

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 158/2017**  
(Smt. (Dr.) Surekha V. More Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

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

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

3. S.O. to 26.07.2017. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**KPB ORAL ORDER 14-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 174/2017**  
(Shri (Dr.) Madhav F. Jadhav Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

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

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

3. S.O. to 07.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 14-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 265/2017**  
(Shri (Dr.) Suresh M. Karamunge Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

Shri I.D. Maniyar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

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

3. S.O. to 08.08.2017.

**MEMBER (J)**

**KPB ORAL ORDER 14-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 389/2017**  
(Shri Surendra D. Deshpande Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O. to 21.07.2017.

**MEMBER (J)**

**KPB ORAL ORDER 14-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 158/2017**  
(Shri (Dr.) Surekha V. More Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

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

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

3. S.O. to 26.07.2017. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**KPB ORAL ORDER 14-07-2017**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 217/2016**  
(Smt. Tanuja R. Patil Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

Ms. Ujjwal Agarwal, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1 to 3 and Shri B.G. Deshmukh, learned Advocate holding for Shri A.I. Deshmukh, learned Advocate for respondent no. 4, are present.

2. As none present for the applicant, S.O. to 31.07.2017 for dismissal.

**MEMBER (J)**

KPB ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 470/2016**  
(Shri Tulshidas K. Patil Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

Shri M.K. Deshpande, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 01.08.2017 for dismissal.

**MEMBER (J)**

KPB ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 500/2016**

(Shri Saleem Khan Maseed Khan Sukede Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 & 2, Shri S.B. Mene, learned Advocate for respondent no. 3.

2. Learned Advocate for respondent no. 3 has filed rejoinder affidavit. Same is taken on record and the copy thereof has been served upon the other side.

3. Learned Advocate for respondent no. 3 undertakes to deposit an amount of Costs of Rs. 5000/- today, if possible, otherwise in the next week.

4. S.O. to 07.08.2017.

**MEMBER (J)**

KPB ORAL ORDER 14-07-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 890/2016**  
(Shri Subhash P. Jaikar Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

Shri A.M. Hajare, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has submitted that the partial amount out of amount claimed by the applicant has been disbursed to the applicant and the bill regarding balance amount has been sent to the Treasury. He has submitted that the said bill will be passed within a period of two weeks and therefore, he sought two weeks time to furnish the details regarding entire amount paid to the applicant. Time granted as prayed for.

3. S.O. to 31.07.2017.

**MEMBER (J)**

KPB ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 463/2016**  
(Shri Ishwar B. Pawar Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

Heard Ms. Preeti R. Wankhade, 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 02.08.2017.

**MEMBER (J)**

KPB ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 464/2016**  
(Shri Milind L Kulkarni Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 02.08.2017.

**MEMBER (J)**

KPB ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 465/2016**  
(Shri Vinayak S. Jadhav Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 02.08.2017.

**MEMBER (J)**

KPB ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 826/2016**  
(Shri Laxman B. Parandkar Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

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

2. Today, learned Presenting Officer has placed on record a copy of communication dated 28.06.2017 received from the Divisional Joint Director of Agriculture, Latur, informing that the case of the applicant has been placed before the suspension review committee on 16.03.2017 but their proposal has not been approved and directions were given to place the fresh proposal in the next meeting. Copy of the said communication is placed on record and marked as Exhibit-'X' for the purposes of identification. He has submitted that the respondent no. 2 has informed him that the review committee has taken decision and therefore, respondent no. 2 has no authority to decide the representation.

3. Learned Advocate for the applicant has submitted that this Tribunal by an order dated 25.04.2017, specifically directed the respondent no. 2 to decide the representations filed by the applicant within a period of two months, but no order has been passed by the respondent no. 2, till today.

4. On going through the record, it reveals that the meeting of review committee has been held on 16.03.2017 and at that time the proposal of the applicant has not been considered by the Review Committee. When the matter was placed before this Tribunal on 25.04.2017, the Tribunal directed the respondent no. 2 to take decision on the various representations dated 20.04.2016, 13.06.2016, 09.09.2016 and 23.09.2016 filed by the applicant, in the light of the decision of the Hon'ble Apex Court in the case of **Ajay Kumar Choudhary Vs. Union of India** reported in [AIR 2015 SC 2389]. Accordingly, two months time was given to the respondent no. 2, but the record shows that the respondent no. 2 has not yet decided the representations.

It shows that the respondent no. 2 has not followed the directions given by this Tribunal and flouted the order of this Tribunal.

5. Hence, the respondent no. 2 is directed to file short affidavit explaining as to why the representations of the applicant have not been decided by him as directed by the Tribunal and why necessary action shall not be taken against him for flouting the orders of this Tribunal.

6. S.O. to 7.8.2017.

**MEMBER (J)**

KPB ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 467/2017**  
(Smt. Sharmila P. Nikale Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant has not completed her regular tenure of posting in the District and she has been transferred by the impugned order dated 31.05.2017. He has submitted that the other employees who have not completed a year also have been transferred from their present posting by the impugned order. He has submitted that the said transfer order has been made in order to accommodate those employees. He has argued that as there were irregularity and malpractices in issuing the impugned order of transfer, the representations have been made to the Government by the aggrieved employees. On the basis of representations made by the aggrieved employees, the



Government stayed the order and appointed a committee for irregularity committed while making transfers. He has submitted that the committee has submitted report and thereafter, the Government on 12.07.2017, issued communication and informed the respondents that the stay, which was earlier granted to the transfer order, has been vacated. He has submitted that on the basis of said order, on 13.07.2017, the respondent no. 2 has issued the relieving order of the applicant after office hours, without giving opportunity being heard to the applicant. He has submitted that the transfer order is illegal and he prayed to protect the applicant by interim order and to grant stay to the execution of the impugned transfer order. He has also prayed to repost the applicant at her earlier post meanwhile.

3. Learned Presenting Officer has submitted that the applicant has been transferred on her own request. He has submitted that the applicant has already been relieved on 13.07.2017; therefore, no question of granting

stay to the impugned transfer order arises. Therefore, he prayed to reject the prayed for interim relief.

4. On perusal of record, it reveals that the applicant has not completed her normal tenure of posting in Aurangabad district. She has shown to be transferred on her request, though she never made request for transfer. The employee posted at her place had been transferred from Aurangabad before few months and he has been brought again at Aurangabad within short time on his request. The applicant and other employees raised grievance before the Government regarding the impugned transfer order and therefore, the Government stayed the operation and execution of the order by an order dated 5.6.2017. Thereafter, committee has been established for making enquiry regarding irregularities took place in the transfer order, but on 12.07.2017, the Government vacated the stay granted to the impugned transfer order. On the basis of said letter, the applicant has been relieved immediately w.e.f. 13.07.2017. Prima-facie, it seems that the

impugned order is in contravention of provision of the Transfer Act, 2005.

5. In these circumstances, it is just and proper to direct the respondents, not to allow the person, who has been posted on the place of applicant, till filing of the affidavit in reply by the respondents.

6. Issue notices to the respondents, returnable on 24.07.2017.

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

8. 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.

9. 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.

10. 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.

11. S.O.to 24-07-2017.

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

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 468/2017**  
(Smt. Meena M. Survey Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant has submitted that the applicant has not completed her regular tenure of posting in the District and she has been transferred by the impugned order dated 31.05.2017. He has submitted that the other employees who have not completed a year also have been transferred from their present posting by the impugned order. He has submitted that the said transfer order has been made in order to accommodate those employees. He has argued that as there were irregularity and malpractices in issuing the impugned order of transfer, the representations have been made to the Government by the aggrieved employees. On the basis of representations made by the aggrieved employees, the

Government stayed the order and appointed a committee for irregularity committed while making transfers. He has submitted that the committee has submitted report and thereafter, the Government on 12.07.2017, issued communication and informed the respondents that the stay, which was earlier granted to the transfer order, has been vacated. He has submitted that on the basis of said order, on 13.07.2017, the respondent no. 2 has issued the relieving order of the applicant after office hours, without giving opportunity being heard to the applicant. He has submitted that the transfer order is illegal and he prayed to protect the applicant by interim order and to grant stay to the execution of the impugned transfer order. He has also prayed to repost the applicant at her earlier post meanwhile.

3. Learned Chief Presenting Officer has submitted that the applicant has been transferred on administrative ground. He has submitted that the applicant has already been relieved on 13.07.2017; therefore, no question of granting stay to the impugned transfer order arises.

Therefore, he prayed to reject the prayed for interim relief.

4. On perusal of record, it reveals that the applicant has not completed her normal tenure of posting in Aurangabad district. The employee posted at her place had been transferred from Aurangabad before few months and he has been brought again at Aurangabad within short time on his request. The applicant and other employees raised grievance before the Government regarding the impugned transfer order and therefore, the Government stayed the operation and execution of the order by an order dated 5.6.2017. Thereafter, committee has been established for making enquiry regarding irregularities took place in the transfer order, but on 12.07.2017, the Government vacated the stay granted to the impugned transfer order. On the basis of said letter, the applicant has been relieved immediately w.e.f. 13.07.2017. Prima-facie, it seems that the impugned order is in contravention of provision of the Transfer Act, 2005.

5. In these circumstances, it is just and proper to direct the respondents, not to allow the person, who has been posted on the place of applicant, till filing of the affidavit in reply by the respondents.

6. Issue notices to the respondents, returnable on 24.07.2017.

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

8. 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.

9. 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.



10. 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.

11. S.O.to 24-07-2017.

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

**MEMBER (J)**

KPB ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 469/2017**  
(Shri Kishan B .Pathade Vs. State of Maharashtra & Ors.)

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

**DATE : 14.07.2017.**

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant has submitted that the applicant has not completed his regular tenure of posting in the District and she has been transferred by the impugned order dated 31.05.2017. He has submitted that the other employees who have not completed a year also have been transferred from their present posting by the impugned order. He has submitted that the said transfer order has been made in order to accommodate those employees. He has argued that as there were irregularity and malpractices in issuing the impugned order of transfer, the representations have been made to the Government by the aggrieved employees. On the basis of representations made by the aggrieved employees, the

Government stayed the order and appointed a committee for irregularity committed while making transfers. He has submitted that the committee has submitted report and thereafter, the Government on 12.07.2017, issued communication and informed the respondents that the stay, which was earlier granted to the transfer order, has been vacated. He has submitted that on the basis of said order, on 13.07.2017, the respondent no. 2 has issued the relieving order of the applicant after office hours, without giving opportunity being heard to the applicant. He has submitted that the transfer order is illegal and he prayed to protect the applicant by interim order and to grant stay to the execution of the impugned transfer order. He has also prayed to repost the applicant at his earlier post meanwhile.

3. Learned Chief Presenting Officer has submitted that the applicant has been transferred on administrative ground. He has submitted that the applicant has already been relieved on 13.07.2017; therefore, no question of granting stay to the impugned transfer order arises.

Therefore, he prayed to reject the prayed for interim relief.

4. On perusal of record, it reveals that the applicant has not completed his normal tenure of posting in Aurangabad district. The employee posted at his place had been transferred from Aurangabad before few months and he has been brought again at Aurangabad within short time on his request. The applicant and other employees raised grievance before the Government regarding the impugned transfer order and therefore, the Government stayed the operation and execution of the order by an order dated 5.6.2017. Thereafter, committee has been established for making enquiry regarding irregularities took place in the transfer order, but on 12.07.2017, the Government vacated the stay granted to the impugned transfer order. On the basis of said letter, the applicant has been relieved immediately w.e.f. 13.07.2017. Prima-facie, it seems that the impugned order is in contravention of provision of the Transfer Act, 2005.

5. In these circumstances, it is just and proper to direct the respondents, to keep the post of the applicant vacant, till filing of the affidavit in reply by the respondents.

6. Issue notices to the respondents, returnable on 24.07.2017.

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

8. 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.

9. 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.

10. 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.

11. S.O.to 24-07-2017.

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

**MEMBER (J)**

KPB ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**MA 509/2015 IN OA ST. 550/2015**

(Shri Pradeep B. Kokate Vs. The State of Mah. & Ors.)

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

**Date : 14.07.2017**

**ORAL ORDER:-**

Heard Ms. Ashlesha Raut, learned Advocate holding Shri S.B. Talekar, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant has filed written notes of arguments in the matter. It is taken on record. S.O. to 19.7.2017 for orders.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 14.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 612/2013**

(Shri Bapu V. Sonone 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 : 14.07.2017**

**ORAL ORDER:-**

Shri C.V. Thombre, learned Advocate for the applicant  
(absent). Heard Smt. Deepali S. Deshpande, learned  
Presenting Officer for the respondents.

2. In view of Circular dated 28/29.1.2016 issued by  
Hon'ble Chairman of the Tribunal the issue of promotion  
involved in the present original application falls within the  
jurisdiction of Single Bench. Therefore, the present matter be  
removed from the board of Division Bench and it be placed on  
27.7.2017 before the Single Bench in the final hearing  
category.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 14.7.2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 613/2013**

(Shri (Dr.) Vijaykumar G. Nimbalkar Vs. 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 : 14.07.2017**

**ORAL ORDER:-**

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 to 3. Shri P.R. Tandale, learned Advocate for respondent no. 4 (**absent**).

2. In view of absence of learned Advocate for the res. no. 4, S.O. to 3.8.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 14.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 439/2017**

(Shri Sk. Abdul Majid Razak 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 : 14.07.2017**

**ORAL ORDER:-**

Heard Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, it appears that the applicant has not filed on record the copy of the tentative seniority list, which appears to have been published by the respondents on 1.1.2016 reference of which is made in the final seniority list dated 17.9.2016 (paper book page 25 of the O.A.). This letter also would show that certain objections were called by the respondents to the tentative seniority list before preparation of final seniority list in which the present applicant is shown as junior to some of the employees in the said cadre, as can be seen from paper book page 22 of the O.A. The learned Advocate for the applicant submits that objection to final seniority list was raised by the applicant on 21.4.2017 (paper book page 30 of the O.A.) while the

promotion order was issued on 11.5.2017 (paper book page 40 of the O.A.).

3. In the circumstances, before proceeding further in the present proceedings it would be necessary to have on record the copy of the tentative seniority list of the year 2016 of the cadre of Range Forest Officers published by the respondents on 1.1.2016.

4. In the circumstances, I pass issue following directions :-

(a) The applicant shall join the employees who according to him were junior but still were promoted vide Annex. A-6 (paper book page 40 of the O.A.)

(b) The applicant shall also file on record the copy of the tentative seniority list of the year 2016 of the cadre of Range Forest Officers published by the respondents on 1.1.2016.

5. S.O. to 21.8.2017 for compliance.

**VICE CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 440/2017**

(Shri Vijay R. Gaikwad 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 : 14.07.2017**

**ORAL ORDER:-**

Heard Shri Shamsundar B. Patil, learned Advocate holding for Shri Vijay B. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The documents on record as well as the submissions of the learned Advocate for the applicant would show that the present applicant was sent for medical examination by the res. no. 3 for the post of Constable to the District Civil Hospital, Jalgaon. The Ophthalmologist of the District Civil Hospital, Jalgaon found that the present applicant is colour blind. On the request of applicant he was thereafter referred for medical examination by the said respondent to Sasoon General Hospital, Pune. The Board of Referees of the Sasoon General Hospital, Pune also found that the applicant is unfit to perform the duties of the Police Constable due to defective colour vision. Again on request of the applicant, he was referred for re-examination to the Sir J.J. Group of

Hospitals, Mumbai. The Board of Referees of Sir J.J. Group of Hospitals, Mumbai though found that the applicant is partially colour blind, but said Board of Referees was of the opinion that the applicant is fit to perform the duties of the post of Constable.

3. Upon hearing both the sides, the learned Advocate for the applicant submits that, he would take instructions from the applicant as to whether there are sets of standard prescribed regarding Vision Fitness for the post of Constable by the authorities and place the same before the Tribunal. At his request, S.O. to 26.7.2017 for compliance.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 14.7.2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. NO. 227/2017 IN CP ST. 570/2017 IN OA 374/2016**  
(Shri David S. Ganthur 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 : 14.07.2017**

**ORAL ORDER:-**

Heard Shri K.M. Nagarkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant seeks leave of the Tribunal to correct the name of res. no. 1 in the M.A. & C.P. Permission as sought is granted. The said amendment be carried out forthwith.

3. The learned Advocate for the applicant submits that, in view of the direction no. 3 issued by the Tribunal in the order dated 29.11.2016 in O.A. no. 374/2016 (paper book page 20 of the C.P.) the representation dated 3.3.2017 has been sent by the applicant to the res. no. 1 – the District Superintendent of Police, Jalna (Annex. A-4 paper book page 28 of the C.P.). However, till this date neither the applicant is called by the res. no. 1 for hearing on the said representation nor the same is decided by the said authority.

::-2-::  
M.A. NO. 227/2017 IN  
CP ST. 570/2017 IN  
OA 374/2016

4. In the circumstances, the present applicant is hereby directed to remain present personally in the office of res. no. 1 – the District Superintendent of Police, Jalna on 25.7.2017 between 11.00 a.m. to 12.00 noon. The res. no. 1 – the District Superintendent of Police, Jalna – shall hear the applicant on the said representation during that period. In case the res. no. 1 would not be able to remain present in his office on the given time and date, he shall intimate in writing to the applicant through his officials regarding the next date and time for remaining present by the applicant for hearing on the representation.

5. Upon hearing the applicant, the res. no. 1 shall decide the representation of the applicant within a period of 3 weeks from the date of hearing of the same, failing which directly permission to file contempt petition may be granted to the applicant.

4. S.O. to 28.7.2017.

5. Both the parties are directed to act on steno copies of this order.

**VICE CHAIRMAN**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.226/2016**  
(Shri Shivram Dhapate V/s. The State of Mah. & Ors.)

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

DATE : 14-07-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant prays for time to argue the matter finally. Time granted.
3. S.O. 16-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.448/2017**  
(Shri Prakash Dandge V/s. The State of Mah. & Ors.)

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

DATE : 14-07-2017

**ORAL ORDER:-**

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

2. Learned Advocate for the applicant prays for time for filing M.A. for condonation of delay caused in filing the O.A. Time granted.

3. S.O. 18-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.534/2017**  
(Shri Babasaheb Pagare V/s. The State of Mah. & Ors.)

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

DATE : 14-07-2017

**ORAL ORDER:-**

Shri N.B.Narwade learned Advocate for the applicant is **absent**. Shri D.R.Patil learned Presenting Officer for the respondents is present.

2. None appears for the applicant. This case be fixed for hearing on the point of maintainability of the O.A.

3. S.O. 01-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO.786/2017**  
(Shri Suryakant Dhanshetti V/s. The State of Mah. &  
Ors.)

CORAM: Hon'ble Shri B. P. Patil, Member (J)  
DATE : 14-07-2017

**ORAL ORDER:-**

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

2. It appears from the record that alternate remedy has not been exhausted by the applicant.

3. Learned Advocate for the applicant submits that applicant will file appeal before the competent authority challenging suspension order. Therefore, he sought leave of the Tribunal to withdraw the O.A. with liberty to file fresh O.A.

4. In view of submission of learned Advocate for the applicant O.A. is disposed of as withdrawn with liberty to file fresh application, if necessary. There shall be no order as to costs.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.460/2017**

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

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

DATE : 14-07-2017

**ORAL ORDER:-**

Heard Shri S.R.Dheple learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 16-08-2017.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

7. S.O.to 16-08-2017.

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

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.284/2016**  
(Dr. Usha Bholane V/s. The State of Mah. & Ors.)

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

DATE : 14-07-2017

**ORAL ORDER:-**

Heard Shri K.A.Ingle learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondents. Shri B.S.Deshmukh learned Advocate for respondent no.5 is **absent**.

2. Since pleadings are complete, matter is admitted. It may be kept for final hearing on 21-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.559/2016**

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

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

DATE : 14-07-2017

**ORAL ORDER:-**

Heard Shri A.D.Gadekar learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that applicant has not received amount of Rs.65134/- sanctioned by A.G. by communication dated 17-04-2017. Learned P.O. has submitted that she has received communication dated 13-05-2017 from Deputy Executive Engineer, Majalgaon Irrigation Division, Parli Vaijnath, Beed addressed to Superintending Engineer & Administrator, CADA Beed along with letter dated 17-04-2017 issued by A.G. and submitted that the proposal has been sent to the concerned authorities in that regard.

3. On perusal of the record, it reveals that since 3 months, respondent no.3, who is proper authority to

disburse the amount, has not disbursed the amount of Rs.65134/- to the applicant inspite of sanction accorded by the A.G., and therefore, respondent no.2 is directed to file his personal affidavit explaining delay caused in disbursing amount to the applicant, who is responsible for the delay and what action has been taken by him against the erring officer.

4. Steno copy may be provided to the learned P.O. on her request.

5. S.O.21-07-2017.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.704/2016**

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

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

DATE : 14-07-2017

**ORAL ORDER:-**

Heard Shri R.D.Khadap learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents. Shri P.S.Dighe learned Advocate for respondent no.3 is **absent**.

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

3. S.O. 25-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.763/2016**  
(Shri Santosh Ghorpade V/s. The State of Mah. & Ors.)

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

DATE : 14-07-2017

**ORAL ORDER:-**

Heard Shri A.S.Shejwal learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned P.O. seeks to file a short affidavit on behalf of the respondents. Time granted as a last chance.

3. S.O. 26-07-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.849/2016**  
(Shri Ratnakar Kahat V/s. The State of Mah. & Ors.)

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

DATE : 14-07-2017

**ORAL ORDER:-**

Shri A.G.Deshmukh learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for the respondents is present.

2. Learned P.O. seeks time to file reply on behalf of the respondent nos.1 and 2. Time granted as a last chance.
3. S.O. 10-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.884/2016**  
(Shri Lahu Gajdhane V/s. The State of Mah. & Ors.)

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

DATE : 14-07-2017

**ORAL ORDER:-**

Heard Shri V.G.Salgare 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 as a last chance.

3. S.O. 16-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.940/2016**

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

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

DATE : 14-07-2017

**ORAL ORDER:-**

Shri D.G.Kamble learned Advocate for the applicant is **absent**. Shri D.R.Patil learned Presenting Officer for the respondents is present.

2. Learned P.O. states that he will reply during the course of the day. He undertakes to serve copy of the reply on the other side.

3. S.O. 14-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.936/2016**  
(Shri Tuljaram Mane V/s. The State of Mah. & Ors.)

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

DATE : 14-07-2017

**ORAL ORDER:-**

Heard Shri A.D.Gadekar learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Learned P.O. files affidavit in reply on behalf of the respondent no.4. It is taken on record. Copy thereof has been served on the other side.

3. S.O. 14-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.20/2017**

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

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

DATE : 14-07-2017

**ORAL ORDER:-**

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

2. Learned P.O. has submitted that a proposal regarding regular pension is pending with the Government.

3. On perusing the record and proceedings, it reveals that on 04-05-2017 and 06-07-2017, learned P.O. has made statement and submitted that the proposal regarding regular pension is pending with the A.G. and the Government. Learned P.O. had made such statement on instruction from the respondent no.3, therefore, the learned P.O. is directed to furnish name of the person who has given false information to him.

4. Respondent no.3 is directed to file personal affidavit on Monday and explain above situation and current status of provisional pension as well as the final pension of the applicant.

5. S.O. 17-07-2017.

6. Steno copy may be provided to the learned P.O. on his request.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.46/2017**

(Dr. Pramod Mhaske & Ors. V/s. The State of Mah. &  
Ors.)

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

DATE : 14-07-2017

**ORAL ORDER:-**

Heard Shri V.G.Pingle learned Advocate holding for  
Shri V.B.Wagh learned Advocate for the applicant and  
Shri S.K.Shirse learned Presenting Officer for the  
respondents.

2. Learned P.O. seeks time to file on behalf of the  
respondents. Time granted a most last chance.

3. S.O. 09-08-2017.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.357/2017**

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

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

DATE : 14-07-2017

**ORAL ORDER:-**

Heard Shri V.G.Pingle learned Advocate holding for Shri V.B.Wagh learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file on behalf of the respondents. Time granted a most last chance.

3. S.O. 09-08-2017.

4. Interim relief granted earlier to continue till then.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.132/2017**  
(Shri Dattu Sonawane V/s. The State of Mah. & Ors.)

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

DATE : 14-07-2017

**ORAL ORDER:-**

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

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

3. Since the pleadings are complete, matter is admitted. It may be kept for final hearing on 26-07-2017.

4. Interim relief granted earlier to continue till then.

**MEMBER (J)**

YUK ORAL ORDER 14-07-2017

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

**ORIGINAL APPLICATION NO.180/2017.**  
**(Shri P. C. Shelke 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 : 14-07-2017**

**ORAL ORDER:-**

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

2. At the request of both the sides, S. O. to 27.7.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 14-07-2017-ATP**

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

**ORIGINAL APPLICATION NO.198/2017.**

(Shri Yousufuddin Qamruddin 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 : 14-07-2017**

**ORAL ORDER:-**

Heard Shri Asif Ali learned Advocate holding for  
Mrs. A. N. Ansari learned Advocate for the applicant and  
Shri I. S. Thorat learned Presenting Officer for the  
respondents.

2. The learned P. O. files affidavit in record on behalf  
of Respondent no.1. The same is taken on record. Its  
copy is served on the other side.

3. S. O. to 04.08.2017 for hearing on admission.

4. Interim relief to continue till then.

**VICE CHAIRMAN.**

**ORAL ORDERS 14-07-2017-ATP**

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

**ORIGINAL APPLICATION NO.339/2017.**

**(Shri R. A. Kakad & Oths. 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 : 14-07-2017**

**ORAL ORDER:-**

Heard Shri A. S. Deshmukh learned Advocate for the applicants and Smt P. R. Bharaswadkar learned Presenting Officer for the respondents.

2. Mr. M. R. Kulkarni the learned Advocate filed his Vakalatnama on behalf of Respondent no.3 – M.P.S. C. The same is taken on record. He seeks time. At his request, S. O. to 24.07.2017 for hearing on interim relief.

**VICE CHAIRMAN.**

**ORAL ORDERS 14-07-2017-ATP**

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

**OA Nos.825, 864, 865, 866 & 867 all of 2016.**

**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** : 14-07-2017

**ORAL ORDER:-**

Heard Shri V. B. Jogdand Patil learned Advocate for the applicants in all the matters and Shri I. S. Thorat learned Presenting Officer for the respondents in all the matters. None appears for the respondent no.5.

2. In view of the order dated 07.06.2017 the learned Advocate for the Applicants Shri V. B. Jogdand seeks permission to rectify the designation as well as address of Respondent no.2. The correction/amendment be made during course of the day. Upon carrying the correction notices be issued to the Respondent no.2, returnable on 8<sup>th</sup> August, 2017.

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

-2- OA Nos.825, 864, 865, 866 & 867 all of 2016.

4. Applicants are authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

7. S.O. to 08.08.2017.

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

**VICE CHAIRMAN.**

ORAL ORDERS 14-07-2017-ATP

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

**ORIGINAL APPLICATION NO.590/2013.**

(Kaveri Vithalrao Chavan @ Smt. Kaveri Wd/o  
Santoshrao Bagal 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 : 14-07-2017**

**ORAL ORDER:-**

Heard Shri P. G. Gunale learned Advocate for the applicant and Smt S. K. Ghate Deshmukh learned Presenting Officer for the respondents no.1 to 5. None appears for the Respondents no.6, 7 & 8.

2. At the request of the learned Advocate for the applicant, S. O. to 26.07.2017.

**VICE CHAIRMAN.**

**ORAL ORDERS 14-07-2017-ATP**

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

**ORIGINAL APPLICATION NO.611/2013.**  
**(Shri L.V. Kadam 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 : 14-07-2017**

**ORAL ORDER:-**

Heard Shri S. S. Dambe learned Advocate for the applicant and Smt R. S. Deshmukh learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that, the issue is pending before Hon'ble the Supreme Court. In the circumstances, remove from the Board.

3. Be placed for hearing as and when the order would be passed by Hon'ble the Supreme Court.

**VICE CHAIRMAN.**

**ORAL ORDERS 14-07-2017-ATP**