3. The same is taken on record. Its copy is served on the other side.

3. S.O. to 9.3.2017 for hearing on admission.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

MA NO.44/2016 IN OA 837/2015.

(Shri D. A. Bhagat Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard Shri V. S. Panpatte, learned Advocate, learned Advocate for the Applicant and Shri M. P. Gude, learned Presenting Officer for the Respondents.

2. In view of the order dated 3.2.2016 both the sides concede nothing survives in the present M.A. The M.A. is therefore dismissed and disposed of with no order as to costs.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

OA 837/2015.

(Shri D. A. Bhagat Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard Shri V. S. Panpatte, learned Advocate, learned Advocate for the Applicant and Shri M. P. Gude, learned Presenting Officer for the Respondents.

2. Learned P. O. files on record the affidavit in reply on behalf of Respondents no.1 to 3. The same is taken on record. Its copy is served on the other side.

3. S.O. to 9.3.2017 for hearing on admission.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

MA NO.36/2016 IN CP ST.1947/15 IN OA 258/13.

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

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard Shri V. S. Panpatte, learned Advocate holding for Shri S. V. Deshmukh, learned Advocate for the Applicant and Shri V. R. Bhumkar, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 16.3.2017.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

MA NO.338/2016 IN CP ST.1572/16 IN OA 690/15.
(SmtR. B. Dabhade Vs. State of Mah.&Ors.)

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

DATE : 17.02.2017.

ORAL ORDER:-

None present for the Applicant.Smt P. R. Bharaswadkar,
learned Presenting Officer for the Respondents.

2. The affidavit in reply filed on behalf of Respondent no.1
would show that, the order of this Tribunal dated 15.1.2016
passed in OA No.690/2015 is already complied with.

3. In the circumstances, taking the merit of the case into
consideration there is no need to grant any permission to file
contempt petition. The application is accordingly dismissed
without any order of costs.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.541/2016.

(ShriA. V. Vangwar Vs. State of Mah.&Ors.)

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

(Division Bench matter)

DATE : 17.02.2017.

ORAL ORDER:-

Heard ShriS. S. Suvarna, learned Advocate holding for Shri N. L. Choudhari, learned Advocate for the Applicant and Shri M. S. Mahajan, learnedChief Presenting Officer for the Respondents.

2. Learned C.P.O. files on record affidavit in reply on behalf of Respondent no.1 to 3. The same is taken on record. Its copy is served on other side.

3. Respondent no.4 also duly served as per the report of the Registrar.

4. S.O. to 23.3.2017 for hearing on admission.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.775/2013.

(ShriJ. H. Sonawane Vs. State of Mah.&Ors.)

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

DATE : 17.02.2017.

ORAL ORDER:-

Heard ShriS. B. Bhosale, learned Advocate holding for Shri
S. P. Brahme, learned Advocate for the Applicant and Shri M. P.
Gude, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant,
S.O. to 16.3.2017.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.590/2016.

(ShriD. V. Gunjal Vs. State of Mah.&Ors.)

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

DATE : 17.02.2017.

ORAL ORDER:-

Heard ShriN. L. Choudhari, learned Advocate for the Applicant and Shri M. P. Gude, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant on instructions submit that, the grievance of the applicant is settled. He files on record the instructions received from the applicant. He therefore, submit that, the application be disposed of. In the circumstances, the application is disposed of without any order of costs.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO.614/2016.

(ShriS. K. Shirke Vs. State of Mah.&Ors.)

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

DATE : 17.02.2017.

ORAL ORDER:-

Heard Smt. SuchitaDhongde, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O., S.O. to 29.3.2017 for filing affidavit in reply.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI,
BENCH AT AURANGABAD.

OA Nos.709, 710, 711 of 2015 & 364 of 2016 &
O.A. No.768/2016 & M.A.No.18/16 in OA St.1364/15.

(Shri V. C. Hangargekar&Oths. Vs. State of Mah.&Ors.)

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

DATE : 17.02.2017.

ORAL ORDER:-

Heard Shri R. P. Bhumkar, learned Advocate for the Applicants in all matters and Shri N. U. Yadav, Smt. D.S. Deshpande, ShriN.U.Yadav, Smt. R.S. Deshmukh, Smt. P. R. Bharaswadkar and Smt. R. S. Deshmukh, learned Presenting Officers for the Respondents in respective matters. Shri S. D. Dhongde, learned Advocate for the Respondent no.4 in OA No.709/15& 768/16 and Shri G. N. Patil, learned Advocate for the Respondent no.5 in OA No.364/16.

2. Learned P.O. files affidavit in reply on behalf of Respondent no.1 in OA No.364/16. The same is taken on record.

3. The O.As are kept for hearing. In some of the cases reply require to be filed, learned P.O. seek time to file affidavit in replies.

3. Liberty to file application for correction etc., if any, is hereby granted.

4. S.O. to 6.4.2017.

MEMBER (J).

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

**OA Nos.709, 710, 711 of 2015 & 364 of 2016 &
O.A. No.786/2016 & M.A.No.18/16 in OA St.1364/15.**

(Shri V. C. Hangargekar&Oths. Vs. State of Mah.&Ors.)

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

DATE : 17.02.2017.

ORAL ORDER:-

Heard Shri R. P. Bhumkar, learned Advocate for the Applicants in all matters and Shri N. U. Yadav, Smt. D.S. Deshpande, ShriN.U.Yadav, Smt. R.S. Deshmukh, Smt. P. R. Bharaswadkar and Smt. R. S. Deshmukh, learned Presenting Officers for the Respondents in respective matters.

2. Learned P.O. files affidavit in reply on behalf of Respondent no.1 in OA No.364/16. The same is taken on record.

3. The O.As are kept for hearing. In some of the cases reply require to be filed, learned P.O. seek time to file affidavit in replies.

4. In the circumstances, taking the merit of the case into consideration there is no need to grant any permission to file the contempt petition. The application is accordingly dismissed without any order of costs.

MEMBER (J).

ORAL ORDERS 17-2-2017-ATP

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

ORIGINAL APPLICATION NO. 346/2016
[Shri Shailesh s/o Ambadas Meghle Vs. The State of Mah. &
Ors.]

CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J)

DATE : 17.02.2017

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Advocate for the applicant (**Leave Note**). Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 & 2 , present. None present for respondent no. 3.

2. In view of the leave note filed by the learned Advocate for the applicant, S.O. after three weeks

MEMBER (J)

ORAL ORDER 17.02.2017 – **KPB(SB)JDK**

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

**ORIGINAL APPLICATION NO. 563/2016
[Shri Devidas Khandu Kardule Vs. The State of Mah. & Ors.]**

CORAM : HON'BLE SHRI J.D. KULKARNI, MEMBER (J)

DATE : 17.02.2017

ORAL ORDER :

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 learned Advocate for the applicant, S.O. after three weeks

MEMBER (J)

ORAL ORDER 17.02.2017 – **KPB(SB)JDK**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD
MISCELLANEOUS APPLICATION NO. 358 OF 2016
IN
ORIGINAL APPLICATION NO. 414 OF 2015
(Shri Ajay S/o Indal Jarwal Vs. The State of Maharashtra and
Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Heard Shri A.D. Gadekar – learned Advocate for the miscellaneous applicant/original respondent No.4, Shri N.U. Yadav – learned Presenting Officer for the respondent Nos. 1 to 3 and Shri S.V. Chandole – learned Advocate for respondent No. 4/applicant in OA.

2. This M.A. No. 358/2016 has been filed by the miscellaneous applicant/respondent No. 4 in the O.A. seeking vacating of stay granted by this Tribunal in O.A.

3. Since the Original Application itself stood dismissed today i.e. on 17.02.2017, nothing survives in the present Miscellaneous Application and the same also stands disposed of with no order as to costs.

MEMBER (J) VICE CHAIRMAN (A)
ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD
MISCELLANEOUS APPLICATION NO. 61 OF 2017
IN
ORIGINAL APPLICATION NO. 414 OF 2015
(The State of Maharashtra and Others Vs. Shri B.B. Thombre)**

CORAM : **HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : **17.02. 2017.**

ORAL ORDER:

Heard Shri N.U. Yadav – learned Presenting Officer for the miscellaneous applicants / original respondent Nos. 1 to 3 in O.A., and Shri S.V. Chandole – learned Advocate for respondent No. 1/applicant in OA.

2. This M.A. No. 61/2017 has been filed by the Respondent Nos. 1 to 3 in the O.A. seeking recall of order dated 20.10.2016 by which this Tribunal has imposed costs of Rs. 1,000/- on each of the Respondent Nos. 1 to 3 in O.A. for failure to file affidavit reply in time. The Respondent Nos. 1 to 3 have satisfactorily explained the reasons for delay in filing the affidavit in reply, which was filed on 20.1.2017. As such the order dated 20.10.2016 imposing costs on the Respondent Nos. 1 to 3 is hereby recalled and M.A. No. 61/2017 is allowed and stands disposed of.

MEMBER (J) VICE CHAIRMAN (A)
ORAL ORDERS 17.02.2017- HDD(DB)
**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 669 OF 2013

**(Shri Somnath S/o. Prakash Jivane Vs. The State of Maharashtra
and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Heard Shri Pratap G. Rodge – learned Advocate for the applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondents.

2. The learned Advocate for the Applicant sought leave of this Tribunal to withdraw this Original Application, as the applicant does not want to prosecute this Original Application any further.

3. Permission granted. Withdrawal is allowed. Accordingly, the present Original Application stands disposed of as withdrawn with no order as to costs.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 217 OF 2013

**(Shri Vijaysingh S/o. Balasaheb Kachave Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Shri S.T. Veer – learned Advocate for the applicant (**absent**). Shri I.S. Thorat – learned Presenting Officer for the respondents, present.

2. It is seen that this case was placed before the Hon'ble Member (Judicial) on 16.1.2014 when none was present for the applicant. Again on 25.6.2014 none was present for the applicant. Thereafter, this case was placed on board on 23.7.2014 and on that date also none was present for the applicant. Hence, this case was placed before us on 14.02.2017 and on that date also none was present for the applicant. Thereafter, this case was placed before this Tribunal today i.e. on 17.02.2017 for dismissal. However, today also none appears for the applicant.

3. In view of the above position, it appears that the Applicant no longer wishes to prosecute this Original Application and, therefore, the same stands dismissed in default with no order as to costs.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 265 OF 2013

**(Shri Raghunath S/o. Anandrao Balwante Vs. The State of
Maharashtra and Others.)**

CORAM : **HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : **17.02. 2017.**

ORAL ORDER:

Shri Hanmant Patil – learned Advocate for the applicant (**absent**). Shri M.P. Gude – learned Presenting Officer for the respondents, present.

2. This Original Application was heard by the Division Bench on 20th November, 2013, when none was present for the applicant. Thereafter this case was placed on board on 8.1.2014, 28th February, 2014. However, on these dates also none was present for the applicant. Therefore, this case was placed before on 14.02.2017, when none was present for the applicant. Hence, this case was kept for dismissal today i.e. on 17th February, 2017. However, today also none appeared for the applicant.

:: - 2 - ::

O.A. NO. 265 OF 2013

3. In view of the above position, it appears that the Applicant no longer wishes to prosecute this Original Application and, therefore, the same stands dismissed in default with no order as to costs.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 276 OF 2013

**(Shri Walmik S/o. Rangnath Ghaytilak Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Shri Hemant Surve – learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar – learned Presenting Officer for the respondents, present.

2. This case was placed before us on 14.02.2017 for hearing, when none was present for the applicant. Hence, this case was kept for dismissal today i.e. on 17th February, 2017. However, today also none appeared for the applicant. This Original Application is, therefore, dismissed in default with no order as to costs.

MEMBER (J) VICE CHAIRMAN (A)
ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 624 OF 2016

**(Dr. Aparna Raghunathrao Dikondwar Vs. The State of Maharashtra
and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Heard Shri Shamsundar Patil – learned Advocate for the applicant, Shri I.S. Thorat – learned Presenting Officer for respondent Nos. 1 to 3, Shri Avinash Deshmukh – learned Advocate for respondent No. 4 and Shri H.A. Joshi – learned Advocate for respondent No. 6. Shri V.C. Suradkar – learned Advocate for respondent No. 7 (absent). None appears for respondent No. 5.

2. Learned Advocate for the Applicant states that respondent Nos. 4 & 6 were initially in the list of ineligible candidates and the Maharashtra Public Service Commission allowed them to appear for the interview in violation of the Rules. He, therefore, prayed that the M.P.S.C. may be asked to produce relevant record along with representation made by these two respondents (Res. Nos. 4 & 6) and the relevant file in which decision was taken to permit them to appear for the interview.

3. Learned Presenting Officer is directed to ensure that these records are available on the next date. He

further directed to produce on record copies of online application forms of these two respondents (Res. 4 & 6), on the next date.

4. S.O. to 21st March, 2017.
5. Steno copy be provided to all the parties.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 606 OF 2016

**(Shri Bhagwat S/o. Munjabhau Shelke Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02.2017.

ORAL ORDER:

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

2. Place this matter before the next Division Bench, as and when it is available.

MEMBER (J) VICE CHAIRMAN (A)
ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 367 OF 2013

**(Shri Bajirao Sakharam Gore & Ors. Vs. The State of Maharashtra
and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02.2017.

ORAL ORDER:

Heard Shri Avinash Deshmukh – learned Advocate for the applicants and Shri I.S. Thorat – learned Presenting Officer for the respondents.

2. Place this matter before the next Division Bench, as and when it is available.

MEMBER (J) VICE CHAIRMAN (A)
ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 646 OF 2016

**(Shri Anil S/o. Mahadeo Kachre & Anr. Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02.2017.

ORAL ORDER:

Heard Shri S.D. Joshi – learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent Nos. 4 to 17.

2. At the request of learned Advocate for the Applicants, place this matter before the next Division Bench, as and when it is available.

MEMBER (J) VICE CHAIRMAN (A)
ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 977 OF 2010

**(Shri Bhagwat S/o. Pundlik Patil Vs. The State of Maharashtra and
Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Heard Shri V.B. Wagh – learned Advocate for the applicant and Smt. Resha S. Deshmukh – learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent Nos. 4 to 6.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of Maharashtra Public Service Commission, in view of directions given by this Tribunal vide its order dated 13th February, 2017. Time granted.

3. S.O. to 21st March, 2017

MEMBER (J) VICE CHAIRMAN (A)
ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

MISCELLANEOUS APPLICATION NO. 398 OF 2015

IN

ORIGINAL APPLICATION NO. 562 OF 2014

**(Shri Mahadeo S/o. Bhagaji Khandare Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Heard Ms. Amruta Paranjape, learned Advocate holding for Shri P.S. Paranjape, learned Advocate for the Applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.

2. This M.A. No. 398/2015 has been filed by the applicant seeking relief that Enquiry No. 254 of 2013 initiated against the Applicant may kindly be dropped.

3. Since the Original Application itself stood disposed of today itself i.e. on 17.02.2017, nothing survives in the present Miscellaneous Application and the same also stands disposed of with no order as to costs.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A. 323/16 IN R.A.ST.1366/16 IN O.A.341/14

**(Shri Shivaji K. Suryavanshi Vs. The State of Maharashtra and
Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Heard Shri M.R. Wagh, learned Advocate holding for Shri R.B. Narwade Patil, learned Advocate for the Applicant and Shri M.S. Mahajan - learned Chief Presenting Officer for respondent Nos.1 & 2. None appears for respondent No. 3.

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

3. S.O. to 21st March, 2017.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 443/12 IN C.P.ST.1507/12 IN O.A.239/98

(Shri Pawan A. Landge Vs. The State of Maharashtra and Others.)

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Heard Shri S.D. Dhongde – learned Advocate for the Applicant and Mrs. Deepali S. Deshpande – learned Presenting Officer for the respondents.

2. Place this case before the next Division Bench, whenever it is available.

MEMBER (J) VICE CHAIRMAN (A)
ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A.NO. 220/2015 WITH M.A. 492/15 IN O.A.ST.493/15

**(Shri Dhansingh S/o. Bhangilal Banjara & Ors. Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Shri K.G. Salunke – learned Advocate for the Applicant (**absent**). Shri M.S. Mahajan – learned Chief Presenting Officer for the respondents, present.

2. Since nobody appeared for the applicant, place this case before the next Division Bench, whenever it is available.

MEMBER (J) VICE CHAIRMAN (A)

ORAL ORDERS 17.02.2017- HDD(DB)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

M.A. 506/2015 WITH C.P.ST. 1830/15 IN O.A.454/14

**(Shri Dhansingh S/o. Bhangilal Banjara & Ors. Vs. The State of
Maharashtra and Others.)**

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN
AND
HON'BLE SHRI B.P. PATIL, MEMBER (J)**

DATE : 17.02. 2017.

ORAL ORDER:

Heard Shri V.B. Wagh – learned Advocate for the Applicant and Smt. Sanjivani Deshmukh-Ghat – learned Presenting Officer for the respondents, present.

2. Place this case before the next Division Bench, whenever it is available.

MEMBER (J) VICE CHAIRMAN (A)
ORAL ORDERS 17.02.2017- HDD(DB)