

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 735/2016  
(Shri Kisanrao G. Shinde V/s. the State of Mah. & Ors. )**

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

**DATE : 06.07.2017.**

**ORAL ORDER:-**

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

2. Learned Chief Presenting Officer seeks time to take instructions in view of the earlier order passed by this Tribunal on 15.06.2017. Time granted as a last chance.

3. S.O. to 25.07.2017.

KPB ORAL ORDER 06-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 33/2017**  
(Shri Bharat L. Kharat V/s. the State of Mah. & Ors. )

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

**DATE : 06.07.2017.**

**ORAL ORDER:-**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit as directed by this Tribunal on 29.06.2017. Time granted.

3. S.O. to 20.07.2017.

KPB ORAL ORDER 06-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 295 OF 2003**

(Shri Pradeep S. More & 20 Ors. Vs. The State of Mah. & Ors.)

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

**Date : 06.07.2017**

**ORAL ORDER:-**

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

2. The learned Advocate for the applicants submits that the writ petition No. 4647/2007 was in fact listed for final hearing on 23.6.2017 and it is likely to be listed again for final hearing. In the circumstances, S.O. to 23.8.2017, awaiting the decision in the said writ petition.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 6.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 463 OF 2013**

(Shri Digambar M. Pandit Vs. The State of Mah. & Ors.)

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

**Date : 06.07.2017**

**ORAL ORDER:-**

Shri P.R. Tandale, learned Advocate for the applicant  
**(absent)**. Shri M.P. Gude, learned Presenting Officer for the  
respondents, is present.

2. The earlier order passed by the Tribunal dated 3.7.2015  
would show that the learned Advocate for the applicant has  
declined to give consent to hear and dispose of the present  
matter on merit by the Single Bench dealing with the matters  
of the Division Bench in absence of Division Bench.

3. In that view of the matter, the present matter is removed  
from the Board and it be placed before the Division Bench as  
and when it is available.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 6.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 483 OF 2013**

(Shri Nandkishor A. Chavan Vs. The State of Mah. & Ors.)

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

**Date : 06.07.2017**

**ORAL ORDER:-**

Shri R.P. Adgaonkar, learned Advocate for the applicant  
**(absent)**. Smt. Resha S. Deshmukh, learned Presenting  
Officer for the respondents, is present.

2. In view of absence of applicant and his learned  
Advocate, S.O. to 25.7.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 6.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 484 OF 2013**

(Shri Nagnath S. Jadhav Vs. The State of Mah. & Ors.)

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

**Date : 06.07.2017**

**ORAL ORDER:-**

Shri S.D. Hiwrekar, learned Advocate for the applicant  
**(absent)**. Shri S.K. Shirse, learned Presenting Officer for the  
respondents, is present.

2. The learned P.O. points out that, in fact, the present  
applicant is seeking relief of sponsoring his name for selection  
by the res. no. 2 by adding him in the list of Project Affected  
Persons. However, in view of full bench decision the said  
issue of sponsoring of his name for selection being Project  
Affected Person does not survive.

3. In view of absence of applicant and his learned  
Advocate, S.O. to 25.7.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 6.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 491 OF 2013**  
(Shri Devidas T. Patil Vs. The State of Mah. & Ors.)

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

**Date : 06.07.2017**

**ORAL ORDER:-**

Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. Shri Rajkar, learned Advocate, on instructions, submits that the departmental appeal filed by the applicant is now decided during the pendency of the present original application and, therefore, liberty of placing on record the copy of the said decision may be granted. Liberty as prayed for is granted. At his request S.O. to 26.7.2017 for filing the copy of decision in the departmental appeal.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 6.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. NO. 231/2017 IN OA 297/2017**

(Shri Ramesh S. Ghorpade Vs. The State of Mah. & Ors.)

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

**Date : 06.07.2017**

**ORAL ORDER:-**

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

2. The learned Advocate for the applicant has filed on record the affidavit regarding service of notices upon the respondents in the original application. The same are taken on record.

3. Issue notices to the respondents in the present misc. application, returnable on 11.7.2017.

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

5. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of



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

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

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

8. Considering the fact that the original application is pending apprehending the demotion, the present applicant appears to have received the order of demotion passed by the res. no. 1 dated 4.7.2017 (Annex. R-1 paper book page 7 of the M.A.).

9. The learned P.O. submits that, she does not have any instructions from the respondents in this regard, though the notices in the original applications are already served upon the respondents.

10. The service affidavit along with postal delivery report submitted by the learned Advocate for the applicant today would show that the notices in the O.A. are already delivered to the respondents.

11. In the circumstances, without making any comment on the merit of the matter, awaiting the affidavit in reply of the respondents, interim relief in terms of prayer clause (B) of the present misc. application is hereby granted until further orders. The said prayer clause (B) reads as under :-

“(B) Pending hearing and final disposal of this Misc. Application in Original Application, to grant stay to the order dated 4.7.2017 issued by the respondent no. 1 reverting the applicant from the post of Police Sub Inspector Wireless (Traffic) to the post of Assistant Sub Inspector Wireless (Head Wireless Operator) w.e.f. 7.7.2017 and to continue the applicant on the post of Police Sub Inspector Wireless (Traffic).”

12. S.O. 11.7.2017.

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

**VICE CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 51/2016 IN OA ST. 183/2016**  
(Shri Vijay A. Salve Vs. The State of Mah. & Ors.)

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

**Date : 06.07.2017**

**ORAL ORDER:-**

Heard Shri V.S. Borkar, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks time to get instructions from the applicant on the line of the order of the Tribunal dated 20.6.2017 passed in the present misc. application. In the circumstances, S.O. to 25.7.2017 for taking instructions and for filing on record documents, if any.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 6.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 476/2016 IN OA ST. 2024/2016**

(Shri Devidas B. Ahire Vs. The State of Mah. & Ors.)

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

**Date : 06.07.2017**

**ORAL ORDER:-**

Shri P.S. Gaikwad, learned Advocate for the applicant  
(absent). Shri S.K. Shirse, learned Presenting Officer for  
the respondents, is present.

2. The present M.A. has been filed by the applicant for  
condonation of 698 days delay caused in filing the O.A. before  
the Tribunal.

3. It appears from the record that for 6 last months' no  
efforts are taken by the applicant to serve notices upon the  
respondents. In the circumstances, the present M.A. is  
hereby dismissed in default. In view of dismissal in default of  
the M.A., the O.A. is also disposed of. There shall be no order  
as to costs.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 6.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 708/2013**

(Smt. (Dr.) Rekha A. Salunkhe Vs. The State of Mah. & Ors.)

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

**Date : 06.07.2017**

**ORAL ORDER:-**

Shri H.P. Jadhav, learned Advocate for the applicant  
(absent). Shri D.R. Patil, learned Presenting Officer for the  
respondents, is present.

2. The learned P.O. seeks time to file copy of the decision  
of res. no. 2 on the representation of the applicant dated  
25.8.2012, which is a prayer clause (C) in the present original  
application. In the circumstances, S.O. to 26.7.2017 for filing  
copy of the said decision by the learned P.O.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 6.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD  
ORIGINAL APPLICATION NO.326/2017  
(Shri Nilakant Jadhav V/s. The State of Mah. & Ors.)**

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

DATE : 06-07-2017

**ORAL ORDER:-**

Heard Shri R.B.Ade learned Advocate holding for Shri Sandip Rathod 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. 02-08-2017.

YUK ORAL ORDER 06-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.350/2017**

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

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

DATE : 06-07-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant seeks time to make amendment in the O.A. Time granted.

3. S.O.24-07-2017.

YUK ORAL ORDER 06-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.351/2017**  
(Shri Baban Shinde V/s. The State of Mah. & Ors.)

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

DATE : 06-07-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant seeks time to make amendment in the O.A. Time granted.

3. S.O.24-07-2017.

YUK ORAL ORDER 06-07-2017

**MEMBER (J)**



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.615/2017**  
(Shri Tarachand Jadhav V/s. The State of Mah. & Ors.)

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

DATE : 06-07-2017

**ORAL ORDER:-**

Heard Shri D.B.Bhange learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to make amendment in the O.A. Time granted.

3. S.O.24-07-2017.

YUK ORAL ORDER 06-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.616/2017**  
(Shri Chandu Kayasth V/s. The State of Mah. & Ors.)

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

DATE : 06-07-2017

**ORAL ORDER:-**

Heard Shri D.B.Bhange learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to make amendment in the O.A. Time granted.

3. S.O.24-07-2017.

YUK ORAL ORDER 06-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.617/2017**  
(Shri Kashinath Chauthmal V/s. The State of Mah. &  
Ors.)

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

DATE : 06-07-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant seeks time to make amendment in the O.A. Time granted.

3. S.O.24-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 06-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.766/2017**  
(Shri Ratnakar Vaidya V/s. The State of Mah. & Ors.)

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

DATE : 06-07-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant seeks time to make amendment in the O.A. Time granted.

3. S.O.24-07-2017.

YUK ORAL ORDER 06-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.771/2016**  
(Usha Bahirat V/s. The State of Mah. & Ors.)

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

DATE : 06-07-2017

**ORAL ORDER:-**

Heard Shri R.B.Ade learned Advocate for the applicant, Smt. Priya Bharaswadkar learned Presenting Officer for the respondent nos.1 to 3 and Shri Shrikant Veer learned Advocate for respondent no.4.

2. Learned P.O. has filed affidavit in reply on behalf of respondent no.3. Learned Advocate for respondent no.4 has also filed affidavit in reply. Those are taken on record. Copies thereof have been served on the other side.

3. S.O.02-08-2017.

YUK ORAL ORDER 06-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.87/2017**

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

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

DATE : 06-07-2017

**ORAL ORDER:-**

Shri N.L.Jadhav learned Advocate for the applicant is **absent**. and Smt. Resh Deshmukh learned Presenting Officer for the respondents.

2. Since none present for the applicant,  
S.O.02-08-2017.

YUK ORAL ORDER 06-07-2017

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.175/2016**  
(Shri Banaji Chilgar V/s. The State of Mah. & Ors.)

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

DATE : 06-07-2017

**ORAL ORDER:-**

Heard Shri K.G.Salunke learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for the respondent nos.1 to 3 and Shri Ashish Rajkar learned Advocate holding for Shri S.V.Mundhe learned Advocate for respondent no.4.

2. Learned Advocate for respondent no.4 has filed additional affidavit in reply. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant has submitted that the applicant raised objection before the Sub Division Magistrate @ Chairman, Recruitment Committee by filing objection dated 25-02-2016 (page 24) challenging the eligibility of the respondent no.4 on the ground that he is a medical practitioner and running

medical profession since 5 years at Village Ranisavargaon. He has submitted that Sub Division Officer has not decided that application and subsequent application dated 01-03-2016 filed by him and without deciding applications, he has issued impugned appointment order dated 06-04-2016 (page 35). He has submitted that the additional affidavit filed by the respondent no.4 shows that he is carrying out medical practice till his appointment, and according to him he has stopped practice thereafter.

4. Learned CPO has submitted that respondent no.4 is appointed on the basis of the report submitted by the Talathi of Village Rani Savargaon stating that the respondent no.4 is not doing in profession or medical practice.

5. Learned Advocate for respondent no.4 also submits that the Sub Divisional Magistrate has passed order after



verifying the fact whether the respondent no.4 was doing medical practice. It is stated in the affidavit of respondent no.4, that he was practicing as Medical Practitioner till the date of issuance of the appointment order dated 06-04-2016, and thereafter he stopped medical practice.

6. Admittedly, respondent no.2 and 3 have contended that the respondent no.4 was not working as medical practitioner. While the respondent no.4 has himself admitted that he was practicing as medical practitioner till he was appointed as Police Patil and thereafter he stopped the practice. This shows contradictory statements by respondent no.2, 3 and 4. Not only this, but there is nothing on the record to show that respondent no.2 Sub Divisional Magistrate decided objections / representations filed by the applicant on 25-02-2016 and 01-03-2016.

7. In these circumstances, it is necessary to direct the respondent no.3 to file his personal affidavit stating whether he has taken decision on the objections raised by the applicant dated 25-02-2016 and 01-03-2016 after giving opportunity to the applicant and the enquiry made into by him as regards profession of the respondent no.4 at the time of issuing the appointment order. He is further directed to produce entire file/record of the recruitment process in respect of the post of Police Patil of Village Chilgarwadi, Tq. Gangakhed, Dist. Parbhani.

8. S.O. to 25-07-2017.

9. Steno copy may be provided to the learned CPO on his request.

**MEMBER (J)**

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

**MA NO.183/2017 IN OA NO.300/2017.**  
**(Shri A. S. Suryawanshi Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 06-07-2017**

**ORAL ORDER:-**

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

2. Shri V. B. Wagh learned Advocate for the applicant files the Recruitment Rules. It is taken on record and marked as "X" for the purpose of identification. Copy served on the other side.

3. S. O. to 24.07.2017 for hearing on M.A.

**VICE CHAIRMAN.**

**ORAL ORDERS 06-07-2017-ATP**

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

**ORIGINAL APPLICATION NO.730/2016.**

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

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

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

**DATE** : 06-07-2017

**ORAL ORDER:-**

Heard Shri N. K. Tungar learned Advocate for the applicant, Shri D. R. Patil learned Presenting Officer for the respondents no.1 & 2 and Shri R. E. Pathade learned Advocate for the Respondents no.3 to 5.

2. Upon hearing both the sides it prima facie appears that, while the applicant downloaded filled in form would show that, he had applied for E.S.B.C. Project Affected category (page no.38), the data base of the Respondent at Exh.R-2 (page no.84) would show that, his application was treated from E.S.B.C. (General) category.

3. Further, the advertisement (page no.14) would show that, for E.S.B.C. category totally there were 28 posts, so far as Project Affected category is concerned, one post was horizontally reserved from these 28 posts.

4. In the merit list the present applicant at Sr.No.106 (page no.53) is shown from E.S. B.C. category. However,

so far as parallel reservation is concerned he is shown from General category.

5. Lastly, in the notices to the candidates who have come within the zone of selection for placing their documents for scrutiny (Annexure A, page no.56). No candidate from E.S.B.C. Project Affected is shown.

6. In the circumstances the Respondents are directed as under :-

- i) The Respondents shall file the printed copy of the application form of the present applicant.
- ii) They shall also explain as to whether any candidate from E.S.B.C. Project Affected category is selected.

7. The statement shall be made by an affidavit.

8. S. O. to 25.7.2017.

9. The learned P.O. is directed to act on the Steno copy of this order for compliance of the present order.

**VICE CHAIRMAN.**

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

**ORIGINAL APPLICATION NO.07/2017.**

**(Shri S. K. Ghonmode Vs. State of Mah. & Ors.)**

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

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

**DATE : 06-07-2017**

**ORAL ORDER:-**

Heard Shri S. P. Rathod learned Advocate holding  
for Smt. Surekha Mahajan learned Advocate for the  
applicant and Shri N. U. Yadav, learned Presenting  
Officer for the respondents.

2. Shri S. P. Rathod learned Advocate holding for Smt.  
Surekha Mahajan learned Advocate for the applicant  
seeks time. At his request, S. O. to 08.08.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 06-07-2017-ATP**

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

**ORIGINAL APPLICATION NO.105/2017.**  
**(Shri N. S. Mapari Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 06-07-2017**

**ORAL ORDER:-**

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

2. The notices are not collected till this date though the order was passed on 27.04.2017.

3. In the circumstances, S. O. to 25.7.2017 either for taking steps for issuing fresh notices or for passing necessary orders.

**VICE CHAIRMAN.**

**ORAL ORDERS 06-07-2017-ATP**

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

**MA 144/2017 IN MA ST. 434/17 IN OA 889/11.**  
**(Sunita Ganvir @ S.S.RaypureVs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 06-07-2017**

**ORAL ORDER:-**

Heard Shri S. B. Gastgar learned Advocate for the applicant and Shri I. S. Thorat learned Presenting Officer for the respondents.

2. For the reasons stated in the application the delay in filing the application is hereby condoned and the application is hereby allowed.

3. The application for restoration is also allowed upon depositing cost of Rs.3000/-to be paid to the Bar Association within a period of 15 days and upon filing of the receipt of the same the O.A. be listed for hearing.

4. S. O. to 25.7.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 06-07-2017-ATP**



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

**MA NO.170/17 IN CP ST.586/17 IN OA 811/15.**  
**(Shri S. S. Bangar Vs. State of Mah. & Ors.)**

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

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

**DATE : 06-07-2017**

**ORAL ORDER:-**

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

2. The learned P.O. files short affidavit of Respondent no.3 and the additional affidavit in reply of Respondent no.3. The same are taken on record. Its copies are served on the other side.

3. The Respondent No.3 Dr. Khaire is personally present. He submits that, action as per law for compliance of the order would be taken within a period of 15 days. He further submit that, due to inadvertence the order could not be noticed. The order of imposition of costs is hereby withdrawn.

4. S. O. to 24.07.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 06-07-2017-ATP**

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

**MA NO.230/17 IN TA NO.2/2016 (W.P.NO.12209/15).**

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

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

**DATE** : 06-07-2017

**ORAL ORDER:-**

Heard Shri R.D. Khadap learned Advocate holding for Shri S. S. Thombre learned Advocate for the applicant, Shri N. U. Yadav learned Presenting Officer for the respondent no.1 Shri Kolpe learned Advocate for the Respondent no.2, Shri V.B. Wagh, learned Advocate for the Respondent no.3 Intervenor and Shri Manoj Shinde learned Advocate for Intervenor.

2. The learned Advocate Shri Wagh for the Respondent no.3 files affidavit in reply. The same is taken on record and marked as "X" for the purpose of identification. Its copy is served on the other side.

3. As the present applicant would be affected by the order that may be passed in the present application, the present application for intervention is hereby allowed.

4. Since the matter pertains to the Division Bench the learned Advocate for the applicant submits that, it should be heard by the Division Bench.

5. Remove from Board with liberty to both sides to circulate the matter as and when the Division Bench is available.

**VICE CHAIRMAN.**

ORAL ORDERS 06-07-2017-ATP

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

**ORIGINAL APPLICATION NO.182/2017.**  
**(Shri S. B. Gaikwad Vs. State of Mah. & Ors.)**

**CORAM: Hon Shri Justice M. T. Joshi, Vice Chairman.**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench.)

**DATE : 06-07-2017**

**ORAL ORDER:-**

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

2. Shri V. B. Wagh learned Advocate for the applicant seeks time to file service affidavit. At his request, S. O. to 26.07.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 06-07-2017-ATP**

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 582 OF 2016

(Shobha L. Ballayya (Kutare) Vs. The State of Maha. and  
Ors.)

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

DATE : 06.07. 2017.

ORAL ORDER:

1. Shri H.A. Joshi – learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents, present.
2. Since nobody appears for the applicant, S.O. to 4<sup>th</sup> August, 2017.

MEMBER (J)

ORAL ORDERS 06.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 20 OF 2017**

**(Shri Kishor J. Padvi Vs. The State of Maha. and Ors.)**

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

**DATE : 06.07. 2017.**

**ORAL ORDER:**

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

2. At the request of learned Presenting Officer, S.O. to 14<sup>th</sup> July, 2017 to enable him to take instructions from the concerned respondent regarding proposal sent to the Accountant General by respondent No. 3 to grant regular pension to the applicant and to make submissions in that regard as directed by this Tribunal by order dated 4<sup>th</sup> May, 2017.

3. S.O. to 14<sup>th</sup> July, 2017.

**MEMBER (J)**

ORAL ORDERS 06.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 838 OF 2016**

**(Dr. Deepak S. Thakare Vs. The State of Maha. and Ors.)**

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

**DATE : 06.07. 2017.**

**ORAL ORDER:**

1. 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 Presenting Officer prays for time to take instructions from the respondent No. 1 as to whether charge-sheet in the Departmental Enquiry has been served on the applicant. He has submitted that he will make statement positively, on the next date.

3. It is made clear that if the learned Presenting Officer fails to take instructions from the respondent No. 1, the present case will be heard finally, on the next date.

4. S.O. to 18<sup>th</sup> July, 2017.

5. Learned Presenting Officer shall act on the steno copy.

**MEMBER (J)**

ORAL ORDERS 06.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 839 OF 2016**

**(Dr. Anil G. Valvi Vs. The State of Maha. and Ors.)**

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

**DATE : 06.07. 2017.**

**ORAL ORDER:**

1. Heard Shri J.B. Choudhary – learned Advocate for the applicant, Shri I.S. Thorat – learned Presenting Officer for the respondent Nos. 1 to 3 and Smt. Vaishali S. Choudhary – learned Advocate for respondent No. 4.

2. Learned Presenting Officer prays for time to take instructions from the respondent No. 1 as to whether charge-sheet in the Departmental Enquiry has been served on the applicant. He has submitted that he will make statement positively, on the next date.

3. It is made clear that if the learned Presenting Officer fails to take instructions from the respondent No. 1, the present case will be heard finally, on the next date.

4. S.O. to 18<sup>th</sup> July, 2017.

5. Learned Presenting Officer shall act on the steno copy.

**MEMBER (J)**

ORAL ORDERS 06.07.2017-HDD



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**REV. 06/2017 IN O.A.NO. 110/2017**

**(Shri Dinesh R. Kurekar Vs. The State of Maha. and Ors.)**

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

**DATE : 06.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Avinash S. Deshmukh – learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 28<sup>th</sup> July, 2017.

**MEMBER (J)**

**ORAL ORDERS 06.07.2017-HDD**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**REV. 07/2017 IN O.A.NO. 111/2017**

**(Shri Ramesh U. Baviskar Vs. The State of Maha. and Ors.)**

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

**DATE : 06.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Avinash S. Deshmukh – learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate – learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 28<sup>th</sup> July, 2017.

**MEMBER (J)**

**ORAL ORDERS 06.07.2017-HDD**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A.NO. 167/2017 IN O.A.NO. 647/2013**

**(The State of Mah. & Ors. Vs. Shri D.M. Kulkarni)**

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

**DATE : 06.07. 2017.**

**ORAL ORDER:**

1. Heard Shri S.K. Shirse – learned Presenting Officer for the miscellaneous applicants/ original respondents and Shri V.B. Wagh – learned Advocate for the respondent/ original applicant.
2. At the request of learned Presenting Officer, S.O. to 13<sup>th</sup> July, 2017 to enable him to file short affidavit as directed by this Tribunal by an order dated 03.05.2017.
3. Steno copy be provided to the learned Presenting Officer, at his request.

**MEMBER (J)**

ORAL ORDERS 06.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 184 OF 2017**

**(Shri Nadim Y. Shaikh Vs. The State of Maha. and Ors.)**

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

**DATE : 06.07. 2017.**

**ORAL ORDER:**

1. Heard Shri V.B. Wagh – learned Advocate for the applicant and Shri D.R. Patil – learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant has filed service affidavit and the same is taken on record.
3. At the request of learned Presenting Officer for the respondents, S.O. to 7<sup>th</sup> August, 2017 for filing affidavit in reply.

**MEMBER (J)**

ORAL ORDERS 06.07.2017-HDD

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 290 OF 2017**

**(Shri Sanjay S. Maske Vs. The State of Maha. and Ors.)**

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

**DATE : 06.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Rajendra J. Godbole – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 26<sup>th</sup> July, 2017.

3. Learned Advocate for the applicant has submitted that interim relief was granted on 9.5.2017 till next date. However, on 15.06.2017 he could not remain present due to his personal difficulty. Therefore, interim relief was not continued on the said date. He has submitted that the applicant has not been relieved in view of the interim relief granted on 9.5.2017 and still he is working at Dhule.

4. On instructions, the learned Presenting Officer for the respondents has submitted that the applicant has not been relieved.

5. In the circumstances, it is just to continue the interim relief granted in favour of the applicant on 9.5.2017 till the next date. Hence, interim relief granted earlier i.e. on 9.5.2017 to continue till then.

**MEMBER (J)**

**ORAL ORDERS 06.07.2017-HDD**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 158 OF 2017**

**(Dr. Surekha V. More Vs. The State of Maha. and Ors.)**

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

**DATE : 06.07. 2017.**

**ORAL ORDER:**

1. Heard Shri Avinash S. Deshmukh – learned Advocate for the applicant and Shri M.P. Gude – learned Presenting Officer for the respondents.
2. Learned Presenting Officer prays for time to file affidavit in reply. Time granted as a most last chance.
3. S.O. to 14<sup>th</sup> July, 2017. Interim relief granted earlier to continue till then.

**MEMBER (J)**

ORAL ORDERS 06.07.2017-HDD

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 163 OF 2017

(Shri Shaikh Anis Ayub Vs. The State of Maha. and Ors.)

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

DATE : 06.07. 2017.

**ORAL ORDER:**

1. Heard Shri M.R. Kulkarni – learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar – learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1 and the same is taken on record and copy thereof has been served on the learned Advocate for the applicant.

3. Learned Advocate for the applicant has submitted that the applicant is not pressing prayer clause 'A' and 'C' as claimed in the present Original Application. He has submitted that the applicant is pressing prayer clause 'B' only. The said prayer clause 'B' reads as under: -

***“b) By issuing appropriate order or direction the Hon'ble Tribunal be pleased to direct the Respondent No. 1 to call the meeting and place the case of the Applicant before the suspension review committee for the consideration of suspension order dated***

O.A. NO. 163 OF 2017

*27.04.2016 & consider applicant's reinstatement representation dated 13.10.2016 in light of policy decisions G.R. dated 14.10.2011 & 31.01.2015 within stipulation period & revoke applicant's suspension order subject to outcome of criminal case."*

4. Learned Advocate for the applicant has submitted that in paragraph 2 (viii) in the affidavit in reply filed by respondent No. 1 it is stated that, the case of the applicant's suspension would be placed before the suspension review committees meeting scheduled in the month of July 2017. He has submitted that in view of the statement made by respondent No. 1 in the affidavit in reply, it is just to dispose of the present Original Application.

5. Learned Presenting Officer has no objection to dispose of the present Original Application with the said direction as respondent No. 1 has made a statement in that regard in paragraph 2 (viii).

6. In view of the submissions made on behalf of the applicant and since respondent No. 1 is intended to place the applicant's case before forthcoming suspension review



**O.A. NO. 163 OF 2017**

committees meeting to be held in the month of July, 2017, the Original Application is disposed of with the direction to the respondent No. 1 to keep the case of the applicant's suspension before suspension review committee to be held in the month of July, 2017.

There shall be no order as to costs.

**MEMBER (J)**

ORAL ORDERS 06.07.2017-HDD